

IMPORTANT INFORMATION
FOR MACHINE MANUFACTURERS

ILLEGAL IMPORTATION OF REFRIGERATION EQUIPMENT FROM OUTSIDE THE EUROPEAN UNION



FLUID COOLERS

FOR MACHINE MANUFACTURERS

For **Metal**-processing machines, for **packing** machines for the **pharmaceutical** and **chemical industry**, **printing** machines, for **wood**-processing machines, **laser** cutting machines, **food-industry**, **plastic** and **glass**-processing machines, for **tobacco**-processing machines, **welding**, high frequency **electronic equipment**.

ILLEGAL IMPORTATION OF REFRIGERATION EQUIPMENT FROM OUTSIDE THE EUROPEAN UNION

THIS DOCUMENT IS INTENDED TO INFORM
OUR CUSTOMERS ABOUT THE RISKS
OF **IMPORTING AND USING REFRIGERATION EQUIPMENTS
PRODUCED OUTSIDE THE EUROPEAN COMMUNITY.**



What does illegal importation mean?

According to the F-Gas Regulation, the purchase of equipment containing greenhouse gases from non-EEC countries is strictly prohibited unless the importer meets the following requirements:

- Holds HFC quotas allocated or purchased within the EU.
- Purchases refrigeration equipment containing no greenhouse gases. The charge must be made within the EU and with refrigerant gas purchased from authorised suppliers.
- Possesses an import licence obtained through registration on the F-Gas Portal (for more information, see the relevant section on the European Commission website at the following link) https://climate.ec.europa.eu/eu-action/fluorinated-greenhouse-gases/stakeholder-obligations/f-gases-equipment-and-products_en#importer-of-refrigeration-air-conditioning-heat-pump-equipment-or-metered-dose-inhalers-containing-hfcs-equipment-listed-in-article-19

The consequences of these breaches, indicated in paragraph 3 of Article 31 of the new Regulation 2024/573, are as follows:

[...]

a) administrative financial penalties in accordance with paragraph 4; however, Member States may also, or alternatively, use criminal penalties, provided that they are equivalently effective, proportionate and dissuasive as the administrative financial penalties;

b) confiscation or seizure, or withdrawal or removal from the market, or taking possession by the competent authorities of Member States of illegally obtained goods;

c) temporary prohibition from using, producing, importing, exporting or placing on the market the fluorinated greenhouse gases or products and equipment containing fluorinated greenhouse gases or whose functioning relies upon them, in the event of a serious infringement or of repeated infringements

[...]

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With regard to penalties relating to infractions, each Member State will update its penalty system by 1 January 2026, as indicated in paragraph 1 of Article 31 of Regulation 2024/573.

To date, the financial penalty decree in force in Italy is No. 163/2019 which includes penalties for such infringements punishable by imprisonment for three to nine months or a fine from 5,000 to 150,000 euros.



In order to allow European players to find out about the penalty regulations in their own country, please see the following link where you can consult the references for each EU Member State.

https://climate.ec.europa.eu/eu-action/fluorinated-greenhouse-gases/national-contact-points_en

Let's try to understand who is responsible for these obligations and who is in breach of them, thus exposing themselves to severe penalties.

1st scenario. Subject "A" (importer and direct user of the product, OEM or END USER) in the EU purchases equipment containing greenhouse gases from a subject "B" (non-EEC manufacturer). In this case, **subject "A" infringes certain obligations** and risks being charged the above-mentioned penalties.

2st scenario. Subject "A" (importer of a non-EEC product), sells equipment containing greenhouse gases to a subject "B" (OEM) who sells it to subject "C", the user of the product (END USER). **Subjects "B" and "C" do not incur any penalty.**

The person who infringes the regulations is subject **"A" and is punishable by law**. Subject "B" runs the risk of no longer receiving the material requested/ordered from subject "A," since the latter, as a result of the infringement, is flagged in the customs register, leading to the confiscation of the material deemed unsuitable for import.

WARNING

As soon as the electronic customs registers come into force, all individuals found to have infringed the provisions of the above articles will be flagged and tracked.

We hope this has helped clarify some of the many doubts deriving this energy/ecological transition, and we remain at your disposal for any further clarification. Please send an email to: info@eurocold.it We will reply as soon as possible.



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