

Von Roll Schweiz AG

Passwangstrasse 20

P.O. Box

CH-4226 Breitenbach

Phone +41 61 785 51 11

Fax +41 61 781 20 78

www.vonroll.com

CH-4226 Breitenbach, August 31, 2010

Notification to the Classification & Labelling Inventory according to article 40 of the CLP Regulation in the EU/EEU

Ladies and Gentlemen,

This is to approach you as our customer for Substances and Mixtures (Preparations) which are regulated under REACH and CLP (Classification, Labelling and Packaging).

Pursuant to the CLP Regulation entered into force on January 20, 2009, a notification to the Classification & Labelling Inventory under article 40 is required for Manufacturers or Importers of:

- Substances on their own
- Substances in mixtures which are mentioned as "dangerous" in §3 of the Safety Data Sheet of the mixture (preparation)

Contrary to the REACH Regulation requirements (>1 ton/year) there is no lower threshold volume level in the CLP Regulation for the notification to the European Chemicals Agency ECHA.

You are directly supplied by Von Roll Switzerland Ltd., Von Roll USA, Inc. or Von Roll Asia Pte Ltd. which are non-Community manufacturers. As a consequence thereof, you have the legal status of an Importer (which is defined as placing on the market) and have the obligation to notify according to the requirements of article 40 of CLP.

The provisions of article 40 nevertheless envisage the option of forming a „group of manufacturers or importers" with a joint submission of the notification done by a "leading" notifier on behalf of the group. Your company could become a member of such a group. Based on this legal situation we are offering you the possibility that one of our affiliates, i.e. **Von Roll REACH GmbH** of Sendlingerstrasse 7, D-80331 Munich, will assume the function as "leading" notifier and accomplish the registration formalities and all notifications for the relevant substances on behalf of the group/s. Von Roll REACH GmbH also acts as our Only Representative under REACH and is well aware of the obligations under CLP.

Please also note the extract from the ECHA Practical Guide 7 "How to notify substances in the Classification and Labelling Inventory", especially points 4.1 and 4.2 referring to a "Group of Importers/Manufacturers" (attached to this letter). When a group of manufacturers and/or importers cooperate in this way, each member shall remain fully responsible for the classification, labelling and packaging of substances and mixtures he places on the market, and for meeting any other requirements of the CLP Regulation.

Upon submission of the notification/s you will receive a written confirmation by Von Roll REACH GmbH with the registration number which you can use then with the enforcement administration in your member state for any inspections.

Our contractual relationship will not change as a result of the involvement of Von Roll REACH GmbH. Data-protection is secured, because the identity of the other group members is only known to Von Roll REACH and ECHA and will not be published.

In case you should not be in agreement with our proposal to join the group/s, please inform us accordingly by September 10, 2010 at the latest. In case, however, you should prefer not to join such group/s, the actual legal situation would require you to file the notification to ECHA yourself by January 3, 2011 at the latest.

For the purpose of enabling us to provide you with this service free of charge and in an uncomplicated manner, we need by return the following information:

- **Your written consent to join the group**
- **Evidence of the actual legal form and address of your company**
- **Your VAT number or your DUNS number (for identification purposes)**

Please send your reply directly to:

reach.gmbh@vonroll.com (Von Roll REACH GmbH)

Von Roll REACH GmbH is also at your disposal to answer any further question regarding this letter under the e-mail address mentioned above.

Yours sincerely

Von Roll Switzerland Ltd.



Hans Strasser
Site Manager Breitenbach



Patricia Nussbaumer
Head of Customer Service Europe

2 Attachments:

- Extract from CLP (articles 39 and 40 only)
- Practical guide 7 “How to notify substances in the Classification and Labelling Inventory” (points 4.1 and 4.2 only) published by ECHA 19-05-2010

Legal disclaimer

The statements and information given here about REACH and CLP are based on the actual version of the REACH and CLP regulations (status July 2010), the information as published by the European Chemicals Agency (ECHA) in its Technical Guidance Documents available and statements by the helpdesks of the national competent authorities.

Any notification made to the Classification and labelling inventory is based on the substance information on classification and labelling in the relevant Safety Data Sheets or other technical documentation received from our suppliers. As far as available, harmonized classification & labelling as published by the EU will be used.

The data submitted to the classification and labelling inventory at ECHA are put together in utmost good faith. Any liability for the correctness and completeness as well as for any damages or disadvantages which may result from information received from third parties is, however, expressly excluded.