

Annex: Supplementary Agreement to Supply Contracts

1. Introduction

HARTING is a global manufacturer and supplier of electrotechnical products. This integral annex to the general terms and conditions of supply expresses HARTING's responsibility to bring compliant and sustainable products into circulation worldwide. For this purpose, it is necessary to identify and name the essential content-related regulations in the supply chain and to comply with their requirements. The supplier must comply with the above-mentioned regulations and ensure compliance in its supply chain.

2. Scope

This supplementary agreement is valid for all products, substances and mixtures that HARTING procures from suppliers that do not belong to the HARTING Technology Group.

3. Definitionen:

3.1 Substance and mixture: As defined in the REACH Regulation, a product whose material composition is more important than its form (liquids, powders, solder flakes, granules).

3.2 Article: According to the definition in the REACH Regulation, a product whose form is more important than its composition (screws, housings, plates, semi-finished products/rods for mechanical processing).

3.3 Europe: all states that are members of the European Union

3.4 European countries: all states belonging to the European Union, plus Malta, Norway, Liechtenstein and Switzerland (EFTA countries).

3.5 USA: United States of Amerika

3.6 OECD: Organisation for Economic Cooperation and Development ([HTTPS://WWW.OECD.ORG/](https://www.oecd.org/))

3.7 Stockholm Convention: The Stockholm Convention on Persistent Organic Pollutants, also known as the Stockholm Convention or POPs Convention, is an agreement on binding prohibition and restriction measures under international law for certain persistent organic pollutants, negotiated by the United Nations (UN). In Europe, this is implemented in Regulation (EU) 2019/1021. ([HTTP://WWW.POPS.INT/](http://www.pops.int/)); ([HTTPS://EUR-LEX.EUROPA.EU/LEGAL-CONTENT/EN/TXT/?URI=CELEX%3A32019R1021](https://eur-lex.europa.eu/legal-content/en/txt/?uri=CELEX%3A32019R1021))

3.8 Minamata Convention: The far-reaching ban on the use of mercury is laid down in this agreement, which was negotiated by the United Nations (UN) and implemented in Europe by EU Regulation (EU) 2017/852. ([HTTPS://WWW.MERCURYCONVENTION.ORG/EN](https://www.mercuryconvention.org/en)); ([HTTPS://EUR-LEX.EUROPA.EU/LEGAL-CONTENT/EN/TXT/?URI=CELEX:32017R0852](https://eur-lex.europa.eu/legal-content/en/txt/?uri=CELEX:32017R0852))

3.9 ECHA: European Chemistry agency ([HTTPS://ECHA.EUROPA.EU/](https://echa.europa.eu/))

3.10 REACH: European Chemicals Regulation 2006/1907/EU on the Regulation of Substances and Mixtures and Substances in Articles ([HTTPS://EUR-LEX.EUROPA.EU/LEGAL-CONTENT/EN/TXT/?URI=CELEX%3A32006R1907](https://eur-lex.europa.eu/legal-content/en/txt/?uri=CELEX%3A32006R1907))

3.11 REACH Anhang XIV: List of substances whose use is prohibited unless the use is authorized ([HTTPS://ECHA.EUROPA.EU/EN/AUTHORISATION-LIST](https://echa.europa.eu/en/authorisation-list))

3.12 REACH Anhang XVII: list of substances whose use is restricted and also valid for substances in articles ([HTTPS://ECHA.EUROPA.EU/EN/SUBSTANCES-RESTRICTED-UNDER-REACH](https://echa.europa.eu/en/substances-restricted-under-reach))

3.13 SVHC: List of substances of very high concern (candidate substances) that have been proposed for subsequent authorisation (ban on use) in the European chemicals legislation REACH. The SVHC list is updated and extended twice a year. ([HTTPS://ECHA.EUROPA.EU/EN/REGULATIONS/REACH/CANDIDATE-LIST-SUBSTANCES-IN-ARTICLES](https://echa.europa.eu/en/regulations/reach/candidate-list-substances-in-articles))

3.14 EU-ROHS: European Directive 2011/65/EU on the prohibition of use of 10 substances in electrical products. For HARTING, the evaluation for bans and exceptions have to be carried out on by the supplier the basis of electrical products for general electrotechnical use. ([HTTPS://EUR-LEX.EUROPA.EU/LEGAL-CONTENT/EN/ALL/?URI=CELEX%3A32011L0065](https://eur-lex.europa.eu/legal-content/en/all/?uri=CELEX%3A32011L0065))

3.15 WEEE: European Directive 2012/19/EU on the organisation of waste equipment, which has been transposed into national law in Europe. This is associated with the registration of products within the scope of the national WEEE implementation in the respective national registers. ([HTTPS://EUR-LEX.EUROPA.EU/LEGAL-CONTENT/EN/TXT/?URI=CELEX%3A32012L0019](https://eur-lex.europa.eu/legal-content/en/txt/?uri=CELEX%3A32012L0019))

3.16 SCIP: European database in which articles manufactured or imported in Europe and containing at least one SVHC substance are to be registered. The SCIP database is operated by European Chemicals Agency (“Europäische Chemikalienagentur”) ECHA. ([HTTPS://ECHA.EUROPA.EU/EN/SCIP?GCLID=EAIAIQOBCHMI_P6KSSH9-GIV_ZBoCR2JUWQBEEAAYIAAEGKJMFD_BWE](https://echa.europa.eu/en/scip?gclid=EAIAIQOBCHMI_P6KSSH9-GIV_ZBoCR2JUWQBEEAAYIAAEGKJMFD_BWE))

3.17 EC-Safety Data Sheet: Mandatory information in Europe according to (EU) 2020/878, which must accompany substances and mixtures that exhibit hazard characteristics. ([HTTPS://EUR-LEX.EUROPA.EU/LEGAL-CONTENT/EN/TXT/?URI=CELEX%3A32020R0878&QID=1666774317508](https://eur-lex.europa.eu/legal-content/en/txt/?uri=CELEX%3A32020R0878&qid=1666774317508))

3.18 3.19 EC-Declaration of Conformity: EC declaration of conformity according to EC 765/2008 for products that fall within the scope of at least one directive harmonised in Europe, which obliges CE marking. The declaration can only be issued after a passed risk analysis. ([HTTPS://EUR-LEX.EUROPA.EU/LEGAL-CONTENT/EN/ALL/?URI=CELEX:32008R0765](https://eur-lex.europa.eu/legal-content/en/all/?uri=CELEX:32008R0765))

3.20 EPA: Environmental Protection Agency of the USA for the regulation of substances and mixtures ([HTTPS://WWW.EPA.GOV/](https://www.epa.gov/))

3.21 TSCA: Toxic Substance Control Act; US act regulating substances and mixtures and substances in articles specified by the EPA. ([HTTPS://WWW.EPA.GOV/TSCA-INVENTORY](https://www.epa.gov/tscainventory))

3.22 Cal. Prop. 65: Law in the State of California of the USA on the 'Safe Drinking Water and Toxic Enforcement Act of 1986', which requires the labelling of products if these products contain substances whose use constitutes a hazard in accordance with this law. ([HTTPS://OEHHA.CA.GOV/PROPOSITION-65](https://oehha.ca.gov/proposition-65))

4. Requirements for suppliers outside the European countries without import into the European countries:

The supplier must provide the following information at its own expense for the first delivery, which must be updated by HARTING at its own responsibility and without specific request each time it is updated due to legal changes or changes in products. Furthermore, the information must be provided with reference to the unique article identification:

- 4.1 The information according to REACH Art. 33(1) whether and which SVHC substances are contained in the articles to be supplied; it must also be indicated if no SVHC are contained.

- 4.2 The information according to REACH Annex VIX and Annex XVII, which substances are contained in the articles to be supplied. The use of substances in Annex XIV of the REACH Regulation is prohibited as long as no written authorisation for use has been obtained from HARTING.

- 4.3 The substances listed in the Stockholm Agreement which are contained in the articles to be supplied must be named.

- 4.4 The substances listed in the Minamata Convention which are contained in the articles to be supplied shall be named.

- 4.5 The substances contained in the articles to be supplied, the use of which is prohibited according to the EU ROHS Directive or is subject to an exemption from the prohibition, shall be identified. The ROHS exemptions shall be indicated. This also applies if the products are not independently within the scope of ROHS (components).

- 4.6 The EU Declaration of Conformity stating the standards that have been used for the conformity assessment. In the case of HARTING Brandlabel articles, either the complete risk assessment must be supplied, which enables HARTING to draw up the EU declaration of conformity independently, or alternatively the manufacturer must confirm conformity with the respective EU directives, stating the relevant standards.

- 4.7 Substances whose use is restricted or prohibited in articles in accordance with TSCA shall be identified in articles to be supplied.

- 4.8 Those substances in articles to be supplied shall be named Substances whose use is subject to labelling in Cal. Prop. 65.
- 4.9 When substances and mixtures are supplied, an EU safety data sheet must be provided which has not been updated more than 6 months previously.

5. Requirements for suppliers outside Europe who import to Europe or the European countries as well as manufacturers based in Europe or the European countries:

In addition to the conditions for manufacturers outside the European countries, the following apply:

- 5.1 If the articles to be delivered contain SVHC substances, the notification must be made to the European SCIP database and HARTING must be given the SCIP notification number with the corresponding article number.
- 5.2 The substances, including their concentration in the article, which are contained in the products to be supplied and which are listed in the EU-POP Regulation ((EU) 2019/1021) shall be listed.
- 5.3 If the products to be supplied fall within the scope of WEEE, they must be registered with the authorised body of the importer's or manufacturer's respective member country and HARTING must confirm this.

6. Notification Procedure:

Notifications/uploads regarding the requirements described in chapter 4 to chapter 5 are to be made in the HARTING SRM Portal with classification "Product Compliance".

State: February 2023