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ODS Licensing System

Information Document

CN CODES OF GOODS

FOR THE PURPOSE OF REGULATION (EC) No 1005/2009

including a non-exhaustive list of products and equipment that may contain or rely on ozone-depleting substances (Article 21 of Regulation (EC) No 1005/2009)

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ODS Licensing System (v 1.12)

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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 layer¹ (the Regulation) includes requirements for the import and export of controlled substances². In this document, ‘controlled substances’ will be referred to as ‘ozone-depleting substances’ or ‘ODS’.

This document provides an extract of relevant Combined Nomenclature (CN) based on Commission Implementing Regulation (EU) No 2015/1754 of 6 October 2015 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff. The list provided in this document is not exhaustive.

This document is addressed to customs authorities who control the import and export of ODS. It is to assist customs authorities in identifying goods that may contain or rely on ODS and therefore would fall under the Regulation. The import, export of ODS and products and equipment containing or relying on ODS is prohibited or subject to licencing.

For the purpose of this document the term "good" shall comprise any commodity that would fall under a particular CN code, regardless whether it is a substance, product or equipment as defined by the Regulation.

This document has two parts: it provides a non exhaustive list of ODS-relevant CN codes (see chapter 2) and it describes measures to be taken by customs authorities if a good containing ODS is identified (see chapter 3).

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

² The controlled substances are listed in Annex I to Regulation (EC) No 1005/2009.

2. CN CODES OF ODS GOODS

This chapter lists CN codes of goods that either are ozone-depleting substances or may contain or rely on ODS and therefore, may fall under the Regulation. The import or export of these goods may be prohibited or subject to licensing.

This chapter includes tables with relevant CN codes. The numbers (codes) in the first column in the tables below refer to the TARIC code of the good (if one exists) or the CN code of the good (if no TARIC code is assigned). The CN code (Combined Nomenclature) is an 8 digit code. The TARIC code (TARif Intégré Communautaire; Integrated Tariff of the European Communities) is a 10 digit code. TARIC codes are established based on CN codes.

The tables in this chapter are presented in the order of the chapters of Commission Implementing Regulation (EU) No 2015/1754 of 6 October 2015 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.

The numbers in square brackets in the comments field in the tables below refer to the measures that apply to the goods as described in chapter 3.

2.1. Chapter 28: Inorganic chemicals; organic chemicals; organic or inorganic compounds of precious metals, or rare-earth metals, of radioactive elements or of isotopes

CN code (or TARIC)	Description	Comment
2845 90 10	Deuterium and compounds thereof; hydrogen and compounds thereof, enriched in deuterium; mixtures and solutions containing these products (Euratom)	If good contains ODS then [1]. This usually concerns deuterated or otherwise radioactively marked ODS to be used as laboratory chemicals. In remaining cases non-ODS good.
2845 90 90 90	Isotopes other than those of heading 2844; compounds, inorganic or organic, of such isotopes, whether or not chemically defined - Other - - Other --- Other	

2.2. Chapter 29: Organic chemicals

CN code (or TARIC)	Description	Comment
2903 14 00	Carbon tetrachloride	All goods under these codes are ODS. [1]
2903 19 00 10	1,1,1-Trichloroethane (methyl chloroform)	
2903 39 11	Bromomethane (methyl bromide)	
2903 71 00	Chlorodifluoromethane (HCFC-22)	
2903 72 00	Dichlorotrifluoroethanes (HCFC-123)	

2903 73 00	Dichlorofluoroethanes (HCFC-141 and HCFC-141b)	
2903 74 00	Chlorodifluoroethanes (HCFC-142 and HCFC 142b)	
2903 75 00	Dichloropentafluoropropanes (HCFC-225 and HCFC-225ca and HCFC-225cb)	
2903 76 10	Bromochlorodifluoromethane (Halon 1211)	
2903 76 20	Bromotrifluoromethane (Halon 1301)	
2903 76 90	Dibromotetrafluoroethanes (Halon 2402)	
2903 77 60	Chlorofluoromethanes (CFC-11, CFC-12, CFC-113, CFC-114 and CFC-115)	
2903 77 60 10	1,1,1-Trichlorotrifluoroethane (CFC-113a)	
2903 77 90 60	Chlorotrifluoromethane (CFC-13)	
2903 77 90 15	Pentachlorofluoroethane (CFC-111)	
2903 77 90 20	Tetrachlorodifluoroethanes (CFC-112)	
2903 77 90 25	Heptachlorofluoropropanes (CFC-211)	
2903 77 90 30	Hexachlorodifluoropropanes (CFC-212)	
2903 77 90 35	Pentachlorotrifluoropropanes (CFC-213)	
2903 77 90 40	Tetrachlorotetrafluoropropanes (CFC-214)	
2903 77 90 45	Trichloropentafluoropropanes (CFC-215)	
2903 77 90 50	Dichlorohexafluoropropanes (CFC-216)	
2903 77 90 55	Chloroheptafluoropropanes (CFC-217)	
2903 78 00	Other perhalogenated derivatives	If Dibromodifluoromethane (Halon 1202, CAS 75-61-6) then [5]. In remaining cases non-ODS good.
2903 79 30	Halogenated only with bromine and chlorine, fluorine and chlorine or with fluorine and bromine (HCFCs and HBFCs)	All goods under these codes are ODS. [1]
2903 79 30 20	Bromochloromethane (CAS RN 74-97-5)	

2.3. Chapter 30: Pharmaceutical products

CN code (or TARIC)	Description	Comment
3004 32 00	Medicaments (excluding goods of heading 3002, 3005 or 3006) consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses (including those in the form of transdermal administration systems) or in forms or packings for retail sale:	If metered dose inhalers (e.g. asthma sprays) using ODS as propellants then [4]. In remaining cases non-ODS good.

	- Containing hormones or other products of heading 2937 but not containing antibiotics: -- Containing corticosteroid hormones, their derivatives or structural analogues	
3004 90 00	- Other	

2.4. Chapter 32: Tanning or dyeing; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes, putty and other mastics; inks

CN code (or TARIC)	Description	Comment
All codes under: 3208 3209 3210	Paints and varnishes	If good contains ODS then [2]/[3]. Paints, varnishes and non-aqueous pigment dispersions of all kind may contain ODS as solvents. If delivered in spray cans, ODS may be contained as propellants. Flame retardant paints may contain halons. In remaining cases non-ODS good.
3212 90 00	Pigments (including metallic powders and flakes) dispersed in non-aqueous media, in liquid or paste form, of a kind used in the manufacture of paints (including enamels); stamping foils; dyes and other colouring matter put up in forms or packings for retail sale - other	

2.5. Chapter 34: Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, 'dental waxes' and dental preparations with a basis of plaster

CN code (or TARIC)	Description	Comment
3403 11 00	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould-release preparations, based on lubricants) and preparations of a kind used for the oil or grease treatment of textile materials, leather, furskins or other materials, but excluding preparations containing, as basic	If good contains ODS then [2]. ODS have been used in dry cleaning in the past but nowadays it is prohibited. In remaining cases non-ODS good.

	constituents, 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals: - Containing petroleum oils or oils obtained from bituminous minerals: -- Preparations for the treatment of textile materials, leather, furskins or other materials	
3403 91 00	- Other -- Preparations for the treatment of textile materials, leather, furskins or other materials	

2.6. Chapter 38 Miscellaneous chemical products

CN code (or TARIC)	Description	Comment
3808 91 90	Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant-growth regulators, disinfectants and similar products, put up in forms or packings for retail sale or as preparations or articles (for example, sulphur-treated bands, wicks and candles, and fly-papers) - Other -- Insecticides --- Other ---- Other	If good contains methyl bromide then [2]. In remaining cases non-ODS good.
3808 99 10	- Other -- Other --- Rodenticides	
3808 99 90	- Other -- Other --- Other ---- Other	

3813 00 00	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades	If good contains halon (mainly related to use in aircraft or military equipment) then [1]. In remaining cases non-ODS good.	
3814 00 90	Organic composite solvents and thinners, not elsewhere specified or included; prepared paint or varnish removers: - other	If good contains ODS then [2]. In remaining cases non-ODS good.	
3822 00 00	Diagnostic or laboratory reagents on a backing, prepared diagnostic or laboratory reagents whether or not on a backing, other than those of heading 3002 or 3006; certified reference materials	If good contains ODS then [1]. In remaining cases non-ODS good.	
3824 71 00	Mixtures containing chlorofluorocarbons (CFCs), whether or not containing hydrochlorofluorocarbons (HCFCs), perfluorocarbons (PFCs) or hydrofluorocarbons (HFCs)	All goods under these codes are ODS. [1]	
3824 72 00	Mixtures containing bromochlorodifluoromethane, bromotrifluoromethane or dibromotetrafluoroethanes (halons)		
3824 73 00	Mixtures containing hydrobromofluorocarbons (HBFCs)		
3824 74 00	Mixtures containing hydrochlorofluorocarbons (HCFCs), whether or not containing perfluorocarbons (PFCs) or hydrofluorocarbons (HFCs), but not containing chlorofluorocarbons (CFCs)		
3824 75 00	Mixtures containing carbon tetrachloride		
3824 76 00	Mixtures containing 1,1,1-trichloroethane (methyl chloroform)		
3824 77 00	Mixtures containing bromomethane (methyl bromide) or bromochloromethane		
3824 90 70	Fireproofing, waterproofing and similar protective preparations used in the building industry		If flame retardant preparation contains halon then [2]/[3]. In remaining cases non-ODS good.

3825 10 00	Municipal waste	If good contains ODS (mainly related to demolition waste (foams) or refrigeration appliances) then [3]. In remaining cases non-ODS good.
3825 41 00	Residual products of the chemical or allied industries, not elsewhere specified or included; municipal waste; sewage sludge; other wastes specified in note 6 to this chapter: - Waste organic solvents - Halogenated	If good contains ODS then [3]. In remaining cases non-ODS good.

2.7. Chapter 39 Plastics and articles thereof

CN code (or TARIC)	Description	Comment
3921 11 00	Other plates, sheets, film, foil and strip, of plastics: -Cellular -- Of polymers of styrene	If good comprises of plastic foam blown with ODS then [2]/[3]. In remaining cases non-ODS good.
3921 12 00	-- Of polymers of vinyl chloride	
3921 13 10	-- Of polyurethane --- Flexible	
3921 13 90	-- Of polyurethane --- other	
3921 14 00	-- Of regenerated cellulose	
3921 19 00	-- Of other plastics	

2.8. Chapter 84: Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof

CN code (or TARIC)	Description	Comment
All codes under: 8415	Air-conditioning machines comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated	If good contains ODS (e.g. HCFC) then [2]/[3]. In remaining cases non-ODS good.
All codes under: 8418	Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air-conditioning machines of heading 8415	
8419 60 00	Machinery for liquefying air or other gases	
8424 10 00	Mechanical appliances (whether or not hand-operated) for projecting, dispersing or spraying liquids or powders, fire extinguishers, whether or not charged; spray guns and similar appliances; steam or sandblasting machines and similar jet projecting machines: - Fire extinguishers, whether or not charged	If good contains halon (mainly related to use in aircraft or military equipment) then [1]. In remaining cases non-ODS good.
8424 90 00	- Parts	
8451 10 00	Dry cleaning machines	If good contains ODS then [2]/[3]. ODS have been used in dry cleaning in the past but nowadays it is prohibited. In remaining cases non-ODS good.
8476 21 00	Automatic goods-vending machines - Automatic beverage-vending machines -- Incorporating heating or refrigerating devices	If good with refrigeration equipment contains or relies on ODS, or contains foams (e.g. insulation) blown with ODS then [2]/[3]. In remaining cases non-ODS good.
8476 81 00	- Other machines -- Incorporating heating or refrigerating devices	
8476 90 00	- Parts	
8477 80 11	Machinery for working rubber or plastics or for the manufacture of products from these materials, not specified or included elsewhere in this chapter	If machine relies on the use of ODS for foam blowing then [2]/[3]. In remaining cases non-ODS good.

	- Other machinery -- Machines for the manufacture of foam products --- Machines for processing reactive resins	
8477 80 19	--- other	

2.9. Chapter 86: Railway or tramway locomotives, rolling stock and parts thereof; railway or tramway track fixtures and fitting and parts thereof; mechanical (including electromechanical) traffic signalling equipment of all kinds

CN code (or TARIC)	Description	Comment
All codes under: 8601 8602 8603 8604 8605 8606 8607	Locomotives, passenger coaches, service vehicles, or goods vans and wagons of all kinds	If good contains ODS in air-conditioning equipment, refrigeration equipment or in foams (e.g. used for insulation or seats) then [2]/[3]. In remaining cases non-ODS good.
8609 00 90	Containers (including containers for the transport of fluids) specially designed and equipped for carriage by one or more modes of transport - Other	

2.10. Chapter 87: Vehicles other than railway or tramway rolling stock, and parts and accessories thereof

CN code (or TARIC)	Description	Comment
All codes under: 8701 8702 8703 8704 8705	Tractors, motor vehicles, motor cars	If good contains ODS in air-conditioning equipment, refrigeration equipment or in foams (e.g. used for insulation or seats) then [2]/[3]. Vehicles designed after 2000 usually do not contain ODS. Pre-1990 vehicles are likely to contain ODS.
All codes under: 8708	Parts and accessories of the motor vehicles of headings 8701 to 8705	
All codes under: 8709	Works trucks	In remaining cases non-ODS good.

8710 00 00	Tanks and other armoured fighting vehicles, motorised, whether or not fitted with weapons, and parts of such vehicles	If good contains halon (mainly related to use in military equipment) then [1]. In remaining cases non-ODS good.
All codes under: 8716	Trailers and semi-trailers	If good contains ODS in air-conditioning equipment, refrigeration equipment or in foams (e.g. used for insulation or seats) then [2]/[3]. Vehicles designed after 2000 usually do not contain ODS. Pre-1990 vehicles are likely to contain ODS. In remaining cases non-ODS good.

2.11. Chapter 88: Aircraft, spacecraft, and parts thereof

CN code (or TARIC)	Description	Comment
All codes under: 8802	Other aircraft (for example, helicopters, aeroplanes); spacecraft; spacecraft (including satellites) and suborbital and spacecraft launch vehicles	Such goods are likely to be equipped with fire extinguishers or equipment containing halons. Furthermore such goods may contain ODS in air-conditioning and refrigeration equipment, or in foams (e.g. used for insulation or seats). Goods with halons: [1] Other goods: [2] Waste: [3]

2.12. Chapter 89 Ships, boats and floating structures

CN code (or TARIC)	Description	Comment
All codes under: 8901 8902	Cruise ships, excursion boats, ferry-boats, cargo ships, tankers, refrigerated vessels, fishery vessels	If good is equipped with fire extinguishers containing halons or air-conditioning/ refrigeration equipment containing ODS, or ODS blown foams (e.g. used for insulation or seats) then the following measures apply: Goods with halons: [1] Other goods: [2] Waste: [3]
All codes under: 8903 91 8903 92 8904 8905	Yachts and other vessels for pleasure or sport, tugs and pusher craft, light vessels	
8906 10 00	Warships	

		In remaining cases non-ODS good.
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2.13. Chapter 98: Complete industrial plant

CN code (or TARIC)	Description	Comment
9880 xx 00	Component parts of complete industrial plants in the framework of external trade	If plant relies on the use of ODS then [1]. In remaining cases non-ODS good.

3. MEASURES

This chapter lists in brief the measures applicable to ODS or goods containing or relying on ODS and that are indicated in the above tables in square brackets.

[1] The import or export of such goods is **allowed and must be accompanied by an ODS licence** (see Article 15 or 17 of the Regulation). Information about how customs authorities should check ODS licences can be found in the manual for customs offices.³

[2] Import or export of such goods is **prohibited**. Exemptions may apply to the export of certain goods containing HCFC, subject to licensing (see Article 17(3) of the Regulation).

[3] Import of waste containing ODS is allowed, subject to licensing (see Article 15(2)(h) of the Regulation). Information about how customs authorities should check ODS licences can be found in the manual for customs offices.³ The export is prohibited. The export prohibition also includes exports of products and equipment that no longer contains ODS but which functioning relies on ODS (e.g. old air-conditioning equipment).

[4] The import of such goods is prohibited but the export is allowed and must be accompanied by an ODS licence (see Article 17(2)(h) of the Regulation). Information about how customs authorities should check ODS licences can be found in the manual for customs offices.³

[5] Import or export of such goods is prohibited, except when used as feedstock or for laboratory and analytical uses and except when in transit or under the temporary storage, customs warehousing or free zone procedure (see Article 24(1) of the Regulation).

³ <https://circabc.europa.eu/w/browse/ff243e58-5a35-499e-a8ca-16cb4bf23f8b> also available on the CIRCABC online forum – go to the ‘Library’ tab and the ‘1. Manuals’ folder.

4. CONTACT INFORMATION

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

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

ANNEXES

ANNEX 1: RECORD OF CHANGES TO THE DOCUMENT

Version	Date	Description
1.0	18/03/2010	Based on Commission Regulation (EC) No 948/2009 of 30 September 2009 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff
3.0	14/03/2011	Based on Commission Regulation (EC) No 861/2010 of 05 October 2010 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff
4.0	24/05/2011	Based on Commission Regulation (EC) 1006/2011 of 27 September 2011 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff
4.2	10/01/2013	Based on Commission Implementing Regulation (EU) No 927/2012 of 9 October 2012 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff
5.0	15/01/2016	Updates in CN codes due to new Regulation: Commission Implementing Regulation (EU) No 2015/1754 of 6 October 2015 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.