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EN

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) 2021/2257

of 10 December 2021

determining quantitative limits and allocating quotas for substances controlled under Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer, for the period 1 January to 31 December 2022

(notified under document C(2021)8864)

(Only the Bulgarian, Croatian, Czech, Dutch, English, French, German, Greek, Hungarian, Italian, Latvian, Maltese, Polish, Portuguese and Spanish texts are authentic)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer ⁽¹⁾, and in particular Articles 10(2) and 16(1) thereof,

Whereas:

- (1) The release for free circulation in the Union of imported controlled substances is subject to quantitative limits.
- (2) The Commission is required to determine those limits and allocate quotas to undertakings.
- (3) Furthermore, the Commission is required to determine the quantities of controlled substances other than hydrochlorofluorocarbons that may be used for essential laboratory and analytical uses, and the undertakings that may use them.
- (4) The determination of the allocated quotas for essential laboratory and analytical uses has to ensure that the quantitative limits set out in Article 10(6) of Regulation (EC) No 1005/2009 are respected, applying Commission Regulation (EU) No 537/2011 ⁽²⁾. As those quantitative limits include quantities of hydrochlorofluorocarbons licensed for laboratory and analytical uses, the production and import of hydrochlorofluorocarbons for those uses should also be covered by that allocation.
- (5) The Commission has published a notice to undertakings intending to import or export controlled substances that deplete the ozone layer to or from the European Union in 2022 and to undertakings intending to produce or import these substances for laboratory and analytical uses in 2022 ⁽³⁾, and has thereby received declarations on intended imports in 2022.

⁽¹⁾ OJ L 286, 31.10.2009, p. 1.

⁽²⁾ Commission Regulation (EU) No 537/2011 of 1 June 2011 on the mechanism for the allocation of quantities of controlled substances allowed for laboratory and analytical uses in the Union under Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer (OJ L 147, 2.6.2011, p. 4).

⁽³⁾ OJ C 104, 26.3.2021, p. 6.

- (6) The quantitative limits and quotas should be determined for the period 1 January to 31 December 2022, in line with the annual reporting cycle under the Montreal Protocol on Substances that Deplete the Ozone Layer.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 25(1) of Regulation (EC) No 1005/2009,

HAS ADOPTED THIS DECISION:

Article 1

Quantitative limits for release for free circulation

The quantities of controlled substances subject to Regulation (EC) No 1005/2009 which may be released for free circulation in the Union in 2022 from sources outside the Union shall be the followings:

Controlled substances	Quantity (in ozone depleting potential (ODP) kilograms)
Group I (chlorofluorocarbons 11, 12, 113, 114 and 115) and group II (other fully halogenated chlorofluorocarbons)	500 550,00
Group III (halons)	25 644 250,00
Group IV (carbon tetrachloride)	24 530 561,00
Group V (1,1,1-trichloroethane)	2 500 000,00
Group VI (methyl bromide)	630 835,20
Group VII (hydrobromofluorocarbons)	4 569,16
Group VIII (hydrochlorofluorocarbons)	4 933 484,75
Group IX (bromochloromethane)	264 024,00

Article 2

Allocation of quotas for release for free circulation

1. The allocation of quotas for chlorofluorocarbons 11, 12, 113, 114 and 115 and other fully halogenated chlorofluorocarbons during the period 1 January to 31 December 2022 shall be for the purposes and to the undertakings indicated in Annex I.
2. The allocation of quotas for halons during the period 1 January to 31 December 2022 shall be for the purposes and to the undertakings indicated in Annex II.
3. The allocation of quotas for carbon tetrachloride during the period 1 January to 31 December 2022 shall be for the purposes and to the undertakings indicated in Annex III.
4. The allocation of quotas for 1,1,1-trichloroethane during the period 1 January to 31 December 2022 shall be for the purposes and to the undertakings indicated in Annex IV.
5. The allocation of quotas for methyl bromide during the period 1 January to 31 December 2022 shall be for the purposes and to the undertakings indicated in Annex V.
6. The allocation of quotas for hydrobromofluorocarbons during the period 1 January to 31 December 2022 shall be for the purposes and to the undertakings indicated in Annex VI.
7. The allocation of quotas for hydrochlorofluorocarbons during the period 1 January to 31 December 2022 shall be for the purposes and to the undertakings indicated in Annex VII.

8. The allocation of quotas for bromochloromethane during the period 1 January to 31 December 2022 shall be for the purposes and to the undertakings indicated in Annex VIII.
9. The individual quotas for undertakings shall be as set out in Annex IX.

Article 3

Quotas for laboratory and analytical uses

The quotas for importing and producing controlled substances for laboratory and analytical uses in the year 2022 shall be allocated to the undertakings listed in Annex X.

The maximum quantities that may be produced or imported in 2022 for laboratory and analytical uses allocated to those undertakings are set out in Annex XI.

Article 4

Period of validity

This Decision shall apply from 1 January 2022 until 31 December 2022.

Article 5

Addressees

This Decision is addressed to the following undertakings:

1	A-Gas Deutschland GmbH Bei den Kämpfen 22 21220 Seevetal Germany	2	Abcr GmbH Im Schleht 10 76187 Karlsruhe Germany
3	Agilent Technologies Manufacturing GmbH & Co. KG Hewlett-Packard-Str. 8 D-76337 Waldbronn Germany	4	Air Products GmbH An der Kost Hattingen Germany
5	Albemarle Europe SPRL Parc Scientifique Einstein, Rue du Bosquet 9 B-1348 Louvain-la-Neuve Belgium	6	ARKEMA FRANCE Rue Estienne d'Orves 420 92705 COLOMBES Cedex France
7	ATELIERS BIGATA SASU RUE JEAN-BAPTISTE PERRIN 10 33320 EYSINES France	8	BASF Agri-Production S.A.S. Rue de Verdun 32 76410 Saint-Aubin Les Elbeuf France
9	Bayer AG Alfred-Nobel-Str. 50 40789 Monheim Germany	10	Biovit d.o.o. Varazdinska ulica – Odvojak II 15 HR-42000 Varazdin Croatia
11	Blue Cube Germany Assets GmbH & Co. KG Buetzflether Sand 2 21683 Stade Germany	12	BTC B.V. Albert Thijsstraat 65 6471WX Eijgelshoven Netherlands
13	Ceram Optec SIA Skanstes street 7 K-1 LV-1013 Riga Latvia	14	Chemours Netherlands B.V. Baanhoekweg 22 3313LA Dordrecht Netherlands

15	Daikin Refrigerants Frankfurt GmbH Industriepark Hoechst D821 65926 Frankfurt Germany	16	Dyneon GmbH Industrieparkstr. 1 84508 Burgkirchen Germany
17	EAF protect s.r.o. Karlovarská 131/50 35002 Cheb 2 Czech Republic	18	FOT LTD Ovcha kupel 13 1618 Sofia Bulgaria
19	Freie Universität Berlin Fabeckstr. 34/36 14195 Berlin Germany	20	Gedeon Richter Plc. Gyömrői út 19-21. H-1103 Budapest Hungary
21	GHC Gerling, Holz & Co. Handels GmbH Ruhrstr. 113 22761 Hamburg Germany	22	GIELLE INDUSTRIES di Luigi Galantucci VIA FERRI ROCCO 32 70022 ALTAMURA Italy
23	Hovione FarmaCiencia SA Quinta de S. Pedro – Sete Casas 2674-506 Loures Portugal	24	Hudson Technologies Europe S.r.l. Via degli Olmetti 39/E 00060 Formello Italy
25	Hugen Maintenance for Aircraft B.V. Marketing 43 6921 Duiven Netherlands	26	Hugen Reprocessing Company Dutch Halonbank bv Marketing 43 6921 RE Duiven Netherlands
27	ICL EUROPE COOPERATIEF U.A. Koningin Wilhelminaplein 30 1062 KR Amsterdam Netherlands	28	INTERGEO LTD INDUSTRIAL PARK OF THERMI 57001 THESSALONIKI Greece
29	L'HOTELLIER SAS Rue Henri Poincaré 4 92160 ANTONY France	30	Labmix24 GmbH Industriestr. 18A 46499 Hamminkeln Germany
31	LABORATORIOS MIRET S.A. Geminis 4 08228 Terrassa Spain	32	LGC Standards GmbH Mercatorstr. 51 46485 Wesel Germany
33	Martec SpA Via dell'industria 1 I-20060 Vignate Italy	34	MEBROM NV SUIKERKAAI 66 9060 ZELZATE Belgium
35	Mebrom Technology NV Antwerpsesteenweg 45 2830 Willebroek Belgium	36	Neochema GmbH Am Kümmerling 37A 55294 Bodenheim Germany
37	P.U. POZ-PLISZKA Sp. z o.o. Mialki Szlak 52 80-717 Gdansk Poland	38	Philipps-Universität Marburg Biegenstrasse 10 35032 Marburg Germany
39	R.P. CHEM s.r.l. Via San Michele 47 31032 Casale sul Sile (TV) Italy	40	Restek France Avenue du General de Gaulle 7 91090 Lisses France

41	Restek GmbH Schaberweg 23 Bad Homburg Germany	42	Restek S.r.l. Via G. Miglioli 2/A 20063 Cernusco sul Naviglio Italy
43	Safety Hi-Tech srl Via Bellini 22 00198 Roma Italy	44	Saltigo GmbH Kaiser-Wilhelm-Allee 40 51373 Leverkusen Germany
45	SANOFI CHIMIE LE BOURG 63480 VERTOLAYE France	46	Savi Technologie sp. z o.o. sp. k. Psary Wolnosci 20 51-180 Wrocław Poland
47	SIGMA ALDRICH CHIMIE sarl Rue de Luzais 80 38070 SAINT QUENTIN FALLAVIER France	48	Sigma-Aldrich Chemie GmbH Riedstraße 2 89555 Steinheim Germany
49	Solvay Fluor GmbH Hans-Boeckler-Allee 20 30173 Hannover Germany	50	Solvay Specialty Polymers France SAS Avenue de la Republique 39501 Tavaux Cedex France
51	Solvay Specialty Polymers Italy SpA Viale Lombardia 20 20021 Bollate Italy	52	Sterling Chemical Malta Limited Hal Far Industrial Estate HF 51 1504 FLORIANA Malta
53	Sterling SpA Via della Carboneria 30 06073 Solomeo – Corciano (PG) Italy	54	Tazzetti SAU Calle Roma 2 28813 Torres de la Alameda Spain
55	Tazzetti SpA Corso Europa 600/A 10088 Volpiano Italy	56	TECHLAB SARL La tannerie 4C 57072 METZ Cedex 3 France
57	TEGA – Technische Gase und Gasetechnik GmbH Werner-von-Siemens-Str. 18 D-97076 Würzburg Germany	58	Tusnovics Instruments Sp. z o.o. Bociana 4A/49A 31-231 Kraków Poland
59	ULTRA Scientific Italia srl Via emilia 51/D 40011 Anzola emilia Italy	60	UTM Umwelt-Technik-Metallrecycling GmbH Alt-Herrenwyk 12 23569 Lübeck Germany
61	VALLISCOR EUROPA LIMITED 13-18 City Quay D02 ED70 Dublin Ireland		

Done at Brussels, 10 December 2021.

For the Commission
Frans TIMMERMANS
Executive Vice-President

ANNEX I

GROUPS I and II

Import quotas for chlorofluorocarbons 11, 12, 113, 114 and 115 and other fully halogenated chlorofluorocarbons allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses and process agent uses during the period 1 January to 31 December 2022.

Company

Abcr GmbH (DE)

Solvay Specialty Polymers Italy SpA (IT)

Tazzetti SAU (ES)

Tazzetti SpA (IT)

TEGA - Technische Gase und Gasetechnik GmbH (DE)

ANNEX II

GROUP III

Import quotas for halons allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses and critical uses during the period 1 January to 31 December 2022.

Company

A-Gas Deutschland GmbH (DE)

Abcr GmbH (DE)

ARKEMA FRANCE (FR)

ATELIERS BIGATA SASU (FR)

BASF Agri-Production S.A.S. (FR)

BTC B.V. (NL)

EAF protect s.r.o. (CZ)

GIELLE INDUSTRIES di Luigi Galantucci (IT)

Hugen Maintenance for Aircraft B.V. (NL)

Hugen Reprocessing Company Dutch Halonbank bv (NL)

INTERGEO LTD (EL)

L'HOTELLIER SAS (FR)

Martec SpA (IT)

P.U. POZ-PLISZKA Sp. z o.o. (PL)

Savi Technologie sp. z o.o. sp. k. (PL)

UTM Umwelt-Technik-Metallrecycling GmbH (DE)

ANNEX III

GROUP IV

Import quotas for carbon tetrachloride allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses and process agent uses for the period 1 January to 31 December 2022.

Company

Abcr GmbH (DE)

ARKEMA FRANCE (FR)

Blue Cube Germany Assets GmbH & Co. KG (DE)

Ceram Optec SIA (LV)

ANNEX IV

GROUP V

Import quotas for 1,1,1-trichloroethane allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses for the period 1 January to 31 December 2022.

Company

ARKEMA FRANCE (FR)

ANNEX V

GROUP VI

Import quotas for methyl bromide allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses for the period 1 January to 31 December 2022.

Company

Abcr GmbH (DE)

GHC Gerling, Holz & Co. Handels GmbH (DE)

ICL EUROPE COOPERATIEF U.A. (NL)

MEBROM NV (BE)

Mebrom Technology NV (BE)

SANOFI CHIMIE (FR)

Sigma-Aldrich Chemie GmbH (DE)

ANNEX VI

GROUP VII

Import quotas for hydrobromofluorocarbons allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses for the period 1 January to 31 December 2022.

Company

Abcr GmbH (DE)

Hovione FarmaCiencia SA (PT)

R.P. CHEM s.r.l. (IT)

SANOFI CHIMIE (FR)

Sterling Chemical Malta Limited (MT)

Sterling SpA (IT)

VALLISCOR EUROPA LIMITED (IE)

ANNEX VII

GROUP VIII

Import quotas for hydrochlorofluorocarbons allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses for the period 1 January to 31 December 2022.

Company

Abcr GmbH (DE)

ARKEMA FRANCE (FR)

Bayer AG (DE)

Chemours Netherlands B.V. (NL)

Dyneon GmbH (DE)

GIELLE INDUSTRIES di Luigi Galantucci (IT)

Saltigo GmbH (DE)

Solvay Fluor GmbH (DE)

Solvay Specialty Polymers France SAS (FR)

Solvay Specialty Polymers Italy SpA (IT)

Tazzetti SAU (ES)

Tazzetti SpA (IT)

ANNEX VIII

GROUP IX

Import quotas for bromochloromethane allocated to importers in accordance with Regulation (EC) No 1005/2009 for feedstock uses for the period 1 January to 31 December 2022.

Company

Albemarle Europe SPRL (BE)

ICL EUROPE COOPERATIEF U.A. (NL)

LABORATORIOS MIRET S.A. (ES)

Sigma-Aldrich Chemie GmbH (DE)

VALLISCOR EUROPA LIMITED (IE)

ANNEX IX

(Commercially sensitive - in confidence - not to be published)

ANNEX X

Undertakings entitled to produce or import for laboratory and analytical uses in 2022

The quota of controlled substances which may be used for laboratory and analytical uses, are allocated to:

Company
Abcr GmbH (DE)
Agilent Technologies Manufacturing GmbH & Co. KG (DE)
Air Products GmbH (DE)
ARKEMA FRANCE (FR)
Biovit d.o.o. (HR)
Daikin Refrigerants Frankfurt GmbH (DE)
FOT LTD (BG)
Freie Universität Berlin (DE)
Gedeon Richter Plc. (HU)
Hudson Technologies Europe S.r.l. (IT)
Labmix24 GmbH (DE)
LGC Standards GmbH (DE)
Neochema GmbH (DE)
Philipps-Universität Marburg (DE)
Restek France (FR)
Restek GmbH (DE)
Restek S.r.l. (IT)
Safety Hi-Tech srl (IT)
SIGMA ALDRICH CHIMIE sarl (FR)
Sigma-Aldrich Chemie GmbH (DE)
Solvay Fluor GmbH (DE)
Solvay Specialty Polymers France SAS (FR)
Solvay Specialty Polymers Italy SpA (IT)
TECHLAB SARL (FR)
Tusnovics Instruments Sp. z o.o. (PL)
ULTRA Scientific Italia srl (IT)
VALLISCOR EUROPA LIMITED (IE)

ANNEX XI

(Commercially sensitive - in confidence - not to be published)

COMMISSION IMPLEMENTING DECISION (EU) 2021/2258**of 14 December 2021****on the request for registration of the European citizens' initiative entitled 'Green VAT – An EU Green VAT to stimulate sustainable and eco-friendly products and services' pursuant to Regulation (EU) 2019/788 of the European Parliament and of the Council***(notified under document C(2021) 9041)***(Only the English text is authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European citizens' initiative ⁽¹⁾, and in particular Article 6(2) and (3) thereof,

Whereas:

- (1) A request for registration of a European citizens' initiative entitled 'Green VAT – An EU Green VAT to stimulate sustainable and eco-friendly products and services' was submitted to the Commission on 5 November 2021.
- (2) The objective of the initiative as expressed by the organisers is 'Reducing the VAT rate for green products and services'.
- (3) An annex provides further details on the subject matter, objectives and background to the initiative. It explains that the organisers call on the Commission to initiate tax reductions for ecological, sustainably-produced and environmentally-friendly products in Europe, so that all Member States could actively support climate and environmental protection. It states further that the value added tax (VAT) is available to every government in the Union as a fiscal policy tool and that a corresponding Union requirement would have to be implemented by the Member States. It suggests that the Commission could use the flexibilisation of VAT rates, decided by the ECOFIN Council in the summer 2021, as a basis for the Green VAT.
- (4) Insofar as the initiative seeks the adoption of provisions for the harmonisation of legislation concerning turnover taxes, to the extent that such harmonisation is necessary to ensure the establishment and the functioning of the internal market and to avoid distortion of competition, the Commission has the power to present a proposal for a legal act on the basis of Article 113 of the Treaty.
- (5) For those reasons, none of the parts of the initiative manifestly falls outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties.
- (6) This conclusion is without prejudice to the assessment of whether the concrete factual and substantive conditions required for the Commission to act, including compliance with the principles of proportionality and subsidiarity and compatibility with fundamental rights, would be met in this case.
- (7) The group of organisers has provided appropriate evidence that it fulfils the requirements laid down in Article 5(1) and (2) of Regulation (EU) 2019/788 and has designated the contact persons in accordance with Article 5(3), first subparagraph, of that Regulation.

⁽¹⁾ OJ L 130, 17.5.2019, p. 55.

- (8) The initiative is not manifestly abusive, frivolous or vexatious, nor is it manifestly contrary to the values of the Union as set out in Article 2 of the Treaty on European Union and rights enshrined in the Charter of Fundamental Rights of the European Union.
- (9) The initiative entitled 'Green VAT – An EU Green VAT to stimulate sustainable and eco-friendly products and services' should therefore be registered.
- (10) The conclusion that the conditions for registration under Article 6(3) of Regulation (EU) 2019/788 are fulfilled does not imply that the Commission in any way confirms the factual correctness of the content of the initiative, which is the sole responsibility of the group of organisers of the initiative. The content of the initiative only expresses the views of the group of organisers, and can in no way be taken to reflect the views of the Commission,

HAS ADOPTED THIS DECISION:

Article 1

The European citizens' initiative entitled 'Green VAT – An EU Green VAT to stimulate sustainable and eco-friendly products and services' shall be registered.

Article 2

This Decision is addressed to the group of organisers of the citizens' initiative entitled 'Green VAT – An EU Green VAT to stimulate sustainable and eco-friendly products and services', represented by Ms Nadine STÄDTNER and Ms Karolina PROTAS acting as contact persons.

Done at Strasbourg, 14 December 2021.

For the Commission
Věra JOUROVÁ
Vice-President

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