

# Requirements applicable to ArianeGroup GmbH Suppliers as a result of legislation relating to the Protection of the Environment and Workers' Health

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## REQUIREMENTS APPLICABLE TO SUPPLIERS

Compliance on the part of the Suppliers of ArianeGroup GmbH with regulations relating to the environment and workers' health has a critical impact on ArianeGroup' GmbH own compliance. As such, it must be guaranteed throughout the supply chain process.

This document is applicable to all Suppliers of ArianeGroup GmbH (hereafter "ArianeGroup").

This document constitutes the minimum requirements of ArianeGroup, without prejudice to particular requirements that may be set out in a purchase order, a contract, or any other specific contractual document.

### REQUIREMENT 1: GENERAL REQUIREMENTS

The products and services supplied to ArianeGroup must be compliant with all applicable regulations, in particular those relating to the protection of the environment and workers' health and, notably, the requirements set out in this document. That compliance must extend to all provisions of environmental law relating to products that become waste materials at the end of their life cycle. Suppliers must at all times be in a position to demonstrate their regulatory compliance to ArianeGroup for any past, in progress and future supply.

Each Supplier must apply—and have applied by its own suppliers and sub-contractors at every level of the supply chain—the requirements set out in this document, taking into consideration the specific characteristics of each supply. The Supplier must be in a position to demonstrate this to ArianeGroup upon request.

Suppliers must provide accurate and complete information concerning their activities and the goods and services supplied, in order to allow ArianeGroup to oversee its own compliance with respect to environmental and workers' health requirements throughout the supply chain and, if necessary, to demonstrate that compliance to its own customers.

The information and documents provided to ArianeGroup by the Supplier in application of this document must always be accompanied by the order reference or reference to the contract in question and, where appropriate, the specific references indicated by ArianeGroup in that contract or that order.

In a situation where a legal rule would permit an exemption or waiver in the context of space or defence activities (in particular with regard to the application of Article 2§3 of the REACH regulation), the Suppliers must obtain prior written authorisation from ArianeGroup before requesting that exemption or waiver from the competent national authorities. Once that authorisation has been obtained, the Supplier must inform ArianeGroup of it as promptly as possible. Upon request, the Supplier must also provide ArianeGroup with all the necessary information to allow it to substantiate the validity of such an exemption or waiver.

### REQUIREMENT 2: ENVIRONMENTAL MANAGEMENT SYSTEM

ArianeGroup applies a management system in the area of Health, Safety, and the Environment equivalent to ISO 14001 and to OHSAS 18001. By virtue of that management system, and in accordance with its policy, ArianeGroup has made a commitment to minimise the environmental impact of its products and services. Consequently, the Suppliers must manage their environmental risks and minimise the environmental impact of their activities, products, and services.

## REQUIREMENT 3: COMPLIANCE WITH LEGISLATION RELATING TO CHEMICALS

### Regulation (EC) 1907/2006 (REACH)

Suppliers must at all times have current knowledge of Regulation (EC) 1907/2006 (hereafter named "REACH"), relating to chemicals, including successive updates to its provisions. They must be able to demonstrate the compliance of the goods or services supplied to ArianeGroup with that regulation, taking into consideration ArianeGroup's specific uses of the substances, mixtures, and articles as set out in REACH.

The European Chemicals Agency (ECHA) is working to secure the use of chemicals. It monitors the application of chemicals legislation, such as REACH, which benefits workers' health and the environment; the control being ensured by the Member States of the European Union.

By virtue of the variety of its areas of activity, ArianeGroup does not intend to implement, save in highly exceptional circumstances, the defence exemption provided for in REACH (Article 2).

The Suppliers, regardless of their status with regard to the REACH regulation (manufacturers, distributors, importers, formulators, downstream users, etc.) agree to work with ArianeGroup to allow it to meet all obligations resulting from the REACH regulation.

### Regulation (EC) 1272/2008 (CLP)

The classification and labelling of products delivered to ArianeGroup must be in compliance with the provisions of the European CLP Regulation relating to the classification, labelling, and packaging of substances and mixtures.

### Reminder of the REACH regulatory obligations

It is recalled that the main obligations under the REACH regulation are the following:

- the substances used by the suppliers must have been the subject of a "Registration" (Article 7); the manufacturers or importers<sup>1</sup> of substances must undertake those registrations themselves; the formulators must ensure that the supplied substances have been registered (or will be registered by 2018<sup>2</sup>);
- in certain conditions, the substances contained in the imported articles must have been the subject of a notification to the ECHA (Article 7);
- the use of the substances listed in Annex XIV of the REACH regulation is prohibited unless an authorisation has been granted by the European Commission (Article 55 et seq.);
- in the case of use of substances listed in Annex XIV, and for which an authorisation has been granted, the user must notify the ECHA of that use (Article 66);
- information must be sent to the recipient of a substance or an article - in this case ArianeGroup - including in particular:
  - the **Safety Data Sheets** for substances and mixtures (Article 31);
  - for articles, **the declarations of the presence of dangerous substances in the articles** where appropriate (Article 33<sup>3</sup>);
  - **any other pertinent information for the management of risks** must also be submitted under

<sup>1</sup> from a country outside the European Economic Area (EEA)

<sup>2</sup> 2018 for non CMR (carcinogenic, mutagenic, or toxic to reproduction) substances placed on the market in Europe within the tonnage band of 1 to 100 metric tons/year; other substances must have been registered previously.

<sup>3</sup> in addition to the decision of 10 September 2015 from the Court of Justice of the European Union (CJEU)

Article 32;

- certain substances are subject to usage restrictions (Article 67 et seq. – Annex XVII).

### **Additional requirements**

In addition to the above regulatory requirements, Suppliers must immediately send ArianeGroup the data concerning the identification of new environmental or health risks or dangers linked to the substances or mixtures incorporated in the mixtures or the articles and/or used in the context of the services delivered to ArianeGroup, or any aggravation of the known risks and dangers that concerns ArianeGroup, taking into account the use that ArianeGroup makes of those substances or mixtures.

In particular, Suppliers must immediately submit the following to ArianeGroup:

- the information concerning the request, the approval, or the refusal of an authorisation for a substance used as is or incorporated in mixtures or articles and/or used in the context of the services delivered or to be delivered to ArianeGroup.
- during regular updates (i) of the Candidate List of substances<sup>4</sup> to be listed in Annex XIV (Article 59), (ii) in Annex XIV or, (iii) in the list of substances in Annex XVII and in the case of impacts on their activities:
  - references of the update taken into account (date and Annex in question),
  - the name and CAS Registry number of each substance in question in those activities or in the products supplied to ArianeGroup,
  - sufficient data and instructions to guarantee the safety of use and storage of the products or articles, including up to the end of their life cycle.

As a general rule, the information to be submitted to ArianeGroup under this Requirement must be sent by email to the following email address:

For Germany: REACHcontact.de@ariane.group

Each email must make reference to:

- the ArianeGroup order or contract;
- ArianeGroup's reference for the product listed in the order or contract;
- the supplier's designation and reference for the product in question.

All of the information to be submitted under this Requirement must be provided with the first delivery and in the event of any modification to the articles and/or service supplied to ArianeGroup, in the language of the country receiving the delivery, in the format stipulated in the REACH regulation.

Any change in the chemical composition of the goods to be delivered must be the subject of a notification by the Supplier to ArianeGroup as soon as such a modification is envisaged and prior to any implementation.

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<sup>4</sup> The "Candidate List" is available at: <http://echa.europa.eu/candidate-list-table>

## **REQUIREMENT 4: OZONE-DEPLETING SUBSTANCES**

For all products delivered to ArianeGroup, the Suppliers agree to comply with Regulation (EC) no. 1005/2009, which sets out the conditions for the production, import, export, sale, use, recovery, recycling, regeneration, and destruction of substances which deplete the ozone layer, as well as the information to be submitted concerning those substances, and the import, export, sale, and use of products and equipment containing or relying on those substances.

## **REQUIREMENT 5: PERSISTENT ORGANIC POLLUTANTS**

For all products delivered to ArianeGroup, the Suppliers agree to comply with Regulation (EC) no. 850/2004, which prohibits or restricts the production, sale, and use of substances subject to the Stockholm Convention on Persistent Organic Pollutants.

## **REQUIREMENT 6: ELECTRICAL AND ELECTRONIC EQUIPMENT**

In accordance with the RoHS Directive (European Directive 2011/65/EU), suppliers of electrical and electronic equipment shall ensure that the equipment they place on the market does not contain substances that are subject to Annex II of the RoHS Directive at higher levels than those legally authorised.

Although the RoHS Directive does not apply to the defence and space sectors, the Suppliers must not take that exclusion into account nor avail of any possibility of invoking that exemption without prior written authorisation from ArianeGroup.

## **REQUIREMENT 7: IONISING RADIATION**

Suppliers shall comply with the Euratom Directive 2013-59.

Notwithstanding the declaration exemptions set out in the Euratom Directive 2013-59 or in national regulations concerning ionizing radiation, the Suppliers must declare all of the sources of ionizing radiation of any nature, quantity, activity level, rate, or type.

### **Radioactive sources which are outdated or which ArianeGroup no longer uses**

The Suppliers of radioactive sources or any product or systems containing radioactive sources are required, unconditionally and upon request from ArianeGroup, to recover any sealed radioactive source, or any product or systems containing radioactive sources from ArianeGroup, when those sources become outdated or are no longer used by ArianeGroup. When the radioactive source is used in a system or product supplied to ArianeGroup, the Supplier is furthermore required to fully retrieve the supplied product or system if requested to do so by ArianeGroup.

## **REQUIREMENT 8: NANOMATERIALS**

According to the European Commission's recommendation of 18 October 2011 (2011/696/UE), a nanomaterial is a material in which at least 50% of the particles, in number size distribution, present one or more external dimensions of between 1 nm and 100 nm. That recommendation also specifies that any material should be deemed to fall under the preceding definition where the specific surface area by volume of the material is greater than  $60 \text{ m}^2/\text{cm}^3$ .

The Suppliers must inform ArianeGroup when one of the supplied goods (a substance on its own or a substance in a mixture or a material) contains a substance at nanoscale that may be released under normal or reasonably foreseeable conditions of use.

In the case of certain materials, the Supplier shall systematically review the micrometric or nanometric form of the supplied material. This relates to substances such as carbon black, iron oxide, calcium carbonate, zinc oxide, aluminium oxide, titanium dioxide, amorphous silica, cerium oxide, clay, latex, silver, cellulose, etc. The main physicochemical data to be provided to ArianeGroup to certify the nanometric character (or not) of a material are the size, granulometric distribution, and the specific surface area.

## **REQUIREMENT 9: PIC REGULATION**

The Prior Informed Consent Regulation (PIC, Regulation (EU) 649/2012) administers the import and export of certain hazardous chemicals (see Annex I of the PIC regulation on the ECHA website). That regulation implements, within the European Union, the Rotterdam Convention on the prior informed consent procedure for certain hazardous chemicals and pesticides in international trade.

The Suppliers must inform ArianeGroup when one of the supplied substances (a substance on its own or a substance in a mixture or an article) is subject to the obligation to declare its entry into Europe.

## **REQUIREMENT 10: BIOCIDES**

The Suppliers ensure that they do not supply to ArianeGroup any biocidal products or processed items containing active substances which have been the subject of a non-approval decision under Directive 98/8 and Regulation 528/2012.

## **REQUIREMENT 11: CONTINUITY OF SUPPLY GUARANTEE**

If a new regulation, an amendment to an existing regulation, or a proposed new regulation relating to the protection of the environment or workers' health is likely to interrupt the delivery of a product or service to ArianeGroup, the Suppliers must immediately inform ArianeGroup of the situation and propose alternative solutions to ensure the continuity of the delivery to ArianeGroup of the product and/or service, with respect to the new regulation, the amended regulation, or the regulation under amendment.

## **REQUIREMENT 12: ECO-EFFICIENT DESIGN AND PRODUCTION**

When designing products, or making modifications to the design of existing products, the Suppliers must:

- minimise waste materials (including packaging), consumption of energy and resources, as well as emissions during the various phases of the products' life cycle,
  - recommend an end of service life for these products,
  - make provision for the easy dismantling, recycling and/or destruction of the delivered products at the end of their life cycle, when appropriate, and specify the handling precautions associated with those tasks,
  - comply with all specific requirements stipulated in the contractual documents,
- and according to the state of the art.

In the case of modifications to products and/or production processes, such changes may only be made if ArianeGroup has received prior notification from the Supplier accompanied by a quality assurance report/certification report and has formally accepted those changes.

## CHANGE RECORD

ISSUE	DATE	CHANGE
Issue 1	1st of July 2016	Creation
Issue 2	1 <sup>st</sup> of July 2017	Company name change + changes in wordings