



Combined Nomenclature codes of goods that may fall under Regulation (EC) No 1005/2009 on ozone depleting substances

Based on Commission Regulation (EC) No 948/2009 of 30 September 2009 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff ("Combined Nomenclature 2010")

Listing amongst others a no exhaustive list of products and equipment that may contain or rely on ozone depleting substances (list as required by Article 21 of Regulation (EC) No 1005/2009)

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**COMBINED NOMENCLATURE CODES OF GOODS THAT MAY FALL UNDER REGULATION
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1. GENERAL INFORMATION

This document provides an extract of the Combined Nomenclature (CN). It lists those goods that are ozone depleting substances (ODS) or that may contain or rely on ODS and therefore would fall under Regulation (EC) 1005/2009. The import, export or trade of such goods may be prohibited or subject to other customs or non-customs related measures.

The aim of the document is to assist customs authorities in identifying such goods.

It should be noted that this list is not exhaustive as described below. While in the case of substances the presence of one of the CN codes listed means that the good is an ODS, in the case of products or equipment the presence of a CN code does not automatically mean that this good is always subject to the Regulation (EC) 1005/2009.

For the purpose of this document the term "good" shall comprise any commodity that would fall under a particular CN code, regardless whether it is a substance, product or equipment as defined by Regulation (EC) 1005/2009.

For the purpose of this document the term ozone depleting substance (ODS) is used collectively for controlled substances listed in Annex I and for new substances listed in Annex II of Regulation (EC) 1005/2009.

2. OVERARCHING USES

Ozone depleting substances (ODS) find applications in many goods. They have been widely used worldwide in large volumes - and in some countries still are used - e.g. as propellants in aerosols, refrigerants or as solvents. To keep the list in chapter 3 concise it does not include all goods that possibly are marketed as aerosols or foam, or that may contain solvents, refrigeration equipment or foams, unless there is a particular risk.

2.1. Aerosols and fire-extinguishers

Ozone depleting substances (ODS) have been widely used as propellants in aerosol products and fire extinguishing systems. While the use of ODS in aerosols is meanwhile widely banned globally, there is always the possibility that an aerosol product still uses ODS. Import or export of aerosols containing ODS would be prohibited in the EC. The only exemption to the aerosol ban are so-called metered dose inhalers (MDI) ("asthma sprays") that may contain CFC and that may still be exported from the EC subject to licensing.

In contrast to aerosols containing ODS fire extinguishers based on halons may be imported or exported under certain conditions for particular applications and subject to licensing.

2.2. Solvents

Similar as for aerosols some ODS have commonly been used as solvents. This concerns in particular 1,1,1-trichloroethane (aka as methyl chloroform, CN code 2903 19 10) and carbon tetrachloride (aka Tetrachloromethane, or CTC, CN code 2903 14 00), as well as CFC-113 (aka Trichlorotrifluoroethane, CN code 2903 43 00), HCFC-141b (aka 1,1-Dichloro-1-fluoroethane or R-141b, CN code 2903 49 15) and HCFC-225 (aka Dichloropentafluoropropane, CN code 2903 49 19).

Usually goods containing ODS as solvents should be classified under the CN codes for mixtures containing ODS (CN 3824 71 00 to 3824 77 00). However, they could also appear as classified by more use related CN codes such as those for composite solvents, paints, varnishes and many other goods (in particular in chapters 29 and 38). Import and export of goods containing ODS as solvents would be prohibited in the EC with the exception of laboratory chemicals.

2.3. Refrigeration / Air-conditioning

ODS found widespread use as refrigerants in any kind of appliance for cooling, including household or commercial fridges, air-conditioners or heat pumps. Import and export of goods containing or relying on ODS as refrigerant would be prohibited in the EC. Exemptions may be granted to allow export of equipment containing HCFC but those would be subject to licensing.

2.4. Foam

ODS were also popular agents for blowing all kinds of foams and may be contained in those as well as in the polyol blends used in foam production. Import and export of such polyol blends as well as goods containing ODS listed in Annex I of Regulation 1005/2009 in foam would be prohibited in the EC.

2.5. Waste

While the import of waste ODS or waste containing ODS is allowed, the export of waste ODS or products or equipment containing or relying on ODS is prohibited as of 01 January 2010. This includes in particular refrigeration equipment (fridges, air-conditioner) and old vehicles. Both may contain ODS as refrigerant or in foams. Furthermore, demolition waste that contains e.g. insulation foams may contain ODS.

3. CN CODES AFFECTED

This chapter lists CN code of goods that either are ozone depleting substances (ODS) or may contain or rely on ODS and therefore, fall under Regulation (EC) 1005/2009. The import or, export of these goods may be prohibited, subject to licensing or to other measures.

The numbers in square brackets in the comments field in the tables below refer to the measures that apply to the goods as described in chapter 4.

3.1. Chapter 28: Inorganic chemicals; organic chemicals; organic or inorganic compounds of precious metals, or rare-earth metals, of radioactive elements or of isotopes

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)	This usually concerns deuterated or otherwise radioactively marked ODS to be used as laboratory chemicals. [1]
2845 90 90	Isotopes other than those of heading 2844; compounds, inorganic or organic, of such isotopes, whether or not chemically defined - Other - - Other	

3.2. Chapter 29: Organic chemicals

CN code	Description	Comment
2903 11 00	Chloromethane (methyl chloride) and chloroethane (ethyl chloride)	This concerns only: Chloromethane (methyl chloride, CAS 74-87-3) [2]
2903 14 00	Carbon tetrachloride	All goods under these codes are ODS. [1]
2903 19 10	1,1,1-Trichloroethane (methyl chloroform)	
2903 39 11	Bromomethane (methyl bromide)	
2903 39 19	Halogenated derivatives of hydrocarbons - Fluorinated, brominated or iodinated derivatives of acyclic hydrocarbons -- Other --- Bromides ---- Other	This concerns only: 1-Bromopropane (aka n-propyl bromide, CAS 106-94-5) Bromoethane (aka ethyl bromide, CAS 74-96-4) [2]
2903 39 90	Halogenated derivatives of hydrocarbons - Fluorinated, brominated or iodinated derivatives of acyclic hydrocarbons -- Other --- Fluorides and iodides	This does not concern ODS but this CN code is know to be used to disguise shipments of ODS (e.g. labelled as HFC-134a aka R-134a aka 1,1,1,2-tetrafluoroethane, CAS 811-97-2 which is a common, unrestricted refrigerant)
2903 41 00	Trichlorofluoromethane	All goods under these codes are ODS. [1]
2903 42 00	Dichlorodifluoromethane	
2903 43 00	Trichlorotrifluoroethanes	
2903 44 10	Dichlorotetrafluoroethanes	
2903 44 90	Chloropentafluoroethane	
2903 45 10	Chlorotrifluoromethane	
2903 45 15	Pentachlorofluoroethane	

CN code	Description	Comment
2903 45 20	Tetrachlorodifluoroethanes	
2903 45 25	Heptachlorofluoropropanes	
2903 45 30	Hexachlorodifluoropropanes	
2903 45 35	Pentachlorotrifluoropropanes	
2903 45 40	Tetrachlorotetrafluoropropanes	
2903 45 45	Trichloropentafluoropropanes	
2903 45 50	Dichlorohexafluoropropanes	
2903 45 55	Chloroheptafluoropropanes	
2903 46 10	Bromochlorodifluoromethane	
2903 46 20	Bromotrifluoromethane	
2903 46 90	Dibromotetrafluoroethanes	
2903 47 00	Halogenated derivatives of hydrocarbons - Halogenated derivatives of acyclic hydrocarbons containing two or more different halogens -- Other perhalogenated derivatives	This concerns only: Dibromodifluoromethane (aka halon-1202, CAS 75-61-6) [6]
2903 49 11	Chlorodifluoromethane (HCFC-22)	All goods under these codes are ODS. [1]
2903 49 15	1,1-Dichloro-1-fluoroethane (HCFC-141b)	
2903 49 19	Halogenated derivatives of hydrocarbons - Halogenated derivatives of acyclic hydrocarbons containing two or more different halogens -- Other --- Halogenated only with fluorine and chlorine ---- Of methane, ethane or propane (HCFCs) ----- Other	
2903 49 30	Halogenated derivatives of hydrocarbons - Halogenated derivatives of acyclic hydrocarbons containing two or more different halogens -- Other --- Halogenated only with fluorine and bromine ---- Of methane, ethane or propane (HBFCs)	
2903 49 80	Halogenated derivatives of hydrocarbons - Halogenated derivatives of acyclic hydrocarbons containing two or more different halogens -- Other --- Other	This concerns only: Bromochloromethane (CAS 74-97-5) [1]

3.3. Chapter 30: Pharmaceutical products

CN code	Description	Comment
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	This concerns metered dose inhalers (e.g. asthma sprays) using ODS as propellants. [3]
3004 90 00	- Other	

3.4. Chapter 32: Tanning or dyeing; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes, putty and other mastics; inks

CN code	Description	Comment
All codes under: 3208 3209 3210 3212	Paints and varnishes of all kind	Paints and varnishes of all kind may contain ODS as solvents. If delivered in spray cans ODS may be contained as propellants (see chapter 2 on aerosols above). Special flame retardant paints may contain halons. [4], if waste: [5]

3.5. Chapter 34: Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, 'dental waxes' and dental preparations with a basis of plaster

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	This concerns preparations containing ODS. ODS have been used in dry cleaning in the past but nowadays such use would be prohibited. [4]
3403 91 00	- Other	

CN code	Description	Comment
	-- Preparations for the treatment of textile materials, leather, furskins or other materials	

3.6. Chapter 38 Miscellaneous chemical products

CN code	Description	Comment
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	Where containing methyl bromide [4]
3808 99 10	- Other -- Other --- Rodenticides	
3808 99 90	- Other -- Other --- Other	
3813 00 00	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades	ODS (mainly halons) were commonly used in fire extinguishers. Today they are only allowed in exceptional cases, mainly related to use in aircraft or military equipment. [1]
3814 00 90	Organic composite solvents and thinners, not elsewhere specified or included; prepared paint or varnish removers: - other	Where containing ODS [1]
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	Where containing ODS [1]
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	
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	

CN code	Description	Comment
3824 76 00	Mixtures containing 1,1,1-trichloroethane (methyl chloroform)	
3824 77 00	Mixtures containing bromomethane (methyl bromide) or bromochloromethane	
3824 79 00	Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included: - Mixtures containing halogenated derivatives of methane, ethane or propane -- other	This concerns: Mixtures of ODS (here: 'new substances' only) that are not covered by the more specific codes 3824 70 00 – 3824 77 00 [2]
3824 90 70	Fireproofing, waterproofing and similar protective preparations used in the building industry	Some flame retardant preparations may be based on halons. [4]/[5]
3824 90 97	Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included: - Other -- Other --- Other ---- Other	This CN code usually does not refer to ODS. However, it is known that mixtures containing ODS are sometimes by mistake or deliberately classified under this CN code (e.g. Polyol blends containing ODS which are used for foam production).
3825 10 00	Municipal waste	This concerns waste that contains ODS e.g. demolition waste (foams) or refrigeration appliances. [5]
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	[5]

3.7. Chapter 39 Plastics and articles thereof

CN code	Description	Comment
3921 11 00	Other plates, sheets, film, foil and strip, of plastics: -Cellular -- Of polymers of styrene	This concerns plastic foams that were blown with ODS. [4], if waste: [5]
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	

CN code	Description	Comment
3921 19 00	-- Of other plastics	

3.8. Chapter 84: Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof

CN code	Description	Comment
All codes under: 8415	Air-conditioning machines of all kind	Where containing or relying on ODS: [4], if waste: [5]
All codes under: 8418	Refrigerators, freezers and other refrigerating or freezing equipment, electric or other and heat pumps of all kind	
8419 60 00	Machinery for liquefying air or other gases	
8424 10 00	Fire extinguishers, whether or not charged	ODS (mainly halons) were commonly used in fire extinguishers. Now they are only allowed in some cases, mainly for use in aircraft or military equipment. [1]
8451 10 00	Dry cleaning machines	This concerns machines relying on the use of ODS for the dry cleaning. [4], if waste: [5]
8476 21 00	Automatic goods-vending machines - Automatic beverage-vending machines -- Incorporating heating or refrigerating devices	This concerns any good with refrigeration equipment containing or relying on ODS, or containing foams (e.g. insulation) blown with ODS. [4], if waste: [5]
8476 81 00	Automatic goods-vending machines - Other machines -- Incorporating heating or refrigerating devices	
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	This concerns machines relying on the use of ODS for the foam blowing. [4], if waste: [5]
8477 80 19	--- other	

3.9. Chapter 86: Railway or tramway locomotives, rolling stock and parts thereof; railway or tramway track fixtures and fitting and parts thereof; mechanical (including electromechanical) traffic signalling equipment of all kinds

CN code	Description	Comment
All codes under: 8601 8603 8604 8605 8606	Locomotives, passenger coaches, service vehicles, or goods vans and wagons of all kinds	Such goods may contain ODS in air-conditioning equipment, refrigeration equipment or in foams (e.g. used for insulation or seats). [4], if waste: [5]
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	

3.10. Chapter 87: Vehicles other than railway or tramway rolling stock, and parts and accessories thereof

CN code	Description	Comment
All codes under: 8701 8702 8703 8704 8705	Tractors, motor vehicles, motor cars	Such goods may contain ODS in air-conditioning equipment, refrigeration equipment or in foams (e.g. used for insulation or seats). Modern vehicles (designed after approx. 2000) should not be affected. Pre-1990 vehicles are somewhat likely to be affected. [4], if waste: [5]
All codes under: 8708	Parts and accessories of motor vehicles	
All codes under: 8709	Work trucks	
8710 00 00	Tanks and other armoured fighting vehicles, motorised, whether or not fitted with weapons, and parts of such vehicles	Such goods are likely to contain halons or equipment relying on halons. [1]
All codes under: 8716 10	Trailers and semi-trailers	See comment above for CN 8701

3.11. Chapter 88: Aircraft, spacecraft, and parts thereof

CN code	Description	Comment
All codes under: 8901 8902	Cruise ships, excursion boats, ferry-boats, cargo ships, tankers, refrigerated vessels, fishery vessels	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: [4] Waste: [5]
All codes under: 8903 8904	Yachts and other vessels for pleasure or sport, tugs and pusher craft, light vessels	See above but less likely to contain ODS.
8906 10 00	Warships	See above but very likely to contain ODS.

3.12. Chapter 98: Complete industrial plant

CN code	Description	Comment
9880 xx 00	Component parts of complete industrial plants in the framework of external trade	This concerns plants relying on the use of ODS. [1]

4. MEASURES

This chapter lists in brief the measures applicable for ODS or goods containing or relying on ODS and that are indicated in the above tables in square brackets.

- (1) The import or export of such goods is allowed **subject to licensing** and other non-customs measures. [Goods covered by Article 15 or 17 of Regulation (EC) No 1005/2009]
- (2) The import or export of such goods is allowed subject to non-customs measures (here: reporting). [Goods covered by Article 24(1) of Regulation (EC) No 1005/2009]
- (3) The import of such goods is prohibited but the export is allowed **subject to licensing**. [Goods covered by Article 17(2)(h) of Regulation (EC) No 1005/2009]
- (4) Import or export of such goods is prohibited. Exemptions may apply for the export of certain goods containing HCFC, subject to licensing. [Goods covered by Article 24(1) of Regulation (EC) No 1005/2009 with the exception of goods covered by Article 17(3)]
- (5) Import of waste containing ODS is allowed but export would be prohibited for ODS listed in Annex I of Regulation (EC) 1005/2009. 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).

- (6) Import or export of such goods is prohibited, except when used as feedstock or for laboratory and analytical uses, to imports for transits through the customs territory of the Community or imports under the temporary storage, customs warehousing or free zone procedure. [Goods covered by Article 24(2) of Regulation (EC) No 1005/2009]

Applicable customs measures may include: import/export bans, licensing

Non customs measures may include: quantitative limits, use restrictions, reporting, authorisation

5. ANNEX 1: ABBREVIATIONS

aka	Also known as
BDN	Basic domestic needs
CAS	Chemical Abstracts Service number
CFC	Chlorofluorocarbon
CTC	Carbon tetrachloride (Tetrachloromethane)
CN	Combined Nomenclature
EC	European Community
HCFC	Hydrochlorofluorocarbons
HBFC	Hydrobromofluorocarbons
HFC	Hydrofluorocarbons
PFC	Perfluorocarbons
MDI	Metered dose inhalers
ODS	Ozone depleting substances
QPS	Quarantine and pre-shipment
TCA	1,1,1-Trichloroethane