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Nu-Way's Position Statement Regarding REACH-173 Compliance

Nu-Way Industries, Inc. supports the goals of REACH (Registration, Evaluation, and Authorization of Chemicals) which was entered into force on June 1, 2007 and its commitment towards responsible use and handling of chemicals. To comply with the regulation, companies must identify and manage the risks linked to the substances they manufacture and market in the European Union. REACH requires that all existing and new substances be registered with the European Chemicals Agency (ECHA).

As a manufacturing company established outside the EU, Nu-Way Industries, Inc. is not bound by the obligations of REACH such as pre-registration or registration. We realize, however, that some of the contract manufactured products we make for our customers may be exported into the European Union.

After review of the legislation and the definition of an "article" as defined in EC Regulation 1907/2006, Title II, Chapter 1, Article 7.1 (a) and (b), it is the opinion of Nu-Way Industries, Inc. that some of our products may be considered "articles." The products or articles that we manufacture are designed by our Customers. Therefore, whenever a Quote is submitted and a Purchase Order from a Customer accepted, we commit to supplying a product that meets the requirements of our Customer's submitted documents using materials and finishes per their print specifications.

Consequently, we do not have the freedom to arbitrarily make changes to our Customer's specified base metals or finishes without their clear directive. Proposed changes must be evaluated and approved by our Customer because these changes could jeopardize the integrity of their design. Without proper documentation from our Customer, a decision by Nu-Way to change a design also means that contractually we fail to comply with our Customer's print specifications. As well as the base metals and finishes, some of the assemblies we manufacture include custom components from Customer specified sources. Again, the responsibility for the compliance of these custom components resides with our Customers.

Not all of our Customers have reviewed their product designs for REACH compliance. They may simply request us to respond to requirements that products are REACH compliant. If we owned or controlled the design rights to our Customer's parts, Nu-Way could provide a clear response regarding whether all aspects of a supplied product was compliant or not. Under most circumstances, we cannot.

Purchase orders with documentation from our Customer that their products when made to their specifications are REACH compliant will be REACH certified.

When our Customer has not reviewed their designs to ensure that our adherence to their specifications results in a REACH compliant product, our position statement regarding REACH compliance is as follows: "REACH Compliance is per Nu-Way's REACH Position Statement as updated on April 20, 2017." This statement reads as follows:

"REACH Compliance Statement - The manufacturing processes performed at Nu-Way including our powder coat finishing, DO NOT ADD any Substances of Very High Concern (SVHC) as defined in Article 33 (1) and (2) EC Title VII, Chapter 1 Article 57 that would be released under normal or reasonably foreseeable conditions of use."

We thank you for your understanding regarding our position on this initiative and commit to working with our Customers as these opportunities arise.

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