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Committee on Import Licensing

Original: English

AGREEMENT ON IMPORT LICENSING PROCEDURES

NOTIFICATION UNDER ARTICLE 5.1 TO 5.4 OF THE AGREEMENT¹

UNITED KINGDOM

The following notification dated 2 February 2021, is being circulated at the request of the delegation of United Kingdom.

	Category	Notification details
1	Notifying Member	United Kingdom
2	Title of new legislation/procedure	<u>Retained EU law²:</u> 1. Regulation (EC) No. 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer (recast) (Text with EEA relevance), incorporated into law by the EU Withdrawal Act. <u>UK legislation:</u> 2. The Ozone-Depleting Substances and Fluorinated Greenhouse Gases (Amendment etc.) (EU Exit) Regulations 2019. 3. The Ozone-Depleting Substances and Fluorinated Greenhouse Gases (Amendment etc.) (EU Exit) Regulations 2020.
3	Date of Publication	1. 16 September 2009 2. 14 March 2019 3. 14 October 2020
4	Date of entry into force	1. 16 September 2009 2. 31 December 2020 3. 31 December 2020
5	Website link/Official publication of the new regulation/procedure	1. https://www.legislation.gov.uk/eur/2009/1005/contents 2. https://www.legislation.gov.uk/ukxi/2019/583/contents/made 3. https://www.legislation.gov.uk/ukdsi/2020/9780348213263/contents
6	Have you attached a copy of the regulation (PDF) to the Secretariat	[] Yes. (Please attach a copy of the regulation to the notification.) [x] No.
7	Type of notification	[x] (a) New licensing regulation/procedure ³ ; (please answer question 8 to 14) [] (b) Changes to a regulation/procedure which has been previously notified in document: _____; (please answer question 15 and 16)

¹ It is understood that the notifying Member has also completed its notification obligations under Article 1.4(a) and Article 8.2(b) regarding the relevant law/regulation/procedure notified for by filling this form in a full and complete manner.

² Some European Union law was retained in UK law by virtue of the European Union (Withdrawal) Act 2018 and the European Union (Withdrawal Agreement) Act 2020, with minor modifications to ensure operability.

³ "New licensing regulation/procedure" is understood to refer to any newly introduced law, regulation or procedure, and those which are in force but being notified for the first time to the Committee.

	Category	Notification details
8	List of products subject to licensing	Attached as Annex.
9	Nature of licensing	Automatic: [] Non-Automatic: [x]
10	Administrative purpose/measure being implemented	(a) <input type="checkbox"/> Protect public morals; (b) <input checked="" type="checkbox"/> Protect human, animal or plant life and health; protect environment; (c) <input checked="" type="checkbox"/> Collect trade statistics or market surveillance; (d) <input checked="" type="checkbox"/> Protection of patents, trademarks and copyrights, and the prevention of deceptive practices; (e) <input checked="" type="checkbox"/> Pursue obligations under the UN Charter and other international treaties (i.e. CITES, Basel Convention, Rotterdam Convention, UNSC Resolutions etc.) (f) <input checked="" type="checkbox"/> Quota (including TRQ) administration; (g) <input type="checkbox"/> Regulate imports of arms, ammunition or fissionable materials and safeguard national security; (h) <input type="checkbox"/> Other: _____ (please specify)
11	Administrative body(ies) for submission of applications	Ministry/authority and Department: Environment Agency Address: Climate Change Trading and Regulatory Services Richard Fairclough House, Knutsford Road Warrington Cheshire WA4 1HT Website: https://www.gov.uk/government/organisations/environment-agency Telephone: 0370 8506506 E-Mail: f-qassupport@environment-agency.gov.uk
12	Contact point for information on eligibility	Ministry/authority and Department: Environment Agency Address: National Customer Contact Centre PO Box 544 Rotherham S60 1BY UK Website: https://www.gov.uk/government/organisations/environment-agency Telephone: 0370 8506506 E-Mail: f-qassupport@environment-agency.gov.uk
13	Expected duration of licensing procedure	Ongoing.
14	A summary of the notification in one of the WTO official languages	In the context of the Vienna Convention for the Protection of the Ozone Layer and the Montreal Protocol on the substances that deplete the ozone layer, the import of ozone-depleting substances (ODS) is subject to licensing. Guidance for traders importing or exporting Ozone Depleting Substances is available at: https://www.gov.uk/guidance/fluorinated-gases-and-ozone-depleting-substances-how-to-do-business-from-1-january-2021#qb-regulation-of-f-gas-and-ods
15	In the case of 7(b), please indicate the type of new change(s)	(a) <input type="checkbox"/> Termination (b) <input type="checkbox"/> Suspension (c) <input type="checkbox"/> Modification of specific details in existing procedures: <input type="checkbox"/> Product coverage; <input type="checkbox"/> Administrative purpose; <input type="checkbox"/> Automatic or Non-automatic;

	Category	Notification details
		<input type="checkbox"/> Duration of licensing; <input type="checkbox"/> Change the nature of quantity/value restriction; <input type="checkbox"/> Eligibility of applicants; <input type="checkbox"/> Contact information on eligibility; <input type="checkbox"/> Administrative body(ies) for submission of application; <input type="checkbox"/> Documentation requirements (including application form); <input type="checkbox"/> Period for Application; <input type="checkbox"/> Administrative body(ies) to issue licence; <input type="checkbox"/> Processing time for issuing licence; <input type="checkbox"/> Licence fee/administrative charge; <input type="checkbox"/> Deposit/advance payment and relevant conditions; <input type="checkbox"/> Appeal regulations/procedures; <input type="checkbox"/> Validity of licence; <input type="checkbox"/> Other conditions of licence (extension, transferability, penalty of non-use etc.); <input type="checkbox"/> Foreign exchange requirements; <input type="checkbox"/> Other: _____ (please specify).
16	Please elaborate the changes in detail (in one of the WTO official languages)	

ANNEX

CN code	Description	Comment
2845 90 10	Deuterium and compounds thereof; hydrogen and compounds thereof, enriched in deuterium; mixtures and solutions containing these products (Euratom)	If good contains ODS then [1]. This usually concerns deuterated or otherwise radioactively marked ODS to be used as laboratory chemicals. In remaining cases non- ODS good.
2845 90 90 90	Isotopes other than those of heading 2844; compounds, inorganic or organic, of such isotopes, whether or not chemically defined - Other -- Other --- Other	
2903 14 00	Carbon tetrachloride	
2903 19 00 10	1,1,1-Trichloroethane (methyl chloroform)	All goods under these codes are ODS. [1]
2903 39 11	Bromomethane (methyl bromide)	
2903 71 00	Chlorodifluoromethane (HCFC-22)	
2903 72 00	Dichlorotrifluoroethanes (HCFC-123)	
2903 73 00	Dichlorodifluoroethanes (HCFC-141 and HCFC-141b)	
2903 74 00	Chlorodifluoroethanes (HCFC-142 and HCFC 142b)	
2903 75 00	Dichloropentafluoropropanes (HCFC-225 and HCFC-225ca and HCFC-225cb)	
2903 76 10	Bromochlorodifluoromethane (Halon 1211)	
2903 76 20	Bromotrifluoromethane (Halon 1301)	
2903 76 90	Dibromotetrafluoroethanes (Halon 2402)	
2903 77 60	Chlorofluoromethanes (CFC-11, CFC-12, CFC-113, CFC-114 and CFC-115)	
2903 77 60 10	1,1,1-Trichlorotrifluoroethane (CFC-113a)	
2903 77 90 60	Chlorotrifluoromethane (CFC-13)	
2903 77 90 15	Pentachlorofluoroethane (CFC-111)	
2903 77 90 20	Tetrachlorodifluoroethanes (CFC-112)	
2903 77 90 25	Heptachlorofluoropropanes (CFC-211)	
2903 77 90 30	Hexachlorodifluoropropanes (CFC-212)	
2903 77 90 35	Pentachlorotrifluoropropanes (CFC-213)	
2903 77 90 40	Tetrachlorotetrafluoropropanes (CFC-214)	
2903 77 90 45	Trichloropentafluoropropanes (CFC-215)	
2903 77 90 50	Dichlorohexafluoropropanes (CFC-216)	
2903 77 90 55	Chloroheptafluoropropanes (CFC-217)	
2903 78 00	Other perhalogenated derivatives	If Dibromodifluoromethane (Halon 1202, CAS 75-61-6) then [5]. In remaining cases non- ODS good.
2903 79 30	Halogenated only with bromine and chlorine, fluorine and chlorine or with fluorine and bromine (HCFCs and HBFCs)	All goods under these codes are ODS. [1]
2903 79 30 20	Bromochloromethane (CAS RN 74-97-5)	
3004 32 00	Medicaments (excluding goods of heading 3002, 3005 or 3006) consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses (including those in the form of transdermal administration systems) or in forms or packings for retail sale: - Containing hormones or other products of heading 2937 but not containing antibiotics: -- Containing corticosteroid hormones, their derivatives or structural analogues	If metered dose inhalers (e.g. asthma sprays) using ODS as propellants then [4]. In remaining cases non-ODS good.
3004 90 00	- Other	
All codes under: 3208 3209 3210	Paints and varnishes	If good contains ODS then [2]/[3]. Paints, varnishes and non-aqueous pigment dispersions of all kind may contain ODS as solvents. If delivered in spray cans, ODS may be contained as propellants. Flame retardant paints may contain halons. In remaining cases non-ODS good.
3212 90 00	Pigments (including metallic powders and flakes) dispersed in non-aqueous media, in liquid or paste form, of a kind used in the manufacture of paints (including enamels); stamping foils; dyes and other colouring matter put up in forms or packings for retail sale - other	

CN code	Description	Comment
3403 11 00	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti- corrosion preparations and mould- release preparations, based on lubricants) and preparations of a kind used for the oil or grease treatment of textile materials, leather, furskins or other materials, but excluding preparations containing, as basic constituents, 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals: - Containing petroleum oils or oils obtained from bituminous minerals: -- Preparations for the treatment of textile materials, leather, furskins or other materials	If good contains ODS then [2]. ODS have been used in dry cleaning in the past but nowadays it is prohibited. In remaining cases non-ODS good.
3403 91 00	- Other -- Preparations for the treatment of textile materials, leather, furskins or other materials	
3808 91 90	Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant- growth regulators, disinfectants and similar products, put up in forms or packings for retail sale or as preparations or articles (for example, sulphur-treated bands, wicks and candles, and fly- papers) - Other -- Insecticides --- Other ---- Other	If good contains methyl bromide then [2]. In remaining cases non-ODS good.
3808 99 10	- Other -- Other --- Rodenticides	
3808 99 90	- Other -- Other --- Other ---- Other	
3813 00 00	Preparations and charges for fire- extinguishers; charged fire- extinguishing grenades	
3814 00 90	Organic composite solvents and thinners, not elsewhere specified or included; prepared paint or varnish removers: - other	If good contains ODS then [2]. In remaining cases non-ODS good.
3822 00 00	Diagnostic or laboratory reagents on a backing, prepared diagnostic or laboratory reagents whether or not on a backing, other than those of heading 3002 or 3006; certified reference materials	If good contains ODS then [1]. In remaining cases non-ODS good.
3824 71 00	Mixtures containing chlorofluorocarbons (CFCs), whether or not containing hydrochlorofluorocarbons (HCFCs), perfluorocarbons (PFCs) or hydrofluorocarbons (HFCs)	All goods under these codes are ODS. [1]
3824 72 00	Mixtures containing bromochlorodifluoromethane, bromotrifluoromethane or dibromotetrafluoroethanes (halons)	
3824 73 00	Mixtures containing hydrobromofluorocarbons (HBFCs)	
3824 74 00	Mixtures containing hydrochlorofluorocarbons (HCFCs), whether or not containing perfluorocarbons (PFCs) or hydrofluorocarbons (HFCs), but not containing chlorofluorocarbons (CFCs)	
3824 75 00	Mixtures containing carbon tetrachloride	
3824 76 00	Mixtures containing 1,1,1- trichloroethane (methyl chloroform)	
3824 77 00	Mixtures containing bromomethane (methyl bromide) or bromochloromethane	
3824 90 70	Fireproofing, waterproofing and similar protective preparations used in the building industry	
		If flame retardant preparation contains halon then [2]/[3]. In remaining cases non-ODS good.

CN code	Description	Comment
3825 10 00	Municipal waste	If good contains ODS (mainly related to demolition waste (foams) or refrigeration appliances) then [3]. In remaining cases non-ODS good.
3825 41 00	Residual products of the chemical or allied industries, not elsewhere specified or included; municipal waste; sewage sludge; other wastes specified in note 6 to this chapter: - Waste organic solvents - Halogenated	If good contains ODS then [3]. In remaining cases non-ODS good.
3921 11 00	Other plates, sheets, film, foil and strip, of plastics: -Cellular -- Of polymers of styrene	If good comprises of plastic foam blown with ODS then [2]/[3]. In remaining cases non-ODS good.
3921 12 00	-- Of polymers of vinyl chloride	
3921 13 10	-- Of polyurethane --- Flexible	
3921 13 90	-- Of polyurethane --- other	
3921 14 00	-- Of regenerated cellulose	
3921 19 00	-- Of other plastics	
All codes under: 8415	Air-conditioning machines comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated	If good contains ODS (e.g. HCFC) then [2]/[3]. In remaining cases non-ODS good.
All codes under: 8418	Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air-conditioning machines of heading 8415	
8419 60 00	Machinery for liquefying air or other gases	
8424 10 00	Mechanical appliances (whether or not hand-operated) for projecting, dispersing or spraying liquids or powders, fire extinguishers, whether or not charged; spray guns and similar appliances; steam or sandblasting machines and similar jet projecting machines: - Fire extinguishers, whether or not charged	If good contains halon (mainly related to use in aircraft or military equipment) then [1]. In remaining cases non-ODS good.
8424 90 00	- Parts	
8451 10 00	Dry cleaning machines	If good contains ODS then [2]/[3]. ODS have been used in dry cleaning in the past but nowadays it is prohibited. In remaining cases non-ODS good.
8476 21 00	Automatic goods-vending machines - Automatic beverage-vending machines -- Incorporating heating or refrigerating devices	If good with refrigeration equipment contains or relies on ODS, or contains foams (e.g. insulation) blown with ODS then [2]/[3]. In remaining cases non-ODS good.
8476 81 00	- Other machines -- Incorporating heating or refrigerating devices	
8476 90 00	- Parts	
8477 80 11	Machinery for working rubber or plastics or for the manufacture of products from these materials, not specified or included elsewhere in this chapter - Other machinery -- Machines for the manufacture of foam products --- Machines for processing reactive resins	If machine relies on the use of ODS for foam blowing then [2]/[3]. In remaining cases non-ODS good.
8477 80 19	--- other	
All codes under: 8601 8602 8603 8604 8605 8606 8607	Locomotives, passenger coaches, service vehicles, or goods vans and wagons of all kinds	If good contains ODS in air-conditioning equipment, refrigeration equipment or in foams (e.g. used for insulation or seats) then [2]/[3]. In remaining cases non-ODS good.

CN code	Description	Comment
8609 00 90	Containers (including containers for the transport of fluids) specially designed and equipped for carriage by one or more modes of transport - Other	
All codes under: 8701 8702 8703 8704 8705	Tractors, motor vehicles, motor cars	If good contains ODS in air-conditioning equipment, refrigeration equipment or in foams (e.g. used for insulation or seats) then [2]/[3]. Vehicles designed after 2000 usually do not contain ODS. Pre-1990 vehicles are likely to contain ODS. In remaining cases non-ODS good.
All codes under: 8708	Parts and accessories of the motor vehicles of headings 8701 to 8705	
All codes under: 8709	Works trucks	
8710 00 00	Tanks and other armoured fighting vehicles, motorised, whether or not fitted with weapons, and parts of such vehicles	If good contains halon (mainly related to use in military equipment) then [1]. In remaining cases non-ODS good.
All codes under: 8716	Trailers and semi-trailers	If good contains ODS in air-conditioning equipment, refrigeration equipment or in foams (e.g. used for insulation or seats) then [2]/[3]. Vehicles designed after 2000 usually do not contain ODS. Pre-1990 vehicles are likely to contain ODS. In remaining cases non-ODS good.
All codes under: 8802	Other aircraft (for example, helicopters, aeroplanes); spacecraft; spacecraft (including satellites) and suborbital and spacecraft launch vehicles	Such goods are likely to be equipped with fire extinguishers or equipment containing halons. Furthermore such goods may contain ODS in air-conditioning and refrigeration equipment, or in foams (e.g. used for insulation or seats). Goods with halons: [1] Other goods: [2] Waste: [3]
All codes under: 8901 8902	Cruise ships, excursion boats, ferry-boats, cargo ships, tankers, refrigerated vessels, fishery vessels	If good is equipped with fire extinguishers containing halons or air-conditioning/refrigeration equipment containing ODS, or ODS blown foams (e.g. used for insulation or seats) then the following measures apply: Goods with halons: [1] Other goods: [2] Waste: [3] In remaining cases non-ODS good.
All codes under: 8903 91 8903 92 8904 8905	Yachts and other vessels for pleasure or sport, tugs and pusher craft, light vessels	
8906 10 00	Warships	
9880 xx 00	Component parts of complete industrial plants in the framework of external trade	If plant relies on the use of ODS then [1]. In remaining cases non-ODS good.

[1] The import or export of such goods is **allowed and must be accompanied by an ODS licence** (see Article 15 or 17 of the Regulation).

[2] Import or export of such goods is **prohibited**. Exemptions may apply to the export of certain goods containing HCFC, subject to licensing (see Article 17(3) of the Regulation).

- [3] Import of waste containing ODS is allowed, subject to licensing (see Article 15(2)(h) of the Regulation. The export is prohibited. The export prohibition also includes exports of products and equipment that no longer contains ODS but which functioning relies on ODS (e.g. old air-conditioning equipment).
 - [4] The import of such goods is prohibited but the export is allowed and must be accompanied by an ODS licence (see Article 17(2)(h) of the Regulation).
 - [5] Import or export of such goods is prohibited, except when used as feedstock or for laboratory and analytical uses and except when in transit or under the temporary storage, customs warehousing or free zone procedure (see Article 24(1) of the Regulation).
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