

Date: Jan.2015

Dear Sir or Madam

We confirm the compliance of our products as follows, without justifying hereby a liability based on a guarantee or promise which is similar to a guarantee.

Statement on “substances of very high concern” (SVHC) according to the 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), published on the 30th December 2006 in the Official Journal of the European Union 396/1.

We thank you for your inquiry concerning our information obligations for “candidate list of substances of very high concern for authorisation” (so called “SVHC”) in our articles according to Art. 33 of the REACH-Regulation (EC) No 1907/2006. REACH provides our company in the role of a “downstream user” and a “supplier of an article” with several obligations on giving and disseminating product information along the supply chain.

Unfortunately it is unclear to many companies what these information obligations concretely imply. This often leads to situations where different companies along the supply chain request one another to certify the “REACH-conformity” or to give a full substance analysis of their products and to fill in apparently adequate documents. These kinds of statements are not intended by the REACH-regulation though and are also not helpful in complying with the mandatory communication and information obligations. In the end they are just causing a large amount of time and effort for most companies without resulting in legal certainty or any other benefit for the involved parties.

Therefore we would like to let you know in detail what kind of information we as a “supplier of an article” will provide to you according to the REACH-regulation.

Our information obligation according to art. 33 par. 1 REACH

The products, cold rolled precision steel, we supply are legally defined as articles under REACH¹. According to Art. 33 para. 1 REACH, any supplier of an article is obliged to provide the recipient of the article with sufficient information, available to the supplier, to allow safe use or, as a minimum, name the substance of the EChA-candidate list² (meeting the criteria in Article 57 and identified in accordance with Article 59 para.1) if this substance exceeds a concentration of 0.1 per cent in weight (w/w) of the article.

In applicable cases we will fulfil this obligation, of course, in order to ensure our customer’s accustomed safe handling of our high quality products. We are keeping in close contact with our own suppliers to keep the information available to us up-to-date and until now, we have not received any information about candidate list-SVHCs contained in our products whatsoever. Therefore, we assume that (according to information available to us at this point) our products do not contain any of the candidate list-SVHCs above the concentration limits set forth obliging us to

¹ Art. 3 no. 3 REACH: article: means an object which during production is given a special shape, surface or design which determines its function to a greater degree than does its chemical composition

² http://echa.europa.eu/chem_data/authorisation_process/candidate_list_table_en.asp



inform recipients. Changes regarding this issue would be advised to you according to laws and regulations. Because of our broad array of products and due to the fact that we are depending on our suppliers compliance to fulfil their legal obligations, too, you will certainly understand that we are not able to give further legally binding declarations without further ado.

REACH-implementation and REACH-processes in our company

Especially under the aspects of REACH and the new European Chemicals Policy our German umbrella association, the WSM Wirtschaftsverband Stahl- und Metallverarbeitung e.V. and our industry association Fachvereinigung organised a project group “REACH” which regularly informs us about public consultations, new added substances (“SVHC”) to the candidate list and about the affectedness of our companies.

German authorities as well as leading research institutes and scientific networks permanently analyse the range of use for the actual 161 substances included in the candidate list (last updated on Jan.2015). According to these analysis for the time being, substances of very high concern for authorisation are unlikely to be included in our products.³

By sending you this information letter to fulfil our information obligations as a “supplier of an article” according to art. 33 par. 1 REACH we are following not just the statutory provisions, but we are also following the suggestions of our “Federal Ministry of Economics and Technology” (BMWi) as well as of our umbrella association WSM Wirtschaftsverband Stahl- und Metallverarbeitung e.V. and our industry association.

We will inform you immediately about relevant changes to our products, to the supply availability and to the quality caused by REACH for the products and/or parts within our relationship with your company and will, in individual cases, propose appropriate measures for agreement with your company.

If you have further questions concerning REACH or the new European Chemicals Policy in our company please do not hesitate to contact our REACH-Manager: n.wagner@theis.de

p.p.**Dimor Robbenmenke**

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³ http://www.reach-clp-helpdesk.de/cln_136/reach/de/Themen/Kandidatenliste/Kandidatenliste-Verwendung.html.