II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 December 1999

allocating import quotas for the fully halogenated chlorofluorocarbons 11, 12, 113, 114 and 115, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride, 1,1,1-trichloroethane, hydrobromofluorocarbons and methyl bromide for the period 1 January to 31 December 2000 and in addition, allocating placing on the market quotas for hydrochlorofluorocarbons for the period 1 January to 31 December 2000

(notified under document number C(1999) 4434)

(Only the Spanish, German, Danish, Greek, English, French, Italian, Dutch, Portuguese and Swedish texts are authentic)

(Text with EEA relevance)

(2000/379/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No. 3093/94 of 15 December 1994 on substances that deplete the ozone layer [1] and in particular to Articles 4(8) and 7(2) thereof;

(1) Whereas Article 7(1) of Regulation (EC) No. 3093/94 states that without prejudice to Article 4(8) and unless the substances are intended for destruction by a technology approved by the Parties, for feedstock use in the manufacture of other chemicals or for quarantine and preshipment, the release for free circulation in the Community of controlled substances imported from third countries shall be subject to quantitative limits;

(2) Whereas the quantitative limits for the release into free circulation in the Community of controlled substances are set out in Annex II and Article 4(8) of Regulation (EC) 3093/94; Whereas these limits may be modified pursuant to Article 7(3);

(3) Whereas any modification of these quantitative limits may not lead to Community consumption of controlled substances exceeding the quantitative limits established according to the Montreal Protocol on substances that deplete the ozone layer;

(4) Whereas Article 4(8) of Regulation (EC) No 3093/94 defines the total calculated level of hydrochlorofluorocarbons (HCFCs) which producers and importers may place on the market or use for their own account in the period 1 January to 31 December 1995 and in each 12-month period thereafter; whereas this corresponds to a quantity of 8 079 ODP tonnes;

(5) Whereas the Commission is required, under Article 4(8), in accordance with the procedure laid down in Article 16, to assign a quota to each producer or importer when the total quantity of HCFCs which producers and importers place on the market or use for their own account reaches 80 % of the quantitative limit established or at the latest on 1 January 2000, whichever comes first;

(6) Whereas the 80 % threshold has been reached in the years 1997 and 1998. It is likely that this will also be the case in 1999 making it necessary to assign placing on the market quotas for HCFCs for 2000;

[1] OJ L 333, 22.12.1994, p. 1.

(7) Whereas the Commission is required under Article 7(2) of Regulation (EC) No 3093/94 to allocate quotas for controlled substances to undertakings each year in accordance with the procedure set out in Article 16;

(8) Whereas the Commission has published a notice to importers in the European Community of controlled substances that deplete the ozone layer [1] and has thereby received applications for import quotas';

(9) Whereas import into the Community of chlorofluorocarbons 11, 12, 113, 114 and 115, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride, 1,1,1-trichloroethane and hydrobromofluorocarbons is prohibited except for feedstock, destruction and essential uses; whereas import for feedstock and destruction is not quota limited under Council Regulation (EC) No 3093/94; Whereas quotas for essential uses are authorised by a separate Commission Decision;

(10) Whereas the allocation of individual quotas to producers and importers is based on the principles of continuity, equality and proportionality; whereas, in establishing quotas, the Commission has been guided by the need to reduce further the production, import and use of substances which damage the ozone layer while interfering in the market as little as possible;

(11) Whereas for methyl bromide the import quotas are allocated to the primary importers, considered by the Commission to be the importers who deal directly by way of invoicing with the producers outside the Community reserve of 100,6 ODP tonnes of methyl bromide is retained for allocation during 2000 in accordance with the Article 16 procedure;

(12) Whereas it is appropriate to retain part of the total HCFC placing on the market quota for allocation to importers in the Community who are not engaged in the production of HCFCs; whereas in 1998 and 1999, the level of imports is 4 % of the total quota available; whereas it is appropriate in 2000 to retain 4 % of the total quota for allocation to importers who are not engaged in the production of HCFCs; whereas this corresponds to a quantity of 323 ODP tonnes;

(13) Whereas the HCFC placing on the market quota for each producer in the Community in 2000 shall reflect the market share which that producer reached in 1996, calculated in ODP tonnes; whereas it is appropriate to retain 1996 as a base-year; whereas it is considered appropriate to allocate the total available HCFC quantity of 7 756 ODP tonnes between producers without leaving a reserve;

(14) Whereas Import licenses shall be issued by the Commission in accordance with Article 6 of the aforesaid Regulation, after verification of compliance by the importer with Articles 7, 8 and 12;

(15) Whereas the release for free circulation in the Community of chlorofluorocarbons 11, 12, 113, 114 and 115, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride, 1,1,1-trichloroethane and hydrobromofluorocarbons imported from any State not Party is prohibited in accordance with Article 8 of Regulation (EC) 3093/94;

(16) Whereas the measures provided for in this Decision are in accordance with the opinion of the committee established by Article 16 of the same Regulation,

HAS ADOPTED THIS DECISION:

Article 1

1. The quantity of chlorofluorocarbons 11, 12, 113, 114 and 115 subject to Regulation (EC) No 3093/94 which may be released for free circulation in the European Community in 2000 from sources outside the Community shall be 0 ODP weighted tonnes.

2. The quantity of other fully halogenated chlorofluorocarbons subject to Regulation (EC) No 3093/94 which may be released for free circulation in the European Community in 2000 from sources outside the Community shall be 0 ODP weighted tonnes.

3. The quantity of halons subject to Regulation (EC) No 3093/94 which may be released for free circulation in the European Community in 2000 from sources outside the Community shall be 0 ODP weighted tonnes.

4. The quantity of carbon tetrachloride subject to Regulation (EC) No 3093/94 which may be released for free circulation in the European Community in 2000 from sources outside the Community shall be 0 ODP weighted tonnes.

5. The quantity of 1,1,1-trichloroethane subject to Regulation (EC) No 3093/94 which may be released for free circulation in the European Community in 2000 from sources outside the Community shall be 0 ODP weighted tonnes.

6. The quantity of methyl bromide subject to Regulation (EC) No 3093/94 which may be released for free circulation in the European Community in 2000 shall be 5 870 ODP weighted tonnes of virgin material for uses other than feedstock and quarantine and preshipment.

7. The quantity of hydrobromofluorocarbons subject to Regulation (EC) No 3093/94 which may be released for free circulation in the European Community in 2000 from sources outside the Community shall be 0 ODP weighted tonnes.

Article 2

1. The quantity of hydrochlorofluorocarbons subject to Regulation (EC) No 3093/94 which producers and importers may place on the market or use for their own account within the Community in 2000 shall be 8 079 ODP tonnes.

[1] OJ C 208, 22.7.1999, p. 5.

2. The quantity of hydrochlorofluorocarbons subject to Regulation (EC) No 3093/94 which producers may place on the market or use for their own account within the Community in 2000 shall be 7 756 ODP tonnes.

3. The quantity of hydrochlorofluorocarbons subject to Regulation (EC) No 3093/94 to be allocated in 2000 by the Commission to importers within the Community who are not engaged in the production of HCFCs shall be 323 ODP tonnes.

Article 3

1. The allocation of import quotas for methyl bromide during the period 1 January to 31 December 2000 shall be for the purposes indicated and to the companies indicated in Annex II hereto.

2. The allocation of quotas for the placing on the market or use for their own account of hydrochlorofluorocarbons by producers and importers in the Community during the period 1 January to 31 December 2000 shall be to the undertakings indicated in Annex III hereto.

3. The import quotas for methyl bromide during the period 1 January to 31 December 2000 shall be as set out in Annex IV [1] hereto.

4. The quotas for the placing on the market or use for their own account of hydrochlorofluorocarbons by producers and importers in the Community during the period 1 January to 31 December 2000 shall be as set out in Annex V [1].

Article 4

This Decision is addressed to the undertakings listed in Annex I hereto.

Done at Brussels, 14 December 1999.

For the Commission

Margot WALLSTRÖM

Member of the Commission

[1] Annexes IV and V are not published because they contain confidential commercial information.

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I — LIITE I — BILAGA I

AlliedSignal Fluorochemicals Europe BV
Kempenweg 90
Postbus 264
6000 AG Weert
Nederland

Ausimont SpA
Via S. Pietro, 50/a
20021 Bollate-MI
Italy

Chemical Industries of Northern Greece S.A.
Thessaloniki Plant
PO Box 10 183
GR 541 10 Thessaloniki

DuPont de Nemours (Nederland) BV
Baanhoekweg 22
33700 AC Dordrecht
Nederland

Elf Atochem S.A.
Cours Michelet — La Défense 10
F-92091 Paris La Défense

ICI Klea
PO Box 13, The Health
Runcorn, Cheshire WA7 4QF
United Kingdom

Rhodia Ltd
PO Box 46-St Andrews Road
Avonmouth
Bristol BS11 9YF
United Kingdom

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

Agroquímicos de Levante SA
Avda. Primado Reig, 129, 4º B
E-46020 Valencia

Albemarle SA
Parc Scientifique Einstein
Rue du Bosquet 9
B-1348 Louvain-la-Neuve

Alfa Agricultural Supplies S.A.
13, Tim. Filimonos str
GR-11521 Athens

Biochem Ibérica
Apartado 250, Jardia
P-2870 Montijo

Eurobrom BV
Postbus 158
2280 AD Rijswijk
Nederland

Great Lakes Chemical (Europe) Ltd
PO Box 44, Oil Sites Road
Ellesmere Port
South Wirral L65 4GD
United Kingdom

Mebrom NV
Assenedestraat 4
B-9940 Rieme-Ertvelde

Neoquímica
Apartado 97
P-2580 Carregado

AB Ninolab
Box 137
S-194 22 Upplands Väsby

ADVchem
La Carretera, 31
E-08776 Sant Pere de Ruidebitlles

A-Gas Limited
Banyard Road
Portbury West
Bristol BS20 7XH
United Kingdom

Alcobre SA
Luis I, nave 6-B
E-28031 Madrid

Arthur Friedrichs Nachfolger
Bei den Kämpen 22
D-21220 Seevetal

Asahi Glass Europe BV
World Trade Center
Strawinskylaan 1525
1077 XX Amsterdam
Nederland

Avenue Bleue International
23-25, rue Jean-Jacques Rousseau
F-75001 Paris

Bayer Hispania SA
Pau Claris, 196
E-08037 Barcelona

Boucquillon NV
Nijverheidslaan 38
B-8540 Deerlijk

C.P. Chemicals
Via de Amicis, 49
20123 Milano
Italy

Calorie
503, rue Hélène-Boucher
ZI Buc
BP 33
F-78534 Buc Cedex

Celotex Limited
Warwick House
27/31 St Mary's Road
Ealing
London W5 5PR
United Kingdom

Dinagas SA
Polígono industrial Calonge
Aviación, 4
E-41007 Sevilla

Eco Pur SL
Verge del Pilar, 17
E-43420 Santa Coloma de Queralt

Edulan A/S
Jens Olsens Vej 3
Skejby
DK-8200 Århus N

Efisol
14-24, rue des Agglomérés
F-92024 Nanterre Cedex

Fibran S.A.
6th km Thessaloniki
Oreokastro
P.O. Box 40306
GR-560 10 Thessaloniki

Fiocco Trade SL
Molina, 16, puerta 5
E-46006 Valencia

Galco SA
Avenue Carton de Wiart 79
B-1090 Bruxelles

Galex SA
BP 128
F-13321 Marseille Cedex 16

Gasco NV
Assenedestraat 4
B-9940 Rieme-Ertvelde

Gerling Holz & Co. Handels AG
Ruhrstraße 113
D-22761 Hamburg

Greencool Refrigerants
Unit 12
Park Gate Business Centre
Chandlers Way
Park Gate
Southampton SO31 1FQ
United Kingdom

Guido Tazzetti & Co.
Strada Settimo, 266
10156 Torino
Italy

H & H International Ltd
Richmond Bridge House
419 Richmond Road
Richmond TW1 2EX
United Kingdom

HRP Refrigerants Ltd
Gellihirion Industrial Estate
Pontypridd CF37 5SX
United Kingdom

ICC Chemicals (UK) Ltd
Northbridge Road
Berkhamsted
Hertfordshire HP4 IEF
United Kingdom

Inquinosa Internacional SA
Hermanos Escartín, 7
E-28224 Pozuelo de Alarcón

Kal y Sol
Polígon industrial Can Roca
Sant Martí, s/n
E-08107 Martorelles

Nagase Europe Ltd
Crown House
143 Regent Street
London WIR 7LB
United Kingdom

Plasfi SA
Ctra. de Montblanc, s/n
E-43420 Santa Coloma de Queralt

Polar Cool SL
Polígono industrial Ventorro del Cano
Valdemorillo, 8
E-28925 Alcorcón

Poliuretanos SA
Camí de Matamala, s/n
E-17244 Cassà de la Selva

Promosol
Boulevard Henri Cahn
BP 27
F-94363 Bry-sur-Marne Cedex

Proquisa SA
Zona industrial Alto do Colaride, lote F1
Agualva
P-2735-208 Cacém

Pur Products Limited
7 Beeston Hall Mews
Beeston, Tarporley
Cheshire CW6 9TZ
United Kingdom

Quifar SA
Zona industrial Alto do Colaride, lote F1
Agualva
P-2735-208 Cacém

Quimidroga SA
Tuset, 26
E-08006 Barcelona

Recticel NV
Damstraat 2
B-9230 Wetteren

Refrigeramt Products Ltd.
N9 Central Park Estate
Westinghouse Road
Trafford Park
Manchester M17 1PG
United Kingdom

Resina Chemie BV
Korte Groningerweg 1A
9607 PS Foxhol
Nederland

RPS Europe SL
Garraf, 39, 1º 3ª
E-08905 Hospitalet de Llobregat

Service 'Chimie'
5, place de l'Église
F-77400 Saint-Thibault

SJB Chemical Products BV
Wellerondon 11
3231 XV Brielle
Nederland

Sotragal SA
Rue de Bourgogne
F-69802 Saint-Priest Cedex

Stag, SA
Camino Hormigueras, 100
E-28030 Madrid

Stagi International SA
Lituania, 2
E-28030 Madrid

Secours Froid
61-64 Centre commercial 'Le Pérou' Petit-Pérou
F-97139 Abymes — Guadeloupe

Synthesia Española SA
Comte Borrel, 62
E-08015 Barcelona

Universal Chemistry & Technology (U.C.T.)
SpA
V.le A. Filippetti, 20
20122 Milano
Italy

Visteon/Ford Electrónica Portuguesa
Estrada Nacional 252 — km 12
Parque industrial das Carrascas
Volta da Pedra
P-2950 Palmela

ANNEX II

GROUP VI

Import quotas for methyl bromide allocated to importers in accordance with Regulation (EC) No 3093/94 for the use as soil fumigation and other uses subject to quotas

Company

Agroquímicos de Levante (E)
Albemarle (B)
Alfa Supplies (GR)
Biochem Ibérica (P)
Eurobrom (NL)
Great Lakes (UK)
Mebrom (B)
Neoquímica (P)

ANNEX III

Quotas for placing on the market or use for their own account of hydrochlorofluorocarbons by producers and importers in the Community during the period 1 January to 31 December 2000 shall be assigned to the undertakings indicated below.

PRODUCERS

AlliedSignal (NL)
Ausimont (I)
CING (GR)
DuPont (NL)
Elf Atochem (E, F)
ICI (UK)
Rhodia (UK)
Solvay (B, D, F)

IMPORTERS

AB Ninolab (S)
ADVchem (E)
A-Gas Limited (UK)
Alcobre (E)
Arthur Friedrichs Nachfolger (D)
Asahi Glass (NL)
Avenue Bleue International (F)
Bayer Hispania (E)
Boucquillon (B)
C.P. Chemicals (I)
Calorie (F)
Celotex (UK)
Dinagás (E)
ECO PUR (E)
Edulan A/S (DK)
Efisol (F)
Fibran (GR)
Fiocco (E)
Galco (B)
Galex (F)
Gasco (B)
Gerling Holz & Co. Handels GmbH (D)
Greencool (UK)
Guido Tazzetti (I)
H&H International (UK)
HRP Refrigerants (UK)
ICC Chemicals (UK)
Inquinosa Internacional (E)
Kal y Sol (E)
Nagase & Co. (UK)
Plasfi (E)
Polarcool (E)
Poliuretanos SA (E)
Promosol (F)
Proquisa (P)
Pur Products (UK)
Quifar (P)
Quimidroga (E)
Recticel (B)
Refrigeration Prod. (UK)
Resina Chemie BV (NL)
RPS Europe (E)
Service Chimie (F)
SJB Chemical (NL)
Sotragal SA (F)
Stag, SA (E)
Stagi (E)
Secours Froid (F)
Synthesia Española (E)
UCT (I)
Visteon (P)