

Fluorinated gases regulation

2022/0099(COD) - 07/03/2023 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the report by Bas EICKHOUT (Greens/EFA, NL) on the proposal for a regulation of the European Parliament and of the Council on fluorinated greenhouse gases, amending Directive (EU) 2019/1937 and repealing Regulation (EU) No 517/2014.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Alternative solutions

The report stressed that the shift towards the use of hydrofluorocarbon (HFC) alternatives will lead to cost savings for undertakings as a result of avoided HFC quota purchase and will spur green innovation and employment. Member States should however ensure a fair and just transition.

To accelerate innovation in, and the development of, more climate-friendly solutions and to provide certainty for consumers and investors, Members wish to strengthen new requirements proposed by the Commission that prohibit the placing on the single market of products containing F-gases (Annex IV). The text adds prohibitions on the use of F-gases for sectors where it is technologically and economically feasible to switch to alternatives that do not use F-gases, such as refrigeration, air conditioning, heat pumps and electrical switchgear.

Control of use

According to the report, from 1 January 2024, the following uses should be prohibited:

- (a) the servicing or maintenance of stationary refrigeration equipment, with the exclusion of chillers, by fluorinated greenhouse gases listed in Annex I, with a global warming potential of 150 or more;
- (b) the servicing or maintenance of air conditioning and heat pump equipment, mobile refrigeration equipment and chillers by fluorinated greenhouse gases listed in Annex I, with a global warming potential of 2 500 or more.

This measure should not apply to military equipment or equipment intended for applications designed to cool medicinal products to temperatures below - 50 °C or equipment intended for applications designed to cool nuclear power stations.

With a view to achieving a zero HFCs target by 2050 (Annex VII), Members introduced a steeper trajectory from 2039 onwards to phase down hydrofluorocarbons (HFCs) placed on the EU market.

Obligation to carry out checks

The report suggested that competent authorities of Member States should carry out checks to establish whether undertakings comply with their obligations under this Regulation. These checks should include on-site visits of establishments with the appropriate frequency and verification of relevant documentation and equipment as well as checks of online platforms selling bulk fluorinated gases or products and equipment that contain such gases.

Preventing illegal trade

Members wish to take further action on illegal trade by proposing minimum penalties for non-compliance, eliminating out exemptions and thresholds for reporting, and increasing investments in customs and monitoring.

Review

Lastly, Members stated that the Commission should continuously monitor technological and market developments in relation to the use of fluorinated greenhouse gases and their natural alternatives in the Union.

By 1 January 2027, the Commission should publish a report on the implementation of this Regulation, including in relation to the impact of this Regulation on the health sector, particularly the availability of metered dose inhalers for the delivery of pharmaceutical ingredients, as well as on the impact on the market of cooling equipment used in conjunction with batteries.