

**COMMISSION REGULATION (EC) No 2077/2004****of 3 December 2004****amending Regulation (EC) No 2037/2000 of the European Parliament and of the Council with regard to the use of processing agents**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer<sup>(1)</sup>, and in particular the third sentence of the fifteenth indent of Article 2 thereof,

Whereas:

- (1) Taking account of new information and technical developments reported by the Technology and Economic Assessment Panel in its progress report dated April 2002<sup>(2)</sup> on controlled substances used as chemical processing agents, Annex VI of Regulation (EC) No 2037/2000 should be modified as a result of Decision X/14<sup>(3)</sup> and Decision XV/6<sup>(4)</sup> adopted at the 10th (1998) and 15th Meetings (2003) of the Parties to the Montreal Protocol, respectively.
- (2) More specifically, Decision XV/6 adds the processing agent carbon tetrachloride for producing cyclodime (a solvent); and deletes the use of CFC 113 as a process

agent in the manufacture of vinorelbine (a pharmaceutical product) and the use of carbon tetrachloride as a process agent in the production of tralomethrine (an insecticide).

- (3) Regulation (EC) No 2037/2000 should be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 18(1) of Regulation (EC) No 2037/2000.

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex VI to Regulation (EC) No 2037/2000 is replaced by the text amended as set out in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 December 2004.

*For the Commission*

Stavros DIMAS

*Member of the Commission*

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<sup>(1)</sup> OJ L 244, 29.9.2000, p. 1. Regulation as last amended by Regulation (EC) No 1804/2003 (OJ L 265, 16.10.2003, p. 1).

<sup>(2)</sup> The report of the Technology and Economic Assessment Panel, April 2002, Volume 1, Progress report on Processing Agents.

<sup>(3)</sup> 10th Meeting of the Parties to the Montreal Protocol in 1998, Decision X/14: Process agents.

<sup>(4)</sup> 15th Meeting of the Parties to the Montreal Protocol in 2003, Decision XV/6: List of Uses of Controlled Substances as Process Agents.

## ANNEX

## 'ANNEX VI

**Processes in which controlled substances are used as processing agents as referred to in the fifteenth indent of Article 2**

- (a) use of carbon tetrachloride for the elimination of nitrogen trichloride in the production of chlorine and caustic soda;
  - (b) use of carbon tetrachloride in the recovery of chlorine in tail gas from production of chlorine;
  - (c) use of carbon tetrachloride in the manufacture of chlorinated rubber;
  - (d) use of carbon tetrachloride in the manufacture of isobutyl acetophenone (ibuprofen — analgesic);
  - (e) use of carbon tetrachloride in the manufacture of poly-phenylene-terephthalamide;
  - (f) use of CFC-11 in manufacture of fine synthetic polyolefin fibre sheet;
  - (g) use of CFC-12 in the photochemical synthesis of perfluoropolyetherpolyperoxide, precursors of Z-perfluoropolyethers and difunctional derivatives;
  - (h) use of CFC-113 in the reduction of perfluoropolyetherpolyperoxide intermediate for production of perfluoropolyether diesters;
  - (i) use of CFC-113 in the preparation of perfluoropolyether diols with high functionality;
  - (j) use of carbon tetrachloride in production of Cyclodime;
  - (k) use of HCFCs in the processes set out in points (a) to (j) when used to replace CFC or carbon tetrachloride.'
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