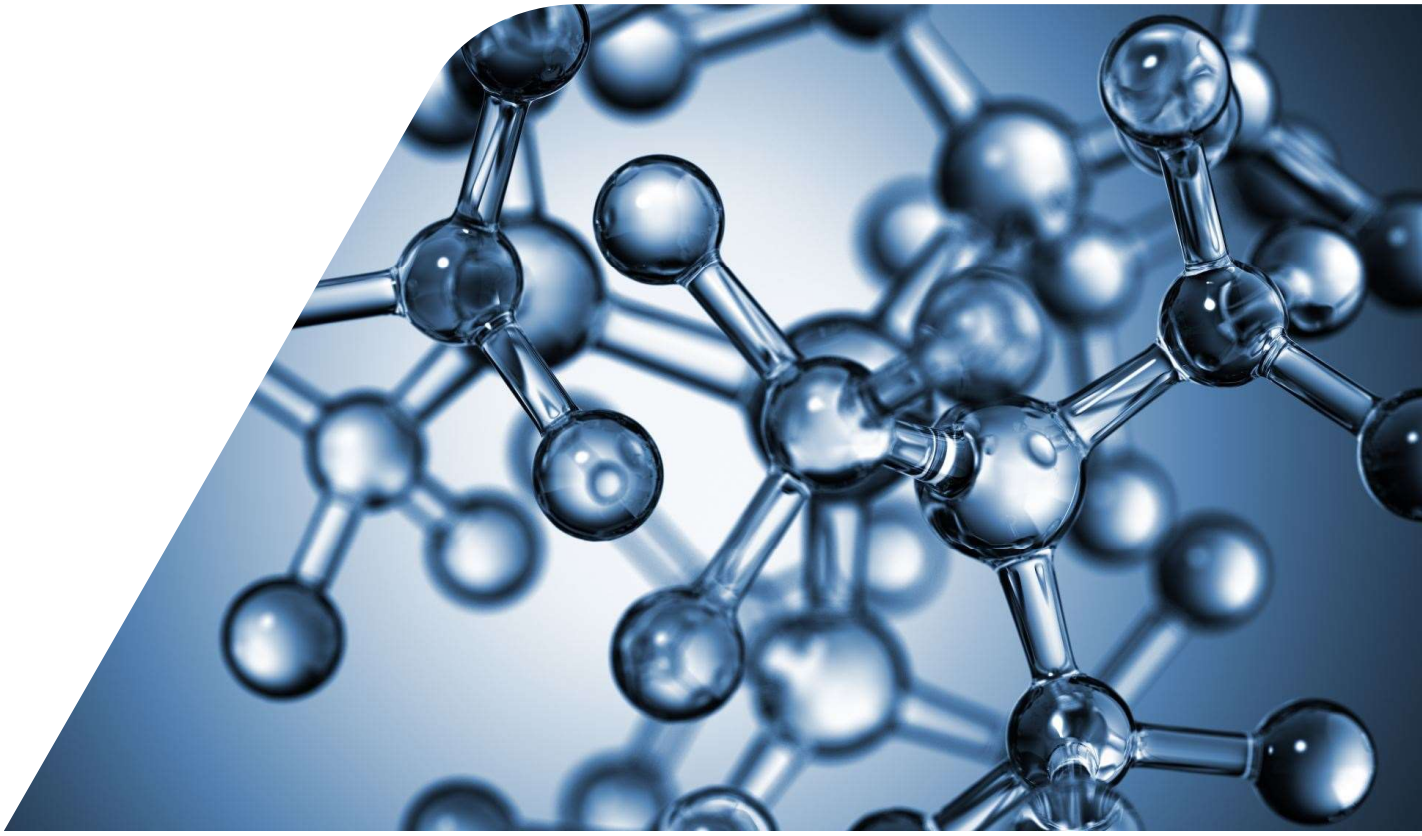
WINDMÖLLER & HÖLSCHER



W&H Group
Material Compliance Directive

Valid Material Compliance Directive for the W&H Group

Version: 2.0
Date: 2025-06-03

Contents

1. Scope of validity

The organizational units listed in the following are collectively referred to as the W&H Group.

- Windmöller & Hölscher SE & Co. KG
- Windmöller & Hölscher Machinery k.s.
- Garant Maschinenhandel GmbH

2. Purpose

The W&H Group Material Compliance Directive aims to ensure the safe handling of products and materials from the W&H Group and to provide evidence of compliance with legal requirements.

This Material Compliance Directive is a self-imposed obligation, and also mandatory for all suppliers. It describes the W&H Group's requirements regarding all substances used that are prohibited, regulated, or need to be declared.

The W&H Group Material Compliance Directive is a compilation of the regulatory requirements. Laws or directives which are not listed do not release the supplier from their obligation to comply with them. The supplier is responsible for obtaining the current versions of laws and directives and for ensuring the compliance of the products which are brought to the market by the company.

Material requirements are a mandatory technical product feature of all W&H Group products, and the legally required verifications are part of the product. These must be proven by means of suitable documentation.

3. Definitions

Substance
Chemical element and its compounds in natural form or obtained using a manufacturing process, including additives necessary for stability and the contamination resulting from the process that is used, but excluding solvents which can be separated from the substance without affecting its stability or modifying its composition.

Mixture
Mixture or solution consisting of two or more substances.

Article
An object which, during production, acquires a specific shape, surface, or form which determines its function to a greater extent than its chemical composition.

Product
An object which, during manufacture, acquires a defined shape, surface, or design that determines its functionality more than its chemical composition.

Prohibited Substances
Substances that must not be present in the product, parts, materials or auxiliary and operating materials above specified limits.

Declarable Substances
Substances which must be disclosed to the customer if they exceed the specified thresholds.

Manufacturer
Any natural or legal entity who manufactures or develops a product or has it manufactured, and who markets that product under his own name or trademark. Anyone who labels a product with their own name or trademark or who reworks a product may also be considered a manufacturer.

Importer
Anyone who imports goods from a non-EU country into the European Economic Area and places them on the market. Trade across EU member states is not considered an import, but an "intra-Community acquisition." In the case of products not manufactured within the EU, the importer assumes the obligations that would otherwise fall to the manufacturer.

Downstream User
Under the REACH Regulation, any natural or legal entity based in the European Union who, as part of their industrial or commercial activities, uses a substance on its own or in a mixture. Often referred to using the English term "Downstream User". Any companies that use substances and mixtures in any form can therefore be designated as downstream users.

SVHC
(Substances of Very High Concern) Substances that are proven or very likely to be hazardous to health and/or the environment. They are classified as such by the ECHA (European Chemicals Agency). The list of SVHC substances can be found on the ECHA website.

Regulated Substance
A substance contained in a product that is subject to legal requirements, such as restrictions, reporting obligations or prohibitions. Substances with explicit draft regulations may also be treated in the same way as regulated substances on a case-by-case basis. These case-by-case decisions are made based on the health and environmental risks associated with the substance and the expected cost and effort involved in substitution.

4. General W&H material requirements

Material requirements are a mandatory technical product feature of all W&H Group products, and the legally required verifications are part of the product. These must be proven by means of suitable documentation.

4.1 General Requirements

In every case, the supplier is obligated to provide the customer with a complete list of regulated substances contained in the product, if these substances are present at a concentration of 0.1% w/w or more in the smallest non-destructively removable component. The W&H Group reserves the right to carry out a laboratory analysis of the product whenever required.

Only materials that are known to the supplier and for which a technical data sheet is available may be used in the delivered products.

The supplier is responsible for complying with all legal regulations, and also for independently verifying their compliance. The material information required by applicable law must be made available to the W&H Group free of charge.

The supplier is required to check at regular intervals whether an updated version of the W&H Group Material Compliance Directive is available. A revised version of the directive replaces the previous version upon release with immediate effect. The directive is reviewed and updated, if required, every six months. The W&H Group will not notify the supplier of any revisions to the Material Compliance Directive.

4.2 Requirements for imported products originating outside the EEA and products subject to registration and/or authorization requirements

If the product is subject to registration or authorization requirements, the supplier must provide the customer with a full substance-level declaration of the product. Furthermore, all additional documents required by the competent authorities must also be provided. The need for registration or authorization must be clarified before concluding a purchase contract. Products subject to registration and authorization may only be imported after approval by the competent authorities.

5. Specific W&H Group Requirements for Controlled Substances

The W&H Group exports to more than 110 countries and must comply with the legal requirements applicable in each destination country. If compliance with EU law is not sufficient to meet these local requirements, the conformity of the relevant product must be clarified with the respective supplier. Suppliers undertake to support the W&H Group in clarifying the compliance status for non-EU countries within reasonable effort. If the available data is insufficient, the W&H Group reserves the right to carry out substance analyses.

5.1 EU Regulations

Compliance with the following regulations and standards is mandatory for all products delivered to the W&H Group. Legal requirements not listed here must be met irrespective of this.

5.1.1 Regulation (EC) No. 1907/2006 REACH

REACH (Registration, Evaluation, Authorization, and Restriction of Chemicals) is a European Union regulation that aims to ensure the safety of chemicals and improve the protection of human health and the environment. REACH imposes significant obligations on machine builders and companies in the mechanical engineering industry, especially regarding the use and import of chemical substances in products.

Registration of Chemicals:

- Companies that manufacture or import chemicals (including those in machine components) into the EU must register them with the European Chemicals Agency (ECHA) if the total quantity of the substance exceeds 1 ton per year. This also includes chemical substances used in machines, machine components or production materials.

Obligations for Manufacturers and Importers:

- Manufacturers and importers must ensure that all chemical substances they use (e.g., lubricants, anti-rust agents, colors, adhesives) are properly registered. If certain substances are used in large quantities in machinery, the machine builder must demonstrate the safety of these substances.
- If a chemical substance is listed on the Candidate List of Substances of Very High Concern (SVHC), companies must report the use of these substances and consider substitution with safer alternatives.

Hazardous Substances and SVHCs:

- Some chemical substances used in machinery or components may be on the SVHC list, which means that they are classified as of very high concern. Machine builders must then ensure that customers are informed about the use of such substances.
- Machine builders are obligated to inform the customer about the use of SVHCs in their products if they are contained in a concentration of more than 0.1% w/w of the product.

Restrictions and Authorization:

- REACH imposes certain restrictions on the use of hazardous chemicals. These restrictions apply even to machinery whose materials or parts may contain certain restricted substances.
- Some chemicals need to be certified and approved before being used in machinery or products. Machine builders must ensure that all substances used comply with the approval requirements.

Safety Data Sheets (SDS):

- For many chemicals used in machines or their components, safety data sheets (SDS) must be provided, which contain important information about hazards, handling and disposal. These must be available for all hazardous substances used in machinery and made available to end users.

Substitution Obligation:

- If a substance of very high concern (SVHC) is used in a product and a safer alternative exists, the machine builder may be required to replace that substance with a less hazardous one.

Current version of the REACH regulation:
https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:02006R1907-20250422

Current version of Annex XIV (substances subject to authorization) of the REACH regulation:
https://echa.europa.eu/en/authorisation-list

Current version of Annex XVII (prohibited substances) of the REACH regulation:
https://echa.europa.eu/en/substances-restricted-under-reach

Current version of the Substance of Very High Concern candidate list (reporting obligation under Article 33 of the REACH regulation):
https://echa.europa.eu/en/candidate-list-table

5.1.2 German Chemicals Act

The Chemicals Act implements various EU directives in Germany. It regulates the protection of people and the environment from the harmful effects of hazardous substances and mixtures, particularly by making them recognizable, avoiding them and preventing the creation thereof.

Current version of the German Chemical Act
https://www.gesetze-im-internet.de/chemg/

5.1.3 Regulation (EC) No. 2019/1021 – POP Regulation

The POP Regulation (Persistent Organic Pollutants Regulation) is an EU regulation that deals with the regulation of persistent organic pollutants (POPs). These substances are long-lasting due to their chemical stability and can spread over long distances in the environment. They are also very difficult to degrade and can be toxic, making them a danger to human health and the environment.

Current version of the POP Regulation
https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1021

List of regulated substances
https://echa.europa.eu/en/list-of-substances-subject-to-pops-regulation

5.1.4 Regulation (EC) No. 1272/2008 – CLP regulation

The CLP Regulation (Classification, Labeling and Packaging) of the EU is an important regulation that deals with the classification, labeling and packaging of chemicals. It ensures that hazardous substances and mixtures are classified and labeled uniformly across the EU in order to inform both workers and consumers about the hazards of chemicals and to ensure safety. This regulation is particularly relevant for mechanical engineering, as numerous chemicals and hazardous substances are used in this sector, such as lubricants, coolants, cleaning agents, anti-rust agents and solvents.

Current version of the CLP regulation
https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008R1272

5.1.5 RoHS Directive 2011/65/EU

The RoHS Directive (Restriction of Hazardous Substances) is an important piece of European legislation that restricts the use of certain hazardous substances in electrical and electronic equipment. The RoHS Directive was first adopted in 2003 and aims to minimize environmental and health risks caused by harmful chemicals in electronics and electrical equipment.
The RoHS Directive applies to all electronic and electrical equipment sold on the European market, including equipment installed in machinery.

Current version of the RoHS Directive:
https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0065

5.1.6 German Electrical and Electronic Equipment Substance Regulation

The German Electrical and Electronic Equipment Ordinance (ElektroStoffV) is a regulation of the Federal Republic of Germany that sets specific requirements for electrical and electronic equipment with regard to environmental compatibility and the safety of electronic components. It is part of the national implementation of EU directives and aims to reduce the environmental impact of hazardous substances in electrical and electronic equipment.

Current version of the ElektrostoffV
https://www.gesetze-im-internet.de/elektrostoffv/

5.1.7 Regulation (EU) No. 2025/40 – Packaging Regulation

The German Packaging Regulation (VerpackV) is a European regulation that sets requirements for the packaging of products in order to minimize the environmental impact of packaging waste.

It is based on EU Directive 94/62/EC and regulates the disposal and recycling of packaging. It applies in particular to manufacturers and distributors of packaging placed on the market.

Current version of the Packaging Regulation:
https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202500040

5.1.8 Regulation (EU) No. 2017/821 – Conflict Minerals

This European Union (EU) regulation is intended to ensure that EU importers of tin, tungsten, tantalum and gold (3TG) comply with the international procurement standards of the Organization for Economic Cooperation and Development (OECD) and procure 3TG from global and European smelters and refineries* responsibly. It is intended to help to break the link between conflicts and illegal mineral mining, to make a contribution toward ending exploitation and abuse of local communities, including miners, and to support local development.

Current version of the Conflict Minerals Regulation
https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017R0821

5.1.9 Regulation (EC) No. 1935/2004 – Food Contact Materials

The regulation ensures that materials and objects that come into contact with food are safe and harmless. They should neither release toxic substances nor impair the quality of the food. It regulates the approval of materials as well as the use and labeling of food contact materials (FCMs).
Mechanical engineers who build machinery and equipment for food processing and packaging must ensure that the materials they use meet the requirements of Regulation (EC) No 1935/2004. This applies in particular to seals, hoses, conveyor belts and metal parts that can come into direct contact with food.

Current version of the Food Contact Materials Regulation
https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02004R1935-20210327

5.2 Non-EU regulation

Compliance with the following regulations and standards is mandatory for all products delivered to the W&H Group. Legal requirements not listed here must be met irrespective of this.

5.2.1 TSCA - Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) is a U.S. law passed in 1976 that gives the Environmental Protection Agency (EPA) the authority to regulate chemical substances to prevent unreasonable risks to health and the environment.

Current version of the Toxic Substances Act
https://uscode.house.gov/view.xhtml?path=/prelim@title15/chapter53&edition=prelim

Toxic Substances Control Act – Inventory
The TSCA Inventory List is a directory of all chemical substances manufactured, processed, or imported into the United States that are not covered by any of the exemptions of the Toxic Substances Control Act (TSCA). This directory is maintained by the U.S. Environmental Protection Agency (EPA) and serves as a comprehensive list of chemical substances that may be imported into U.S. trade.

Current information on the Toxic Substances Control Act Inventory
https://www.epa.gov/tsca-inventory

5.2.2 PFAS – Per- and Polyfluoroalkyl Substances

Per- and polyfluoroalkyl substances (PFAS) are a group of over 4,700 synthetic chemicals that are widely used in numerous industries, including mechanical engineering, due to their exceptional resistance to degradation processes and their water, grease and stain-repellent properties.

Regulatory developments in the European Union:
In the EU, the regulation of PFAS is becoming increasingly strict. Regulation (EU) No. 2019/1021 on persistent organic pollutants (POPs) has included some PFAS and restricted their use. In addition, the REACH Regulation on the Registration, Evaluation, Authorization and Restriction of Chemicals is currently being revised to regulate PFAS more comprehensively. Companies selling products on the EU market face the challenge of adapting to these evolving regulations.

Regulatory developments in the United States:
In the U.S., the Environmental Protection Agency (EPA) has already introduced new regulations that require companies to provide information about the manufacture, use, and disposal of PFAS. These regulations aim to increase transparency and reduce exposure to PFAS.

Use of PFAS in mechanical engineering:
In mechanical engineering, PFAS are particularly used in areas that are exposed to extreme conditions, such as high temperatures, intensive abrasion or aggressive chemical environments. They are used in the following components:

- Seals and valves: Ensure reliable sealing and prevent leaks
- Hoses and compressors: Provide resistance to aggressive chemicals and high pressures
- Lubricants: Improve lubricity and reduce wear
- Coatings: Protect surfaces from corrosion and abrasion

Requirements for W&H Group suppliers:
Known PFAS in products delivered to the W&H Group must be proactively and clearly declared. This requirement is based on the increasing regulatory importance of PFAS. In order to meet our obligations with regard to product safety, environmental and health regulations, and supply

chain information, we rely on complete and transparent information about PFAS in products supplied.

5.2.3 CEPA – Canadian Environmental Protection Act

The Canadian Environmental Protection Act (CEPA) is a Canadian law aimed at protecting the environment and human health by regulating hazardous substances, emissions, and waste. It also has a specific impact on the mechanical engineering industry in Canada.

Approval and registration of chemicals:
Companies that use chemicals in machinery or equipment must ensure that these chemicals comply with CEPA requirements and, where appropriate, are registered and approved by the Canadian authorities.

Current version of the Canadian Environmental Protection Act (CEPA)
https://laws-lois.justice.gc.ca/eng/acts/c-15.31/

Lists of regulated substances
https://www.canada.ca/en/environment-climate-change/services/canadian-environmental-protection-act-registry/substances-list.html

5.2.4 CALPROP65 – California Proposition 65

California Proposition 65, also known as "The Safe Drinking Water and Toxic Enforcement Act of 1986," is a law in California that requires companies to provide warnings about exposure to certain chemical substances that could enter human body or the environment in California. It was originally developed to protect drinking water, but it also has far-reaching implications for companies and consumers.

Chemicals in machine components:

- Machines and equipment may contain certain **chemicals**, such as: **heavy metals**, **solvents**, or **plasticizers** falling under Proposition 65. This applies in particular to materials such as **plastics**, **metals**, **lubricants** or **sealsthat** may contain toxic substances such as lead, cadmium or phthalates.

Labeling obligation:

- If machinery or its components contain chemicals listed as a hazardous substance under Proposition 65, manufacturers or importers in California must provide a **warning**. This warning can be placed on the product itself, the packaging or in a clearly visible location to inform the consumer or users of possible health risks.

There are **two main categories** on the list:

1. Carcinogenic substances (Carcinogens)
2. Reproductive toxicants

The list includes both natural and synthetic substances, including:

- Heavy metals (such as lead, cadmium and mercury)
- Solvents (such as benzene and toluene)
- Phthalates (plasticizers used in plastics)
- Pesticides (such as DDT and glyphosate)
- Certain dyes and flavoring agents
- Asbestos and other mineral substances

Current version of California Proposition 65
https://oehha.ca.gov/proposition-65

List of regulated substances
https://oehha.ca.gov/proposition-65/proposition-65-list

5.2.5 FSSC 22000 – Food Safety System Certification 22000

FSSC 22000 is an internationally recognized certification system for food and feed safety management, based on ISO 22000 and supplemented by specific technical standards. It is aimed at companies along the entire food value chain to ensure the safety of food and feed. For companies in mechanical engineering that manufacture or maintain machinery and equipment for the food industry, compliance with FSSC 22000 is essential. The latest version, FSSC 22000 V6, places particular emphasis on equipment management, which includes specific requirements on the hygienic design and maintenance of machines. Companies are required to create detailed specifications for their products to ensure that they meet the requirements of the standard.
This primarily affects web contact materials and their chemical composition in W&H Group machines.

Current information on the Food Safety System Certification 22000
https://www.fssc.com/schemes/fssc-22000/

5.2.6 Mercury

In South America, especially in countries such as Colombia, there are strict regulations regarding the use of mercury. In order to provide proof of mercury-free status for imported goods, the following steps are usually required:

1. **Written confirmation**: The importer or manufacturer must submit formal confirmation that the products are mercury-free. Ideally, this confirmation should be issued by the supplier or manufacturer and printed on the company's official letterhead.
2. **Laboratory analyses or test reports**: In some cases, it may be necessary to carry out an independent laboratory analysis to confirm the absence of mercury. The corresponding test report can then be submitted as proof for customs.
3. **Documentation and certificates**: In addition to written confirmation, relevant certificates, such as material certificates or safety data sheets, may be submitted to confirm the product's mercury free status.

4. **Customs and import procedures**: Should a packet be detained in customs due to suspected mercury content, rapid provision of evidence is crucial to avoid delays.

6. FAQ

CDX Portal

The **CDX Gantry** (Chemical Data Exchange) is a platform used by companies to ensure that they meet all regulatory requirements for chemical substances and products, especially with regard to safety data sheets, product safety and environmental protection. One of the main functions of the CDX portal is for suppliers and manufacturers to submit data on their products in order to validate compliance with national and international regulations (such as REACH, RoHS, PFAS or other requirements).

The CDX Portal (Compliance Data Exchange) is W&H's preferred tool for collecting data for material compliance data.
Access to and processing of W&H inquiries is completely **free of charge** for you as a supplier. The maintenance effort required is very low for you.

Example: You can respond fully to the inquiry for all components that do not contain SVHCs with a single declaration. (Time effort: 2 minutes) Components with identical SVHC materials can be grouped together, reducing the workload for data entry.

Can I also use my own forms?

Please use the CDX Portal (Compliance Data Exchange) as a priority. If this is not possible, and you can provide us with the required information in another format. Please send it to us in your chosen format to the contact address specified contact.mc@wuh-group.com. In this case, it is mandatory to specify a knowledgeable contact person who can provide information in case of further queries. If your data preparation raises questions during our review, we must be able to contact you directly. In any case, it must be possible to establish a clear reference to the specific item.

6.1 FAQ – REACH

Why does it affect me as a supplier? I don’t supply any chemicals. It doesn’t apply to me.

REACH regulates the entire product life cycle and all economic operators in the supply chain. Only end users and waste management companies are exempt from REACH obligations. This means that it is not just the chemical substances and mixtures which are subject to regulation, but also the articles produced from them. As a supplier, you are legally obligated to inform us about any SVHC substances in your supplied materials, and the associated material number.

In which materials can relevant chemicals be found?

Primarily in:

- Metals (e.g., alloys containing lead)
- Plastics (e.g., with added adhesives, plasticizers)
- Rubbers (e.g., plasticizers, additives for aging protection)
- Additives (e.g., adhesives, solvents, lubricants, sealing compounds)
- Surface treatments (e.g., varnishes, chemical surface treatments such as chrome plating, colors)
- Packaging materials (e.g., adhesives used, non-natural materials, sealing materials)
- Electrical units and accessories (e.g., cable sheathing, soldering agents)

What should be done?

If you have not already done so, review the materials you supply to us for the presence of SVHC substances. Relevant substances are the ones that are listed in the Candidate List and the annexes of the REACH Regulation. The lists that are currently valid can be found under section 5.1.1 of the Material Compliance Directive 2.0. If you are not a manufacturer of substances and mixtures, you can obtain this information from your suppliers.

Who can answer specific questions for me?

For general questions, you can contact the REACH Helpdesk. This is the official support service of the European Chemicals Agency. Alternatively, there are various service providers who specialize in consulting with regard to REACH and other material compliance areas. For specific questions, please contact contact.mc@wuh-group.com. Your query will then be forwarded to the appropriate specialist department, and we will contact you in due course.

What is the significance of the annexes of the REACH Regulation?
There are 17 annexes. Some of them specify the general rules of the REACH Regulation, whereas the others deal with substance-specific regulations. The substance-specific annexes XIV and XVII, which list the banned substances and the restrictions on permitted uses, are particularly relevant for downstream users, i.e. companies that do not manufacture chemical substances. These restrictions must be strictly complied with.

Annex I regulates the structure and content of safety data sheets; this annex is also particularly important with regard to hazardous substances.

What are safe-use instructions?

Safe-use instructions are the instructions that must be followed to use a material safely. These must cover the entire product life cycle, from manufacturing, to use, as well as disposal. Safe-use instructions must be provided if people and/or the environment may come into contact with anything containing SVHCs under foreseeable conditions, and if specific safety measures are necessary. They must be appropriate with regard to the potential hazards posed by the substance(s) and must consider the possible exposure routes (e.g. skin contact, inhalation, intake via food, dissolution in water, accumulation in soil, etc.).

I do not want to disclose any information because I am concerned about loss of intellectual property..

Except for non-European suppliers (see next section), you do not have to disclose the exact chemical composition of your product. You can limit your disclosure to the SVHC substances listed in the Candidate List. For concentration levels, concentration ranges (e.g. 0.1-4.0%) can be specified. Please note that this must indicate whether applicable restriction thresholds are being met.

Does the REACH Regulation also affect suppliers outside of Europe? It is a European law, after all.

The REACH Regulation regulates substances that are used in the European market. If a supplier exports to Europe, its product is subject to the REACH regulation. Registration or reporting obligations concerning the material which contains candidate substances, can only be met by companies based in the EU. This process is time-consuming and expensive and requires detailed disclosure of chemical composition and intellectual property. This is expected to have an impact on competitiveness and the protection of intellectual property. Non-European suppliers (including Switzerland and the UK!) should therefore appoint a representative in Europe who functions as an importer, complies with the registration and reporting obligations and acts as a business partner for customers in Europe. This approach allows the supplier to protect its intellectual property and relieves the customer, which in turn prevents competitive disadvantages.

Which consequences can I expect if I do not provide the information?

The extent of the potential consequences depends on the nature of our business relationship and the materials involved.

If we have clear indications that the products you supply contain relevant SVHCs: Generally, it will lead to complaints about the delivered products, since the regulatory relevant documentation is part of the product. This will have an impact on the supplier performance

evaluation. If we have to take action, chemical analyses of your products may subsequently be carried out and, with regard to our business relationship, the purchased product range may be restricted, even as far as purchases being blocked completely. If the refusal to provide information leads to a breach of contract, we reserve the right to take appropriate legal action.

We value cooperative relationships with our suppliers, and rely on your transparency and willingness to communicate to solve any issues collaboratively, so that we can avoid the need for the measures listed above.