

Your reference/ your letter dated

Our letter of

Department
OP&QM EHS

OSRAM Opto Semiconductors
20.01.2021

Regulation (EC) No. 1907/2006 (REACH) – Article 33 (“Candidate List”)

Dear customer,

On 1 June 2007 Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorization and Restriction of Chemicals¹ ("REACH" for short) came into force.

REACH contains the following regulations:

1. From 1 June 2008, manufacturers of substances, and importers of substances as such or of substances in preparations (mixtures) into the European Community (EC) and the European Economic Area (EEA), must register these substances with the European Chemicals Agency if the substances in question are manufactured or imported in quantities of at least 1 t/a² and if they are not substances that are exempted from compulsory registration. So-called "phase-in substances" – these are, for example, substances that are shown on the existing substances list EINECS – can be pre-registered between 1 June 2008 and 1 December 2008. Pre-registered substances do not have to be registered until later³, depending on the quantity manufactured/imported.
2. Suppliers of substances and preparations must provide the recipient with either a safety data sheet⁴ or safety information⁵. In certain cases, the safety data sheet will be supplemented by an annex⁶ ("extended safety data sheet") showing the relevant exposure scenarios (including use and exposure categories where appropriate).
3. Manufacturers and importers of articles that are intended to release a substance under normal or reasonably foreseeable conditions of use must likewise register the substance concerned if its total content in the articles is more than 1 t/a⁷. For this purpose, the same registration periods apply as in the case of 1.
4. Manufacturers and importers of articles that contain more than 0.1 mass percent per article of a substance on the "candidate list" shall provide the professional recipient and on request a consumer of the article with sufficient information to allow safe use of the article, including, as a minimum, the name of that substance⁸.

¹ 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), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC

² Article 6 of REACH.

³ Article 23 of REACH.

⁴ Article 31 (1) of REACH.

⁵ Article 32 of REACH.

⁶ Article 31 (7) of REACH.

⁷ Article 7 (1) of REACH.

⁸ Article 33 of REACH.

5. From June 1, 2008, users of chemicals (substances and preparations/mixtures) – so-called "downstream users" – will have to comply with other obligations, but in some cases only after they have received an extended safety data sheet. Downstream users can provide appropriate information so as to assist the manufacturers of substances and importers of substances and preparations in registering them.⁹

You procure articles (not chemicals) from us which are not intended to release any substance under normal or reasonably foreseeable conditions of use.

Therefore, Material Safety Data Sheets are not available, which are only necessary for hazardous substances and preparations.

The candidate list (substances of very high concern, 211 SVHC, dated 19th January 2021) according to article 59 (1, 10) of Regulation (EC) No. 1907/2006 ("REACH") has been published by ECHA (European Chemicals Agency, (<https://echa.europa.eu/candidate-list-table>)).

As required by article 33 OSRAM will inform customers, if certain products or its packaging contain one or more of these substances in a concentration above 0.1% weight per article, as soon as we become aware of the fact.

Currently SVHC substances are not intentionally added in our production processes, monitoring of our suppliers is ongoing.

Under <https://www.osram.com/os/products/reach-information/index.jsp> you will find up-to-date information on all article 33-issues as well as affected OSRAM products.

OSRAM Opto Semiconductors products are also in conformity with the following directives and regulations restricting the use of hazardous substances in products and packaging, unless the product is specifically stated otherwise in its Material Data Sheet (MDS):

- Directive 2011/65/EU ("RoHS Directive") including amendment (EU) 2015/863 (4 phthalates)
- Directive 2000/53/EC ("End-of-life vehicles – ELV")
- Directive 94/62/EC ("Packaging Directive")
- Regulation (EC) No 1907/2006 ("REACH") concerning the Registration, Evaluation, Authorization and Restriction of Chemicals

See also: <http://www.osram-group.de/en/sustainability/environmental/sustainability-criteria/directive-rohs>

In case of further questions, please feel free to contact us by email:
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⁹ Article 37 of REACH.