

Compliance Declaration

Effective: March 20, 2020

This declaration is provided in response to an inquiry on whether Bonnell Aluminum's products supplied to your Company are compliant with the following global regulation requirements that we understand may be applicable to our customers.

- **EU REACH 1907/2006**: *The Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) Regulation requires the identification of Substances of Very High Concern (SVHC) contained in substances and mixtures above the threshold 0.1% weight by weight manufactured and marketed in the EU. This declaration is inclusive of the SVHC Candidate List of Annex XIV to REACH, effective January 16, 2020.*
- **RoHS 2 Directive – 2011/65/EU**: *The Restriction of Hazardous Substances (RoHS) Directive restricts the use of specific substances above an identified threshold, without applicable exemption, for products placed on the market in EU member states. EU RoHS 10 Substances Amendment Directive (EU) 2015/863 (Amendment to EU RoHS 2 Directive) added four specific phthalate substances restricted above a specific threshold, effective July 22, 2019.*
- **Regulation (EC) No 1272/2008 on the Classification, Labeling and Packaging of substances and mixtures (CLP)**: *CLP introduces the United Nations globally harmonized system (UN GHS) for classification and labeling of chemicals into Europe. CLP entered into force on 20th January 2009. The CLP Regulation, Article 46, on Enforcement and Reporting, states that all necessary measures, including maintaining a system of official controls, to ensure that substances and mixtures are not placed on the market, unless they have been classified, labelled, notified and packaged in accordance with this Regulation.*
- **Biocidal Properties Regulations (BPR) EC (528/2012) and EU (1062/2014)**: *BPR requires the identification of Active Substances (as such term is defined in the Regulations) used in Biocidal products to be (i) registered and (ii) approved for use (from a list of approved active substances and suppliers). Biocidal products are substances or mixtures that contain Active Substances applied to articles with the intention of destroying, deterring, rendering harmless, preventing the action of, or otherwise exerting a controlling effect on, any harmful organism by chemical or biological means.*

Bonnell Aluminum does not directly place its aluminum products on the EU market and is therefore not subject to the above referenced EU legislation. REACH, CLP, RoHS and/or BPR only apply to products imported into the EU and place obligations on EU importers and/or non-EU manufacturers who export such products to the EU.

Further, even where Bonnell Aluminum products are imported into the EU, they fall outside the scope of these regulations. REACH and CLP only apply to substances on their own or substances present in mixtures, whereas Bonnell Aluminum's products are considered "articles". RoHS only applies to electric and electronic equipment (EEE). BPR applies to biocidal products and/or treated articles.

If the Company is supplying products purchased from Bonnell Aluminum to the EU (or products containing Bonnell Aluminum's products as parts), it should independently assess any obligations it might have under REACH, CLP, RoHS, and/or BPR, including any obligations applicable to substances present in articles.

The European Commission accordingly amended the former regulations of Directive 2011/65/EU and adopted Directive 2018/740/EU thus extending exemption 6(b) applying to lead as an alloying element in aluminum containing up to 0.4% lead by weight. Aluminum alloys typically contain lead, cadmium, and mercury well below the threshold levels for RoHS. While none of these elements are intentionally added to the alloys produced by Bonnell Aluminum, there may be trace amounts resulting from aluminum scrap recycling that are expected to be below threshold limits for RoHS.

In any event, Bonnell Aluminum confirms that at the date of this declaration Bonnell Aluminum's products supplied to the Company do not contain any substances of very high concern (SVHC) as identified under REACH and CLP and/or substances restricted by the RoHS Directive and BPR.

- **California Proposition 65:** requires the labeling of products containing any of the chemicals known to cause cancer, birth defects or other reproductive harm (Legal Reference Safe Drinking Water and Toxic Enforcement Act of 1986).

California Proposition 65 does not have threshold limits and aluminum alloys typically contain lead, cadmium, and mercury at de minimus concentrations. While none of these elements listed on California Proposition 65 are intentionally added to the alloys produced by Bonnell Aluminum, there may be trace amounts resulting from aluminum scrap recycling that are expected to be at de minimus concentrations. Customer products containing Bonnell Aluminum's aluminum in their products should include a California Proposition 65 label.

- **Asbestos** is restricted in many countries around the world due to the hazard to citizens who breathe the particles.

Bonnell Aluminum's products do not include any asbestos containing materials. Raw materials used in the production of Bonnell Aluminum's aluminum products do not contain any asbestos nor have these materials or products come into contact with any asbestos during the manufacture / packing or shipping.

- **Perfluorooctanesulfonic acid (conjugate base perfluorooctanesulfonate) (PFOS):** After PFOS was added to the Annex B of the Stockholm Convention in 2009, the European Commission removed PFOS from REACH Annex XVII and added it to the Annex I of the Regulation (EC) No 850/2004 of the European Parliament and of the Council on persistent organic pollutants. PFOS is now regulated as a persistent organic pollutant (POP) in EU. PFOS is not entirely banned in EU. Its restriction conditions are set by EU 757/2010 amending the Annex I of the Regulation EC 850/2004 on POPs. The restriction of PFOS in finished and semi-finished products is less than 0.1 % by weight calculated with reference to the mass of structurally or micro-structurally distinct parts that contain PFOS. Perfluorooctanoic acid (PFOA) and its salts are suspected to have a similar hazard profile to PFOS. It was added to REACH Annex XVII restricted substances in June 2017.

Bonnell Aluminum's products do not include any PFOS or PFOA containing materials.

The European Commission accordingly amended the former regulations of Directive 2011/65/EU and adopted Directive 2018/740/EU thus extending exemption 6(b) applying to lead as an alloying element in aluminum containing up to 0.4% lead by weight. Aluminum alloys typically contain lead, cadmium, and provide evidence of any of these compliance declarations will be completed at a cost charged to the Customer.



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