

Commission's guidance and interpretation paper on certain issues arising from Regulation (EC) 842/2006 on certain fluorinated greenhouse gases

1. Definition of "operator"

It is necessary that the operator is identified unambiguously for each item of equipment and system containing fluorinated greenhouse gases subject to Regulation (EC) 842/2006, by all interested parties including itself. The aim of this section is to provide guidance that will help to identify the operator in any circumstances.

According to Article 2, point 6, "*operator*" means *the natural or legal person exercising actual power over the technical functioning of the equipment and systems covered by the Regulation. A Member State may, in defined, specific situations, designate the owner as being responsible for the operator's obligations*".

The "actual power over the technical functioning" of a piece of equipment or system should be understood as including the following elements:

- free access to the system, which entails the possibility to supervise its components and their functioning, and the possibility to grant access to third parties;
- the control over the day-to-day functioning/running (e.g. take the decision to switch it on or off);
- the power (including financial power) to decide on technical modifications (e.g. replacement of a component, installation of a permanent leak detector), modification of the quantities of F-gases in the equipment or system, and to have checks (e.g. checks for leakage) or repairs carried out.

All these elements are needed to fulfil the obligations placed by Regulation (EC) No 842/2006 on "operators": prevent leakage, have any detected leakage repaired as soon as possible, have regular checks for leakage carried out by certified personnel according to the schedule set down in Article 3, install leak detection systems, maintain records, have recovery carried out by certified/appropriately qualified personnel.

If all these elements are devolved by the operator to a third party through contractual arrangements, the authority of operator and the responsibilities attached to it under Regulation (EC) No 842/2006 should be deemed transferred to that third party, provided that such a transfer is compatible with national law. In particular, for such a transfer to be deemed valid in a given Member State, the penalties laid down in pursuance to Article 13 must be applicable to the person recognised as operator on the basis of contractual arrangements.

If these elements are only partially transferred, the responsibilities of operator should not be deemed transferred. For instance, if company A manages a supermarket, and signed a maintenance contract with company B according to which company B will come and check the system on a certain schedule and carry out the necessary repairs, while

company A maintains responsibility over the access to the installation and day-to-day running, company B should not qualify as the operator. If the contract devolves full access to the system, the control over the day-to-day running and the possibility and to carry out any repair, check, or technical modification is needed without prior consent by company A, company B should qualify as the operator.

Another possibility is to devolve all the obligations placed on the operator by Regulation (EC) No 842/2006, to a third party. If company A operates a system and signs a contract with company B which explicitly states that the authority of operator and all the obligations attached to it under Regulation (EC) 842/2006 are devolved to company B, then company B should qualify as the operator, provided that company B can be subject to the penalties set down in pursuance to Article 13 under national law. In such situations, the elements stated above which are necessary to fulfil these obligations should be transferred to company B as well through the contractual arrangements.

1.1 Natural or legal person

It is expected that in most cases, the operator will be a legal (typically, a company) rather than a natural person, as except for domestic or small commercial installations, the technical power over the technical functioning of the installation will normally not be by a single individual. In particular, if a natural person handles an installation only in his capacity as a staff member of a company, he will not have the power to take all the decisions that are necessary to exercise the "actual technical power" over its functioning and comply with the legal provisions that the Regulation puts upon operators (e.g. decide on the necessary repairs).

The terms "natural" or "legal person" are not defined in the Regulation and should therefore be interpreted in accordance with national laws.

1.2 Operator / owner

Article 2 (6) makes it clear that ownership is not a criterion to be used to identify the operator. It suggests that Member States may designate the owner as being responsible for the operator's obligations even though the owner does not have actual power over the technical functioning of the system or equipment.

To avoid any legal uncertainty, the Member States that want to use that clause should make sure that legislative, regulatory or administrative provisions clearly identify the defined and specific situations in which the owner is responsible for the operator's obligations.

2. Definition of "preparations"

Article 2 (5) defines "preparations" as following: "*Preparation*" means for the purposes of the obligations in this Regulation, excluding destruction, a mixture composed of two or more substances at least one of which is a fluorinated greenhouse gas, except where the total global warming potential of the preparation is less than 150. Part 2 of Annex I defines the GWP of a preparation as the sum of the weight fractions of the individual constituents multiplied by their GWP.

Industry has raised two types of issues:

- The scope of the concept of “preparation”, and in particular whether a solid matrix and F-gas molecules enclosed in the matrix can be considered as a single “mixture” (e.g. shoes partly made of HFC blown polyurethane foams, window frames insulated with HFC blown foams);
- The substances that must be taken into account in a mixture for the purpose of calculating its GWP and check whether it is a “preparation” (e.g. in a “one component foam” can).

The objective of Regulation 842/2006 as defined in Article 1 is to “*contain, prevent and thereby reduce emissions of the fluorinated greenhouse gases covered by the Kyoto Protocol.*” As a consequence, it sets out a range of measures mainly intended to reduce emissions from “*products and equipment containing those gases*”, either by improving containment and recovery; or by prohibiting the placing of the market of certain very emissive products. The concept of “preparation” is aimed at introducing a *de minimis* clause to address the cases in which, instead of a single F-gas substance, a mixture of one or several F-gas and possibly non-F-gas substances is used, fulfilling the same function as a single F-gas substance would do (refrigerant, propellant, extinguishing agent, blowing agent etc.) and is liable to be released into the atmosphere under normal conditions of use, with all the constituents being released into the atmosphere together. According to this *de minimis* clause, the Regulation will not apply if the overall climate impact (GWP) of the emission of such mixture is below 150.

The concepts of “mixture” and “preparation” have to be interpreted in such a way, otherwise any object containing F-gas could be considered a mixture and subsequently a preparation of low GWP. In particular, for the products listed in Annex II, it could be relatively easy to define a sub-assembly of the product that would include the F-gas, and consider it as a preparation having a GWP below 150 and therefore excluding the whole product from the scope of Article 9. This would be a circumvention of the Regulation, and would also contradict the interpretation of the concept of “preparation” in the context of other pieces of the EU chemicals legislation, notably Directive 1999/45/EC “on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, labelling and packaging of dangerous preparations.”

2.1 Application to footwear or windows into which F-gas blown polyurethane foams have been incorporated

The question raised by stakeholders is whether these products, in which free molecules of HFC blowing agent are present, have to be considered as falling under the scope of Annex II.

Should the plastic polyurethane and the free HFC molecules be considered together as a mixture, its GWP would be less than 150, and the mixture would not qualify as a “preparation” and therefore, not fall under the scope of the Regulation.

The solid plastic matrix and the molecules of HFC enclosed in the matrix are not considered as a single mixture for which the GWP would be calculated, since the plastic cannot be released into the atmosphere together with the F-gases.

However, the fact that a window frame (or a shoe) is partly made of F-gas blown foam (and in which F-gas molecules are therefore present) does not as such lead the ban on windows (or footwear) containing or whose functioning relies upon F-gases to apply to

this object. In the context of Regulation 842/2006, “containing fluorinated greenhouse gas-blown foams” does not imply “containing fluorinated greenhouse gases”.

Currently, the Regulation does not control the use and placing on the market of foams (with the exception of one component foams), but requires the Commission to “*assess the need for Community standards relating to the control of emissions of fluorinated greenhouse gases from products and equipment, in particular as regards foam*”, by 4 July 2011. This assessment could result for instance in placing on the market restrictions on certain products and equipment partly made of F-gas blown foams, based on a case-by-case analysis of the potential for emission reductions, costs, availability and suitability of alternatives. No such analysis has not been carried out yet. Therefore, considering window frames or shoes partly made with HFC blown foams as banned by the Regulation, whereas other products partly made of HFC blown foams (e.g. appliances, furniture) are not, would not be the outcome of such an analysis, but of the coincidence that windows and shoes are mentioned in Annex II for reasons which have no relation to the foam issue. Therefore, it would be discriminatory and contrary to the intention of the Regulation.

As regards windows, the ban in Annex II was aimed to target those in which an F-gas is used as insulation medium between the glass panes. As regards shoes, the intention was to ban those made springier with little pockets containing F-gases (notably SF₆) inside the shoe sole. Shoes and windows partly made of HFC blown polyurethane foams do not fall under the scope of Annex II, unless they fall under these categories.

If placing on the market restrictions on products and equipment partly made of F-gas blown foams had to be adopted in the future, an explicit reference to F-gas blown foams would need to be introduced in Annex II.

2.2 Application to one component foams (OCF)

Can-dispensed polyurethane OCF is used in order to mount doors and windows and to fill and insulate different kinds of open joints and crevices. The question raised by stakeholders is whether all the constituents of the can should be taken into consideration to determine the mixture to be considered for the purpose of Article 9.

The rationale behind the ban on F-gas-based OCF is the fact that the F-gas is used as a propelling agent which is entirely released into the atmosphere when the can is used. OCF products are therefore very emissive applications. The purpose of the propelling agent is to eject the other constituents of the mixture from the can, so that they can form the solid foam in the appropriate locations. In the light of the abovementioned interpretation of the definition of “preparation”, according to which only the constituents expected to be released into the atmosphere under normal conditions of use, and fulfilling the same function as a single F-gas substance would do, have to be taken into consideration, only the propelling or blowing part of the mixture in the can has to be taken into account. If the GWP of this propelling/blowing mixture is 150 or more, the OCF falls under the scope of Annex II.

Should an F-gas propelling/blowing mixture with a GWP of 150 or more be indispensable for the OCF to meet national safety standards (in particular fire protection standards), the exemption foreseen by Annex II could apply.

2.3 Other situations

The application of this interpretation to other situations can be considered. For instance, in the case of refrigerant systems, the lubricating agent contained in the circuit should not be taken into consideration when defining the relevant mixture.

3. Identification of applications and calculation of their charge

The term “application”, which is not defined in the Regulation, is mentioned in particular in Article 3, which provides for regular leakage checking for systems in operation, and differentiates requirements on the basis of the quantities of F-gases contained in the particular applications subject to that Article. It is therefore necessary to be able to determine precisely what the applications are in any circumstances and subsequently, be able to determine the quantity of F-gases contained in each of them.

This issue should be analysed in the light of the objective of the Regulation as set out in Article 1 (“*contain, prevent and thereby reduce emissions of the fluorinated greenhouse gases covered by the Kyoto Protocol*”). On that basis, it is clear that the main idea behind Article 3 (2), (3) and (6) is that the larger the quantity of F-gases contained in the application, the greater the potential for leakage and the tighter the checks should be.

Therefore, to identify an application, the criterion should be the technical structure of the system, and not its location or function. An application should be understood as a set of components and pipes which form one continuous structure through which F-gases can flow. If a molecule of F-gas can flow through the structure from one location to another, it means that these two locations are parts of one single application.

In regards to refrigeration, air conditioning and heat pump equipment, this means that even if two disconnected refrigeration circuits are used for the same purpose (e.g. to maintain a low temperature in a cold store or warehouse), these systems have to be regarded as two separate applications.

In regards to fire protection system this means that if two or more F-Gas interconnected extinguishant containers are installed to a specific fire risk in a defined space, these containers have to be regarded as a single application.

4. Prohibition from placing on the market of "Non-refillable containers" – Article 9, para 1 and 2, and Annex II

According to Article 9, paragraph 1, "*the placing on the market of products and equipment containing, or whose functions relies upon, fluorinated gases, as listed in Annex II shall be prohibited as specified in that Annex*" (i.e. by 4 July 2007 for non refillable containers filled in with F-gases according to Annex II).

However, paragraph 2 further specifies that this "*shall not apply to products and equipment shown to be manufactured before the date of entry into force of the relevant placing on the market prohibition*".

In regards to "non-refillable containers", one should distinguish between :

(i) Those containers which are manufactured before 4 July 2007 and already pre-filled with F-gases, in which case they can still be placed on the market after 4 July 2007, in accordance with Article 9(2);

(ii) Those containers manufactured before 4 July 2007 but left empty and which could be filled in with F-gases after 4 July 2007.

According to information received by some stakeholders, it appears that, while the situation is clear and unambiguous as regards containers manufactured and filled in before 4 July 2007, this is less the case as regards containers manufactured before 4 July 2007 but to be possibly filled in with F-gases after 4 July 2007. In this later case, some are of the view that the Regulation should be interpreted as allowing the placing on the market of non-refillable containers manufactured before 4 July 2007 but filled in after arguing that Article 9(2) only relates to the product and equipment, in this case the container itself, rather than to the product and equipment together with the gas it needs to function, meaning that an empty non-refillable containers could also enjoy the benefit of Article 9(2) and thereby be exempted from the "placing on the market" prohibition. In other words, the Regulation would not, in their view, prevent the placing on the market of empty containers and the subsequent use of F-gases for filling in those containers which have been manufactured before 4 July 2007. Hence the attractive idea of stockpiling such empty non-refillable containers, which would obviously run against the spirit and objective of the Regulation.

Considering the above, and in order to avoid both divergent/erroneous interpretations and implementation running against the objective of the Regulation, the Commission considers that it would be important to reach a common understanding on the issue at EC level. In the Commission's view, Article 9 covers not only products and equipment containing F-gases but also those "whose functioning relies upon F-gases".

The exemption provided for in Article 9(2) should, by nature, be interpreted narrowly and so that it cannot be used as a way to circumvent the spirit of the Regulation and unduly affect its objective and level of environmental protection. The Commission is consequently of the view that the exemption to the "placing on the market" prohibition only applies to non-refillable containers manufactured before 4 July 2007 and filled in with F-gases before that date. While not explicitly addressed under the Regulation, this would imply that the use of F-gases to fill in non-refillable containers after 4 July 2007 should not be allowed.

Any other interpretation, and in particular the interpretation according to which empty non-refillable containers could also benefit from the exemption, could otherwise create a loophole in the system that would put at risk its effectiveness by delaying its proper implementation (stockpiling of such containers manufactured before 4 July 2007).

5. Application of labelling obligations to containers

Article 7 does not require the labelling of all types of products and equipment listed in Article 7(2), but makes their placing on the market subject to prior labelling. Therefore containers not placed on the market are not subject to the labelling provisions of Article 7 of Regulation (EC) No 842/2006 and implementing acts.

A case-by-case analysis is necessary in order to assess whether a container has to be labelled in accordance with Article 7, since the way in which the definition of “placing on the market” applies very much depends on the specific circumstances. The following examples are aimed at illustrating the variety of situations but do not cover all of them.

- When a new container is used by an F-gas producer or importer to transport F-gases to a downstream user or distributor, and if the container is made available together with the substance, it is subject to the labelling requirements set out in Article 7 of Regulation (EC) No 842/2006.
- Chemicals producers or importers often use large containers such as ISO tanks to transport F-gases intended for sale to distributors or end-users, the container being eventually returned to them and its ownership remains with them. In such cases, the substance is placed on the market but not the container, therefore the container is not subject to the labelling requirements set out in Article 7 of Regulation (EC) No 842/2006.
- Distributors often own “recovery cylinders”, which are provided to equipment end-users or maintenance/recovery companies in order to collect used F-gases from products and equipment. Distributors provide recovery cylinders empty and receive them back full. They subsequently send off the filled cylinders for the recycling, reclamation or destruction of their content, and eventually receive them back. In such situations, the cylinder is not placed on the market; therefore it is not subject to the labelling requirements as set out in Article 7 of Regulation (EC) No 842/2006.

Although containers not placed on the market are not subject to the labelling requirements as set out in Article 7 of Regulation (EC) No 842/2006, the Commission encourages the development of voluntary labelling schemes at national level so that personnel handling containers when they contain F-gases are aware of the fact that such gases are contained and therefore releases must be avoided. In particular, for recovery cylinders voluntary labelling schemes at national level, would inform personnel that the cylinder must be directed to the appropriate F-gas recycling/reclamation/destruction facility. The information contained on such a label (indications on the substances contained in the cylinder and if possible their quantities) could also be useful to the recovery/reclamation/destruction companies.

6. Application of containment and labelling obligations to refrigeration containing insulation foam blown with fluorinated greenhouse gases

Article 3 (containment) and Article 7 (labelling) refer inter alia to refrigeration equipment containing fluorinated greenhouse gases.

The intent of these provisions was to cover refrigeration equipment with fluorinated greenhouse gases contained in their cooling circuits as refrigerants, as this is a major source of emissions. Although refrigeration equipment may also contain foam blown with fluorinated greenhouse gases, “containing fluorinated greenhouse gas-blown foams”, in the context of those two articles, should be interpreted narrowly as covering

only those refrigeration products and equipment, which contain the gas as a refrigerant in their cooling circuits.

Therefore, the labelling requirements of Article 7 would not cover refrigeration products and equipment which do not contain or whose functioning does not rely on fluorinated greenhouse gases contained in the cooling circuit.

Nevertheless, on the basis of a review on the desirability of including additional environmental information on the labels to be used on those products and equipment which fall within the scope of Article (7) (pursuant to Article 7(3)), it was concluded that for equipment falling under the scope of the labelling provisions, an additional indication, on the label, of the presence of fluorinated greenhouse gas molecules in foams contained in the equipment could promote the potential recovery of fluorinated greenhouse gases from such foams. As a result, the Commission Regulation establishing the form of labels and additional labelling requirements as regards products and equipment containing certain fluorinated greenhouse gases provides for the inclusion of additional information indicating whether refrigeration equipment covered by the Regulation (i.e. containing fluorinated greenhouse gases in the refrigeration circuit) have been insulated with foam blown with fluorinated greenhouse gases.

7. Scope of the Regulation in relation to application containing less than 3 kg

At the very first meeting with MS, the issue of whether and to what extent Articles 3, 4 and 5 would also apply to applications of less than 3kg was raised and gave rise to preliminary conclusions. At the time, the Commission insisted on the need to take a pragmatic and proportionate approach, in line with the Regulation.

Considering the importance of the issue, the Commission would wish to reiterate its view which is based on the following principles:

7.1 Containment (Article 3):

Paragraph 1 of Article 3 does not contain any threshold but rather lays down an obligation of a general nature to prevent leakage and repair them as soon as detected, through all measures being technically feasible and not entailing disproportionate costs. Thus, operators of applications containing less than 3 kg still have to be diligent in order to avoid leakage and repair them promptly.

Paragraph 2 goes a step beyond by specifying further the respective schedule for leakage checks depending on the quantities contained in the applications. This paragraph only applies to applications containing 3 kg or more. However, one should add that MS may decide, at national level, to go for leakage checking obligations and schedules also for applications containing less than 3 kg.

Finally, the obligation to maintain records, as laid down in paragraph 6, does not apply to applications containing less than 3 kg of fluorinated greenhouse gases.

7.2 Recovery (Article 4)

This article does not set any threshold of fluorinated greenhouse gas quantities, therefore it applies to all equipment and products covered by its provisions irrespective of the quantity of fluorinated greenhouse gas they contain.

7.3 Training and certification (Article 5)

Paragraph 1 makes it clear that with regard to training programmes and certificates the Commission shall establish minimum requirements and conditions for mutual recognition for applications covered by Article 3(1) (i.e. without any threshold) as well as for the personnel involved in containment and recovery activities (Article 4 on recovery does not set any threshold either).

Minimum requirements for personnel and companies involved in installation, maintenance or servicing and leak repairs of the equipment and systems covered by Article 3 (1), as well as for the personnel involved in recovery activities provided for in Article 4 are also of relevance and application to applications of less than 3 kg, whereas minimum requirements for personnel involved in leakage checks (Article 3(2)) are only relevant to applications containing 3kg (6kg if hermetically sealed) or more of F-Gases.

8. Issues related to the entry into application of Regulation 842/2006

With the exception of Article 9 and Annex II, the Regulation entered into application on 4 July 2007.

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As regards the Regulation's containment provisions (Article 3), the schedule for standard leakage checking established by Art. 3 (2) is applicable as from 4 July 2007, which means that operators should already now make sure that the relevant applications are checked for leakage once every 12, 6 or 3 months, depending on their charge.

Pending the adoption of the certification requirements pursuant to Article 5(1) and the establishment or adaptation of national certification requirements pursuant to Article 5(2), operators can have checks for leakage carried out by personnel qualified according to the existing national requirements, yet not formally certified. When the certification requirements enter into application, operators shall ensure that the checks are carried out by personnel complying with those requirements as from the following check. The same applies for personnel and companies involved in installation, maintenance or servicing of the equipment or systems, covered by Article 3(1).

Deleted: Pending the adoption of the standard leakage checking requirements, pursuant to Article 3(7), operators have some latitude in the choice of the method, which should nevertheless be state of the art practice. When the implementing legislation for standard leakage checking requirements enters into application, the standard procedure and methods shall apply as from the following check.¶
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Similarly, in regards to the Regulation's recovery provisions (Article 4), operators should already put in place arrangements for the proper recovery of fluorinated greenhouse gases from the applications covered by Article 4(1), in order to ensure their proper recycling, reclamation or destruction. Pending the adoption of the certification requirements pursuant to Article 5(1) and the establishment or adaptation of national certification requirements pursuant to Article 5(2), operators can have recovery operations carried out by personnel qualified according to the existing national requirements, yet not formally certified. When the certification requirements enter into application, operators shall ensure that recovery is carried out by personnel complying with those requirements as from the following recovery operation.

Finally, fluorinated greenhouse gases in other products and equipment covered by Article 4(3) should already be recovered, to the extent that this is technically feasible and does

not entail disproportionate cost, by appropriately qualified personnel. Unless minimum requirements at EC level are in force for specific products and equipment, personnel qualified according to the national requirements, should be eligible to carry out this activity.

9. The scope of Article 5(4)

Article 5(4) requires that as of 4 July 2009, Member States shall ensure that the companies involved in carrying out the activities provided for in Articles 3 (leak checks) and 4 (recovery) shall only take delivery of fluorinated greenhouse gases, where their relevant personnel hold the certificates mentioned in 5(2).

Activities provided for by Article 4 include, *inter alia*, the recovery from refillable or non-refillable containers at the end of their life and the recovery from other products or equipment, to the extent that this is feasible and does not entail disproportionate cost. The lack of an explicitly stated requirement for personnel involved in those activities to be certified has created an ambiguity on the scope of this provision, raised by some MS.

In the case of containers, the Regulation obliges the person who utilises the container to put in place arrangements for the proper recovery of residual gases; however no reference is made to certification of personnel, whereas in the case of other products and equipment, recovery needs to be undertaken by appropriately qualified personnel, however not necessarily certified.

The Commission's opinion is that Article 5(4) only applies to the activities where the Regulation does require personnel to hold certificates. These are the activities covered by Article 4(1): recovery of fluorinated greenhouse gases from the cooling circuits of stationary refrigeration, air-conditioning and heat pump equipment, from equipment containing fluorinated greenhouse gas-based solvents, from fire protection systems and fire extinguishers and from high-voltage switchgear.

Therefore, to the Commission's view, the obligation for Member States provided by Article 5(4) should not be seen as extended to activities for which no certification is required by the Regulation, irrespectively of any certification requirements for additional activities established at national level or of any attestation-based training requirements [e.g. recovery from air conditioning systems in motor vehicles] established at EC level.

10. Language of the label

The Commission Regulation [...] was established, pursuant to Article 7 of Regulation (EC) No 842/2006. Paragraph 3 of this Article required the Commission to establish, *inter alia*, the form of label, including the language to be used, which, certain products and equipment containing certain fluorinated greenhouse gases would need to have in order to be "placed on the market".

The term "placing on the market" in the context of both the Regulation (EC) No 842/2006 and its implementing acts, including Commission Regulation [...], has to be interpreted in the following manner for the language requirement. Indeed "placing on the

market" in the context of the Regulation (EC) No 842/2006 refers only to the "**first time**" the given products are placed onto the Community market.

Article 2(4) of Commission Regulation [...] establishing the form of labels and additional labelling requirements as regards products and equipment containing certain fluorinated greenhouse gases, provides that:

*"Member States **may** make the placing on the market of products and equipment covered by this Regulation on their territory **subject to use of their official languages** in respect of the labelling requirements referred to in paragraphs 1, 2 and 3".*

This "**may**" provision allows Member States, wishing to decide so, to require that label information is available in their official language(s), when such products and equipment are **first** placed in the Community market on their territory.

Consequently, for an entity first placing onto the Community market, products containing fluorinated greenhouse gases, in a Member State A, the information on the label shall be stated *as a minimum*¹ in:

- the official language(s) of Member State A if that Member State A makes use of provisions of Article 2(4), or
- any Community language if that Member State A does NOT make use of provisions of Article 2(4);

For any subsequent distribution or sale to a Member State B, of the labelled products first placed onto the market of Member State A – i.e. **after** their first placing on the market -, no other language(s) than the ones required by Member State A can be imposed by Member State B, **on the basis of this Regulation**.

An entity maintaining stocks of products containing fluorinated greenhouse gases – i.e. **prior** to their "placing on the market"- in a Member State A, is only required to apply the language decision of the Member State C where it will first place the products on the Community market.

¹ It is expected, however, that commercial considerations will lead manufacturers and importers to adapt to language needs of targeted customers.

11. Activities which personnel categories in the refrigeration, air-conditioning and heat pump sector are entitled to perform.

Equipment	Activity requiring certified personnel	Cat. I	Cat. II	Cat. III	Cat. IV
Equipment with F-gas charge <3kg (6kg if hermetically sealed)	Recovery	✓	✓	✓	
	Installation, maintenance or servicing	✓	✓		
Equipment with F-gas charge = 3kg (6kg if hermetically sealed) or more	Leakage checking not entailing breaking into the circuit	✓	✓		✓
	Leakage checking (including breaking into the circuit)	✓			
	Recovery	✓			
	Installation, maintenance or servicing	✓			