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Referat IG II 1
Grundsatzfragen der Chemikaliensicherheit,
Chemikalienrecht Bundesministerium für Umwelt,
Naturschutz und nukleare Sicherheit

Brussels, 08th July 2020

Dear ██████████,

SUBJECT: Referentenentwurf (Stand: 26.05.2020) des Bundesministeriums für Umwelt, Naturschutz und nukleare Sicherheit Entwurf eines Gesetzes zur Bekämpfung des illegalen Handels mit fluorierten Treibhausgasen

The European Fluorocarbons Technical Committee (EFCTC)¹ welcomes the initiative to amend the *Referentenentwurf (Stand: 26.05.2020) des Bundesministeriums für Umwelt, Naturschutz und nukleare Sicherheit Entwurf eines Gesetzes zur Bekämpfung des illegalen Handels mit fluorierten Treibhausgasen*. We believe that this initiative is very well timed. The EFCTC will strongly assist and augment the measures being taken within Germany to combat illegal trade in HFCs. It is critical to introduce the proposed changes rapidly to ensure that they are in place by 1st January 2021 when there is a further reduction in the quantities of HFCs permitted to be placed on the market in the European Union under the F-gas Regulation. As such, it is important not to delay the proposed measures under the Chemical Act until the formal review of the F-gas Regulation that will be initiated following a Communication of a proposal in late 2021. Furthermore, we believe that an amended German Chemical Act could be used as a proforma for measures in other EU Member States as they implement new measure to improve implementation of the F-gas Regulation and stop illegal trade in HFCs.

EFCTC has a number of comments on the proposal to amend the German Chemical Act. These are detailed in the attached table.

We request you to consider incorporating the proposed provisions in the Chemical Climate Protection Regulation (ChemKlimaschutzV) instead of the Chemical Law (ChemG) which at present contains no provisions on F-Gases.

Should you have any questions, do not hesitate to contact us.

Kind Regards

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EFCTC Sector Manager

¹ <https://www.fluorocarbons.org/>