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**CLIMA.A.2 - Climate Finance, Mainstreaming, Montreal Protocol**

# **ODS Licensing System**

## **Manual**

### **PART I**

### **GENERAL INFORMATION ON ODS LICENSING**

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ODS Licensing System (v 1.20)

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## 1. INTRODUCTION

Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer<sup>1</sup> (the Regulation) includes requirements for the import and export of controlled substances<sup>2</sup>. In this manual these substances are referred to as ozone-depleting substances (ODS).

The Regulation prohibits imports as well as exports of ODS and products & equipment containing or relying on ODS. However, there are exemptions to this prohibition. A licence is required in case of import/export of ODS (in any quantity) for exempted uses. Licences are issued by the European Commission<sup>3</sup> (the Commission) with the use of the ODS Licensing System.

The ODS Licensing System Manual comprises four parts:

- Part I. General information on ODS licensing,
- Part II. Registration of an organisation (Registration Manual),
- Part III. Manual for undertakings (Importers / Exporters / Producers),
- Part IV. Manual for Customs Offices.<sup>4</sup>

This is the first part of the manual and it describes:

- groups of substances which are controlled,
- types of ODS imports and exports which are permitted in the European Union (EU),
- types of ODS imports which require quota.

Furthermore, this part of the manual includes in the annexes:

- a glossary,
- a list of abbreviations,
- a summary of international trade restrictions.

In summary, Manual Part 1 provides general information about the requirements for ODS trade. The titles of the sections are presented in the form of questions to guide the reader

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<sup>1</sup> <http://eur-lex.europa.eu/> search — year: 2009, number:1005, type: Regulation.

<sup>2</sup> The controlled substances are listed in Annex I of Regulation (EC) No 1005/2009.

<sup>3</sup> European Commission, Directorate General Climate Action, e-mail: [clima-ods@ec.europa.eu](mailto:clima-ods@ec.europa.eu)

<sup>4</sup> For access to the remaining parts of the manual see <https://circabc.europa.eu/w/browse/d514949d-f5cf-484c-b274-fdafeeb87ae4> The manuals are available at CIRCABC online forum. Go to tab 'Library' and next to folder '1. Manuals'

to any missing information. The terms defined in the glossary (Annex 1) and the abbreviations (Annex 2) are used in all parts of the manual (Part I – IV).

## 2. RULES FOR ODS TRADE

The Regulation prohibits the imports and exports of ODS but there are exemptions to the prohibition. This chapter describes which types of imports/ exports of ODS are permitted in the European Union.

### 2.1. Which substances are controlled?

Substances listed in Table 1 are controlled in the European Union. They are split into nine groups. In this manual these substances are referred to as ozone-depleting substances (ODS).

All isomers of these substances are controlled, including radioactively marked substances. Additionally, mixtures containing any of these substances are controlled. Products & equipment containing or relying on these substances are also controlled.

The import and export of substances from Table 1 is prohibited with the exceptions outlined in Table 3 and Table 4 of this manual. A licence is required if the import/ export of these substances is allowed as a result of an exemption.

**Table 1 Controlled substances listed in Annex I of the Regulation (EC) No 1005/2009**

Group	Abbreviation	Description
Groups I and II	CFCs	Chlorofluorocarbons
Group III	Halons	Halons (1211, 1301 and 2402)
Group IV	CTC	Carbon tetrachloride
Group V	TCA	1,1,1-Trichloroethane
Group VI	MB	Methyl bromide
Group VII	HBFCs	Hydrobromofluorocarbons
Group VIII	HCFCs	Hydrochlorofluorocarbons
Group IX	BCM	Bromochloromethane

## 2.2. Are products & equipment containing ODS controlled?

The trade of products & equipment which contain or rely on any of the substances from Table 1 is restricted. Table 2 provides examples of products & equipment. It also gives examples of substances to mark the difference between the two.

**Table 2 Examples of products & equipment and substances**

Term	Examples
Products & equipment containing or relying on ozone-depleting substances	<p>Products:</p> <ol style="list-style-type: none"> <li>1) Fire extinguisher containing halon 1301,</li> <li>2) Halon 1211 in a pressurised gas cylinder specifically designed to be used in lavatory fire protection systems on aircrafts,</li> <li>3) A polyurethane pre-polymer,</li> <li>4) A foam containing or manufactured with an ODS.</li> </ol> <p>Equipment:</p> <ol style="list-style-type: none"> <li>1) Aircraft which includes portable extinguishers or fixed systems containing halon,</li> <li>2) Refrigerator and air conditioner,</li> <li>3) Heat pump.</li> </ol>
Ozone-depleting substances	<p>Substances:</p> <ol style="list-style-type: none"> <li>1) Halon 1301 in a pressurised gas cylinder which is not designed for a specific use (e.g. a standard gas bottle),</li> <li>2) CTC in a glass bottle for laboratory uses.</li> </ol> <p>Mixtures:</p> <ol style="list-style-type: none"> <li>1) A bottle containing CFC 12 (5%) and methanol (95%),</li> <li>2) A refillable container of R-501 (blend of HCFC-22 and CFC-12).</li> </ol>

## 2.3. Which ODS trade activities are permitted?

The trade of any substances and products & equipment containing or relying on ODS is restricted. Trade activities listed in Table 3 and Table 4 below are exempted from the general import and export prohibition. The imports and exports of ODS for uses outlined in Tables 3 and 4 are subject to licencing.

**Table 3 Permitted trade activities for substances and mixtures**

Use <sup>5</sup>	Permitted activity	Conditions
Feedstock use	Import of substance for feedstock use	- Importer must hold quota corresponding to the intended import
	Export of substance for feedstock use	
Process agent use	Import of substance for process agent use	- Restricted to the following substances: CFCs (groups I) and CTC (group IV) - Use must be listed in Annex III of the Regulation - Importer must hold quota corresponding to the intended import
	Export of substance for process agent use	
Essential laboratory or analytical uses	Import or production of substance for laboratory or analytical use	- Use must be essential; for example listed in Commission Regulation No 291/2011 - Importer must hold quota corresponding to the intended import
	Export of substance for laboratory or analytical use	
Use of HCFC for refrigeration, foam blowing, fire-fighting, solvents etc.	Import of HCFC for repackaging and re-export	- Restricted to the following substances: HCFCs (group VIII) - Imported ODS must be repackaged - Imported ODS must be re-exported until end of the year following the import year - The above is permitted until 31/12/2019 - Exports restricted to export of virgin or reclaimed HCFC
	Export of HCFC for refrigeration, foam blowing fire-fighting, solvent use and other uses	

<sup>5</sup> The purpose for which the undertaking imports/ exports the ODS

Emergency uses of methyl bromide	Import of methyl bromide for emergency use	- Restricted to the following substance: methyl bromide (group VI) - Prior authorisation is required
Critical uses of halon	Import of halon for critical use	- Restricted to the following substances: halons (group III) - Use must be critical; it must be listed in Annex VI of the Regulation
	Export of halon for critical use	
Destruction	Import of substance for destruction	- Destruction facility must be indicated in advance

The permitted trade activities for substances and mixtures are summarised in Table 3.

For essential laboratory or analytical uses it is allowed to import and export ODS for exempted essential uses and also it is possible to produce these substances in the European Union. A non-exhaustive list of the essential uses can be found in the labODS Registry Manual<sup>6</sup> and in the Annex of Commission Regulation No 291/2011<sup>7</sup>.

Another ODS that can be produced in the EU is HCFC (e.g. for refrigeration, foam blowing fire-fighting or solvent use). However, it is not allowed to place the HCFC produced for these uses on the European market and it has to be exported out of the EU. It is allowed to import HCFC for refrigeration, foam blowing fire-fighting or solvent use provided that the HCFC is repackaged and re-exported out of the EU until the end of the year following the import year. Therefore the use of HCFC in the EU is prohibited.

The import of methyl bromide is prohibited with the rare exception of use of methyl bromide in case of emergencies as well as feedstock and laboratory use.

Moreover, with the exception of feedstock and laboratory use, the import/ export of halons for uses other than critical uses is prohibited. A list of the exempted critical uses can be found in Annex VI of the Regulation.

European undertakings can also import any ODS for the purpose of destroying it in a destruction facility in the European Union. Exports for destruction are not permitted.

The trade of most products & equipment containing or relying on ODS is prohibited. The cases of permitted activities are summarised in Table 4.

Products & equipment containing or relying on ODS such as domestic or commercial refrigerators or air conditioners cannot be imported or exported, regardless whether they are considered as waste or not.

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<sup>6</sup> <https://circabc.europa.eu/w/browse/e36f27d0-890d-4e8f-8dec-3b1a468c07e4>; also available on the CIRCABC online forum <https://circabc.europa.eu/w/browse/29f68da8-3a37-4a57-9bb9-868e6fe48b3e> — go to the 'Library' tab

<sup>7</sup> Commission Regulation No 291/2011 on essential uses of controlled substances is available at EUR-Lex <http://eur-lex.europa.eu/Notice.do?val=562328:cs&lang=en&list=578906:cs,578594:cs,573208:cs,562328:cs.&pos=4&page=1&nbl=4&pgs=10&hwords=>

**Table 4 Permitted trade activities for products & equipment containing or relying on ODS**

Use <sup>8</sup>	Activity allowed	Conditions
Laboratory or analytical uses	Import of products or equipment for laboratory or analytical use	
	Export of products or equipment for laboratory or analytical use	
Critical uses of halons	Import of products or equipment containing halon for critical use on aircrafts	<ul style="list-style-type: none"> <li>- Only products &amp; equipment containing Halons (group III) are permitted</li> <li>- Use must be critical; it must be listed in Annex VI of the Regulation</li> </ul>
	Import of products or equipment containing halon for critical uses other than aircrafts	
	Export of products or equipment containing halon for critical use on aircrafts	
	Export of products or equipment containing halon for critical uses other than aircrafts	
Destruction	Import of products or equipment for destruction	- Destruction facility must be indicated in advance
HCFC exempted uses	Import of products or equipment covered by an exemption decision	<ul style="list-style-type: none"> <li>- Only products &amp; equipment containing HCFCs (group VIII) are permitted</li> <li>- Prior exemption decision is required</li> </ul>

<sup>8</sup> The purpose for which the undertaking imports/ exports the ODS

Use <sup>8</sup>	Activity allowed	Conditions
	Export of products or equipment covered by an exemption decision	
Metered dose inhalers	Export of metered dose inhalers	<ul style="list-style-type: none"> <li>- Only MDIs containing CFCs (group I and II) are permitted</li> <li>- The quantity intended for export must be covered by an essential use nomination under Regulation (EC) No 2037/2000</li> </ul>

### **3. LICENSING**

The imports and exports of goods for uses outlined in Tables 3 and 4 are subject to licencing. However exceptions to this rule exist.

Undertakings request licences through the ODS Licensing System and the Commission issues the licences by the use of the online system. The procedure for registering in the ODS Licensing System is described in Manual Part II and information about how to apply for licences and production authorisations can be found in Manual Part III.

#### **3.1. Do all imports/ exports of ODS require a licence?**

An ODS licence is required for the import/ export of ODS.

Any physical or virtual movement from or into the customs territory of the Community is considered an import/ export. This includes transit, customs warehousing and other temporary imports.

The licencing requirement does not apply in rare cases when the ODS goods remain in the EU no longer than 45 days and are not subsequently presented for release for free circulation in the European Union, destroyed or processed. Four customs procedures are exempted from the licencing requirement under the 45 day re-export rule.

The customs procedures exempted under the 45 day re-export rule are:

- transit,
- temporary storage,
- customs warehousing,
- free zone procedure.

Although a licence is not required in the case described above, such imports and re-exports are subject to the reporting obligations under Article 27 of the Regulation.

Undertakings making use of the above exemption are encouraged to apply for an import licence if it is uncertain that the 45 day re-export deadline will be met.

#### **3.2. Do shipments to/ from another EU country require a licence?**

A shipment from an EU country to another EU country does not require an ODS licence because this is not considered as import/ export.

Since the implementation of the single market in the European Union only trade with countries outside the European Union is considered as import/ export. However some territories in some Member States are not part of the European Union (i.e. Faroe Islands, Channel Islands, Isle of Man). A separate document listing the conditions for trade with

certain territories of EU Member States is available on CIRCABC<sup>9</sup>. Furthermore, for the purpose of this Regulation trade with Monaco is considered import/ export although Monaco is part of the customs territory.

### **3.3. Can I do imports/ exports of ODS with any country in the world?**

The imports and exports of ODS for uses outlined in Tables 3 and 4 are permitted and subject to licencing. However even if the trade of an ODS is permitted there are cases where this is overruled. An ODS licence will not be issued in cases of import/ export of certain substance groups to certain countries as a consequence of an exclusion defined in the Regulation. The Regulation under Article 20 (1) prohibits the import/ export of ODS and of products & equipment containing or relying on ODS from/ to any country not party to the Montreal Protocol.

The Montreal Protocol is an international agreement on protecting the ozone layer. Restrictions in ODS trade are imposed by the Protocol and its amendments. The amendments to the Protocol provide specific limitations for different substance groups. A particular group of ODS can be imported from/ exported to a country if this country has ratified the relevant amendment to the Montreal Protocol<sup>10</sup>.

The possibility to import/ export a substance depends on if the country has ratified the following amendments:

- If the Montreal Protocol itself was ratified then CFCs (group I) and halons (group III) can be imported/ exported,
- If the London Amendment was ratified then other CFCs (group II), CTC (group IV) and TCA (group V) can be imported/ exported,
- If the Copenhagen Amendment was ratified then Group VI (methyl bromide) and Group VII (HBFCs) can be imported/ exported,
- If the Beijing Amendment was ratified then HCFCs (group VIII) and BCM (group IX) can be imported/ exported.

The possibility to import/ export a substance also depends on if the trade is with a developed country or a developing country: In general, developed countries have stricter requirements imposed than developing countries. Annex 3 to this manual provides information about the trade limitations for developed and developing countries.

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<sup>9</sup> See list of territories for details. <https://circabc.europa.eu/d/a/workspace/SpacesStore/dab38573-f415-4cfl-991b-21f2a9128153/Territories%20&%20countries%20with%20a%20special%20relation%20to%20the%20EU%20and%20trade%20rules> The list of territories is available at CIRCABC online forum. Go to tab 'Library' and next to folder folder '2. Other supporting documents for ODS licensing'

<sup>10</sup> A list of the countries indicating which amendment was signed is provided by the UNEP Ozone Secretariate [http://ozone.unep.org/new\\_site/en/treaty\\_ratification\\_status.php](http://ozone.unep.org/new_site/en/treaty_ratification_status.php)

Some territories of Member States of the EU are excluded from ratification of the Montreal Protocol or its amendments and therefore trade with these territories may be limited or prohibited<sup>11</sup>.

In short trade of ODS with countries which have not ratified a certain amendment of the Montreal Protocol is not allowed.

### **3.4. Where can I find the legal text about requirements for ODS licensing?**

Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer<sup>12</sup> must be referred to for ensuring compliance with existing legislation on ODS licensing. The information provided in this manual is for information purposes only. It is not legally binding.

For information on types of imports/ exports of ODS, which are exempted from the general import and export prohibition in the European Union, see Article 15 and 17 of the Regulation. Article 15(2) outlines which types of ODS imports are allowed and Article 17(2) provides a list of exemptions for exports of ODS. The types are listed based on the use of the ODS.

Article 15(3) and 17(4) of the Regulation indicate that a licence is required for activities listed in Article 15(2) and Article 17(2) respectively. The exemption to the licencing requirement is outlined in Article 15(3) and 17(4). Four customs procedures are exempted from the licence requirement under the 45 day re-export rule.

Annex I to the Regulation outlines the controlled substances. The import/ export of these substances is subject to licensing. Substances listed in Annex II to the Regulation (i.e. new substances) are not controlled substances and are not covered under Article 15 and 17 of the Regulation; therefore are not subject to licensing.

Although imports/ export for activities outlined in Article 15(2) and Article 17(2) of the Regulation are allowed under the condition of a licence, this may be overruled by Article 20(1) prohibiting the import and export of controlled substances and of products & equipment containing or relying on controlled substances from and to any State not party to the Montreal Protocol.

Definitions of terms used in the above articles are explained in Article 3 of the Regulation.

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<sup>11</sup> See list of territories for details. <https://circabc.europa.eu/d/a/workspace/SpacesStore/dab38573-f415-4cf1-991b-21f2a9128153/Territories%20&%20countries%20with%20a%20special%20relation%20to%20the%20EU%20and%20trade%20rules> The list of territories also available at CIRCABC online forum. Go to tab 'Library' and next to folder '2. Other supporting documents for ODS licensing'

<sup>12</sup> <http://eur-lex.europa.eu/> search — year: 2009, number:1005, type: Regulation.

## 4. QUOTAS

An importer must hold quota for the import of the ODS in the case of some imports. Quota is also required for the production of ODS for some uses. This chapter provides more information about the types of imports/ production that require quota.

Undertakings apply for import and production quota through the ODS Licensing System and the Commission processes the quota applications by the use of the online system. Quota is allocated annually for the next calendar year. Information about how to apply for quota can be found in Manual Part III.

### 4.1. Must importers apply for quota before applying for a licence?

Importers of ODS must have quota if the use of the ODS is subject to quantitative limits.

Imports for the following uses require quota:

- essential laboratory and analytical uses,
- halons for critical uses<sup>13</sup>,
- feedstock uses,
- process agent uses.

In the above cases the importer must apply for ODS quota in advance.

### 4.2. Must exporters apply for quota before applying for a licence?

Exporters do not need to have quota because exports are not subject to quantitative limits under the Regulation.

### 4.3. Must producers apply for quota before applying for a production authorisation?

Producers of ODS must have quota only if the use of the ODS is subject to quantitative limits.

Production for the following use requires quota:

- essential laboratory and analytical uses.

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<sup>13</sup> This use category does NOT include import of halon-based fire extinguishers and aircrafts with such extinguishers on board. Imports of products and equipment containing or relying on halon to satisfy critical uses do not require quota. Halon-based fire extinguishers fall into the category of products and equipment.

In this case the producer must apply for ODS quota in advance.

In the remaining cases quota is not required. Below are examples of uses for which the production does not require quota:

- HCFC for export for the use as a refrigerant in non-EU flagged ships,
- HCFC for feedstock use.

In the above cases the producer does not need to apply for a production authorisation in the ODS Licensing System. National legislative requirements are applicable in such case.

#### **4.4. Where can I find the legal text about requirements for ODS quota?**

Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer<sup>14</sup> provides information about the legal requirements for quota.

Article 16 of the Regulation outlines in which cases quantitative limits apply for ODS imports. Article 10 of the Regulation indicates that there is a limit in the quantity for ODS authorised annually for import and production for essential laboratory and analytical uses. Based on the two articles, the following activities are subject to quantitative limits:

- a) Production and import for laboratory and analytical uses,
- b) Import for free circulation in the European Union for critical uses (halons),
- c) Import for free circulation in the European Union for feedstock uses,
- d) Import for free circulation in the European Union for process agent uses (CFC and CTC).

The Commission allocates quotas for a), b), c), and d). The quotas are determined on the basis of quota applications and:

- in accordance with Article 10(6) of the Regulation and Commission Regulation (EU) No 537/2011<sup>15</sup> for the case a) above
- in accordance with Article 16 of the Regulation for the cases b), c) and d) above.

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<sup>14</sup> <http://eur-lex.europa.eu/> search — year: 2009, number: 1005, type: Regulation.

<sup>15</sup> Commission Regulation (EU) No 537/2011 on the mechanism for the allocation of quantities of controlled substances allowed for laboratory and analytical uses in the Union available on EUR-Lex <http://eur-lex.europa.eu/Notice.do?val=574029:cs&lang=en&list=607332:cs,574029:cs.&pos=2&page=1&nbl=2&pgs=10&hwords=>

## 5. CONTACT INFORMATION

A list of contact points at the Commission and of the competent authorities in the Member States is available at CIRCABC online forum, in library in folder '4. Contact Information'<sup>16</sup>.

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<sup>16</sup> <https://circabc.europa.eu/w/browse/91661b30-3bd7-4b25-b083-dbc64092175c>

## ANNEXES

### Annex 1 Glossary for Manual Part I - IV

Term	Definition
Commission	European Commission, Directorate General Climate Action
Competent authority	<p>The authorities in the Member States responsible for ODS. For the list of competent authorities see CIRCABC online forum, in library in folder '4. Contact information'</p> <p><a href="https://circabc.europa.eu/d/a/workspace/SpacesStore/34dce2ba-c117-4e31-b9c4-266c8c2926e9/Competent%20Authority%20in%20Member%20States%20contact%20information.pdf">https://circabc.europa.eu/d/a/workspace/SpacesStore/34dce2ba-c117-4e31-b9c4-266c8c2926e9/Competent%20Authority%20in%20Member%20States%20contact%20information.pdf</a></p>
Controlled substance	<p>Substances listed in Annex I to the Regulation, including their isomers, whether alone or in a mixture, and whether they are virgin, recovered, recycled or reclaimed (Art 3 (4) of the Regulation)</p> <p>In the manual referred to as ozone-depleting substances (ODS)</p>
Critical use	Uses listed in Annex VI to the Regulation
Feedstock	Any controlled substance or new substance that undergoes chemical transformation in a process in which it is entirely converted from its original composition and whose emissions are insignificant (Art 3 (11) of the Regulation)
Montreal Protocol	<p>The Montreal Protocol on Substances that Deplete the Ozone Layer (1987). In 2009, the Montreal Protocol achieved universal ratification. All countries have committed themselves to the control of ODS.</p> <p>For more information see <a href="http://ozone.unep.org/new_site/en/montreal_protocol.php">http://ozone.unep.org/new_site/en/montreal_protocol.php</a></p>
ODS Licensing System	<p>The electronic system for issuing ODS licences.</p> <p><a href="https://webgate.ec.europa.eu/ods2/domain/ods">https://webgate.ec.europa.eu/ods2/domain/ods</a></p>
Ozone-depleting substances (ODS)	<p>Substances listed in Annex I to the Regulation, including their isomers, whether alone or in a mixture.</p> <p>In the Regulation referred to as controlled substances.</p>
Process agents	Controlled substances used as chemical process agents in the applications listed in Annex III the Regulation (Art 3 (12) of the Regulation)

Term	Definition
Quota	A limit in the quantity allowed to be imported/ produced set in ODP kg. Quota is provided annually to individual undertakings in the quota decision.
Reclamation	The reprocessing of a recovered controlled substance in order to meet the equivalent performance of a virgin substance, taking into account its intended use (Art 3 (25) of the Regulation)
Reclaimed ODS	ODS that has been processed to a level where the purity of the ODS is equivalent in performance to virgin, taking into account its intended use.
Recovery	The collection and the storage of controlled substances from products & equipment or containers during maintenance or servicing or before disposal (Art 3 (23) of the Regulation)
Recovered ODS	ODS that has been taken out of e.g. an equipment and is awaiting destruction, recycling or reclamation.
Recycling	The reuse of a recovered controlled substance following a basic cleaning process (Art 3 (24) of the Regulation)
Recycled ODS	ODS that has undergone a basic cleaning process and where the ODS does not achieve equivalent performance of a virgin substance.
Regulation	<p>Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer</p> <p>For the text of the Regulation please see 'consolidated version (pdf)' available at EUR-Lex <a href="http://eur-lex.europa.eu/Notice.do?val=503269:cs&amp;lang=en&amp;list=506090:cs,503269:cs,&amp;pos=2&amp;page=1&amp;nbl=2&amp;pgs=10&amp;hwords=">http://eur-lex.europa.eu/Notice.do?val=503269:cs&amp;lang=en&amp;list=506090:cs,503269:cs,&amp;pos=2&amp;page=1&amp;nbl=2&amp;pgs=10&amp;hwords=</a></p>
Re-packaging	The transfer of ODS from one container to another.
Undertaking	<p>Any natural or legal person which:</p> <ul style="list-style-type: none"> <li>- produces, recovers, recycles, reclaims, uses or destroys controlled substances or new substances;</li> <li>- imports such substances;</li> <li>- exports such substances;</li> <li>- places such substances on the market; or</li> <li>- operates refrigeration, air conditioning or heat pump equipment, or fire protection systems, which contain controlled substances (Art 3 (26) of the Regulation)</li> </ul>

Term	Definition
Use	<p>The utilisation of controlled substances or new substances in the production, maintenance or servicing, including refilling, of products &amp; equipment or in other processes (Art 3 (21) of the Regulation)</p> <p>For the purpose of the ODS Licensing System the use is the purpose for which the undertaking imports/ exports the ODS.</p>
Use category	<p>For the purpose of the ODS Licensing System a use category is a high-level classification of uses. Example: Import or production of substance for laboratory or analytical use</p>
Use type	<p>For the purpose of the ODS Licensing System a use type is a sub-division of a use category. Example: Import of substance for laboratory or analytical use - Reference material in chemical analysis (e.g. for calibration)</p>
Virgin ODS	<p>In the Regulation referred to as 'virgin substances' which means substances which have not previously been used (Art 3 (30) of the Regulation)</p> <p>ODS that is not recovered, recycled, reclaimed or waste.</p>

## Annex 2 Abbreviations used in Manual Part I - IV

BCM	Bromochloromethane
CFC	Chlorofluorocarbons
CN	Combined Nomenclature
CTC	Carbon tetrachloride/Tetrachloromethane
EU	European Union
HBFC	Hydrobromofluorocarbons
HCFC	Hydrochlorofluorocarbons
iPIC	Informal prior informed consent
MB	Methyl bromide
MDI	Metered dose inhalers
NOU	National Ozone Unit
ODP	Ozone-depleting potential
ODS	Ozone-depleting substances
QPS	Quarantine and pre-shipment
TCA	1,1,1-Trichloroethane

### Annex 3 ODS trade restrictions under the Montreal Protocol

The tables in this annex show which substances can be traded with "Article 2" and "Article 5"<sup>17</sup> countries depending on the ratification status of the country.

- Article 5 parties (developing countries)<sup>18</sup>

	Trade permitted with <b>Article 5</b> countries? Y = Yes/N = No								
	<b>Groups</b>								
	<b>I CFC</b>	<b>II CFC</b>	<b>III HAL</b>	<b>IV CTC</b>	<b>V TCA</b>	<b>VI MB</b>	<b>VII HBFC</b>	<b>VIII HCFC</b>	<b>IX BCM</b>
No amendment signed	Y	N	Y	N	N	N	N	N	N
London amendment	Y	Y	Y	Y	Y	N	N	N	N
Copenhagen amendment	Y	Y	Y	Y	Y	Y	Y	N	N
Montreal amendment	Y	Y	Y	Y	Y	Y	Y	N	N
Beijing amendment	Y	Y	Y	Y	Y	Y	Y	Y	Y

- Article 2 parties (developed countries)

	Trade permitted with <b>non-Article 5</b> countries? Y = Yes/N = No								
	<b>Groups</b>								
	<b>I CFC</b>	<b>II CFC</b>	<b>III HAL</b>	<b>IV CTC</b>	<b>V TCA</b>	<b>VI MB</b>	<b>VII HBFC</b>	<b>VIII HCFC</b>	<b>IX BCM</b>
No amendment signed	Y	N	Y	N	N	N	N	N	N
London amendment	Y	Y	Y	Y	Y	N	N	N	N
Copenhagen amendment	Y	Y	Y	Y	Y	Y	Y	N	N
Montreal amendment	Y	Y	Y	Y	Y	Y	Y	N	N
Beijing amendment	Y	Y	Y	Y	Y	Y	Y	Y	Y

<sup>17</sup> A party categorised as operating under Article 5 paragraph 1 of the Montreal Protocol is considered as a developing country. A "Article 2" country under the Montreal Protocol is considered as a developed country.

<sup>18</sup> The list of Article 5 parties is provided by the UNEP Ozone Secretariate [http://ozone.unep.org/new\\_site/en/parties\\_under\\_article5\\_para1.php](http://ozone.unep.org/new_site/en/parties_under_article5_para1.php)

#### **Annex 4 Record of changes to the document**

<b>Version</b>	<b>Date</b>	<b>Description</b>
1.0	08/2013	First version of general information manual
1.1	04/2016	Change of European Commission directorate and unit name
1.2	03/2017	Update of exempted uses after reaching ban dates defined in the Regulation.
1.3	05/2017	Adjustments based on comments of competent authorities of Member States.