



**Promouvoir
une attitude
responsable**

COLLOQUE AFCE - 29 SEPTEMBRE 2022



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LA FILIÈRE AU CŒUR DE LA TRANSITION ÉCOLOGIQUE

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Illegal Imports of HFCs into the EU

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Questions to be answered

Is illegal trade in HFCs still happening in the EU?

What actions are being taken against illegal trade?

How will the revision of the F-gas Regulation impact illegal trade?

Enforcement

General definition:

Law enforcement is the **activity of some members of government** who act in an organized manner **to enforce the law by discovering, deterring, rehabilitating, or punishing people who violate the rules and norms governing that society.**

Basic principle:

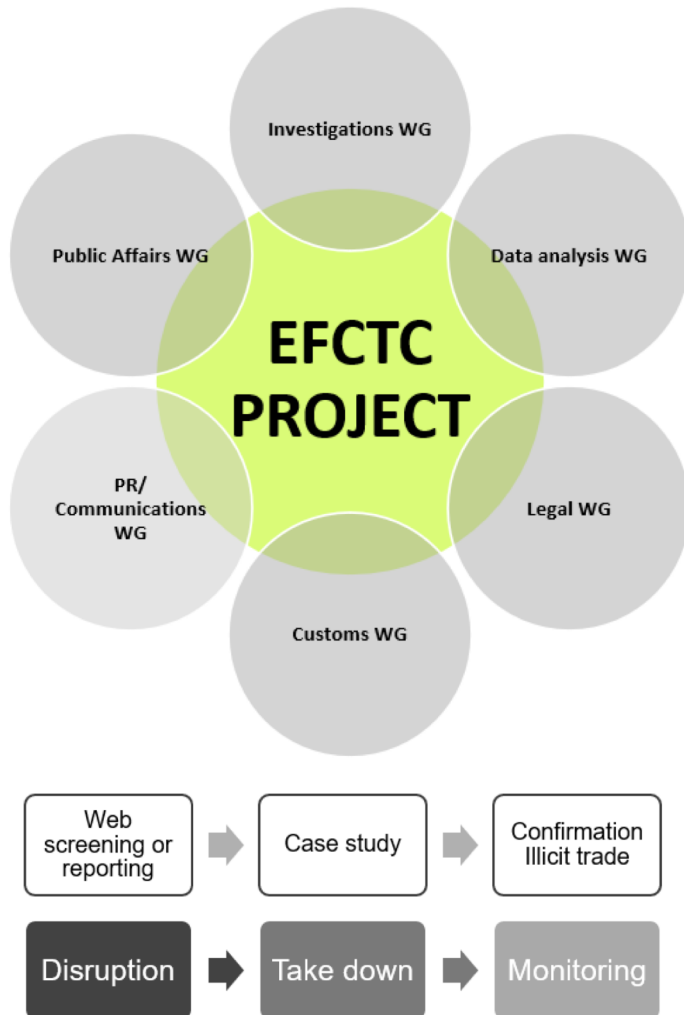
- Play a central role in implementing the **European Green Deal agenda** and the **Chemicals Strategy for Sustainability**.
- Crucial for the competitiveness of EU businesses.

CEFIC and sector groups:

- European Fluorocarbon Technical Committee – **Illegal imports of HFCs project**
- Enforcement Issue Team
- Reach revision and enforcement application CLP as tool to better regulate hazard
- Online market



Enforcement: EFCTC Actions



Investigation:

Action line

Traffic analysis

Online market screening + takedown activities

Strong collaboration with OLAF

Customs:

- +20 enforcement webinars in local languages
- Single window monitoring
- Face-to-face event in prep

Advocacy and PR

- Meetings with several MS, Commission and EU Agencies
- Link to local associations
- Dedicated website: <https://www.stopillegalcooling.eu/>
- Dedicated PR campaign – media and socials

F-gas revision: EFCTC case

New EU Commission proposal - Steps in the right direction

New revision published on 5th April 2022

Enhanced control of placing HFCs on the market, effective vetting of all companies

Reinforced legal provisions facilitating improved border control and enforcement against illegal trade

Improved containment measures, end-of-life treatment

Alignment with international agreements (Kigali Amendment to the Montreal Protocol)

WORK IN
PROGRESS

Points to be refined

- Set of minimum penalties for non-compliance
- Reporting for imports including temporary storage and the customs procedures: to be further defined
- Controls on supply of HFCs into the EU
- Guidance is mandated for disposal of confiscated product, containers and equipment being illegally imported into the EU (i.e. timing)
- Funding to be allocated to the Member States for destruction
- Ensure mandatory implementation of the Single Window Environment for Customs

Illegal Imports HFCs - Investigations

- Numbers from Jan 2022

Cases

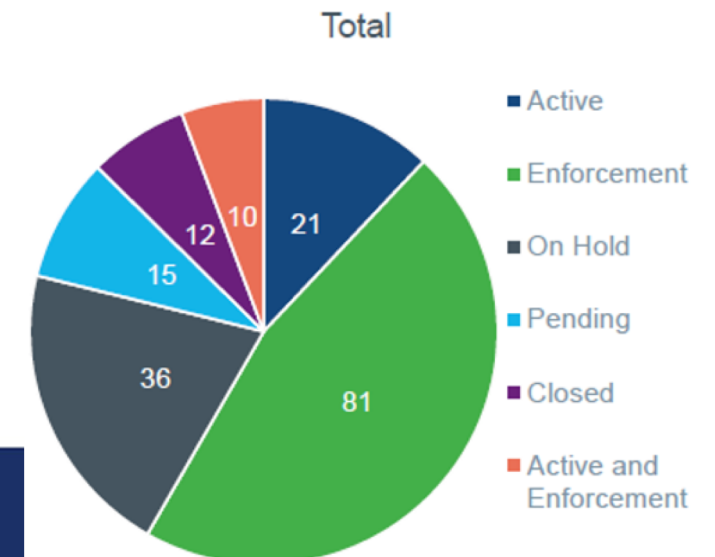
- **21** active cases
- **29** action line lead
- **41** intelligence packs sent to Law Enforcement

- Italy, Poland: 7
- Ukraine, Romania: 5
- Greece, UK: 3
- Latvia, Spain, Estonia: 2
- Austria, Belgium, Bulgaria, Cyprus, Slovakia: 1

Online market: takedown

- 477 listing for takedown → 450 removed

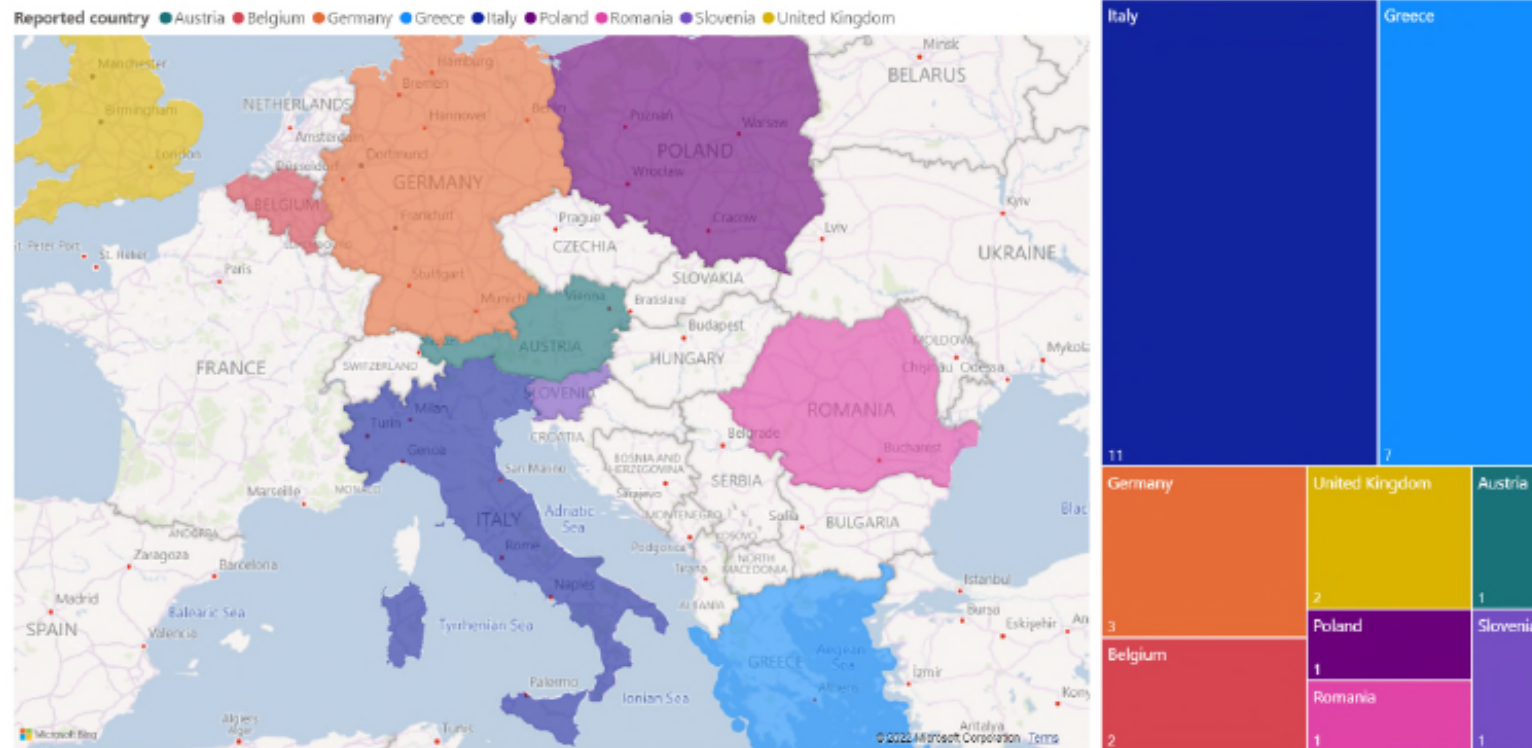
- **Active and Enforcement (10)**: Investigations shared with law enforcement, involving ongoing communications with target and work with OLAF or local enforcement partners
- **Active (21)**: Ongoing investigations, including test purchase operations
- **Pending (15)**: Targets identified but not qualified and no investigation commenced
- **On Hold (36)**: Where investigations have commenced and evidence prepared, but pending further action
- **Enforcement (81)**: Investigations completed but pending enforcement action by OLAF or local enforcement partners
- **Closed 2022 (12)**: Cases closed this year.



Illegal Imports HFCs – Action Line

- Numbers from Jan 2022

ACTION LINE REPORTS BY COUNTRY (YTD 2022)

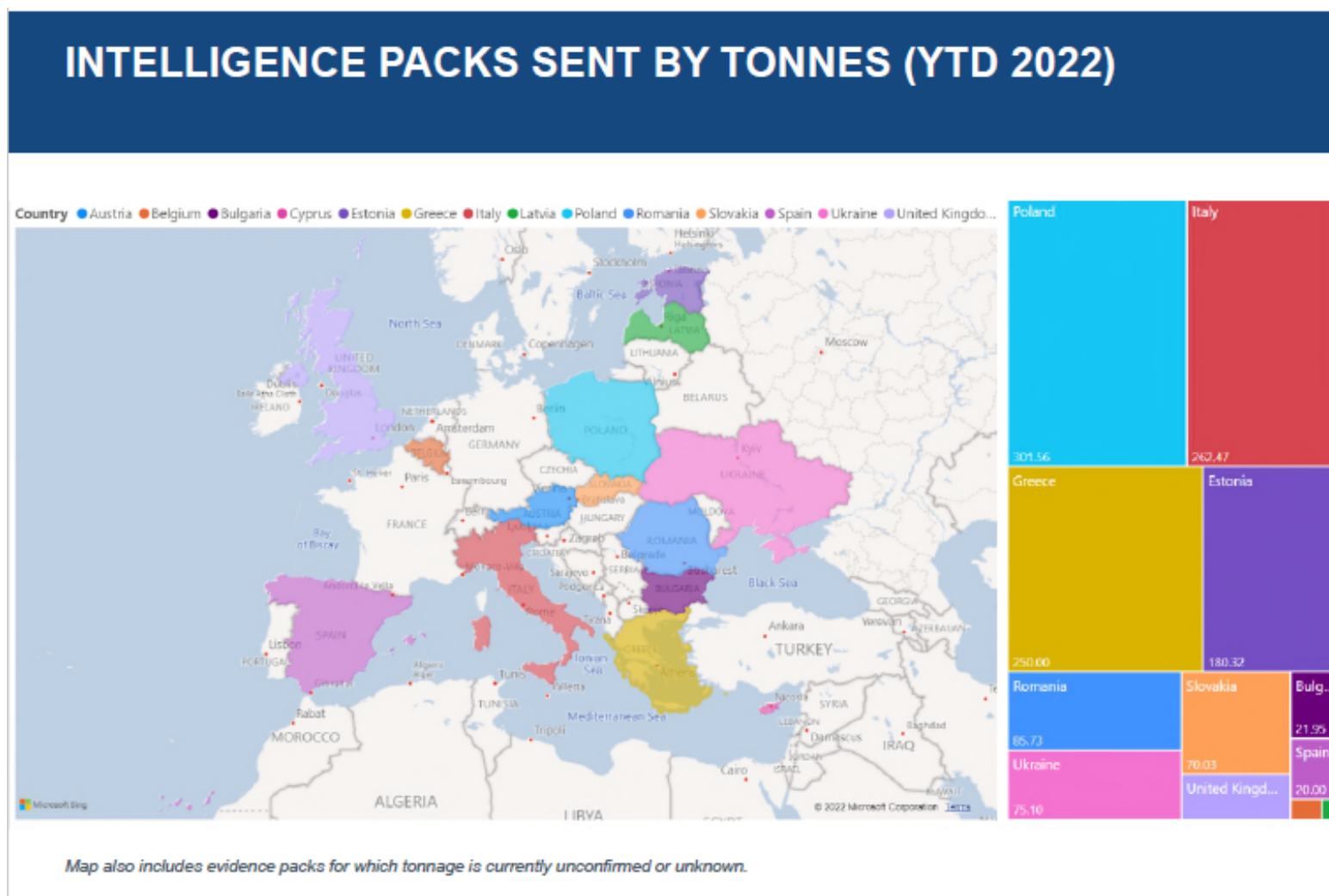


<https://efctc.integrityline.org/>

Map excludes reports made "out of scope" or where a single country is not specified in the hotline report ("Other").

Illegal Imports HFCs – Intelligence packs

- Numbers from Jan 2022



<https://efctc.integrityline.org/>

Illegal Imports HFCs – Results

- Official confiscations

ROMANIA

- July 2019: 95 cylinders
- July 2019: 86 Kg (R134a, R404A, R32)
- July 2020: 76045 kg (R134a, R404A, R407c and 507)
- Mar 2021: 9000 kg (R404A)

POLAND

- 2018: 414 cases - 10676 kg
- April 2019: 24459 kg (R134a, R404A, R410A)
- Sept 2019: 13768 kg - 1202 cylinders (R404A)

ITALY

- Mar 2019: 150 kg - 11 cylinders (R22, R134a, R410A, R404A)
- Feb 2020: 10000 kg - 38 cylinders (Photos suggest some of it was R404A)
- May 2020: 12500 kg (R134a, R410a, R404A)
- Jul 2020: 2500 kg - various
- Sept 2020: 3700 kg - various
- Aug 2021: 2500 kg - R422D
- Jan 2022: 5800 kg - various

SEPTEMBER 20-25/2022

- Europol/OLAF: Joint Inspection Week
- 16 countries involved

The Joint Inspection Week led to:

- 1 682 inspections;
- 706 administrative infringements detected;
- 28 criminal infringements detected;
- 7 arrests;
- Seizures of 2 105 cylinders or the equivalent of 142 288 tonnes of CO₂ (estimated value: > € 10M)

CYPRUS

- Feb 2021: 385 kg (R134A - various)

CROATIA

- 2018: 25 cases - 1941.8 kg - 102 cylinders (R134a, R410A, R404A, R407C)

THE NETHERLANDS

- July 2020: 14000 kg - 1150 cylinders (R410A, R32, R404A)
- August 2020: 300 HFC aerosol cans (130 t of CO₂e)
- Oct 2020: 10430 kg (R404A)

GREECE

- 2018: 5 cases - 432 kg (R134a, R404A, R410A, R407C)
- Dec 2019: 23000 kg - 1939 cylinders (R407C, R404A)
- Jun 2020: 3500 kg (R22 and R404A)
- Jul 2020: 329 kg (R404A and R410a)
- Jan 2021: 28700 kg - 2294 cylinders (various)
- July 2021: 17200 kg (R134a, R410A, R407A, R407F, R507 and R1234yf)

BULGARIA

- 2018: 147 kg (R404A and R134a)
- Jan 2019: 1123.2 kg (R134a and R404A)
- Feb 2019: 13342 kg (R22)
- Sept 2019: 544 kg (HCFC R22)
- Sept 2019 27 kg (R134a)
- Jan 2020: 12977 kg (R134a)
- May 2020: 490 kg (R134a, R404A)
- Aug 2021: 10 cylinders

SPAIN

- May 2019: 10000 kg (R22)
- Aug 2019: 3468 kg (R407c, ...)
- Nov 2020: 19000 kg - various
- Jul 2021: 27000 kg (R134a)
- June 2022: 110 t - various



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