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# Material Compliance Guideline

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**Author**

Oliver Jost

**Addressees**

Suppliers of Bucher Automation AG  
Suppliers of Bucher Automation Tett nang GmbH  
(hereinafter "Bucher Automation")

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# 1 Foreword

This guideline summarizes all valid material-related requirements and is intended to support Bucher Automation AG and its suppliers in complying with legal requirements in order to ensure that products are marketed in conformity with the law.

Material compliance includes material-specific requirements as well as areas of environmental protection and product sustainability. It calls for sustainable product development and is intended to ensure a high level of protection for people and the environment by replacing substances of concern with less harmful substances.

# 2 Scope

The present guideline regulates prohibited and declarable substances and related information obligations of our suppliers towards Bucher Automation. Bucher Automation requires that all delivered products including packaging comply with the requirements of this guideline and that information obligations are observed.

This guideline is part of the contractual relationship between Bucher Automation and its suppliers. It is deemed to be accepted by entering into a business relationship with Bucher Automation.

The supplier is responsible for obtaining the currently valid guidelines, laws and standards. Any legal changes or applicable laws not mentioned in this guideline do not release the supplier from the obligation to comply with them. The supplier is obliged to inform the purchasing department in good time about product changes and their consequences. This applies in particular if these have been made on the basis of legal regulations or if deadlines of legal exemptions have expired.

Bucher Automation makes the currently valid version of this guideline available on the internet at [https://www.jetter.de/fileadmin/benutzerdaten/jetter-de/download-english/09\\_purchasing/ba\\_mc\\_richtlinie\\_en.pdf](https://www.jetter.de/fileadmin/benutzerdaten/jetter-de/download-english/09_purchasing/ba_mc_richtlinie_en.pdf). The supplier undertakes to check every 6 months whether an updated version of this guideline is available.

# 3 Definitions

## Product

Product is everything that is delivered to Bucher Automation and remains in a (complex) product that is placed on the market by Bucher Automation. This also includes auxiliary and operating materials as well as packaging for passing on to external customers.

Examples for products are:

- Complete products and merchandise
- Assemblies
- Components
- Raw materials
- Mixtures
- Semi-finished products
- Materials
- Articles
- Packaging and transport materials

## **Substance**

Chemical element and its compounds in the natural state or obtained by any manufacturing process, including any additive necessary to preserve its stability and any impurity deriving from the process used, but excluding any solvent that may be separated without affecting the stability of the substance or changing its composition (REACH Regulation (EC) No 1907/2006, Article 3(1)).

## **Mixture**

Mixtures or solution composed of two or more substances (REACH Regulation (EC) No 1907/2006, Art. 3(2)).

## **Article**

An object which during production is given a specific shape, surface or design which determines its function to a greater degree than does its chemical composition (REACH Regulation (EC) No 1907/2006, Art. 3(3)).

## **Homogeneous material**

A material of uniform composition throughout or a material consisting of a combination of materials, that cannot be disjointed or separated into different materials by mechanical actions such as unscrewing, cutting, crushing, grinding and abrasive processes (RoHS Directive 2011/65/EU, Art. 3 (20)).

## **Placing on the market**

Supplying or making available, whether in return for payment or free of charge. Import shall be deemed to be placing on the market (REACH Regulation (EC) No 1907/2006, Art. 3 (12)).

## **Substances subject to declaration**

Substances for which a declaration obligation has been issued according to applicable legal regulations or internal specifications above a limit value.

## **SVHC (Substances of Very High Concern)**

Substances of very high concern are substances that meet the criteria of REACH Art. 57 and have been included in the candidate list of substances for authorization of the European Chemicals Agency (ECHA). The list is updated twice a year and can be found at <http://echa.europa.eu/de/candidate-list-table>.

## **Restrictions**

Restrictions may be imposed if the manufacture or use of substances poses an unacceptable risk to human health or the environment. Restricted substances may be placed on the market in articles and mixtures only under the conditions specified in the restriction.

### **Per- and Polyfluoroalkyl Substances - PFAS**

Fluorinated substances containing at least one fully fluorinated methyl or methylene carbon atom (without any H/Cl/Br/I atom attached to it, F<sub>3</sub>C- or -CF<sub>2</sub>-). Definition according to OECD (2021).

### **Conflict Minerals**

Conflict minerals are the metals tin, tantalum, tungsten and gold and minerals from which they are extracted. They are referred to as conflict minerals because the mining and trading of the minerals in conflict regions (Democratic Republic of Congo and neighboring countries) finances armed groups and involves human rights violations. Both the EU and the USA have issued regulations requiring importers and users of conflict minerals to fulfil due diligence obligations. While the EU only requires importers to comply with due diligence requirements above a certain quantity threshold, in the USA, listed companies that market products containing these metals must publish an annual report on their origin.

### **Battery / Accumulator**

"Battery" or "accumulator" means any source of electrical energy generated by direct conversion of chemical energy and consisting of one or more primary battery cells (non-rechargeable) or consisting of one or more secondary battery cells (rechargeable). (Battery Directive 2006/66/EC, Art. 3(1))

### **Packaging**

"Packaging" means all products made of any materials of any nature to be used for the containment, protection, handling, delivery and presentation of goods, from raw materials to processed products, from the producer to the user or consumer. "Non-returnable" items used for the same purpose shall also be considered to constitute packaging.

Packaging components and ancillary elements integrated into packaging shall be considered to be part of the packaging into which they are integrated. Ancillary elements hung directly on or attached to a product and which perform a packaging function shall be considered to be packaging unless they are an integral part of this product and all components are intended to be consumed or disposed of together (Packaging Directive 94/62/EC, Art. 3(1)).

## **4 Substance regulations and prohibitions**

This chapter lists legal obligations on substance regulations, which are mandatory for all suppliers to comply with. The supplier agrees to be aware of the current status of legal substance prohibitions and to inform himself independently about legal developments.

### **4.1 REACH Annex XIV - List of substances subject to authorisation**

This inventory lists substances whose use is prohibited without prior authorization. Substances that have previously been identified as substances of very high concern (SVHC) can be included into the authorization list. After a transition period, substances may only be used after the expiration date with an authorization. The supplier informs Bucher Automation immediately if a substance subject to authorization is contained in delivered products.

The current list of substances subject to authorization (REACH Annex XIV) can be found under the link <https://echa.europa.eu/de/authorisation-list>.

#### 4.2 REACH Annex XVII - List of restricted substances

REACH Annex XVII regulates applications and defines concentration limits for hazardous substances. All products delivered to Bucher Automation must comply with the regulations from REACH Annex XVII. The current list of restricted substances can be found under the link <https://echa.europa.eu/de/substances-restricted-under-reach>.

#### 4.3 Regulation (EU) 2019/1021 on persistent organic pollutants (POP)

This regulation transposes the Stockholm Convention on Persistent Organic Pollutants into European law. The supplier undertakes that all products delivered to Bucher Automation comply with the substance prohibitions of this regulation.

#### 4.4 Directive 2011/65/EC (RoHS)

This directive restricts the use of certain hazardous substances in electrical and electronic equipment. It came into force in 2013 and was expanded in 2015 to include four substances. The substance restrictions of the RoHS Directive refer to the maximum concentration levels in the homogeneous material of an article. Annex III of the RoHS Directive regulates time-limited exemptions for certain uses. If an exemption is claimed, Bucher Automation must be informed by stating the number.

#### 4.5 Toxic Substance Control Act (TSCA) Section 6(h)

On Jan. 6, 2021, the U.S. Environmental Protection Agency (EPA) published its final rules to regulate five PBT substances. The ban affects

- Phenol, isopropylated phosphate (3:1) (PIP (3:1)), CAS 68937-41-7
- Decabromodiphenyl ether (DecaBDE), CAS 1163-19-5
- Hexachlorobutadiene (HCBd), CAS 87-68-3
- Pentachlorothiophenol (PCTP), CAS 133-49-3
- 2,4,6-Tris(tert-butyl)phenol (2,4,6-TTBP), CAS 732-26-3

Bucher Automation would like to sell its products in the USA in a legally compliant manner. Should the products delivered to Bucher Automation contain any of the mentioned substances, the supplier shall inform Bucher Automation immediately.

<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/persistent-bioaccumulative-and-toxic-pbt-chemicals>.

## 5 Substances subject to declaration

### 5.1 Substances of the SVHC candidate list

Article 33 of the REACH regulation obliges the supplier of an article containing a substance of the candidate list (SVHC) in a concentration of more than 0.1% (w(w)) to provide the recipient of the article with sufficient information about the safe use, but gives the recipient at least the name of the substance.

All suppliers of Bucher Automation undertake to comply with this information obligation and to inform Bucher Automation immediately about SVHC substances in delivered articles. The SVHC list is usually updated twice a year by adding new substances.

The current SVHC list can be found under the link <http://echa.europa.eu/de/candidate-list-table>.

According to a decision of the European Court of Justice, the principle "once an article, always an article" applies. Thus, for complex articles of also the concerned "single article" has to be mentioned.

### 5.2 Per- and Polyfluoroalkyl Substances (PFAS)

PFASs have unique technological properties and are therefore widely used. However, they are increasingly the focus of international regulatory authorities due to their persistence and harmful properties. The suppliers of Bucher Automation undertake to provide information available to them about the presence of PFAS in the products supplied by Bucher Automation without being requested to do so. Suppliers shall specify the article concerned and the intended use (e.g. sealing ring or coating of component ...). The suppliers agree to request this information also from their suppliers upon request of Bucher Automation.

### 5.3 California Proposition 65 - Safe Drinking Water and Toxic Enforcement Act 1986.

This law, enacted in 1986, is intended to prevent contamination of drinking water with toxic substances and to protect the public from unintentional exposure to carcinogens and reproductive toxicants.

Products containing a substance that is carcinogenic or toxic to reproduction must be labeled with an appropriate warning. To date, more than 900 substances have been identified for which warnings must be issued. The current list of substances can be found under the link <https://oehha.ca.gov/proposition-65/proposition-65-list>.

The supplier shall inform Bucher Automation immediately if a listed substance is contained in a delivered product.

### 5.4 Conflict Minerals - Dodd -Frank Act

The Dodd-Frank Act is a U.S. regulation signed in July 2010 that requires companies listed on the U.S. stock exchange to refrain from using raw materials from conflict regions. Since then, companies that use a conflict mineral in their products have to submit a report on its origin. Conflict minerals include cassiterite, coltan, wolframite and gold, from which the metals tin, tantalum, tungsten and gold are produced. They are also referred to as "3TG".

Should Bucher Automation receive inquiries from its customers regarding the origin of conflict minerals, Bucher Automation will forward these inquiries to its suppliers. Bucher Automation's suppliers agree to determine the origin of the 3TG metals and to inform Bucher Automation of the result.

## 6 Product specific laws

### 6.1 Directive 2006/66/EC - Battery Directive and Regulation (EU) 2023/1542 - Battery Regulation

The Battery Directive regulates the placing on the market of batteries and accumulators and the disposal of waste batteries and accumulators. It further limits the content of heavy metals mercury and cadmium.

Batteries and accumulators exceeding the limits of 0.0005% (w/w) for mercury and 0.002% (w/w) for cadmium must not be placed on the market. The Battery Regulation, which came into force on 17.08.2023, will gradually lead to the repeal of the Battery Directive, which will finally expire on 18.08.2025.

All batteries delivered to Bucher Automation must comply with the provisions of the Directive and the Regulation. This includes in particular the requirements for substance restrictions and labeling. Suppliers delivering electronics or electrical equipment with built-in batteries / accumulators to Bucher Automation shall inform Bucher Automation of the battery type and whether the delivered batteries / accumulators have been registered in the battery register of the German EAR foundation ("Stiftung EAR").

### 6.2 Directive 94/62/EC - Packaging Directive

The Packaging Directive limits the concentration of the heavy metals lead, cadmium, mercury and chromium-VI. The concentration of these heavy metals in total must not exceed 0.01% (w/w). All packaging and packaging materials delivered to Bucher Automation must comply with the regulations of this directive.

## 7 Auxiliary materials and supplies - Hazardous materials

The handling of auxiliary and operating materials requires a prior assessment of the associated risks in order to determine occupational safety measures. The central element of hazard communication is the safety data sheet.

### 7.1 Safety data sheet

Suppliers of substances and mixtures provide Bucher Automation without request with a safety data sheet according to article 31 of the REACH regulation (EC) 1907/2006. The safety data sheet is to be handed over in paper form or electronically with the first delivery at the latest. The supplier is responsible for ensuring that the safety data sheet is technically correct and complete. The supplier shall immediately update the safety data sheet according to REACH Article 31, (9), if

- new information becomes available that may have an impact on risk management measures
- an authorization has been granted or refused
- a restriction has been issued.

The corrected version must be provided to Bucher Automation immediately if the product has been purchased within the last 12 months.



## 8 Summary of the legal requirements of this guideline

Description	Short Title	Title
California Proposition 65	Cal. Prop. 65	Safe Drinking Water and Toxic Enforcement Act of 1986
Dodd-Frank Act Sect. 1502	Conflict Minerals	Dodd-Frank Wall Street Reform and Consumer Protection Act (Section 1502)
Directive 2006/66/EG	Battery Directive	Directive on batteries and accumulators and waste batteries and accumulators
Regulation (EU) 2023/1542	Battery Regulation	Regulation concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC
Regulation (EU) 2019/1021	POP-Regulation	Regulation on persistent organic pollutants
Regulation (EC) 1907/2006	REACH	Registration, Evaluation, Authorization and Restriction of Chemicals
Directive 2011/65/EG	RoHS	Restriction of the use of certain hazardous substances in electrical and electronic equipment
Directive 94/62/EG	Packaging Directive	Directive on packaging and packaging waste
Toxic Substance Control Act	TSCA	Toxic Substance Control Act – Section 6 (h) PBT Substances

Table 1: Applicable regulations of this guideline

## 9 Change history

Version	Date	Change
1.0	25.01.2024	First version

Table 2: Change history

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