COMMISSION DECISION

of 4 February 1994

allocating import quotas for the fully halogenated chlorofluorocarbons 11, 12, 113, 114 and 115, the other fully halogenated chlorofluorcarbons, halons, carbon tetrachloride and 1,1,1-trichloroethane for the period 1 January to 31 December 1994

(94/84/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 594/91 of 4 March 1991 on stubstances that deplete the ozone layer (1), as amended by Regulation (EEC) No 3952/92 (2),

Whereas Article 3 (1) of Regulation (EEC) No 594/91 states that the release into free circulation of the chlorofluorocarbons 11, 12, 113, 114 and 115, the other fully halogenated chlorofluorcarbons, halons carbon tetrachloride and 1,1,1-trichloroethane imported into the Community from third countries is to be subject to quantitative limits and that these quantitative limits may be modified pursuant to Article 3 (3);

Whereas any increase of these quantitative limits may not lead to a Community consumption of controlled substances beyond the quantitative limits established according to the Montreal Protcol on substances that deplete the ozone layer;

Whereas the amounts of substances resulting from the increase of these quantitative limits are allocated to applicants intending to import used or recycled substances, or substances to be used as a feedstock for the production of other substances, which does not cause any additional harm to the environment;

Whereas the release into free circulation in the Community of the aforesaid substances import from non-Parties to the Montral Protocol is prohibited in accordance with Article 5 of the aforesaid Regulation;

Whereas the Commission is required pursuant to Article 3 (2) of Regulation (EEC) No 594/91, in accordance with the procedure set out in Article 12, to allocate quotas to undertakings that request import quotas;

Whereas the Commission has published a notice to importers in the European Community of controlled substances that deplete the ozone layer (3), regarding the same Regulation and has thereby received applications for import quotas;

Whereas the applications for the import quotas of the chlorofluorcarbons 11, 12, 113, 114 and 115, the other fully halogenated chlorofluorocabons, carbon tetrachloride, and 1,1,1-trichloroethane exceed the import quotas available for allocation under Article 3 (2) as amended, by 7 145 %, 1 128 %, 11 134 % and 501 % respectively;

Whereas the Commission consequently cannot fully satisfy the applications and has to allocate import quotas to the applicants, taking primarily the different environmental impact of the potential imports, the individual background of the applicants in importing the respective substances and the amounts applied for into consideration;

Whereas imports of virgin substances and of substances for possible dispersive uses are potentially more harmful to the environment than imports of used or recycled substances and of substances to be used as a feedstock for the production of other substances;

Whereas some companies which have applied for an import quota for 1994 did not import any of these substances before, while others imported large quantities of substances in the reference year and/or in the following years;

Whereas the applicants from some companies substantially exceed the quantities imported by them in previous years, sometimes by as much as 700 % and more;

Whereas the allocations of the individual quotas to the applcants are to be based on the principles of continuity, equality and proportionality. These principles have been applied by taking account of each undertaking's previous imports, by allocating quotas to as many perspectived importers as possible, and by granting import quotas in proportion to the amount requested;

Whereas Article 12 of Regulation (EEC) No 594/91 sets out the procedure according to which decisions can be taken concerning the implementation of the Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the committee referred to in Article 12 of the same Regulation,

(1) OJ No L 67, 14. 3. 1991, p. 1.
(2) OJ No L 405, 31. 12. 1992, p. 41.
(3) OJ No C 188, 10. 7. 1993, p. 5.

HAS DECIDED AS FOLLOWS:

Article 1

1. The amount of the chlorofluorocarbons 11, 12, 113, 114 and 115 controlled by Regulation (EEC) No 594/91 and indicated in Group I of Annex I thereto which may be released into free circulation in the European Community in 1994 and which is imported from sources outside the Community shall be increased by 26 000 ODP-weighted tons.

2. The amount of the other fully halogenated chlorofluorocarbons controlled by Regulation (EEC) No 594/91 and indicated in Group II of Annex I thereto which may be released into free circulation in the European Community in 1994 and which is imported from sources outside the Community shall be increased by 50 ODP-weighted tons.

3. The amount of halons controlled by Regulation (EEC) No 594/91 and indicated in Group III of Annex I thereto which may be released into free circulation in the European Community in 1994 and which is imported from sources outside the Community shall be increased by 20 000 ODP-weighted tons.

4. The amount of carbon tetrachloride controlled by Regulation (EEC) No 594/91 and indicated in Group IV of Annex I thereto which may be released into free circulation in the European Community in 1994 and which is imported from sources outside the Community shall be increased by 85 000 ODP-weighted tons.

5. The amount of 1,1,1-trichloroethane controlled by Regulation (EEC) No 594/91 and indicated in Group V of Annex I thereto which may be released into free circulation in the European Community in 1994 and which is imported from sources outside the Community shall be increased by 800 ODP-weighted tons.

Article 2

The allocation of import quotas for the chlorofluorocarbons 11, 12, 113, 114 and 115, the other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride and 1,1,1-trichloroethane during the period 1 January to 31 December 1994 shall be as indicated in Annex 3 [1] hereto.

The undertakings authorized to import controlled substances in accordance with the quantities set out in Annex 3 are listed in Annex 2.

Article 3

This Decision is addressed to the undertakings listed in Annex 1.

Done at Brussels, 4 February 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

[1] Annex 3 is not published because it contains confidential commercial information.

ANEXO 1 / BILAG 1 / ANHANG 1 / ΠΑΡΑΡΤΗΜΑ 1 / ANNEX 1 / ANNEXE 1 / ALLEGATO 1 / BIJLAGE 1 / ANEXO 1

Aldrich Chemical Co Ltd, Dr C. D. Hewitt,
The Old Brickyard, New Road, UK-Gillingham,
Dorset, SP8 4JL

Ausimont SpA, Sig. Oscar Corti
Via Principe Eugenio, 1
I-20155 Milano

BHP Supplies Ltd, Mr J. Sweeney,
Units 14/15, Park Street, Aston,
UK-Birmingham, B6 5SH

Brouwer Scientific BV — Mr H. den Hartog
Strijkviertel 35A IX
NL-3454 PJ De Meern

Caldic Chemie BV — Mr F. Meulenbeld
Blaak 22
NL-3011 TA Rotterdam

Calorie — M. Marcel Rossy
503, rue Hélène-Boucher — BP 33
ZI Buc (Versailles)
F-78534 Buc Cedex

Centonze Italiana SAS, Sig. E. Centonze
Via Cevedale, 11
I-20158 Milano

Chemical Industries of Northern Greece SA — Mr G. Amorianos
PO Box 10 183
G-541 10 Thessaloniki

Cogal
Boulevard Henri-Cahn
Gare des marchandises — BP 27
F-94363 Bry-sur-Marne Cedex

Coolgas BV — Mr A. Huninck
Luchthavenweg 24
NL-5507 SK Veldhoven

Copci — M^{me} Bovay
44, rue La Boétie
F-75008 Paris

Dehon Service — Mr C. Brian
26, avenue du Petit-Parc
F-94683 Vincennes Cedex

Disachim — F. Minnaert
4, rue de l'Archade
F-75008 Paris

Dow Benelux BV — Mr D. Sherry
Oude Maasweg 4
NL-3297 Rotterdam-Botlek

Du Pont de Nemours BV — Mr I. Breslau
Postbus 145
NL-3300 AC Dordrecht

Efisol — M. Leroy
5, rue de Dome
F-75116 Paris

Elf Atochem SA — J.-L. Cordon
4, cours Michelet — Cedex 42
F-92091 Paris-La Défense

Fluka Feinchemikalien GmbH — L. Sailor
Messerschmittstraße 17
D-89231 Neu-Ulm

Fluka Chemicals, Mr C. Hewitt,
The Old Brickyard, New Road, UK-Gillingham,
Dorset, SP8 4JL

Friogás SA — E. Morant
Polígono Industrial SEPES — Parcela 10
E-46500 Sagunto-Valancia

Galco SA — C. Schmidt
Avenue Carton de Wiart 79
B-1090 Bruxelles

Gamma Chimica SpA, Sig. G. Mearini
Via Bergamo, 7
I-20020 Lainate Milano

Galex — M. Requena
Traverse de la Monjarde — Gare de l'Estaque
F-13321 Marseille

GHC Gerling Holz & Co. Handels GmbH — Dr. Matz
Ruhrstraße 113
D-22761 Hamburg

Glaxo Manufacturing Services, Mrs B. Henders,
Stockley Park West, UK-Uxbridge,
Middlesex UB11 1BU

Guido Tazzetti & Co Spa — Dr. Franco Rossi
Frankfurter Straße 250
D-64271 Darmstadt

Hoechst AG — Mr. Plitzner
Postfach 800320
D-6230 Frankfurt am Main 80

H. K. Wentworth Limited, Mrs M. Stephens,
Wentworth House, Blakes Road, UK-Wargrave
Berkshire, RG10 8AW

Incosol (Indústria e Comércio de Frio, Lda)
Avenida Miguel Bombarda, nº 21-5º Esq.
P-1000 Lisboa

International Gas and Services (NV) SA — Mr J. Coesmans
Appeldonkstraat 173
B-2830 Willebroek

ICI Chemicals and Polymers Ltd, Dr N. Campbell,
PO Box 13, The Heath, UK-Runcorn,
Cheshire, WA7 4QF

K & K Greef Limited, Mr R. Owen,
Suffolk House, George Street, UK-Croydon,
CR9 3QL

K & K Horgen Limited, Mr S. Wigham,
Bramley Road, Mount Farm Industrial Estate, Bletchley,
UK-Milton Keynes, MK1 1PT

Lambert Rivière SA
17, avenue Louison-Bobet
Val de Fontenay
F-94132 Fontenay-sous-Bois Cedex

Merck — Dr. Hesse
Postfach 4119 — Frankfurter Straße 250
D-64293 Darmstadt

MSB Metron Semiconductors Benelux BV — C. Heerschop
Kabelstraat 19
NL-1322 AD Almere

MSD Metron Semiconductors Deutschland GmbH —
Mr. H. Jung
Saturnstraße 48
D-85609 Aschheim (München)

MSF Metron Semiconductors France — M. H. de Boishébert
ZI La Marinière — 6, rue B. Palissey — BP 1222
F-91912 Évry Cedex 9

MSL Metron Semiconductors Ltd, Ms. P. Brown,
12 Dunlop Square, Deans South West Industrial Estate,
UK-Livingstone,
West Lothian, EH54 8SB

National Refrigerants of America Ltd, Mr Sweeney,
Units 14-15, Park Street, Aston,
UK-Birmingham, B6 5SH

Olin Hunt Speciality Products NV — B. Van Gucht
Steenlandlaan Kaai 1111
B-9130 Beveren Kallo

Orchidis/PCB — M. M. Hurier
11, rue Auguste-Perret
F-94000 Créteil

Petrasol BV — Mr W. Sparenburg
Postbus 222
NL-4200 AE Gorinchem

Promechome — M. P. Arnaud
68, avenue du Général-Michel-Bizot
F-75561 Paris

Proquisa Internacional Importação e Exportação SA —
Sr. H. Simas
Avenida Miguel Bombarda, nº 21-5º
P-1000 Lisboa

Pyrene Company Limited, Mr O'Neill,
Pyrene House, 297 Kingston Road, UK-Livingstone,
Surrey, KT22 7LS

Quifar (Sociedade Químico-Cosmética, Lda)
Avenida Miguel Bombarda, 21-7º
P-1000 Lisboa

RA Bennett Limited, Mr S. Bennett,
Unit 11, Empire Close, Aldridge, UK-Walsall,
WS9 8XZ

Rabtherm International Limited, Mr S. Bennett,
Unit 11, Empire Close, Aldridge, UK-Walsall,
WS9 8XZ

RCN (Recycling-Chemie Niederrhein) GmbH —
Mr. Schneider
Daimlerstraße 26
D-47574 Goch

Refrigerant Products Limited, Mr D. Capper,
2nd Floor, International House, 82-86 Deansgate,
UK-Manchester, M3 2ER

Rhône-Poulenc Chemicals, Mr B. Paul,
St Andrews Road, Avonmouth,
UK-Bristol, BS11 9YF

Samuel Banner & Co. Ltd
59/61 Sandhills Lane
UK-Liverpool L5 9XL

SJB Chem./Min. Products BV — C. Lauryssen
Postbus 322
NL-3233 ZG Oostvoorne

Selecos Srl
Via Roverto
I-20020 Solaro (MI)

SGS Thomson Microelectronics Srl, Sig. G. Mariani
Via Olivetti, 2
I-Agrate Brianza (MI)

Solvay Fluor und Derivate GmbH — Großkopf
Hans-Böckler-Allee 20
D-30173 Hannover

Sotragel — P. Rollet
Rue de Bourgogne
F-69802 Saint-Priest

Superti Srl
Via degli Ottoboni, 46
I-20148 Milano

TEGA (Technische Gase und Gasetechnik) GmbH —
Dr. J. Zoller
Werner-von-Siemens-Straße 18
D-97076 Würzburg

Uniechemie BV — C.J.L. van der Lande
Aruba 21
NL-7332 BJ Apeldoorn

Union Carbide Benelux NV — Ph. Welleman
Noorderlaan 147
B-2030 Antwerpen

M. M. Vaquinhas, Lda — M. May
Rua Mestre Roque Cameiro, nº 29-1º Esq.
P-2700 Amadora

VAR-Handels GmbH — Mr. C. Hentschel
Heusstraße 10
D-76351 Linkenheim-Hochstetten

Vos BV — Dr. E. Wetzels
Postbus 160
NL-2400 AD Alphen a/d Rijn

Zaneca Agro Chemicals, Mr K. Bartlett,
Fernhurst, UK-Haslemere, Surrey,
GU27 3JE

ANNEX 2

GROUP I

Importers of *used and recycled chlorofluorocarbons* 11, 12, 113, 114 and 115 allocated to importers in accordance with Regulation (EEC) No 594/91 as amended

Ausimont (I)
BHP (UK)
Cogal (F)
Du Pont (NL)
ICI Klea (UK)
Libra Products (UK)
National Refrigerants (UK)
RCN (RCN)
Refrigerant Products (UK)
Rhône-Poulenc (UK)
SJB (NL)
Solvay (D)
Uniechemie (NL)

Importers of *virgin chlorofluorocarbons* 11, 12, 113, 114 and 115 allocated to imports in accordance with Regulation (EEC) No 594/91 as amended *for the use as feedstock* in the manufacture of other chemicals

Efisol (F)
Hoechst (D)
ICI Klea (UK)
Incosol (P)
International Gas & Services
Proquisa (P)
Quifar (P)
Zeneca (UK)

Importers of *virgin chlorofluorocarbons* 11, 12, 113, 114 and 115 allocated to importers in accordance with Regulation (EEC) No 594/91 as amended *for other than for feedstock uses*

Aldrich (UK)
BHP (UK)
Brouwer (NL)
Du Pont (NL)
Fluka (D)
Galco (B)
Galex (F)
Glaxo (UK)
H. K. Wentworth (UK)
K & K Horgen (UK)
National Refrigerants (UK)
Orchidis (F)
R. A. Bennet (UK)

GROUP II

Importers of *virgin fully halogenated chlorofluorocarbons* allocated to importers in accordance with Regulation (EEC) No 594/91 as amended

Aldrich (UK)
Du Pont (NL)
Galco (B)
ICI (UK)

GROUP III

Importers of *used or recycled halons* allocated to importers in accordance with Regulation (EEC) No 594/91 as amended

The Pyrene Company (UK)
ICI Klea (UK)
Proquisa (P)

GROUP IV

Importers of *virgin carbon tetrachloride* allocated to importers in accordance with Regulation (EEC) No 594/91 as amended *to be used as feedstock* in the manufacture of other chemicals

Ausimont (I)
Chemical Industries of Northern Greece (EL)
Dow Benelux (NL)
Du Pont (NL)
ICI Klea (UK)
Merck (D)
Rhône-Poulenc (UK)

Importers of *virgin carbon tetrachloride* allocated to importers in accordance with Regulation (EEC) No 594/91 as amended *for other than for feedstock uses*

Aldrich (UK)
Fluka (D)
Fluka (UK)
Merck (D)
Vos (NL)

GROUP V

Importers of *virgin 1,1,1-trichloroethane* allocated to importers in accordance with Regulation (EEC) No 594/91 as amended

Aldrich (UK)
Caldic (NL)
Disachim (F)
Dow Benelux (NL)
Elf Atochem (F)
Fluka (D)
Fluka (DK)
Gamma (I)
ICI Klea (UK)
K & K Greeff (UK)
Lambert Rivière (F)
MSB Metron (NL)
MSD Metron (D)
MSF Metron (F)
MSL Metron (UK)
Olin Hunt (B)
Petrasol (NL)
Promocom (P)
Samuel Banner (UK)
SJB (NL)
SGS (I)
Superti (I)
Union Carbide (B)
VAR (D)
Guido Tazzeti (I)
Vos (NL)

Importers of quotas for *used or recycled 1,1,1-trichloroethane* allocated to importers in accordance with Regulation (EEC) No 594/91 as amended

Elf Atochem (F)
ICI Klea (UK)
Libra Products (UK)
RCN (D)
Superti (I)