



11 June 2024

(24-4341)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>SWITZERLAND</u> If applicable, name of local government involved (Article 3.2 and 7.2): Switzerland
2. Agency responsible: Federal Office for the Environment FOEN Monbijoustrasse 40 CH-3011 Bern Postal address: CH-3003 Berne Switzerland chemicals@bafu.admin.ch , www.bafu.admin.ch Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: Secretariat for Economic Affairs SECO Holzikofenweg 36 CH-3003 Berne Switzerland tbt@seco.admin.ch , www.seco.admin.ch
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [], 7.2 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): The products covered are equipment for air conditioning, refrigeration and heat production containing substances stable in the atmosphere as refrigerant (Tariff number: 8415, 8418).
5. Title, number of pages and language(s) of the notified document: Ordinance of the Federal Council concerning amendments to annexes 2.10 of the Ordinance on the Reduction of Risks relating to the Use of Certain Particularly Dangerous Substances, Preparations and Articles (Chemicals Risk Reduction Ordinance, ORRChem, Fedlaw number: SR 814.81); (4 page(s), in German), (4 page(s), in French), (4 page(s), in Italian)
6. Description of content: The Ordinance extends existing placing on the market and production prohibitions of certain equipment containing refrigerants stable in the atmosphere to additional installations and devices for which substitutes without refrigerants stable in the atmosphere are already available according to the state of the art. Targeted installations and devices are as follows: <ul style="list-style-type: none">• appliances for the refrigeration and freezing of food and perishable goods,• appliances for cooling or heating rooms,

- appliances for cooling or heating processes,
- mobile air conditioning installations used in motor vehicles, rail vehicles or ships,
- mobile refrigeration installations for the transport of food or perishable goods
- monosplit installation (air conditioning and heat pump) with a refrigerant charge of less than 3 kg per circuit, if the refrigerant used has a global warming potential of 750 or more,
- self-contained installation for the refrigeration and freezing of food and perishable goods, if the refrigerant used has a global warming potential of 150 or more,
- Installation for the production of cold that are not equipped with a cooling circuit if (a) they are equipped with least three evaporator units and have a cooling capacity of more than 80 kW or (b) they are equipped with more than 40 evaporator units or (c) are self-contained and the refrigerant use has a global warming potential of 150 or more.

Exceptions for the placing on the market and production of some of this equipment are provided, under certain prerequisites, for when there are no substitutes available according to the current state of technology or when norms do not allow the use of refrigerants that are not stable in the atmosphere.

An exception for the placing on the market and production is provided under certain prerequisites, for installations and applications for which the evaporation temperature is below -90°C.

The Ordinance also contains other adaptations of existing regulation:

- Prohibition of filling with refrigerant stable in the atmosphere if the refrigerant has a global warming potential of 2500 or more,
- installations containing a charge of refrigerants stable in the atmosphere equal to or greater than 500 tons of CO₂ equivalent must be equipped with a leak detection system with a warning function,
- Recovered refrigerants, which are not anymore allowed to be refilled into stationary installation, are considered special waste.

7. Objective and rationale, including the nature of urgent problems where applicable: The purpose of this revision of the Chemical Risk Reduction Ordinance (ORRChem) is to contribute to limit the use and emission of fluorinated greenhouse gases. This revision constitutes an adaptation to the current European legislation (Regulation (EU) 2024/573) and is adapted to the state of the art in Switzerland.; Protection of the environment; Harmonization; Reducing trade barriers and facilitating trade

8. Relevant documents:

Chemical Risk Reduction Ordinance:

<https://www.fedlex.admin.ch/eli/oc/2024/254/fr>

In order to reduce technical barriers to trade, Swiss law is adapted to the current European legislation:

[Regulation \(EU\) 2024/573 of the European Parliament and of the Council of 7 February 2024 on fluorinated greenhouse gases](#)

9. Proposed date of adoption: 31 May 2024

Proposed date of entry into force: 1 January 2025

10. Final date for comments: 60 days from notification

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| <p>11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> |
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<https://www.fedlex.admin.ch/eli/oc/2024/254/fr>