

Conditions of purchase Conformity with legal substances prohibitory regulations and legal obligations to notify concerning the use of critical substances

In order to meet both our legal obligations regarding the use of critical substances in products and their packaging as well as our requirements concerning notification and registration, we hereby inform you explicitly that you as supplier must conform to the following legal obligations.

1) Requirements according to legal substance prohibitory regulations

Regarding the composition of substances in products and in accompanying packaging, the manufacturing or packaging of any goods delivered to HellermannTyton GmbH is done under strict observance of legal regulations relating to the ban of hazardous substances and in accordance with the related periods of application and limits of consideration/ reporting thresholds (concentrations).

Please find attached (page 5) a list of examples – no responsibility is taken for its completeness – illustrating several legal substance prohibitory regulations probably relating to your products.

If using substances for which a legal ban of use is only applied for certain special purposes [e.g. EU Directive 2002/95/EC (RoHS) is valid only for certain electric appliances], the supplier will provide the following information about the article:

- the exact article numbers and designations of articles containing substances of use-related ban of use
- the accurate chemical identification (CAS number) of the use-restricted substances.
- the specification of concentration (% by weight) indicating the mass of these substances restricted as to use contained in the corresponding product
- the description of the official regulation specifying a restricted non-substance-applicable ban of use regarding this product.

Please send to:

**HellermannTyton GmbH
Sicherheits- und Umweltmanagement
Martin Burmeister
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25436 Tornesch
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In addition, all goods delivered must be free of radioactivity beyond natural background radiation in order that the dosage limits set by European guideline 96/29/EURATOM (see http://eur-lex.europa.eu/RECH_mot.do) are not exceeded in day-to-day contact with the goods.

2) Legal obligations to notify concerning the use of critical substances according to the Regulation (EC) No 1907/2006 (REACH) of the European Union

Additionally the supplier will immediately inform HellermannTyton GmbH about any delivery of products or packaging containing substances of very high concern (very dangerous substances - carcinogenic, mutagenic, reprotoxic, bioaccumulative etc.) as mentioned in article 33 of REACH Regulation 1907/2006 i.c.w. Annex XIV of this Regulation (Index of substances subject to admission control); Regulation (EC) No 1907/2006 (REACH), see: http://eur-lex.europa.eu/RECH_mot.do.

These so called SVHC ingredients must be reported, but are not prohibited yet: http://echa.europa.eu/chem_data/authorisation_process/candidate_list_table_en.asp

If using these substances of very high concern (SVHC), the supplier will immediately provide HellermannTyton GmbH [for contact information – please refer to no. 1)] with the following information about the article:

- the article number and description of the article containing any of the above mentioned substances of very high concern (very dangerous substances),
- the exact chemical identification (CAS number) of the substances of very high concern (very dangerous substances),
- the specification of concentration (% by weight) indicating the mass of these substances contained in the corresponding product.
- date of elimination and substitution of these hazardous substances (SVHC).

3) Registration or notification of substances (or those within mixtures or products) with the European Chemicals Agency (ECHA), in accordance with REACH (1907/2006)

Substances, whether in pure or mixed form, must normally be registered. According to article 7, substances within products are also covered by the registration regulations under certain circumstances.

1. Registration requirement:

A substance contained within a product must be [registered](#) if all of the following applies:

- a) the substance is contained within manufactured or imported products in total quantities of more than one ton per year,
- b) the substance should normally be released under normal or reasonably expected usage conditions,

c) the substance is not yet registered for the purpose in question.

The Agency can also demand that a substance be registered if there is reason to believe that a substance contained in a product can pose health or environmental risks if released. This can also apply to substances that do not have to be registered themselves, but that are contained in products in quantities of more than one ton per year and are not yet registered for the purpose in question.

2. Notification requirement

The European Chemical Agency (ECHA) must be [notified](#) about a substance contained in a product (manufacturers or importers must inform the Agency in line with article 7, paragraph 4 of the REACH regulations),

if all of the following applies:

a) The substance in question would be classified by article 57 as a [substance requiring authorization](#) (e.g. a substance that is mutagenic, carcinogenic, is toxic to reproduction, or very persistent and very bio-accumulative or hormonally active),

b) the substance was placed on the [Candidate List](#) by the EU Commission,

c) the substance is contained within manufactured or imported products in total quantities of more than one ton per year,

d) the substance is contained within the products in a concentration of more than 0.1 mass percent,

e) it cannot be ruled out that a human or environmental exposition could arise from a disposal carried out under normal or reasonably expected usage conditions.

The notification requirement begins six months after the listing of a substance according to subsection 2. b), however not until June 1st 2011 at the earliest.

4) Legal obligations to notify concerning the use of „Conflict Minerals“ according to the „Dodd-Frank Consumer Protection Act“ (WS H. R. 4173, § 1502) [<http://www.sec.gov/about/laws/wallstreetreform-cpa.pdf>] in the products and packaging

If using these minerals, the supplier will immediately provide HellermannTyton GmbH [for contact information – please refer to no. 1)] with the following information about the article:

- the article number and description of the article containing any of the above mentioned minerals,
- the exact chemical identification (CAS number) of the minerals,
- the specification of concentration (% by weight) indicating the mass of these minerals contained in the corresponding product,
- the country of origin of these minerals with regard to the winning, melting and the continuing process.

5) Legal obligations to notify concerning the use of „hazardous substances“ according to Appendix 8 of the resolution MEPC.197(62) [<http://www.imo.org>] in the products and packaging.

If using these minerals, the supplier will immediately provide HellermannTyton GmbH [for contact information – please refer to no. 1)] with the following information about the article:

- the article number and description of the article containing any of the above mentioned minerals,
- the exact chemical identification (CAS number) of the minerals,
- the specification of concentration (% by weight) indicating the mass of these minerals contained in the corresponding product,
- the date of elimination and substitution of these hazardous substances.

If we do not receive updated information stating the use of substances specified in points 1), 2), 4) and 5) after receipt of this letter, we will assume that your products do not and will not contain any of these substances.

We also assume that you will punctually meet the registration and notification requirements specified under point 3) regarding the goods sent to us.

The same applies for any new or amended legal regulations until you provide us with any relevant notification of modification.

If you have already informed us of the use of substances specified in points 1), 2), 4) and 5) in the past, this would now have to be communicated to us again, with reference to articles, in order to examine which further articles are in the meantime supplied free of the above mentioned substances.

We expect, that products, which contain substances, specified in points 2), 4) and 5), in the near future have little chance to be sold on the market. We strongly recommend you to replace these substances against non-critical materials.

Please note that any claims from a third party arising from not meeting the above mentioned legal obligations and which have been lawfully claimed from Hellermann Tyton GmbH, will be passed on to you.

Legal Substance Prohibition Regulations

(Associated amendment and adaptation regulations have to be considered.)

No.	Legal Regulation	Source
1	1907/2006; registration, evaluation, authorisation and restriction of chemicals, REACH; in particular annex XVII <u>reference: 76/769/EEC;</u> (restrictions on the marketing and use of certain dangerous substances and preparations) was canceled on 01.06.2009 and replaced by 1907/2006, REACH	http://eur-lex.europa.eu/RECH_mot.do
2	2002/95/EC and 2011/65/EU; restriction of the use of certain hazardous substances in electrical and electronic equipment, RoHS I and RoHS II	http://eur-lex.europa.eu/RECH_mot.do
3	2000/53/EC; end-of life vehicles, ELV	http://eur-lex.europa.eu/RECH_mot.do
4	94/62/EC; packaging and packaging waste	http://eur-lex.europa.eu/RECH_mot.do
5	2006/66/EC; batteries and accumulators	http://eur-lex.europa.eu/RECH_mot.do
6	1005/2009/EC; substances that deplete the ozone layer	http://eur-lex.europa.eu/RECH_mot.do
7	842/2006/EC; certain fluorinated greenhouse gases	http://eur-lex.europa.eu/RECH_mot.do
8	96/29/EURATOM; basic safety standards for the protection of the health against the dangers arising from ionizing radiation	http://eur-lex.europa.eu/RECH_mot.do
9	GADSL (Global Automotive Declarable Substance List), <u>as far as legally prohibited substances</u> are concerned and substances are not included in the regulations before.	http://www.gadsl.org