



# SUPPLIER'S DECLARATION ON NON-USE OF HAZARDOUS SUBSTANCES IN PACKAGING MATERIALS (GEN-122)

## Basic Information

Supplier name:	
Address:	
Responsible Person/Function	
Phone and Fax:	
Email:	

## Declaration

Supplier hereby acknowledges and warrants that all packaging material<sup>1</sup> and/ or services, that Supplier and/ or its Affiliates<sup>2</sup> directly or indirectly<sup>3</sup> provide to ams AG and/ or its Affiliates ("ams") comply with the restrictions on the use of hazardous substances according to national and international environment directives, in its latest version, including but not limited to EU packaging directive 94/62/EC and its amendment, Directive (EU) 2018/852 and the **Packaging Material Substance List**.

In addition, Supplier shall inform ams before any change of material/ component/ substance, which may have an impact on Supplier's declaration hereunder and/ or the compliance to the **Packaging Materials Substance List**. This declaration is fully executed in alignment with the Product Change Notification (PCN) rules agreed between Supplier and ams.

## Packaging Materials Substance List

Substance list demonstrates the restrictions of substances at specified limits.

Chemical Name/ Group	CAS Number	Threshold Limit (ppm)	Reference Standard
Polyvinyl chloride (PVC)	9002-86-2	Not intentionally added <sup>4</sup> 900 (Cl)	company Policy
Cadmium (Cd)	7440-43-9	Sum of heavy metal content Cd+Pb+Cr+Hg < 100	EU Packaging Directive 94/62/EC and Amendment
Hexavalent chromium (Cr <sup>+6</sup> )	18540-29-9		
Lead (Pb)	7439-92-1		
Mercury (Hg)	7439-97-6		
Substance of Very High Concern according to REACH	Waste Framework Directive (EU Directive 2008/98/EC) as an article <sup>5</sup> REACH (EC) 1907/2006 and amendments REACH Candidate List of SVHC (latest list <a href="#">link</a> ) REACH Annex XVII ( <a href="#">link</a> )		

## Demonstrate Compliance

In order to demonstrate compliance, Supplier commits to provide upon request related comprehensive, accurate and not manipulated documentation to ams, such as, but not limited to the following: (1) Full Material Declaration (e.g. FMD, MDF, IMDS); (2) Material Safety Data Sheet (MSDS); (3) Test Report (analysis certificate, e.g. ICP).

In case that Supplier fails to comply with the aforementioned declaration, warranty or obligation, in particular in the event that data from these or any other documents are wrong, incomplete, deleted, erased and/ or not declared, we agree to fully indemnify and hold ams as well as their employees and officers, harmless from and against any damages, including but not limited to claims, liabilities, penalties, fees and any kind of expenses, which might arise out of the breach of the foregoing declaration and warranty.

Name: .....

Title, Function: .....

Date: .....

Signature/ Company Seal: .....

<sup>1</sup> "Packaging material" shall mean all products made of any materials of any nature to be used for the containment, protection, handling, delivery and presentation of goods.

<sup>2</sup> "Affiliate" means for the purpose of this declaration any existing or future entity, (i) directly or indirectly controlling a party; (ii) under the same direct or indirect control as a party; or (iii) directly or indirectly controlled by a party. For the purposes of this definition "control" means (i) the ownership of the majority of a company's voting stock or the majority of its voting rights, (ii) the right directly or indirectly to appoint the majority of the members of the managing or administrative board (or of a similar managing authority with the power to represent the company) or (iii) the power to direct, or cause the direction of, the management by contract or otherwise.

<sup>3</sup> „Indirectly“ means that packaging material and/ or services are provided indirectly to ams, e.g. via its contract manufacturers or distributors, and Supplier is aware that ams is the final customer of such packaging material and/ or services.

<sup>4</sup> „Intentionally added“ means Substance deliberately used in the formulation of a material or component where the presence of the substance in the final product provides a specific characteristic, appearance or quality.

<sup>5</sup> „Articles“ as such, an object in which during production is given a special shape, surface or design which determines its function to a greater degree than does its chemical composition.