



Certificate of REACH 235 Compliance

The Registration, Evaluation, Authorization and Restriction of Chemicals (REACH)

Definition of REACH

REACH is a regulation of the European Union, adopted to improve the protection of human health and the environment from the risks that can be posed by chemicals; not only those used in industrial processes but also in products used in our day-to-day lives.

REACH Regulation

The REACH Directive EC/1907-2006 details chemicals of concern requiring reporting, and the obligations of manufacturers and importers with regard to those chemicals of concern that are contained in products for use in the European Union. It details registration obligations of both manufacturers and suppliers to assure compliance.

Horberg's Declaration

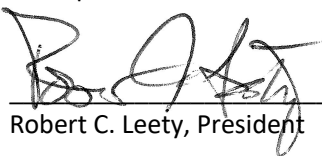
We certify that all products manufactured by Horberg Industries fully comply with the requirements of European Union Regulation (EC) 1907/2006 (REACH), including Commission Regulation (EC) 2018/675, and require no reporting:

- Under the structure of the REACH regulation,
 - Horberg is a manufacturer of "articles*", not a manufacturer of "substances" or "preparations";
 - our articles do not involve the "intentional release of substances".
 - Accordingly, there is no registration, pre-registration, or Authorization requirement for the products we supply. ¶32 and Chapter 2 (3.3).
- As to the requirements of Article 33 of REACH, Duty to Communicate Information on Substances in Articles, we declare that none of the SVHCs listed in the REACH directive are present in Horberg's products or packaging in a concentration equal to or above 0.1%.
- Horberg is a third-party manufacturer of articles, and as such has no duty to notify.

Horberg's Commitment

Horberg commits to performing its due diligence regarding REACH compliance on a continual basis, as both the directive and the subject substances (**currently at 235**) are updated frequently.

To request additional information, contact rleety@horberg.com.



Robert C. Leety, President

Date: 28 July 2023

*Article definition: ""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.""



Appendix A

REACH Regulation Duty to Report and Latest European Court of Justice Guidance

Who must report? What must be reported?

Under Section 7(2) Producers and importers of articles must notify the ECHA to report substances listed on the SVHC Candidate list if (all) the following conditions are met:

- The articles contain a substance on the SVHC Candidate List,
- The total of the substance in all articles produced or imported in to the EU exceeds 2200# per year, and
- The substance is present in a concentration higher than 0.1% weight by weight.

Article 33 requires suppliers of articles containing an SVHC above the 0.1% threshold to inform the recipient of the article, and to provide similar information in response to consumer inquiries within 45 days.

There are three cases when a notification will not need to be required:

- exemption based on exclusion of exposure,
- exemption for substances already registered for that use, or
- exemption for articles made by third-parties, even if the producer used that article as a component in a complex product. [European Court of Justice interpretation of Article 7(2)]


Latest Developments: September 2015 European Court of Justice Guidance

The latest changes in REACH from the European Court of Justice hold that

- An importer of an assembled product must determine whether any of the components that make up the product exceed thresholds for reporting.
- Component producers now need to provide information on SVHC downstream “through to the final customer.”

As a manufacturer of article components for sale into the European Union, Horberg Industries commits to performing its due diligence regarding REACH compliance and notifying its customers as to the REACH Status of the component article products that they purchase from us.

Initials



Robert C. Leety,
President

Date: 28 July 2023