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⁽¹⁾ Text with EEA relevance.

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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II

(Non-legislative acts)

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2021/456

of 12 March 2021

amending Implementing Decision (EU) 2020/1604 as regards the determination of reference values for certain importers and producers for the period from 1 January 2021 to 31 December 2023*(notified under document C(2021) 1155)***(Only the Dutch, English, French and German texts are authentic)****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 517/2014 of the European Parliament and the Council of 16 April 2014 on fluorinated greenhouse gases and repealing Regulation (EC) No 842/2006 ⁽¹⁾, and in particular Article 16(3) thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2020/1604 ⁽²⁾ determines reference values for the period from 1 January 2021 to 31 December 2023 for each importer or producer that has lawfully placed on the market hydrofluorocarbons from 1 January 2015 to 31 December 2019, as reported under Article 19 of Regulation (EU) No 517/2014.
- (2) Commission Implementing Regulation (EU) 2018/1992 ⁽³⁾ amended Implementing Regulation (EU) No 1191/2014 ⁽⁴⁾ to allow for the separation of the reporting data in respect of amounts of hydrofluorocarbons placed on the market in the United Kingdom and in the Union of 27 Member States, from the calendar year 2018 onwards.
- (3) Importers and producers established in the United Kingdom have submitted additional verified data to the Commission, complementing the reporting they already made pursuant to Article 19 of Regulation (EU) No 517/2014 for the years 2015 to 2017. Those data differentiate between hydrofluorocarbons placed on the market in the United Kingdom and in the Union of 27 Member States.

⁽¹⁾ OJ L 150, 20.5.2014, p. 195.

⁽²⁾ Commission Implementing Decision (EU) 2020/1604 of 23 October 2020 determining, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases, reference values for the period 1 January 2021 to 31 December 2023 for each producer or importer which has lawfully placed hydrofluorocarbons on the market in the Union from 1 January 2015, as reported under that Regulation (OJ L 364, 3.11.2020 p. 1).

⁽³⁾ Commission Implementing Regulation (EU) 2018/1992 of 14 December 2018 amending Implementing Regulation (EU) No 1191/2014 as regards the reporting of data referred to in Article 19 of Regulation (EU) No 517/2014 in respect of hydrofluorocarbons placed on the market in the United Kingdom and in the Union of 27 Member States (OJ L 320, 17.12.2018, p. 25).

⁽⁴⁾ Commission Implementing Regulation (EU) No 1191/2014 of 30 October 2014 determining the format and means for submitting the report referred to in Article 19 of Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases (OJ L 318, 5.11.2014, p. 5).

- (4) For the determination of reference values for the period from 1 January 2021 to 31 December 2023, where importers and producers reported to have placed hydrofluorocarbons on the market physically (i.e. not in the form of authorisations) both in the United Kingdom and in the Union of 27 Member States, Implementing Decision (EU) 2020/1604 takes into account the amounts placed on the market in the Union of 27 Member States.
- (5) Pursuant to Article 18(2) of Regulation (EU) No 517/2014, where importers or producers authorise the use of their quota, the respective quantities of hydrofluorocarbons are considered to have been placed on the market by those companies at the moment of the authorisation. There is no reported data available that allow for the separation of authorisations to use quota into quantities of hydrofluorocarbons placed on the market in the United Kingdom and in the Union of 27 Member States. In addition, importers or producers are not in a position to specify in which market their authorised quota have been, or will be, used by the recipient company.
- (6) At the same time, where importers or producers reported physical placings on the market both in the United Kingdom and in the Union of 27 Member States, Implementing Decision (EU) 2020/1604 provides that the identical market separation also applies to the total amount of authorisations to use quota issued by those importers and producers. In this respect, that Implementing Decision considers that only a share of those authorisations have been placed on the market in the Union of 27 Member States.
- (7) There is no direct link between a market separation related to quantities of hydrofluorocarbons physically placed on the market and a market separation related to authorisations to use quota. Therefore, the total amount of authorisations to use quota issued by importers or producers that, for the same year for any of the years from 2015 to 2019, have reported to have placed hydrofluorocarbons both on the market in the United Kingdom and in the Union of 27 Member States, should be considered as placed on the market in the Union of 27 Member States.
- (8) In this respect, the reference values for concerned importers and producers for the period from 1 January 2021 to 31 December 2023 should be recalculated. That recalculation only affects eight companies, which will be notified separately of the respective reference value. The importers and producers whose reference values are not affected by this Decision, will not receive an individual notification of their unchanged reference values.
- (9) Implementing Decision (EU) 2020/1604 should therefore be amended accordingly as regards the reference values of eight importers and producers. The amendment only concerns the rows related to the reference values of each of these importers and producers as established in the Annex to this Decision.
- (10) In order to align the date of application of the amendments with the date of application of Implementing Decision (EU) 2020/1604, it is appropriate for this Decision to apply from 1 January 2021.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 24 of Regulation (EU) No 517/2014,

HAS ADOPTED THIS DECISION:

Article 1

The rows 200, 397, 608, 957, 969, 1333, 1365 and 1379 of the Annex to Implementing Decision (EU) 2020/1604 are amended in accordance with the Annex to this Decision.

Article 2

This Decision is addressed to the following undertakings:

	Registry-ID	Name of undertaking and address
1.	14806	Daikin Refrigerants Europe GmbH Industriepark Hoechst, D821 Frankfurt 65926 Germany
2.	9410	ARKEMA France 420 rue d'Estienne d'Orves, Colombes cedex 92705 France
3.	9978	RSL Ireland Limited 48F Robinhood Industrial Estate, Clondalkin Dublin 22 Ireland
4.	9461	Honeywell Fluorine Products Europe B.V. Stationsplein Zuid-West ,961 Schiphol-Oost NL-1117 CE Netherlands
5.	28243	Mexichem Fluor EU B.V. Stationsplein,3 Zwolle 8011 CW Netherlands
6.	9401	A-Gas (UK) Ltd Banyard Road, Portbury West, Bristol BS20 7XH United Kingdom
7.	9475	Mexichem UK Limited The Heath Business & Technical Park, Runcorn, Cheshire WA7 4QX United Kingdom
8.	9996	Sea-Fire Europe Ltd Unity 2 Discovery Voyager Park Portfield Road, Portsmouth PO2 5FN United Kingdom

Article 3

This decision shall apply from 1 January 2021.

Done at Brussels, 12 March 2021.

For the Commission
Frans TIMMERMANS
Executive Vice-President

ANNEX

(Commercially sensitive – not to be published)

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