ISSN 1725-2423

Official Journal of the European Union

C 133

Volume 47

English edition

Information and Notices

11 May 2004

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EN

[1] Text with EEA relevance

I

(Information)

COMMISSION

Euro exchange rates [1]

10 May 2004

(2004/C 133/01)

1 euro =

	Currency	Exchange rate		Currency	Exchange rate
USD	US dollar	1,1843	LVL	Latvian lats	0,6516
JPY	Japanese yen	134,43	MTL	Maltese lira	0,4249
DKK	Danish krone	7,4411	PLN	Polish zloty	4,7636
GBP	Pound sterling	0,66780	ROL	Romanian leu	40 433
SEK	Swedish krona	9,1259	SIT	Slovenian tolar	238,6700
CHF	Swiss franc	1,5417	SKK	Slovak koruna	40,350
ISK	Iceland króna	87,96	TRL	Turkish lira	1 824 054
NOK	Norwegian krone	8,0990	AUD	Australian dollar	1,7035
BGN	Bulgarian lev	1,9461	CAD	Canadian dollar	1,6482
CYP	Cyprus pound	0,58640	HKD	Hong Kong dollar	9,2375
CZK	Czech koruna	32,213	NZD	New Zealand dollar	1,9483
EEK	Estonian kroon	15,6466	SGD	Singapore dollar	2,0450
HUF	Hungarian forint	256,35	KRW	South Korean won	1 409,32
LTL	Lithuanian litas	3,4528	ZAR	South African rand	8,4006

[1] *Source:* reference exchange rate published by the ECB.

Notice to importers in the European Union of controlled and new substances that deplete the ozone layer, regarding Regulation (EC) No 2037/2000 of the European Parliament and of the Council on substances that deplete the ozone layer [1] - restricted to countries acceding to the European Union on 1 May 2004 -

(2004/C 133/02)

I. This Notice is addressed to undertakings that intend to import the following substances into the European Community from sources outside the European Community from 1 May 2004 to 31 December 2004.

Group I:: CFC 11, 12, 113, 114 or 115,

Group II:: other fully halogenated CFCs,

Group III:: halon 1211, 1301 or 2402,

Group IV:: carbon tetrachloride,

Group V:: 1,1,1 trichloroethane,

Group VI:: methyl bromide,

Group VII:: hydrobromofluorocarbons or,

Group VIII:: hydrochlorofluorocarbons

Group IX:: Bromochloromethane

II. Article 7 of Regulation (EC) No 2037/2000 requires that quantitative limits be determined and quotas allocated to producers and importers for 1 May 2004 to 31 December 2004 in accordance with the procedure referred to in Article 18 (2) for the import of the substances listed under Groups I to IX of Annex I to this Notice [2].

Quotas shall be allocated for:

a. Methyl bromide, for Quarantine and Pre-Shipment (QPS) and non-QPS uses, as defined by the Parties to the Montreal protocol;

b. Hydrochlorofluorocarbons (HCFCs);

c. Essential or critical uses, purposes considered essential in accordance with the criteria set out in Decisions IV/25 and Decision IX/6 of the Parties to the Montreal Protocol and approved by the Commission pursuant to Article 18 of the Regulation. A separate notice regarding Essential Uses has been published;

d. Feedstock uses, as controlled substance transformed in a process in which it is entirely converted from its original composition;

e. Processing agents, as controlled substances used as chemical processing agents in existing installations, where emissions are insignificant;

f. Destruction, controlled substances that are to be destroyed by a technology approved by the Parties to the Montreal Protocol which results in the permanent transformation, or decomposition of all or a significant portion of the substance.

The quantitative limit, which producers and importers may place on the market and/or use for their own account within the European Community in 2004, is calculated:

— For methyl bromide for non-QPS uses in 1991, according to Article 4 (2) (i) (c) of the Regulation;

— For methyl bromide for QPS use from 1996-1998 (average) according to Article 4 (2) (iii);

— For HCFCs according to Article 4 (3) (i) (e).

[1] OJ L 244 of 29.09.2000, p. 1 as last amended by Regulation (EC) 1804/2003, OJEC No L 265 of 16.10.2003, p. 1

[2] Controlled substances or mixtures which are imported in a manufactured product (other than a container used for the transport or storage of the substance) are excluded from the scope of this notice.

III. Undertakings engaged in the importation of HCFCs can be either:

— Importers who imported in 1999 and who wish to place HCFCs on the European Community market and who are not engaged in the production of HCFCs,

— European Community producers who imported in 1999 on their own account additional HCFCs to place on the European Community market.

IV. The quantities imported from 1 May 2004 to 31 December 2004 are subject to import licences. In accordance with Article 6 of the Regulation, undertakings may import the controlled substances only if they are in possession of an import licence issued by the Commission.

V. Under Article 22 of the Regulation, the importation of new substance listed in Annex II of the Regulation is prohibited, except for feedstock uses.

VI. For the purposes of the Regulation, quantities of substances are measured according to their Ozone Depleting Potential ([1]).

VII. The Commission hereby gives notice to an undertaking that is not in possession of a quota for 2003 and who wishes to apply to the Commission for an import quota for the eight month period from 1 May 2004 to 31 December 2004, to make itself known to the Commission no later than 15 May 2004.

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VIII Enterprises with a quota in 2003 should make a declaration by completing and submitting the relevant form(s) on page http://europa.eu.int/comm/environment/ods/index.htm of EUROPA internet site. Only applications received by 15 May 2004 will be considered by the Commission.

A copy of the application should also be sent to the competent authority of the Member State (cf. Annex II).

IX. Once the applications have been received, they will be considered by the European Commission and import quotas will be set for each importer and producer in consultation with the Article 18 Management Committee. The allocated quota will be available on the ODS website http://europa.eu.int/comm/environment/ods/home/home.cfm and all applicants will have the Decision notified by post.

X. In order to import controlled substances in 2004, undertakings in receipt of a quota must apply to the Commission via the ODS website for an import licence using the import licence application. Provided the Commission services are satisfied that the request is in accordance with the quota authorised and conforms to the requirements of Regulation (EC) No 2037/2000, an import licence will be issued. The Commission reserves the right to withhold an import licence when the substance to be imported is not as described or may not be used for the purposes authorised or cannot be imported in compliance with Regulation.

XI. Producers who import recovered or reclaimed substances, if any, are required to submit additional information with each licence application regarding the source and destination of the substance, and the processing to be undertaken. A certificate of analysis may also be requested. Importers are obliged to have destruction facilities and therefore the owner of the destruction facility would be expected to apply for the licence to import ODS for destruction.

([1]) For mixtures: only the quantity of the controlled substances in the mixture should be included in the ODP quantity. 1,1,1-trichloroethane is always put on the market with stabilisers. Importers should establish from their supplier what is the percentage of stabiliser to be deducted before calculating the ODP-weighted tonnage.

ANNEX 1

Substances covered

Group	Substances		Ozone-depleting Potential (1)
Group I	$CFCl_3$	(CFC 11)	1,0
	CF_2Cl_2	(CFC 12)	1,0
	$C_2F_3Cl_3$	(CFC 113)	0,8
	$C_2F_4Cl_2$	(CFC 114)	1,0
	C_2F_5Cl	(CFC 115)	0,6
Group II	CF_3Cl	(CFC 13)	1,0
	C_2FCl_5	(CFC 111)	1,0
	$C_2F_2Cl_4$	(CFC 112)	1,0
	C_3FCl_7	(CFC 211)	1,0
	$C_3F_2Cl_6$	(CFC 212)	1,0
	$C_3F_3Cl_5$	(CFC 213)	1,0
	$C_3F_4Cl_4$	(CFC 214)	1,0
	$C_3F_5Cl_3$	(CFC 215)	1,0
	$C_3F_6Cl_2$	(CFC 216)	1,0
	C_3F_7Cl	(CFC 217)	1,0
Group III	CF_2BrCl	(halon 1211)	3,0
	CF_3Br	(halon 1301)	10,0
	$C_2F_4Br_2$	(halon 2402)	6,0
Group IV	CCl_4	(carbon tetrachloride)	1,1
Group V	$C_2H_3Cl_3$ (1)	(1,1,1-trichloroethane)	0,1
Group VI	CH_3Br	(methyl bromide)	0,6
Group VII	$CHFBr_2$		1,00
	CHF_2Br		0,74
	CH_2FBr		0,73
	C_2HFBr_4		0,8
	$C_2HF_2Br_3$		1,8
	$C_2HF_3Br_2$		1,6
	C_2HF_4Br		1,2
	$C_2H_2FBr_3$		1,1
	$C_2H_2F_2Br_2$		1,5
	$C_2H_2F_3Br$		1,6
	$C_2H_3FBr_2$		1,7
	$C_2H_3F_2Br$		1,1
	C_2H_4FBr		0,1
	C_3HFBr_6		1,5
	$C_3HF_2Br_5$		1,9
	$C_3HF_3Br_4$		1,8
	$C_3HF_4Br_3$		2,2
	$C_3HF_5Br_2$		2,0
	C_3HF_6Br		3,3
	$C_3H_2FBr_5$		1,9
	$C_3H_2F_2Br_4$		2,1
	$C_3H_2F_3Br_3$		5,6
	$C_3H_2F_4Br_2$		7,5
	$C_3H_2F_5Br$		1,4
	$C_3H_3FBr_4$		1,9
	$C_3H_3F_2Br_3$		3,1
	$C_3H_3F_3Br_2$		2,5
	$C_3H_3F_4Br$		4,4
	$C_3H_4FBr_3$		0,3
	$C_3H_4F_2Br_2$		1,0
	$C_3H_4F_3Br$		0,8
	$C_3H_5FBr_2$		0,4
	$C_3H_5F_2Br$		0,8
	C_3H_6FBr		0,7

Group	Substances		Ozone-depleting Potential (1)
Group VIII	$CHFCl_2$	(HCFC 21) (2)	0,040
	CHF_2Cl	(HCFC 22) (3)	0,055
	CH_2FCl	(HCFC 31)	0,020
	C_2HFCl_4	(HCFC 121)	0,040
	$C_2HF_2Cl_3$	(HCFC 122)	0,080
	$C_2HF_3Cl_2$	(HCFC 123) (3)	0,020
	C_2HF_4Cl	(HCFC 124) (3)	0,022
	$C_2H_2FCl_3$	(HCFC 131)	0,050
	$C_2H_2F_2Cl_2$	(HCFC 132)	0,050
	$C_2H_2F_3Cl$	(HCFC 133)	0,060
	$C_2H_3FCl_2$	(HCFC 141)	0,070
	CH_3CFCl_2	(HCFC 141b) (3)	0,110
	$C_2H_3F_2Cl$	(HCFC 142)	0,070
	CH_3CF_2Cl	(HCFC 142b) (3)	0,065
	C_2H_4FCl	(HCFC 151)	0,005
	C_3HFCl_6	(HCFC 221)	0,070
	$C_3HF_2Cl_5$	(HCFC 222)	0,090
	$C_3HF_3Cl_4$	(HCFC 223)	0,080
	$C_3HF_4Cl_3$	(HCFC 224)	0,090
	$C_3HF_5Cl_2$	(HCFC 225)	0,070
	$CF_3CF_2CHCl_2$	(HCFC 225ca) (3)	0,025
	CF_2ClCF_2CHClF	(HCFC 225cb) (3)	0,033
	C_3HF_6Cl	(HCFC 226)	0,100
	$C_3H_2FCl_5$	(HCFC 231)	0,090
	$C_3H_2F_2Cl_4$	(HCFC 232)	0,100
	$C_3H_2F_3Cl_3$	(HCFC 233)	0,230
	$C_3H_2F_4Cl_2$	(HCFC 234)	0,280
	$C_3H_2F_5Cl$	(HCFC 235)	0,520
	$C_3H_3FCl_4$	(HCFC 241)	0,090
	$C_3H_3F_2Cl_3$	(HCFC 242)	0,130
	$C_3H_3F_3Cl_2$	(HCFC 243)	0,120
	$C_3H_3F_4Cl$	(HCFC 244)	0,140
	$C_3H_4FCl_3$	(HCFC 251)	0,010
	$C_3H_4F_2Cl_2$	(HCFC 252)	0,040
	$C_3H_4F_3Cl$	(HCFC 253)	0,030
	$C_3H_5FCl_2$	(HCFC 261)	0,020
	$C_3H_5F_2Cl$	(HCFC 262)	0,020
	C_3H_6FCl	(HCFC 271)	0,030
Group IX	CH2BrCl	Halon 1011/bromochloro-methane	0,120

(1) These ozone-depleting potentials are estimates based on existing knowledge and will be reviewed and revised periodically in the light of decisions taken by the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer.
(2) This formula does not refer to 1,1,2-trichloroethane.
(3) Identifies the most commercially-viable substance as prescribed in the Protocol.

NEW SUBSTANCES

ALLEGATO II / ANEXO II / ANEXO II / ANNEX II / ANNEXE II / ANHANG II / BIJLAGE II / BILAG II / BILAGA II / LIITE II / ΠΑΡΑΡΤΗΜΑ II / LISA II / II PRIEDAS / II PIELIKUMS / ANNESS II / ZAŁĄCZNIK II / PRÍLOHA II / PŘÍLOHA II / II. MELLÉKLET / PRILOGA II

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Notice to exporters of controlled substances that deplete the ozone layer in the European Union regarding Regulation (EC) 2037/2000 of the European Parliament and of the Council on 'Substances that Deplete the Ozone Layer' [1] — restricted to countries acceding to the European Union on 1 May 2004 —

(2004/C 133/03)

This Notice is addressed to undertakings that intend to export the following substances from the European Union during the period 1 May 2004 to 31 December 2004.

Group I:: CFC 11, 12, 113, 114 or 115,

Group II:: other fully halogenated CFCs,

Group III:: halon 1211, 1301 or 2402,

Group IV:: carbon tetrachloride,

Group V:: 1,1,1 trichloroethane,

Group VI:: methyl bromide,

Group VII:: hydrobromofluorocarbons or,

Group VIII:: hydrochlorofluorocarbons,

Group IX:: bromochloromethane

Exports of chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride, 1,1,1-trichloroethane and hydrobromofluorocarbons and bromochloromethane or products and equipment, other than personal effects containing those substances or whose continuing function relies on the supply of these substances, are prohibited. Note that exceptions to this prohibition are exports of:

— Controlled substances produced under Article 3 (6) to satisfy the Basic Domestic Needs of Parties operating under to Article 5 of the Montreal Protocol;

— Controlled substances produced under Article 3 (7) to satisfy Essential or Critical Uses of Parties;

— Products and equipment containing controlled substances produced under Article 3 (5) or imported under Article 7 (b) of the Regulation;

— Recovered, recycled and reclaimed halon stored for critical uses in facilities authorised or operated by the competent authority to satisfy critical uses listed in Annex VII until 31 December 2009, and products and equipment containing halon to satisfy critical uses listed in Annex VII;

— Controlled substances to be used for feedstock and processing agent applications;

— Used products and equipment that contain rigid insulating foam or integral skin foam which have been produced with chlorofluorocarbons. This exemption does not apply to:

  — Refrigeration and air-conditioning equipment and products;

  — refrigeration and air-conditioning equipment and products which contain chlorofluorocarbons, or whose continuing function relies on the supply of chlorofluorocarbons used as refrigerants, in other equipment and products;

  — Building insulation foam and products.

— Under Article 11 (2), export of:

  — Methyl bromide to any state not party to the Protocol is prohibited.

  — From 1 January 2004, exports from the Community of hydrochlorofluorocarbons to any State not party to the Protocol shall be prohibited.

[1] OJ No L 244 of 29.09.2000, p. 1 as last amended by Regulation (EC) 1804/2003, OJEC No L 265 of 16.10.2003, p. 1

— Under Article 11(3), export of:

  — Hydrochlorofluorocarbons to any State not Party to the Protocol is prohibited from 1 January 2004. Party status depends on meeting criteria set out in Decision XV/3 of the Montreal Protocol.

Article 12 requires the authorisation of exports of the substances listed under Groups I to IX of Annex I to this Notice (cf. also Annex I of the Regulation). Such export authorisations should be issued by the Commission after verification of compliance to Article 11 ([1]).

For the purposes of the Regulation, quantities are measured in ODP kilograms to reflect the ozone depleting potential of the substance ([2]).

A user that wishes to export controlled substances listed under Group I to IX of Annex 1 of this Notice for the eight-month period from 1 May 2004 to 31 December 2004, should make itself known to the Commission, preferably no later than 15 May 2004.

Ozone Layer Protection
European Commission
Directorate-General Environment
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Unit ENV.C.2 – Climate change
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Other applicants that have been issued with an export authorisation in 2003 should complete and submit the relevant form(s) according to the export substance(s) on the ODS website http://europa.eu.int/comm/environment/ods/index.htm in order to receive an Export Authorisation Number (EAN).

A copy of the application should also be sent to the competent authority of the Member State (cf. Annex II).

An EAN will be provided and the applicant notified providing the application meets the eligibility criteria for an Export Authorisation Number. A user may export the controlled substances listed in Annex I to this Notice during the course of 2004 only if it is in possession of an EAN issued by the Commission. The Commission reserves the right to withhold issuing an EAN where it is not satisfied with the information provided.

([1]) Amended by Regulation (EC) 1804/2003, published in the OJEC L265 of 16 october 2003, p. 1.

([2]) For mixtures: only the quantity of the controlled substances in the mixture should be included in the quantity. 1,1,1-trichloroethane is always put on the market with stabilisers. Exporters should establish from their supplier what is the percentage of stabiliser to be deducted before calculating the weighted tonnage.

ANNEX 1

Substances covered

Group	Substances		Ozone-depleting potential (1)
Group I	$CFCl_3$	(CFC 11)	1,0
	CF_2Cl_2	(CFC 12)	1,0
	$C_2F_3Cl_3$	(CFC 113)	0,8
	$C_2F_4Cl_2$	(CFC 114)	1,0
	C_2F_5Cl	(CFC 115)	0,6
Group II	CF_3Cl	(CFC 13)	1,0
	C_2FCl_5	(CFC 111)	1,0
	$C_2F_2Cl_4$	(CFC 112)	1,0
	C_3FCl_7	(CFC 211)	1,0
	$C_3F_2Cl_6$	(CFC 212)	1,0
	$C_3F_3Cl_5$	(CFC 213)	1,0
	$C_3F_4Cl_4$	(CFC 214)	1,0
	$C_3F_5Cl_3$	(CFC 215)	1,0
	$C_3F_6Cl_2$	(CFC 216)	1,0
	C_3F_7Cl	(CFC 217)	1,0
Group III	CF_2BrCl	(halon 1211)	3,0
	CF_3Br	(halon 1301)	10,0
	$C_2F_4Br_2$	(halon 2402)	6,0
Group IV	CCl_4	(carbon tetrachloride)	1,1
Group V	$C_2H_3Cl_3$ (1)	(1,1,1-trichloroethane)	0,1
Group VI	CH_3Br	(methyl bromide)	0,6
Group VII	$CHFBr_2$		1,00
	CHF_2Br		0,74
	CH_2FBr		0,73
	C_2HFBr_4		0,8
	$C_2HF_2Br_3$		1,8
	$C_2HF_3Br_2$		1,6
	C_2HF_4Br		1,2
	$C_2H_2FBr_3$		1,1
	$C_2H_2F_2Br_2$		1,5
	$C_2H_2F_3Br$		1,6
	$C_2H_3FBr_2$		1,7
	$C_2H_3F_2Br$		1,1
	C_2H_4FBr		0,1
	C_3HFBr_6		1,5
	$C_3HF_2Br_5$		1,9
	$C_3HF_3Br_4$		1,8
	$C_3HF_4Br_3$		2,2
	$C_3HF_5Br_2$		2,0
	C_3HF_6Br		3,3
	$C_3H_2FBr_5$		1,9
	$C_3H_2F_2Br_4$		2,1
	$C_3H_2F_3Br_3$		5,6
	$C_3H_2F_4Br_2$		7,5
	$C_3H_2F_5Br$		1,4
	$C_3H_3FBr_4$		1,9
	$C_3H_3F_2Br_3$		3,1
	$C_3H_3F_3Br_2$		2,5
	$C_3H_3F_4Br$		4,4
	$C_3H_4FBr_3$		0,3
	$C_3H_4F_2Br_2$		1,0
	$C_3H_4F_3Br$		0,8
	$C_3H_5FBr_2$		0,4
	$C_3H_5F_2Br$		0,8
	C_3H_6FBr		0,7

Group	Substances		Ozone-depleting potential (1)
Group VIII	$CHFCl_2$	(HCFC 21) (2)	0,040
	CHF_2Cl	(HCFC 22) (3)	0,055
	CH_2FCl	(HCFC 31)	0,020
	C_2HFCl_4	(HCFC 121)	0,040
	$C_2HF_2Cl_3$	(HCFC 122)	0,080
	$C_2HF_3Cl_2$	(HCFC 123) (3)	0,020
	C_2HF_4Cl	(HCFC 124) (3)	0,022
	$C_2H_2FCl_3$	(HCFC 131)	0,050
	$C_2H_2F2Cl_2$	(HCFC 132)	0,050
	C_2H_2F3Cl	(HCFC 133)	0,060
	$C_2H_3FCl_2$	(HCFC 141)	0,070
	CH_3CFCl_2	(HCFC 141b) (3)	0,110
	$C_2H_3F_2Cl$	(HCFC 142)	0,070
	CH_3CF_2Cl	(HCFC 142b) (3)	0,065
	C_2H_4FCl	(HCFC 151)	0,005
	C_3HFCl_6	(HCFC 221)	0,070
	$C_3HF_2Cl_5$	(HCFC 222)	0,090
	$C_3HF_3Cl_4$	(HCFC 223)	0,080
	$C_3HF_4Cl_3$	(HCFC 224)	0,090
	$C_3HF_5Cl_2$	(HCFC 225)	0,070
	$CF_3CF_2CHCl_2$	(HCFC 225ca) (3)	0,025
	CF_2ClCF_2CHClF	(HCFC 225cb) (3)	0,033
	C_3HF_6Cl	(HCFC 226)	0,100
	$C_3H_2FCl_5$	(HCFC 231)	0,090
	$C_3H_2F_2Cl_4$	(HCFC 232)	0,100
	$C_3H_2F_3Cl_3$	(HCFC 233)	0,230
	$C_3H_2F_4Cl_2$	(HCFC 234)	0,280
	$C_3H_2F_5Cl$	(HCFC 235)	0,520
	$C_3H_3FCl_4$	(HCFC 241)	0,090
	$C_3H_3F_2Cl_3$	(HCFC 242)	0,130
	$C_3H_3F_3Cl_2$	(HCFC 243)	0,120
	$C_3H_3F_4Cl$	(HCFC 244)	0,140
	$C_3H_4FCl_3$	(HCFC 251)	0,010
	$C_3H_4F_2Cl_2$	(HCFC 252)	0,040
	$C_3H_4F_3Cl$	(HCFC 253)	0,030
	$C_3H_5FCl_2$	(HCFC 261)	0,020
	$C_3H_5F_2Cl$	(HCFC 262)	0,020
	C_3H_6FCl	(HCFC 271)	0,030
Group IX	CH2BrCl	Halon 1011/bromochloro-methane	0,120

(1) These ozone-depleting potentials are estimates based on existing knowledge and will be reviewed and revised periodically in the light of decisions taken by the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer.
(2) This formula does not refer to 1,1,2-trichloroethane.
(3) Identifies the most commercially-viable substance as prescribed in the Protocol.

ALLEGATO II / ANEXO II / ANEXO II / ANNEX II / ANNEXE II / ANHANG II / BIJLAGE II / BILAG II / BILAGA II / LIITE II / PARARTHMA II / LISA II / II PRIEDAS / II PIELIKUMS / ANNESS II / ZAŁĄCZNIK II / PRÍLOHA II / PŘÍLOHA II / II. MELLÉKLET / PRILOGA II

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Notice to users of controlled substances in the european union allowed for essential uses in the community in 2004 under regulation (ec) No 2037/2000 of the european parliament and of the council on 'substances that deplete the ozone layer' [1] — restricted to countries acceding to the European Union on 1 May 2004

(2004/C 133/04)

This Notice concerns the following substances:

— Chlorofluorocarbons (CFCs) 11, 12, 113, 114 and 115,

— Other fully halogenated chlorofluorocarbons,

— Carbon tetrachloride,

— Halons,

— 1,1,1 trichloroethane,

— Hydrobromofluorocarbons (HBFCs)

— Bromochloromethane

This notice is addressed to users that intend to:

1. Use the above substances within the Community for the manufacture of Metered Dose Inhalers (MDIs),

2. Acquire the above substances for laboratory and analytical uses directly from a producer or by import into the Community and not from a distributor of the substances.

Controlled substances for essential uses may be obtained from production within the Community and, if necessary, by import from sources outside the Community.

Decision IV/25 of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer sets out criteria and a procedure for determining 'essential uses' for which continued production and consumption is allowed after phase-out.

Article 3(1) of Regulation (EC) 2037/2000, as amended in Regulation (EC)2038/2000, requires the determination of quantities for essential uses of the above-mentioned controlled substances which may be permitted in the Community in 2004, in accordance with Decision IV/25 of the Parties to the Montreal Protocol

Decision XIV/14 of the Parties to the Montreal Protocol authorised the levels of production and consumption necessary to satisfy essential uses of CFCs for metered dose inhalers (MDIs) for the treatment of asthma and chronic obstructive pulmonary diseases. For the production of MDIs in the European Community in 2004, the quantity of CFCs 11, 12, 113 and 114 authorised by the Parties in Decision XIV/14 is 1,884,000.00 kilograms (one million eight hundred and eighty four thousand).

In accordance with Decision X/19 of the Parties to the Montreal Protocol, the purity of controlled substances for laboratory purposes should be at least 99.0 % for 1,1,1-trichloroethane and 99.5 % for CFCs and carbon tetrachloride. These high purity substances and mixtures containing controlled substances shall be supplied only in re-closable containers or high pressure cylinders smaller than three litres or in 10 millilitre or smaller glass ampoules, marked clearly as substances that deplete the ozone layer, restricted to laboratory use and analytical purposes and specifying that used or surplus substances should be collected and recycled, if practical. The material should be destroyed if recycling is not practical.

Decision XV/8 of the Parties to the Montreal Protocol authorises the production and consumption necessary to satisfy essential uses of controlled substances listed in Annexes A, B and C (Group II and III substances) of the Montreal Protocol for laboratory and analytical uses as listed in Annex IV to the report of the Seventh Meeting of the Parties, subject to the conditions set out in Annex II to the report of the Sixth Meeting of the Parties.

The procedures for allocating quantities of controlled substances for the above essential uses carried out under Regulation (EC) No 2037/2000 and Regulation (EC) No 2038/2000 is the following:

1. An enterprise that has not been issued with a quota in 2003 and that requests consideration by the Commission for an essential use quota for the period 1 May 2004 to 31 December 2004 should make itself known to the Commission no later than 15 May 2004:

   Ozone Layer Protection
   European Commission
   Directorate-General Environment
   Unit ENV.C.2 – Climate change
   BU5 2/25
   B - 1049 Brussels
   Fax: +32 2 299 87 64
   Email: env-ods@cec.eu.int

2. Essential use applications may be made by any user of substances listed at the beginning of this Notice. For CFCs for use in MDIs, each applicant should provide the information requested on the spreadsheet available on the ODS website http://europa.eu.int/comm/environment/ods/home/home.cfm. For Laboratory Uses, each applicant should provide the information requested in the form on the website.

   A copy of the application should also be sent to the competent authority of the Member State (refer to Annex I for appropriate address).

[1] OJ No L 244 of 29.09.2000, p. 1 as last amended by Regulation (EC) 1804/2003, OJEC No L 265 of 16.10.2003, p. 1

3. Only applications received by 15 May 2004 will be considered by the Commission in accordance with the procedure set out in Article 18 of Regulation (EC) No 2037/2000.

4. The Commission will issue quotas to those users and shall notify them of the use for which they have authorisation, the substance they are authorised to use and the quantity of the controlled substances concerned.

5. Following the above procedure, the Commission on the basis of a Decision will notify applicants of the quantities of controlled substances authorised in the Community for 2004 for which production and importation of controlled substances will be permitted.

6. Those users holding an essential use quota for a controlled substance for 2004 will be able to make a request to a Community producer via the ODS website or, if necessary, request an import licence from the Commission for a controlled substance up to their quota limit. The producer must be authorised by the competent authority of the Member State in which its relevant production is situated to produce the controlled substance for meeting that licensed demand. The competent authority of the Member State shall notify the Commission well in advance of any such authorisation.

ALLEGATO / ANEXO / ANEXO / ANNEX / ANNEXE / ANHANG / BIJLAGE / BILAG / BILAGA / LIITE / PARARTHMA / LISA / PRIEDAS / PIELIKUMS / ANNESS / ZAŁĄCZNIK / PRÍLOHA / PŘÍLOHA / IMELLÉKLET / PRILOGA

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Prior notification of a concentration

(Case No. COMP/M.3430 — UTC / EADS Revima / JV)

Candidate case for simplified procedure

(2004/C 133/05)

(Text with EEA relevance)

1. On 28/04/2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 ([1]), as last amended by Regulation (EC) No 1310/97 ([2]), by which the undertakings United Technologies Corporation ('UTC', United States of America) and EADS Revima SA ('EADS Revima', France) ultimately controlled by the undertaking European Aeronautic Defence and Space Company EADS N.V. ('EADS', The Netherlands) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking EADS Revima APU SAS ('JV', France) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

   — for undertaking UTC: flight systems, jet engines, elevators, ventilation, fuel cells and security products.

   — for undertaking EADS Revima: maintenance, repair and overhaul of landing gear for commercial transport aircrafts.

   — for undertaking EADS: Airbus, military transport aircraft, aeronautics, defense and security systems and space equipment.

   — for undertaking JV: maintenance, repair and overhaul of auxiliary power units for commercial transport aircrafts.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89 ([3]) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

   Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (fax no. +32/2/2964301 or 2967244) or by post, under reference number COMP/M.3430 - UTC / EADS Revima /JV, to the following address:

   European Commission
   Directorate-General for Competition,
   Merger Registry
   J-70
   B-1049 Bruxelles/Brussel

([1]) OJ L 395, 30.12.1989 p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.
([2]) OJ L 180, 9. 7. 1997, p. 1; corrigendum OJ L 40, 13.2.1998, p. 17.
([3]) OJ C 217, 29.7.2000, p. 32.

Prior notification of a concentration

Case No. COMP/M.3432 - TOTAL LUBRIFIANTS / ENDEL / DAENERYS JV

Candidate case for simplified procedure

(2004/C 133/06)

(Text with EEA relevance)

1. On 28/04/2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 [1], as last amended by Regulation (EC) No 1310/97 [2], by which the undertakings Total Lubrifiants (' Total', France) belonging to the Total group and Endel (France), belonging to the Suez group, acquire(s) within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Daenerys (France) by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

   — for Total: production, marketing and distribution of lubricants

   — for Endel: industrial maintenance

   — for Daenerys: providing lubrication services

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89 [3] it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

   Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (fax no. +32/2/2964301 or 2967244) or by post, under reference number COMP/M.3432 - TOTAL LUBRIFIANTS / ENDEL / DAENERYS JV, to the following address:

   European Commission
   Directorate-General for Competition,
   Merger Registry
   J-70
   B-1049 Bruxelles/Brussel

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[1] OJ L 395, 30.12.1989 p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.
[2] OJ L 180, 9. 7. 1997, p. 1; corrigendum OJ L 40, 13.2.1998, p. 17.
[3] OJ C 217, 29.7.2000, p. 32.

Prior notification of a concentration

Case No. COMP/M.3426 Advent / Sportfive

Candidate case for simplified procedure

(2004/C 133/07)

(Text with EEA relevance)

1. On 26/04/2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 [1], as last amended by Regulation (EC) No 1310/97 [2], by which the undertaking Advent International Corporation (Advent, US) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of undertaking Sportfive S.A. (Sportfive, France) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

   — for Advent: private equity company and investments funds management;

   — for Sportfive: trading in television sport rights and marketing services for sport events.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No4064/89 [3] it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

   Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (fax no. +32/2/2964301 or 2967244) or by post, under reference number COMP/M.3426 – Advent / Sportfive, to the following address:

   European Commission
   Directorate-General for Competition,
   Merger Registry
   J-70
   B-1049 Bruxelles/Brussel

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[1] OJ L 395, 30.12.1989 p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.
[2] OJ L 180, 9. 7. 1997, p. 1; corrigendum OJ L 40, 13.2.1998, p. 17.
[3] OJ C 217, 29.7.2000, p. 32.

Prior notification of a concentration

Case No. COMP/M.3447 - CARLYLE/SAPROGAL

Candidate case for simplified procedure

(2004/C 133/08)

(Text with EEA relevance)

1. On 22 April 2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 [1], as last amended by Regulation (EC) No 1310/97 [2], by which the undertaking Carlyle Group (Luxembourg) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking SAPROGAL S.A. (Spain) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

   — for undertaking Carlyle Group: private investment and private equity and investment into investment funds.

   — for undertaking SAPROGAL S.A.: production and supply of animal feed and pet food, grain trading, poultry production and supply.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89 [3] it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

   Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (fax no. +32/2/2964301 or 2967244) or by post, under reference number COMP/M.3447 - CARLYLE/SAPROGAL, to the following address:

   European Commission
   Directorate-General for Competition,
   Merger Registry
   J-70
   B-1049 Bruxelles/Brussel

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[1] OJ L 395, 30.12.1989 p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.
[2] OJ L 180, 9. 7. 1997, p. 1; corrigendum OJ L 40, 13.2.1998, p. 17.
[3] OJ C 217, 29.7.2000, p. 32.