

EUROPEAN ENVIRONMENTAL  
CITIZENS ORGANISATION  
FOR STANDARDISATION



ORGANISATION EUROPÉENNE  
ENVIRONNEMENTALE CITOYENNE  
POUR LA NORMALISATION

**Consultation Forum according to Art. 23 of Regulation (EU) No  
517/2014 on fluorinated greenhouse gases:  
Barriers to the uptake of low-GWP alternatives to HFCs related to  
standards, codes and legislation**

**ECOS Position Paper: Further recommendations**

**ECOS – EUROPEAN ENVIRONMENTAL CITIZENS' ORGANISATION FOR STANDARDISATION (ASBL)**

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## SUMMARY

ECOS conditionally welcomes the findings of the F-GAS Consultation Forum according to Art. 23 of Regulation (EU) No 517/2014 on fluorinated greenhouse gases (F-Gas Regulation) 'Barriers to the uptake of low GWP alternatives to HFCs related to standards, codes and legislation'. In the realisation of recommendations made from the findings, ECOS proposes the following series of actions:

### Short-term Recommendations:

Action 1: Development of an EC Standardisation Request

Action 2: establishment of a European Commission Low GWP Refrigerant Working Group

Action 3: Creation of Technical Annexes to the F-Gas Regulation and the ATEX Directive

### Long-term Recommendations:

Action 1: Improve the balance of interests in relevant standardisation technical committees

Action 2: Greater rights for societal stakeholders in standardisation at national and European levels

## Introduction

ECOS conditionally welcomes the preliminary findings of the F-GAS Consultation Forum according to Art. 23 of Regulation (EU) No 517/2014 on fluorinated greenhouse gases (F-Gas Regulation) 'Barriers to the uptake of low GWP alternatives to HFCs related to standards, codes and legislation'. In particular, the recognition of limitations on the maximum charge of hydrocarbon (HC) refrigerants, through such restrictions as the formula utilised for 'human comfort' applications (European standards EN 378-1, Annex C.3, and EN 60335-2-40, Annex GG), is of great importance.

While there were notable and unfortunate absences from the preliminary findings, such as charge restrictions on HC refrigerants below ground and lack of a leak simulation test (referenced only under possible plans to update EN 378), attention must now also be focused on the practical steps through which these findings can be addressed by the responsible standardisation technical committees; namely, CEN/TC 182 'Refrigerating systems, safety and environmental requirements' and CLC/TC 61 'Safety of household and similar electrical appliances'.

In this regard, recommendations can be broadly divided into two categories: short-term and long-term. Both short-term and long-term recommendations should be implemented now, to both achieve recommendations made within the findings of the Consultation and to ensure the long-term balance of interests within the relevant standardisation technical bodies.

### A. Short-term Recommendations

#### Action 1: Development of an EC Standardisation Request

According to Regulation (EU) No 1025/2012 on European standardisation, the EC may request the development of European standards or standardisation deliverables within a given timeframe. These deliverables may be based upon legally binding requirements, such as requirements within the and Directive 94/9/EC concerning equipment and protective systems intended for use in potentially explosive atmospheres (ATEX) Directive<sup>1</sup>, or unlinked to pre-set legal conditions.

The European Commission should seek to initiate a Standardisation Request at the earliest opportunity, addressing identified issues related to limitations on HC refrigerants. Such a request should be clear and detailed in scope, ambitious in nature, with firm timelines, and prepared in close cooperation with the European Standardisation Organisations (ESOs) and Annex III organisations, following the procedures referred to in the Vademecum on standardisation<sup>2</sup>.

ECOS would recommend the following formulations for standardisation deliverables in the future mandate:

- I. Procedures or methods to permit greater charge sizes of A3 refrigerants in 'human comfort' applications
- II. Procedures or methods to permit charge sizes of A3 refrigerants below ground that equal above ground restrictions
- III. At adaption of EN 378 and EN 60335-2-40 for a leak simulation test for flammable refrigerants harmonised with Directive 94/9/EC concerning equipment and protective systems intended for use in potentially explosive atmosphere

<sup>1</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31994L0009>

<sup>2</sup> [http://ec.europa.eu/growth/single-market/european-standards/vademecum/index\\_en.htm](http://ec.europa.eu/growth/single-market/european-standards/vademecum/index_en.htm)

- IV. An adaption of standards EN 378, EN 60335-2-40 and EN 60335-2-89 so that requirements are harmonised with Directive 94/9/EC concerning equipment and protective systems intended for use in potentially explosive atmosphere
- V. Requirements permitting greater charge sizes for the placement of systems regardless of room size
- VI. Procedures or methods to permit maximum charge for A3 refrigerants without regard to occupancy type

## Action 2: Establishment of a European Commission Low GWP Refrigerant Working Group

In order to meet the ambitious phase-down targets of Regulation (EU) No 517/2015 on fluorinated greenhouse gases (F-gases), relevant standards will need to change rapidly so as not to prolong the persistent barriers to low GWP refrigerants.

In this regard, ECOS strongly recommends that the European Commission establishes a low GWP refrigerant Working Group comprised of *relevant* expertise and balanced interests. The primary task of this Working Group should be the creation of requirements appropriate for the effective use low GWP refrigerants, maximising charge sizes without compromising safety, to be submitted for formal approval as New Working Item Proposals (NWIPs) in CEN and CENELEC. In this way, requirements elaborated by the Working Group can be developed in parallel to the Standardisation Request process and adopted in a timely manner.

ECOS further recommends that the European Commission participates in the standardisation technical committees and working groups responsible for the European standards EN 378, EN 60335-2-40 and EN 60335-2-89, to monitor the progress of discussions.

## Action 3: Creation of Technical Annexes to the F-Gas Regulation and the ATEX Directive

It should be noted that the role of standards in EU policy are to solely provide tools and methodologies of a technical nature that are considered necessary for the proper implementation of legislation.

If the standards identified by the study cannot, or will not, fulfil the role of supporting the implementation of F-Gas Regulation (EU) No 517/2014, and the ATEX Directive 94/9/EC, the EC must then begin work on the creation of Technical Annexes, containing requirements that permit the appropriate use of low GWP refrigerants.

## B. Long-term Recommendations

### Action 1: Improve the balance of interests in relevant standardisation technical committees

As stated in ECOS' first set of comments, the origin of barriers to the uptake of low GWP refrigerants in standards can be derived, in part, from a lack of knowledge in the application of such refrigerants at the time of drafting technical requirements, exacerbated by the insufficient contribution of industry that support their use; resulting in a markedly unbalanced environment for the elaboration of requirements for low GWP refrigerants. Taking an abstract perspective, a balanced representation of stakeholders, at both national and European level, is well understood as the most effective means to mediate industry positions, which obstruct the development of standards.

To address such imbalances, efforts must be made to engage stakeholders that have the necessary experience and knowledge to contribute to detailing requirements for low GWP refrigerants. This can be undertaken in a number of ways:

- I. Engagement and involvement of research in standardisation
- II. Involvement of SMEs in relevant standards with expertise in low GWP refrigerants through the Small Business Standards (SBS) organisation
- III. Close involvement of relevant EC services (DG CLIMA, DG GROW) throughout the standardisation development process
- IV. Greater participation of societal stakeholders at the national level, with support offered by National Standardisation Organisations (NSOs)

## Action 2: Greater rights for societal stakeholders in standardisation at national and European levels

Before adoption of Regulation (EU) No 1025/2012 on European Standardisation, thoughts of standardisation revolved around the notion of ‘standards created by industry, for industry’. Unfortunately reality in practice generally translates to ‘standards created by well-resourced industry, to suit well-resourced industry’. In recognition of the impact that standards can have upon society, and in an attempt to mitigate the dominance of such industry in the standards setting process, a new category of stakeholders was recognised by regulators as major actors of the European Standardisation System to balance the process; namely, the Annex III Organisations, representing environmental, consumer, workers and SME interests. Unfortunately the rights such organisations enjoy remain limited within the European Standardisation Organisation (ESOs), despite the instrumental role they have played, and will play, in the setting of standards that have great impact on the development of industries with a clear benefit to society.

In this regard, ECOS calls for the following actions:

- I. The establishment of a separate category of partnership for societal stakeholders’ organisations within the ESOs
- II. A “voting” right during the adoption phase of a final draft standard, by which a negative opinion from an Annex III organisation during the final vote phase would create awareness about the concerns raised and trigger further actions within the ESOs
- III. A right of appeal against the ratification of any standards which the organisation considers do not take the societal interests into account, such as standards that would pose a risk to human health or the environment. This right should be extended to all standards and not be limited to those standards which development the organisation would have contributed to
- IV. Reduced partnership fees