

Brussels, November 19 2013

## Summary Briefing

*Presidency Compromise Proposal F Gas, November 15 2013*

As you know, negotiations are currently ongoing to reach an agreement on the F Gas proposal. Several key issues are still open and it seems that the negotiators are working on an overall compromise package. This will include the following key issues:

- Further specification of bans (Annex III)
- Phase down
- Pricing on HFC quotas
- Traceability scheme
- Delegated/implementing acts

### Main outstanding issues:

- **ANNEX III bans**

The **construction of new industrial refrigerators** and freezers that contain, or rely upon for their functioning fluorinated greenhouse gases with GWP of 2500 or more, except equipment intended for application designed to cool products to temperatures below -50°C **shall be prohibited as of 1 January 2020** instead of 1 January 2017 (COM proposal) and 1 January 2015 (EP proposal)

- **Phase-down - Annex V**

As part of an overall compromise package, the Presidency proposes to return to the phase-down steps in the original Commission proposal.

- **Pricing on HFC quotas**

The Council continues to have serious doubts about the proposal, on both the substantive and legal aspects. The presidency proposes now to introduce a penalty for any unused quota which it thinks will work together with the new entrant reserve of 11% to act and facilitate a compromise to meet the EP concerns regarding windfall profits.

For an additional 9 issues, the Presidency has prepared compromise proposals, including for the **Servicing and maintenance ban - Article 11 para 3**

The presidency, in view of reaching an overall compromise, proposes returning to the text of the original Commission proposal. But, at the same time, keeping the exemption for the use of recycled and reclaimed gas.

**This means:** banning service & maintenance with F Gas as of January 2020 **BUT** allowing the use of recycled and reclaimed F Gases for service & maintenance until January 2028.

The next Trilogue meeting will take place on November 25.