



Delivery specification

Compliance with the requirements of the REACH Regulation and the RoHS Directive

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1. Purpose

The purpose of this specification is to ensure environmental sustainability of the manufactured and delivered products. For this purpose the use of substances in products shall be reduced to those which are in accordance with the applicable, relevant requirements.

2. Scope of this specification

This specification applies to all delivery items / products delivered by the supplier in accordance with the order confirmation from MSA.

3. Requirements

3.1 REACH Regulation (EC) No. 1907/2006

The supplier must produce and/or deliver the ordered delivery item(s) / product in accordance with the legal requirements, in particular Regulation (EC) no. 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH).

The 'Candidate List' includes Substances of Very High Concern (SVHC). With publication of this list, suppliers of products are directly required (in accordance with Article 33 of the REACH Regulation) to inform the industrial user if a product contains one or more Substance(s) of Very High Concern with a concentration of more than 0.1% (w/w). Please note that the product term as per the ECJ judgement C-106/14 of 10 September 2015 is to be used.

The supplier of the delivery item / product must provide MSA unsolicited with information about the use of substances on the candidate list of Substances of Very High Concern (SVHC) as per the currently valid version of the REACH Regulation. This requirement also applies to delivered substances and mixtures.

Furthermore, MSA also expects the information on the part of the supplier that the delivery item contains none or less than 0.1% (w/w) of such substances. This information is required to fulfil MSA's obligations to its customers (Article 33 REACH Regulation).

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| | | | | Entwicklung Development | 28.09.2016 | PCRT Berlin | SPL |
| Rev. 01 | Änderung Change | Datum Date | Name Name | Geprüft Checked | 28.09.2016 | PCRT Berlin | |



The following annexes of the REACH Regulation require:

- that the supplier complies with the authorisation requirement for the substances listed in Annex XIV
- that the supplier observes the respective restrictions for the manufacture, placing on the market and use of the hazardous substances, mixtures and products listed in Annex XVII

3.2 RoHS Directive 2011/65/EU

The supplier must produce and deliver the ordered delivery item in compliance with the RoHS Directive with respect to the legal regulations. This refers in particular to the Directive 2011/65/EU (RoHS II) of the European Parliament and of the Council dated 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment. This also applies to delivery items which do not themselves fall within the scope of Directive 2011/65/EU (RoHS II), as these may subsequently be incorporated into electrical or electronic equipment.

MSA is to be informed without delay of the use of exceptions in accordance with Annexes III and IV of the specified Directive.

This information must include:

- the number / description of the exception (corresponding to the current valid RoHS Directive),
- the referenced annex and the validity period of the exception.

In addition, MSA expects the supplier to monitor exceptions used and to provide, without being requested to do so, timely information on the impact of the expiry of exceptions to its ability to deliver to MSA.

Should the specified directive be replaced by a new one, the new directive is to apply accordingly.

4. Documentation

Compliance with the conformity required by this specification and all above listed additional information must be explicitly noted in the shipping documents. Declarations of conformity are to be updated annually.

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5. Miscellaneous provisions

This document automatically becomes a contract component of every order from MSA accepted by the supplier.

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