

Material Compliance Specification

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1. Introduction

The purpose of this Material Compliance Specification is to ensure the legally compliant composition and use of substances, mixtures and products in development, production, trade and use.

This Material Compliance Specification describes the requirements of M&C TechGroup Germany GmbH (hereinafter referred to as M&C TechGroup GmbH) with regard to all legally restricted and declarable substances in their current form.

If any legislative amendments have not yet been incorporated in this Specification, this shall not exempt the supplier from the obligation to take these amendments to the law into account and to comply with the current, applicable legal requirements.

It is the supplier's responsibility to obtain the respective current laws and standards.

The requirements of the Material Compliance Specification shall apply equally to all other product requirements.

This Material Compliance Specification requires that all products and their packaging meet the requirements of current laws and standards to ensure that the products are placed on the market in compliance with regulations.

Substances, mixtures, products and items for which there is insufficient material information must not be used.

Upon request, M&C TechGroup GmbH must be provided with material information on all substances, mixtures, products and items used, as well as packaging, for inspection and reserves the right to carry out laboratory tests in individual cases.

The supplier of M&C TechGroup GmbH is obligated to provide the required material information free of charge.

The supplier is required to store the requested material data information in the DataCross platform.

The supplier is obligated to check at least once a year whether the Material Compliance Specification is available in an updated form. Upon amendment of the Material Compliance Specification, it supersedes the previous version and is valid with immediate effect. M&C TechGroup GmbH will not notify suppliers of any changes to the Material Compliance Specification.

M&C TechGroup GmbH provides an online version of the Material Compliance Specification.

This Material Compliance Standard was drawn up by tec4U - Solutions GmbH, Saar-Lor-Lux-Straße 13, D-66115 Saarbrücken. Use and/or reproduction of the standard is permitted to the company and the parties involved in the supply chain. For any use of the standard, in whole or in part, outside the supply chain, approval must be obtained from tec4U - Solutions GmbH.

2. Terms, Abbreviations, Sources

Sunset Date:

After this date, the placing on the market and use of a substance listed in Annex XIV of EC Regulation No. 1907/2006 are prohibited unless an authorization has been granted.

Intentionally Added:

Generally known as the intentional use of a substance contained in a product to create a particular property, appearance, function or quality.

Latest Application Date:

According to EC Regulation No. 1907/2006, an application for authorization must be submitted by this date (the date is at least 18 months before the sunset date) so that the substance can continue to be used (deadline).

Information on the application for authorization and the formal procedure for an application for authorization can be found at:

<https://echa.europa.eu/de/applying-for-authorisation>

Application:

Means that the limit value of the substance refers to the material or part in which the substance is contained to achieve the required functionality.

Battery:

A device that supplies electrical energy generated by directly converting chemical energy, has internal or external storage, and consists of one or more non-rechargeable or rechargeable battery cells, modules or sets, and includes a battery that has been prepared for reuse or repurposing or has been repurposed or remanufactured (see EU Regulation 2023/1542 Art. 3 Para. 1 No. 1).

Biocidal Product:

- Any substance or mixture, in the form in which it is supplied to the user, consisting of, containing or producing one or more active ingredients, which is intended to destroy, deter, render harmless, prevent the action of, or otherwise exert a controlling effect on any harmful organism other than by mere physical or mechanical action.
- Any substance or mixture produced from substances or mixtures which are not themselves covered under the first bullet point and which is intended to destroy, deter, render harmless, inhibit the action of, or otherwise exert a controlling effect on any harmful organism by means other than mere physical or mechanical action (see Regulation (EU) 528/2012 Art. 3 Para. 1 No. 1 (a)).

Articles Treated with Biocidal Products:

A treated article with a primary biocidal function is considered a biocidal product (see Regulation (EU) 528/2012 Art. 3 Para. 1 No. 1 (e)).

Restricted Substances:

Restricted substances must not be contained as substances in mixtures and articles above the applicable limit values.

CAS Number:

The CAS number (also CAS registration number and CAS registry number, CAS = Chemical Abstracts Service) is an international designation standard for chemical substances. There is a specific CAS number for each chemical substance registered in the CAS database (including biosequences, alloys and polymers).

Declarable Substances:

The substances classified as declarable are not desirable in some applications and must be declared above the specified limit values. The listed substances must be declared for each article, component, material, preparation, auxiliary or operating material. The declaration obligation does not apply below these limit values.

Endocrine Disruptors:

Endocrine disruptors (ED) are chemicals or mixtures of chemicals that disrupt the natural biochemical action mode of hormones and thus cause harmful effects (e.g. disruption of growth and development, negative impact on reproduction or increased susceptibility to specific diseases).

Article:

An item which during production is given a special shape, surface or design that determines its function to a greater degree than its chemical composition. (see Regulation (EC) No. 1907/2006 Art. 3 Para. 1 No. 3).

Mixture:

Batches, mixtures or solutions consisting of two or more substances (see Regulation (EC) No. 1907/2006 Art. 3 Para. 1 No. 2).

Examples of mixtures:

- batch: seeds
- mixture: paint
- solution: octane in gasoline

Device Battery:

A battery that is encapsulated, weighs 5 kg or less, is not specifically designed for industrial use and is not an electric vehicle battery, an LV battery or a starter battery (see EU Regulation 2023/1542 Art. 3 Para. 1 No. 9).

Homogeneous Material:

A material of uniform composition throughout or a material consisting of different materials which cannot be broken down or separated into individual materials by mechanical processes such as unscrewing, cutting, crushing, grinding or sanding (see EU Directive 2011/65/EU Art. 3 Para. 1 No. 20).

Examples of homogeneous substances:

- plastic
- ceramic
- glass
- alloy
- coating

Industrial Battery:

A battery specially designed for industrial use after preparation for reuse or preparation for conversion to industrial use, or any other battery weighing more than 5 kg that is neither an LV battery, an electric vehicle battery nor a starter battery (see EU Regulation 2023/1542 Art. 3 Para. 1 No. 13).

Micro, Small and Medium-Sized Enterprises or “SMEs”:

Micro, small and medium-sized enterprises as defined in Article 3 of Directive 2013/34/EU of the European Parliament and of the Council. (see EU Directive 2013/34/EU Art. 3 Para. 1 No. 3).

Persistence (Chemistry):

In biology and environmental chemistry, persistence refers to the resistance of usually organic-chemical compounds to chemical-physical and biological degradation.

Product:

Any goods supplied or made available, whether separately or in combination with other goods, whether in return for payment or free of charge, including in the context of providing a service, and intended for consumers or likely to be used by consumers under reasonably foreseeable conditions, even if not intended for them (see EU Regulation 2023/988 Art. 3 (1) No. 1).

Safe Product:

Any product which, under normal or reasonably foreseeable conditions of use, including the actual duration of use, presents no or only minimal risks compatible with its use, considered acceptable and complying with a high level of protection for the health and safety of consumers (see EU Regulation 2023/988 Art. 3 Para. 1 No. 2).

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 which may be separated without affecting the stability of the substance or changing its composition (see Regulation (EC) No. 1907/2006 Article 3(1)(1)).

Examples of substances:

- organic: ethanol, aldehyde
- metallic: iron, copper, tin
- mineral: clay, loam

Partial Declaration:

The partial declaration specifically asks about the presence of declarable, restricted chemical compounds and elements above the relevant limit value. The partial declaration does not provide any information about the actual composition of the article.

Packaging:

Products made of any material for the purpose of containing, protecting, handling, delivering and presenting goods, which may range from raw materials to processed products and are passed on from the manufacturer to the user or consumer. All “disposable articles” used for the same purpose are also to be regarded as packaging (see EU Directive 94/62/EC Art. 3 Para. 1 No. 1).

Packaging Components:

Parts of the packaging that can be separated by hand or by simple mechanical processes. Additional elements that are directly attached or fastened to a product and fulfill a packaging function are considered to be packaging, unless they are an integral part of the product.

Sources of Supply/Assistance:

Platform for European regulations, directives and decisions, in all existing versions and official European languages. The year of publication and the publication number must be entered in the search mask:

<http://eur-lex.europa.eu/>

Support Section of the European Chemicals Agency (ECHA):

<https://echa.europa.eu/support/guidance>

REACH-CLP-Biocide Helpdesk – National Information Center of the German Federal Government:

<https://www.reach-clp-biozid-helpdesk.de/>

REACH Helpdesk – German Federal Environmental Agency:

<http://www.reach-info.de>

REACH@Baden-Württemberg

<https://www.reach.baden-wuerttemberg.de/>

Platform for German laws:

<https://www.gesetze-im-internet.de/>

3. M&C TechGroup GmbH – List of the Legally Restricted Substances

3.1 Substance Restrictions – Relevant for all Products

The substance-related legal requirements described in this section apply to all substances, mixtures and articles.

3.1.1 Regulation (EC) No. 1907/2006 REACH – Annex XIV – List of Substances Subject to Authorization

The inclusion of a substance from the list of substances of very high concern in Annex XIV of the REACH Regulation leads to an authorization requirement for this substance at the end of the procedure. After a transitional period, the substance may only be used with an authorization or its use is restricted.

Explanations of the terms ‘Latest Application Date’ and ‘Sunset Date’ can be found in section 2 “Definitions, Abbreviations and Sources”.

Using the following link, you can find the current Annex XIV of the REACH Regulation:

<https://echa.europa.eu/de/authorisation-list>

3.1.2 Regulation (EC) No. 1907/2006 REACH – Annex XVII – List of Restricted Substances

Annex XVII of the REACH Regulation lists substances that are restricted by the legislator in defined applications.

You can access the current Annex XVII of the REACH Regulation via the following link:

<https://echa.europa.eu/de/substances-restricted-under-reach>

3.1.3 Regulation (EC) No. 1907/2006 REACH – SVHC Candidate List (declarable)

The current version of the official SVHC candidate list according to Regulation (EC) 1907/2006 can be found at the following address:

<https://echa.europa.eu/de/candidate-list-table>

According to Article 33 of the REACH Regulation, every supplier is obligated to the following:

- (1) Any supplier of an article containing a substance meeting the criteria laid down in Article 57 and identified in accordance with Article 59(1) in a concentration greater than 0.1 % weight by weight (w/w) shall provide the purchaser of the article with sufficient

information available to him for the safe use of the article, but shall indicate at least the name of the substance concerned.

This applies to substances of very high concern (SVHC candidate list) in:

- components
- spare parts
- accessories
- packaging

If the delivered articles contain substances of very high concern in a proportion of more than 0.1% by weight, which are published in the so-called candidate list in accordance with Art. 59 Para. 1 of Regulation 1907/2006/EC, the contractor is obligated to provide all information in accordance with Art. 33 Para. 1 of Regulation 1907/2006/EC at the time of delivery without being requested to do so. This also applies if such a substance is only added to the candidate list during the ongoing supply relationship.

Private consumers must be provided with this information free of charge within 45 days upon request.

According to the decision of the European Court of Justice, the concept of “once an article, always an article” applies. As soon as a (partial) article exceeds the concentration limit of 0.1%, the presence of this SVHC candidate substance must be communicated.

If you supply articles with SVHC candidate substances greater than 0.1% by weight, we expect you to submit your SCIP dossier number in addition to your Article 33 notification.

3.1.4 Directive 2011/65/EU – RoHS

Directive 2011/65/EU of the European Parliament and of the Council regulates the restriction of the use of certain hazardous substances in electrical and electronic equipment.

The substance restrictions of Directive 2011/65/EU refer to the maximum concentrations in the homogeneous material.

Should it be necessary to use exemptions from Annex III and IV of the RoHS Directive in order to achieve conformity, M&C GmbH requires the naming and categorization of these exemptions.

Table 1: Substance Restrictions of the Directive 2011/65/EU

Substance Groups / Substances	Maximum concentration in homogeneous material as a percentage
Cadmium and cadmium compounds	0.01 %
Hexavalent chromium (Cr6+) and Cr6+ compounds	0.10 %
Lead and lead compounds	
Mercury and mercury compounds	
Polybrominated diphenyl ethers (PBDE)	
Polybrominated biphenyls (PBB)	
Di(2-ethylhexyl) phthalate (DEHP)	
Butyl benzylphthalate (BBP)	
Dibutyl phthalate (DBP)	
Diisobutyl phthalate (DIBP)	

3.1.5 PFAS – (Per- and Polyfluorinated Alkyl Substances)

In the context of growing concern about the risks of PFAS chemicals (per- and polyfluorinated alkyl substances) for the environment and health, legal regulations are increasingly demanding that companies create comprehensive transparency about PFAS in their products. The PFAS problem arises from the fact that these substances have an extremely stable chemical structure, which gives them exceptional water, grease and dirt-repellent properties, however, this also means that they are difficult to break down in the environment and accumulate in humans and nature over time. This leads to heavy and long-lasting exposure, which increases the risk of serious health consequences such as hormonal disorders, cancer and impaired immune function.

In view of the upcoming Regulation (EU) 1907/2006 and existing legal requirements from the USA, we are already collecting data on PFAS used in our products. If the products delivered by you contain PFAS, you must inform us of this fact and provide us with the following data:

- Identification and classification: The exact chemical designation of the PFAS and their classification (PFOA, PFOS,...)

- Concentration of PFAS: The exact quantity or concentration of PFAS in the products must be indicated.

3.1.6 Regulation (EU) No. 2019/1021 – POPs

This EU regulation implements the Stockholm Convention on Persistent Organic Pollutants. The Stockholm Convention is an agreement on internationally binding prohibition and restriction measures for certain persistent organic pollutants. The Convention thus prohibits or restricts the production, use and trade of hazardous substances, mixtures and articles.

Further information on the Stockholm Convention can be found on the official website at the following link:

<http://chm.pops.int/>

3.1.7 Chemicals Prohibition Ordinance – ChemVerbotsV

The Ordinance on Prohibitions and Restrictions on the Marketing of Dangerous Substances, Mixtures and Articles under the Chemicals Act is a German federal law that prescribes special national requirements in addition to Regulation (EC) No. 1907/2006. The national requirements for the following substances and substance groups are also specified:

Table 2: Substance Restrictions According to the Chemicals Prohibition Ordinance

Substances/Mixtures
Formaldehyde
Dioxins and furans
Pentachlorophenol
Biopersistent fibres

The current requirements and the listed exceptions can be found in the legal text:

http://www.gesetze-im-internet.de/chemverbotsv_2017/index.html

3.1.8 Product Safety Act (ProdSG)

The Product Safety Act (ProdSG) has been in force since July 16, 2021. It is the central legal regulation for the safety of products.

These may only be made available on the market if they do not endanger health and safety. According to Section 3, this is permitted if the legal interests listed in Section 8 (1) are not endangered when used as intended or in a foreseeable manner.

Placing on the Union market is equivalent to any supply of a product for distribution, consumption or use in the course of a commercial activity, whether in return for payment or free of charge.

https://www.gesetze-im-internet.de/prodsg_2021/

3.1.11 Regulation (EU) No. 2023/988 – Product Safety Regulation

Regulation 2023/988/EU (Product Safety Regulation) came into force on June 12, 2023 and will take effect on December 13, 2024. This regulation replaces Directive 2001/95/EC, which is implemented by the Product Safety Act (ProdSG) in Germany.

Products may only be placed on the Union market if, under normal or reasonably foreseeable conditions of use, they present no or only minor specified risks to the health and safety of consumers.

Placing on the market means any supply of a product for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge.

3.2 Substance Regulation and Bans – Necessary for Products from Different Areas of Application

In contrast to the substance restrictions in section 3.1, the supplier must check whether his products fall within the scope of the respective requirement for the regulations described in this section. If it is not possible for the supplier to clarify this independently, he must inform M&C TechGroup GmbH of this immediately.

3.2.1 EU Regulation (2023/1542) – Battery Regulation 2023

The Regulation on Batteries and Waste Batteries repealing Directive 2006/66/EC and amending Regulation (EU) 2019/1020 came into force on August 17, 2023. Annex I of the regulation restricts the use of mercury, cadmium and lead.

Table 3: Maximum Concentration for Batteries

Pure Substances	Maximum Concentration in the Article as a Percentage	Application Restrictions
Mercury and mercury compounds	0.0005 %	Batteries (in devices and means of transportation)
Cadmium and cadmium compounds	0.002 %	Device batteries (in devices and means of transportation)
Lead and lead compounds	0.01%	Device batteries (as of August 18, 2024)

3.2.2 Directive 94/62/EG – Packaging Directive

Directive 94/62/EC of the European Parliament and of the Council dated December 20, 1994 on packaging and packaging waste restricts the concentration of heavy metals in packaging.

Lead, cadmium, mercury and chromium VI compounds may not exceed a cumulative maximum concentration of 100 ppm by weight in packaging or packaging components.

3.2.3 Toxic Substance Control Act (TSCA)

The United States Environmental Protection Agency (EPA) has now banned or restricted five substances in the Toxic Substances Control Act (TSCA) Section 6 (h).

The sale of chemicals, mixtures and articles containing banned/restricted substances is regulated in the USA. Depending on the substance, there are currently many different transition periods and, in some cases, exemptions.

Table 4: Substance Regulations TSCA

Substances	CAS Number	Limit
Decabromdiphenyl ether (decaBDE)	1163-19-5	0 %
Phenol, isopropylated phosphate (3:1) (PIP (3:1))	68937-41-7	0 %

2,4,6 tris (tert butyl)phenol (2,4,6 TTBP)	732-26-3	0.3 % total concentration per product / delivery in containers under 35 galons
Hexachlorbutadiene (HCBd)	87-68-3	0 %
Pentachlorothiophenol (PCTP)	133-49-3	1 % total concentration per product

In addition to the restrictions, communication obligations come into force if one of the five substances is present, which are comparable to the obligations under Article 33 of the REACH Regulation.

Further information at: <https://www.epa.gov/chemicals-under-tsca>

3.2.4 The Safe Drinking Water and Toxic Enforcement Act of 1986 – California Proposition 65

California's Safe Drinking Water and Toxic Enforcement Act of 1986 is often referred to simply as "California Proposition 65", or "CP65" in short. The central content of the law are the following requirements:

1. prohibition of contamination of drinking water with chemicals known to be carcinogenic or toxic to reproduction. There must be no contamination by this chemical in a body of water itself or in the soil where it can enter a drinking water source.
2. warning against chemicals in products that are known to have carcinogenic or reprotoxic properties. No company shall knowingly expose any person to these chemicals in the course of its business without first providing a clear and adequate warning.

A list of chemicals of the state of California in which the carcinogenic and/or reprotoxic substances are listed can be found at the following link: <https://oehha.ca.gov/proposition-65/proposition-65-list>

Further information can be found at: <https://oehha.ca.gov/proposition-65>

3.2.5 Conflict Minerals (KM) – Dodd-Frank Act

The US Dodd Frank Act Sec. 1502, passed in 2010, requires companies listed on the US stock exchange to check their own supply chain to determine whether conflict minerals are used to manufacture their products. If one of the conflict minerals is found, the origin must be disclosed in this report. Conflict minerals as defined by the law are tin, tungsten,

tantalum and gold (synonym “3TG”). The D.R. Congo and its neighboring states are defined as high-risk conflict areas.

If M&C TechGroup GmbH receives inquiries from its customers regarding the origin of conflict minerals, it will forward these inquiries to its suppliers.

Reference to further information on the Dodd-Frank Act:

<https://www.sec.gov/News/Article/Detail/Article/1365171562058>

The preferred declaration medium is the following Excel document:

<http://www.responsiblemineralsinitiative.org/>

3.3 Production Materials and Supplies

3.3.1 Safety Data Sheets (SDB) – (declarable)

The safety data sheet is the central element of communication in the supply chain for hazardous substances and mixtures.

It provides important information on the following features:

- identity of the product
- hazards that may occur
- safe handling
- measures for prevention
- measures to be taken in case of danger

The requirements for the content and format of the safety data sheet are regulated in Article 31 and Annex II of the REACH Regulation (EC) No. 1907/2006.

The supplier of a hazardous substance or mixture is responsible for ensuring that the safety data sheet is technically correct and complete.

The safety data sheet shall be made available to M&C TechGroup GmbH free of charge on paper, in electronic form or as a download option on the day of the first delivery at the latest.

Suppliers shall update the SDS without delay (Art. 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.

4. Change Log

Version	Change	Date	Officer
00	Issue of document	Oct. 17, 2022	M. Glauben, tec4u GmbH
01	Update and release	April 1, 2023	Klemens Rüdiger, Dr. Jackelyn Aragón Gómez, Hans-Jörg Rumm
02	Update and release	Feb. 14, 2024	Dr. Jackelyn Aragón Gómez
03	Supplement/update	May 13, 2025	Dr. Jackelyn Aragón Gómez

The corrected version must be made available to the customer if any deliveries have been made within the last 12 months.

5. Declaration of the Contractor

We hereby confirm the following:

We have received a copy of the “Material Compliance Specification” and hereby undertake, in addition to our obligations in the supply agreements, to comply with these principles and requirements.

Date: _____ Name: _____ Signature: _____

This document must be signed by authorized representatives of the contractors.