



2024/2729

23.10.2024

**COMMISSION IMPLEMENTING REGULATION (EU) 2024/2729**

**of 22 October 2024**

**authorising an exemption pursuant to Regulation (EU) 2024/573 of the European Parliament and of the Council, with regard to the use of fluorinated greenhouse gases in certain environmental simulation devices, laboratory spray-drying or freeze-drying equipment, and laboratory centrifuges**

**(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2024/573 of the European Parliament and of the Council of 7 February 2024 on fluorinated greenhouse gases, amending Directive (EU) 2019/1937 and repealing Regulation (EU) No 517/2014 <sup>(1)</sup>, and in particular Article 11(5) thereof,

Whereas:

- (1) Annex IV, point 4, to Regulation (EU) 2024/573 prohibits the placing on the market of self-contained refrigeration equipment, except chillers, that contains fluorinated greenhouse gases with a GWP of 150 or more, as from 1 January 2025, except if required to meet safety requirements at the site of operation.
- (2) Pursuant to Article 11(5) of Regulation (EU) 2024/573, on 29 May 2024, the German competent authority submitted to the Commission a request for the authorisation of an exemption allowing the placing on the Union market of three types of equipment, containing fluorinated greenhouse gases as refrigerant, that fall within the scope of Annex IV, point 4, to Regulation (EU) 2024/573, namely: (i) environmental simulation devices for application temperatures below – 50 °C; (ii) laboratory spray-drying or freeze-drying equipment; and (iii) laboratory centrifuges.
- (3) The types of equipment referred to in the exemption request is the following: (i) environmental simulation devices consisting of a test chamber used to reproduce a variety of environmental conditions e.g. time-dependent temperature and humidity, for applications below – 50 °C; (ii) laboratory equipment used for the drying of liquid samples, by spray-drying or freeze-drying; and (iii) laboratory centrifuges which are equipment separating fluids of different densities or liquids from solids in a rapidly rotating container.
- (4) The exemption request states that, at present, there is no equipment in the Union market of the types mentioned that use fluorinated greenhouse gases with a GWP of 150 or less. Due to safety concerns, such equipment currently relies on non-flammable refrigerants (with a GWP of 150 or more). The development and certification of equipment that can use alternative substances requires more time, due to the complexity of the product and the changes in design needed to accommodate refrigerants with a GWP below 150 while also addressing safety concerns. In order to ensure that alternatives are going to be used safely and to retain costs at a proportionate level, time is needed to facilitate the switch to refrigerants with a GWP value below 150. Moreover, if manufacturers are required to change their product portfolio in a very short period of time, they would risk being obliged to stop the placing on the market and export of such essential equipment. The exemption request asks for the maximum period of time authorised under Article 11(5) of Regulation (EU) 2024/573 due the complexity of the transition to alternative refrigerants for such types of equipment.
- (5) The Commission has assessed the request submitted by the German competent authority and considers that the conditions set out in points (a) and (b) of Article 11(5) of Regulation (EU) 2024/573 are fulfilled. The Commission also considers that under such exceptional circumstances, sufficient time should be granted to avoid market disruption in the supply of such essential equipment. The Commission considers that an additional period of 4 years would be justified in this exceptional case.

<sup>(1)</sup> OJ L, 2024/573, 20.2.2024, ELI: <http://data.europa.eu/eli/reg/2024/573/oj>.

- (6) Considering that the prohibition for the placing on the Union market of the type of equipment referred in the exemption applies from 1 January 2025, due to time constraints, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee on fluorinated greenhouse gases, established by Article 34(1) of Regulation (EU) 2024/573,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

By way of derogation from Annex IV, point 4, to Regulation (EU) 2024/573, the placing on the market of the following equipment containing fluorinated greenhouse gases with a GWP of 150 or more is authorised from 1 January 2025 to 31 December 2028, provided they are labelled pursuant to Article 12(2) of Regulation (EU) 2024/573:

- (a) environmental simulation devices consisting of a test chamber used to reproduce a variety of environmental conditions e.g. time-dependent temperature and humidity, for applications below – 50 °C;
- (b) laboratory drying equipment used for the drying of liquid samples, by spray-drying or by freeze-drying;
- (c) laboratory centrifuges used for separating fluids of different densities or liquids from solids in a rapidly rotating container.

#### *Article 2*

This Regulation shall enter into force on the 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, 22 October 2024.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN