



**The Alliance**  
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ALLIANCE COMMENDS US GOVERNMENT FOR  
SUCCESSFUL PROSECUTION AND SENTENCING OF HCFC-22 SMUGGLERS

WASHINGTON, D.C. - The Alliance for Responsible Atmospheric Policy (Alliance), an industry coalition, today commended the sentencing of a Florida man and a Florida corporation on charges related to smuggling 418,654 kilograms of hydrochlorofluorocarbon-22 (HCFC) refrigerants with a market value of over \$3.9 million. James Garrido was sentenced to 30 months imprisonment and Kroy Corporation was sentenced to five years of probation. They must jointly pay \$40,000 in fines and forfeit over \$1.3 million to the US.

"The US government has done an excellent job of prosecuting and sentencing these defendants for smuggling HCFC-22, and they are ready to prosecute and fine anyone devising schemes to illegally import HCFCs," stated Dave Stirpe, Executive Director of the Alliance.

The Alliance cautions industry and the public to be certain that their HCFC-22 refrigerant purchases are legal, and to refuse to buy illegally imported refrigerants. The warning came as reports are beginning to surface that illegal HCFC imports are on the rise.

HCFC-22 refrigerant may be legally produced domestically and imported into the US provided that U.S. EPA-issued quota allowances are expended. Anyone importing HCFCs without legal allowances is in violation of federal law. HCFC-22 is generally used to service and maintain existing commercial air conditioning and refrigeration equipment. Newly produced equipment generally relies on HFCs and other refrigerants.

"Purchasers of the illegal refrigerant are at risk. The government may confiscate any illegally imported refrigerant, even if it has been passed down through the marketplace, and prosecute purchasers who knowingly buy illegal material," Stirpe said.

"Consumers should also be wary of the refrigerant since some of the imported material has been found to be of poor quality," Stirpe noted.

Purchasers of imported HCFCs should verify that their importer is authorized to import HCFCs. Such importers would have been listed as having a baseline consumption allowance in the EPA HCFC Allocation Rule, or involved in a subsequent legal trade of consumption allowances. The recipient of a trade can show a letter from EPA acknowledging the approval of the trade. Purchasers who question the legitimacy of an HCFC importer should request a copy of the EPA approval letter from the seller. Importers of used HCFCs must obtain prior written approval from EPA and the government representing the country of origin. The provisions for the "petition" approval are also available from EPA.

Any questions regarding legal allowance holders or tips on illegal trades may be made to EPA at 1-800-296-1996.

The Alliance is an industry coalition that was organized in 1980 to address the issue of stratospheric ozone depletion. It is presently composed of manufacturers and businesses that rely on fluorocarbons. Today, the Alliance is a leading industry voice that coordinates industry participation in the development of reasonable international and U.S. government policies regarding ozone protection and climate change.

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