

Additional comments following the 1st meeting of Consultation Forum according to
Art. 23 of Regulation (EU) No 517/2014 on fluorinated greenhouse gases

September 2015

JBCE is pleased to provide additional comments in writing following the Fgas Consultation meeting held on 10 September 2015.

Our comments are primarily related to Topic A: “Barriers to the uptake of low GWP alternatives to HFC related to standards, codes and legislation” and aim to highlight the urgent need to take immediate actions at the EU and national level to allow the timely introduction of A2L refrigerants across the EU28.

As identified by the consultants in their preliminary study on Member States legislation, seven (7) countries¹ currently are said to have national legislation, building codes or standards in place that impact the introduction of flammable refrigerants with lower GWP in public spaces in the refrigeration, air conditioning and heat pumps markets. As these are the market segments with the highest potential of growth in the coming years (see SKM study²) and three countries alone (Spain, Italy and France) account for more than 50% of the total EU28 market for DX systems (e.g. single split, VRF) installed (see JRAIA market projections for these countries³) it is imperative that these countries amend their national legislation to allow the introduction of A2L refrigerants.

JBCE would also like to warn that even when national barriers would be cleared, there are still regional and local requirements such as building codes or fire safety regulations that may prevent the use of A2L refrigerants. Further investigation will be required to map out and understand those, also in countries who did not mention any national barriers.

Given the slow process of legislative and standards change and the major cuts needed in 2018 (-44%) and 2021 (-60%) due to EU HFC phase-down, JBCE proposes the following concrete measures in order to allow that the EU Fgas regulation (517/2014/EU) achieves its phase down targets and unlocks the environmental benefits of switching to alternative refrigerants:

-at the EU level, the revision of EN378:2008 and its harmonisation with ISO5149 (for A2L category) is ongoing and expected in mid-2016;

-European Commission (DG CLIMA) should establish a special Working Group/Task Force involving the identified seven member states to investigate how to amend their restrictive national legislation/standards in time for 2017 which will be a critical year in the EU phase down because the import of precharged equipment will be included from then, and the majority of those are DX systems (e.g. single split, VRF) products ;

-check the implications of transportation (e.g. ADR) and storage related EU/national legislation which could also hamper the introduction of A2L refrigerants. There are regulations for transport by air, road - including tunnel codes and ship that need further investigation.

¹ These member states are: Austria, Belgium, France, Germany, Italy, Spain and Sweden

² See

http://www.fluorocarbons.org/uploads/Modules/Library/skm_final_report_phase_down_of_hfc_consumption_version_11.pdf

³ See http://www.jraia.or.jp/download/e-book/airacon2015/e-book_worldair.pdf

In addition to the above recommendations, JBCE would like to caution against putting in the same basket A2L (e.g. R32, R1234yf) and A3 (e.g. R290) refrigerants when modifying the national legislation/building codes due to the need for more stringent safety consideration in the case of A3 refrigerants. These highly flammable refrigerants have different ignition risks and burning behaviour throughout their life stages (i.e. logistics, installation, use-indoor/outdoor, service and disposal) compared to A2L refrigerants, hence their different classification under ISO817 and as shown in the “Risk Assessment of Mildly Flammable Refrigerants-2014 Progress Report” p. 86, released by the Japan Society of Refrigerating and Air Conditioning Engineers (JSRAE)⁴.

Finally, we would like to emphasize that whatever is mentioned in standards or legislation, it is the manufacturer or importer of the equipment who have to ensure the safety of their equipment and take measures to prevent such risks in conformity with General Product Safety Directive (2001/95/EC) which should not be overlooked.

ABOUT JBCE

The Japan Business Council in Europe was established in 1999 and is a leading European organisation representing the interests of over 70 multinational companies of Japanese companies of Japanese parentage operating in the European Union.

Our members operate across a wide range of sectors, including electronics, wholesale trade, precision instruments, pharmaceutical, railway, textiles, glass, automotive, and chemical manufacturing. In 2014, our member companies had global sales of 1.4 trillion euros.

Building a new era of cooperation between the EU and Japan is the core of our activities. The key goal of JBCE is to contribute to EU public policy in a positive and constructive way by drawing on the expertise and experience of our member companies.

Website: <http://www.jbce.org>

E-mail: info@jbce.org

⁴ See full report at http://www.jsrae.or.jp/committee/binensei/2014PR_e.pdf