



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
CLIMATE ACTION

The Director-General

Brussels
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cc : [REDACTED]@albergeigr.com

Subject: Illegal trade in refrigerants and the EU Green Deal
In reference to the message of [REDACTED] of 17 January 2020

Dear [REDACTED]

Preventing illegal trade of HFCs across the EU border is high on the political agenda. We are working continuously to meet this objective, across the Commission services and in close cooperation with Member States. I am also aware, and happy to see, that the industry is putting a lot of effort in raising awareness.

A lot of activities are on-going. We have raised this issue repeatedly with Member States, including with environment ministers, that custom checks are key to preventing illegal trade activities and that penalties envisaged for infringements of the F-Gas Regulation must be dissuasive. We are also continuously providing guidance to customs authorities on how they can check, via our electronic registry that manages the quota allocation mechanism, if a company is authorised to place HFCs on the market. Where there is evidence that a Member State is not taking sufficient measures to prevent illegal imports, we will not hesitate to propose opening infringement proceedings. As you are aware, the IT system under the "EU Single Window environment for customs" initiative is expected to become operational this year; it will allow customs authorities of participating Member States to get automatic alerts about potential illegal trade. DG TAXUD has a flagship initiative to make the use of the Single Window mandatory (the proposal will be made later this year). TAXUD is also financing the Customs 2020 Project Group where F-gas national experts and customs authorities from 13 Member States, as well as the Commission (TAXUD, OLAF, CLIMA), examine the possibilities for tackling illegal trade in HFCs. The group has met twice and after a third meeting next month will issue a

best-practice checklist for custom checks. OLAF, the Commission's Anti-Fraud Office, is currently investigating individual cases of potential illegal activities and has organised a dedicated conference on this issue on 23-24 January also inviting industry.

The F-Gas Regulation remains an impressive legal tool in the fight against climate change. As evidenced by the changes in technology seen on the EU market, the Regulation continues to meet its objectives. The upcoming review of the Regulation will be an opportunity to reflect on further tools for addressing illegal trade.

We should also keep in mind the increasing health and environmental concerns posed by highly persistent chemicals. There is increasing evidence of the adverse effects caused by exposure to highly fluorinated compounds (PFAS), on the widespread occurrence of PFAS in water, soil, articles and waste and the threat this may cause to our drinking water supplies. This evidence was the pillar for the Council conclusions "Towards a Sustainable Chemicals Policy Strategy" of the Union. In particular, the Council calls on the Commission to develop an action plan to eliminate all non-essential uses of PFAS. The Commission (DG ENV) is planning to deliver this strategy in 2020.

Mrs Yvon Slingenbergh (Director - International, Mainstreaming and Policy Coordination) together with her colleagues from DG TAXUD and OLAF would be happy to meet with you and discuss issues related to the implementation of the F-Gas Regulation. We will be sending possible dates soon.

Yours sincerely,

A large rectangular area of the document has been redacted with a solid grey box, obscuring the signature of Mauro PETRICCIONE.

Mauro PETRICCIONE