

PROVISIONS ON EMPLOYEE PROTECTION, ENVIRONMENT AND HAZARDOUS MATERIALS

Jena-Optronik GmbH

To be acknowledged and observed by all suppliers of Jena-Optronik GmbH in connection with all orders issued under general purchasing conditions of Jena-Optronik GmbH.

1 The Purchaser has been certified in accordance with the international standards DIN EN ISO 14001 and BS OHSAS 18001. Bound by orders of its customers, the Purchaser is obliged to observe the terms and conditions of these standards. The Supplier shall comply with the relevant provisions concerning employee protection, environment and hazardous materials as well as on request of the Purchaser with the provisions of the standards mentioned above. The environmental goals and the environmental policy of the Purchaser are available on request.

2 The Supplier must ensure at his own expense that its Deliveries and Services match up to the requirements of the applicable regulations concerning, health, safety and environmental regulations, including the regulations concerning hazardous materials, concerning prevention of accidents, and other industrial safety, and to all other applicable legal regulations. Unless otherwise agreed upon this also includes compliance with the national Electrical and Electronic Equipment Act (e.g. Germany, ElektroStoffV, in the actual current version).

Furthermore, the Supplier shall advise the Purchaser about any special, not generally known handling and disposal requirements and shall provide for each delivered good a manufacturer's certificate or certificate of conformity (CE) within the meaning of the applicable Directives of the European Union or other statutory provisions. (Especially by applying RoHS standards, the supplier has to actively inform, if there is a change to the conformity because of change by the exemptions in annex III and IV or because of change by restricted substances in annex II).

The Supplier shall comply with the requirements of WEEE Directives 2002/96/EC respectively 2012/19/EU and RoHS Directives 2002/95/EC respectively 2011/65/EU and their respective implementations into national laws (Note for Italy: EN 50581 is part of RoHS national law). As far as not otherwise agreed in the Purchase Order or Statement of Work, the Supplier shall be responsible for the take-back and disposal obligations according to these regulations and shall bear any related cost.

3 The Supplier shall fulfil at any time all requirements according to applicable national and European law, especially but not limited to Regulation No. 1907/2006 ("REACH"). The Supplier shall especially fulfil all duties imposed upon him regarding the market access requirements and the marketability, including any necessary registration as well as compliance with all duties to inform with regard to delivered substances, preparations/mixtures and/or articles as well as their packaging. Where necessary the Supplier shall fulfil the requirements by appointing an Only Representative according to Article 8 REACH.

Even without any specific request the Supplier shall provide all information which the Purchaser needs to receive in order to use the Deliveries by the Supplier according, especially but not limited to information according to Articles 31 to 33 (incl.) REACH. Complete and correct provision of information shall be a prerequisite for proper Deliveries. In case of failure to fulfill these information duties the Deliveries are considered as incomplete.

Any information subject to this clause shall be sent immediately after signing the contract, unless the Purchaser expressly specifies otherwise. Any Supplier, which is located outside the European Union, shall fulfil the

requirements of the regulation as importer of articles into the European Union. Each Supplier shall fill out and return the REACH questionnaire, which is available on the homepage of Jena-Optronik GmbH in electronic form as well as signed by a duly authorized representative to the Purchaser. On request, the Purchaser shall provide the Supplier with a printed copy of the questionnaire.

The Supplier shall fulfil at any time all requirements according to regulation (EC) No. 1272/2008 (CLP Regulation). Inter alia, Suppliers must classify, label and package substances and mixtures to be delivered in accordance with the CLP Regulation and shall fulfil notification requirements according to Articles 39-42 CLP Regulation. Where necessary and upon prior written consent of the Purchaser the Supplier shall ensure notification by the appointed Only Representative for a group of manufacturers including the Purchaser.

The parties agree that the obligations of the Supplier stipulated in this Section 3 shall be considered as material contractual obligations (so-called "cardinal duties"), which are essential for the execution of the contract. In the event, that the Supplier does not fulfil, does not sufficiently fulfil or does not fulfil in time the aforementioned obligations, the Supplier shall indemnify the Purchaser against each and any damages, which the Purchaser may incur from the non-fulfilment of the aforementioned obligations by the Supplier unless the Supplier is not responsible for the non-fulfilment.

4 A current version of the safety data sheet in accordance with the EU Commission Regulation (EC) No. 1907/2006 ("REACH Regulation") in the language of the purchasing legal entity and in the national language of the delivery address shall be included with each delivery.

5 If the Purchaser has informed the Supplier about the intended use of the Deliveries and Services, or if the Supplier can recognize such purpose in use without being expressly advised of it, the Supplier is obliged to inform the Purchaser immediately in the event that the Supplier's Deliveries and Services are unsuitable for that purpose of use.

6 The Supplier shall fulfil at any time all requirements according to REGULATION (EU) No 528/2012 (Biocidal Products Regulation – "BPR").

The Supplier shall notify any active substance included for biocidal use in the delivered substances, biocidal products, and/or treated articles as well as their packaging. If its deliveries contain any, the supplier shall indicate the nature of the Active Substance and the Product Type (PT) and Use, and provide all documentation and information in accordance with BPR to Jena-Optronik GmbH.