



2025/33

14.1.2025

**COMMISSION IMPLEMENTING REGULATION (EU) 2025/33**

**of 13 January 2025**

**authorising an exemption pursuant to Regulation (EU) 2024/573 of the European Parliament and of the Council, with regard to the use of fluorinated greenhouse gases with a GWP of 150 or more in blast cabinets, artisanal gelato ice cream makers, ice makers, trolleys for preserving and regenerating food, retarder prover cabinets, frozen drinks dispensers and cold cream dispensers**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2024/573 of the European Parliament and of the Council of 7 February 2024 on fluorinated greenhouse gases, amending Directive (EU) 2019/1937 and repealing Regulation (EU) No 517/2014 <sup>(1)</sup>, and in particular Article 11(5) thereof,

Whereas:

- (1) Point 4 of Annex IV to Regulation (EU) 2024/573 prohibits from 1 January 2025 the placing on the market of self-contained refrigeration equipment, except chillers, that contains fluorinated greenhouse gases with a GWP of 150 or more, except if required to meet safety requirements at the site of operation.
- (2) Pursuant to Article 11(5) of Regulation (EU) 2024/573, on 29 July 2024, the French competent authority, and on 17 September 2024, the Italian competent authority submitted to the Commission requests for the authorisation of an exemption allowing the placing on the Union market of blast cabinets, artisanal ice cream makers, ice makers, trolleys for preserving and regenerating food, retarder prover cabinets, frozen drinks dispensers and cold cream dispensers, that fall within the scope of point 4 of Annex IV to Regulation (EU) 2024/573 ('the exemption requests').
- (3) Blast cabinets are insulated refrigerating appliances for commercial or industrial use designed to rapidly lower the temperature of cooked food from 65 °C to 10 °C, or below, in the case of chilling, or to rapidly lower the temperature from 65 °C to -18 °C, or below, in the case of freezing.
- (4) Artisanal ice cream makers are batch freezer refrigeration equipment for commercial or industrial use designed to produce artisanal gelato ice cream by continuously churning the mixture and rapidly cooling it to a temperature range between -7 °C and -13 °C, without the use of a forced-air injection device.
- (5) Ice makers are appliances for commercial or industrial use for making and harvesting ice, in which the ice-making mechanism, storage compartment and condensing unit are integrated within a single cabinet.
- (6) Trolleys for preserving and regenerating food are food transport appliances composed of a single movable enclosure for conveying food which is separated into two non-watertight compartments with dual heating/cooling function, designed to perform, for a limited time, a quadruple function of keeping cold, heating, keeping hot, and distributing food.
- (7) Retarder prover cabinets are insulated refrigeration appliances designed to control humidity and temperature of food from -20 °C and +40 °C.

<sup>(1)</sup> OJ L, 2024/573, 20.2.2024, ELI: <http://data.europa.eu/eli/reg/2024/573/oj>.

- (8) Frozen drink dispensers are refrigeration appliances designed to continuously mix a slush preparation into a tank by an auger, in a temperature range between -2,5 °C and -4 °C. Cold cream dispensers are refrigeration appliances designed to continuously mix a slush preparation into a tank by an auger, in a temperature range between -5 °C and -10 °C, with an important incorporation of air.
- (9) The exemption requests state that technically feasible alternatives with a GWP of less than 150 are available for most of the equipment referred to in this Regulation. At the same time, a very significant share of the manufacturing capacity for certain types of such equipment still needs to be converted, within tight deadlines and while ensuring that such a conversion would not compromise safety. Many steps are involved for completing the conversion and allowing the use of alternative substances, including changes to the manufacturing process, the re-designing of the equipment, and re-training of workers. The placing on the market prohibition for such equipment only entered into force on 11 March 2024 (in accordance with Regulation (EU) 2024/573) and the conversion of such a large part of the manufacturing capacity cannot be achieved, in practice, by 1 January 2025. Consequently, manufacturers may only place on the market their equipment as from 1 January 2025 or export them as from 12 March 2025 if they are converted to using the alternative substances. Considering the needed scale of the conversion, it would result in disproportionate costs and could also result in scarcity of such equipment on the Union market. Certain equipment is also used, in vulnerable sectors such as nurseries, elderly homes and hospitals. In the exemption requests, it is stated that more time is needed to facilitate the switch to alternative refrigerants with a GWP of less than 150, while ensuring the continuity of supply of such equipment on the Union market.
- (10) The Commission has assessed the requests submitted by the French and Italian competent authorities and considers that the conditions set out in Article 11(5), point (b), of Regulation (EU) 2024/573 are fulfilled. The Commission considers that a period of 18 months would be sufficient to allow the conversion to alternatives that are available, while avoiding disproportionate costs for manufacturers that have not yet converted at this time.
- (11) In accordance with point 4 of Annex IV to Regulation (EU) 2024/573, the prohibition for the placing on the Union market of the types of equipment referred in the exemption requests applies from 1 January 2025. In order to ensure legal certainty, this Regulation should also apply from 1 January 2025.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Committee on fluorinated greenhouse gases, established by Article 34(1) of Regulation (EU) 2024/573,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

By way of derogation from Annex IV, point 4, to Regulation (EU) 2024/573, the placing on the market of the following types of self-contained refrigeration equipment containing fluorinated greenhouse gases with a GWP of 150 or more is authorised from 1 January 2025 to 30 June 2026, provided they are labelled pursuant to Article 12(2) of Regulation (EU) 2024/573:

- (a) blast cabinets with a full load capacity from 25 kg to 100 kg of foodstuff;
- (b) artisanal gelato ice cream makers with a cooling capacity higher than 2 kW;
- (c) ice makers with an ice production capacity from 200 kg to 2 000 kg per 24 hours;
- (d) trolleys for preserving and regenerating food with rated power input from 1,5 kW to 10,5 kW;
- (e) retarder prover cabinets with an absorbed power from 1 kW to 2 kW;
- (f) frozen drinks dispensers and cold cream dispensers with a chilled full load capacity greater than 3 litres.

*Article 2*

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2025.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 13 January 2025.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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