

Position Statement of Pactrol Controls Ltd Concerning the EU REACH Regulation

Pactrol Controls Ltd (a strategic business unit of Emerson Electric Co, St. Louis, Missouri), design and manufacturer of electronic systems for gas safety applications, domestic and industrial boiler management, is aware of, and assessing, developments in European Union legislation regarding the registration, evaluation, authorisation and restriction of chemicals pursuant to the REACH Regulation (EC) 1907/2006, which entered into force on 1 June 2007.

Pactrol Controls Ltd is aware that under the REACH Regulation the “manufacturer” and “importer” as well as “downstream user” of chemical substances, on their own, in mixtures or in articles, which fall within the definitions of the REACH Regulation, bear certain responsibilities with respect to manufacturing, importation, placing on the market and use of chemical substances.

Pactrol Controls Ltd has set up internal working groups to assess the scope of application of the REACH Regulation to its business and products and to devise mechanisms to ensure that Pactrol Controls Ltd and the products which it sells comply with the REACH Regulation’s provisions applicable to the role of Pactrol Controls Ltd in the supply chain with regard to each respective product.

Under the definitions of the REACH Regulation, Pactrol Controls Ltd is considered to be a downstream user, more precisely, an article producer and/or article importer.

The key aspects of Pactrol Controls Ltd implementation of REACH include the following as per the date of this position statement:

- Pactrol Controls Ltd does not manufacture or import into the EU any substance in quantities of one tonne or more per year and does not produce or import articles containing a substance in quantities of more than one tonne per producer/importer per year which is intended to be released from the article under normal or reasonably foreseeable conditions of use. Therefore, Pactrol Controls Ltd is not under the obligation to register substances under REACH. It is anticipated that Pactrol Controls Ltd suppliers effect all necessary registrations.
- Pactrol Controls Ltd is aware of the Candidate List of Substances of Very High Concern (SVHC) published by the European Chemicals Agency and of the fact that, being a supplier of articles, Pactrol Controls Ltd has a responsibility to identify any SVHC contained in its articles in concentrations above 0.1 % w/w and to communicate sufficient information, available to the supplier, on SVHC to the recipients of those articles and, upon request, to consumers.

Pactrol Controls Ltd is making its best efforts to compile the information required to meet the requirements under Article 33 of the REACH Regulation and commits itself to constantly pursue those efforts in order to be able to provide the information required to be provided under Article 33 of the REACH Regulation. Pactrol Controls Ltd will continuously monitor the Candidate List as it gets revised and will provide all required and current information if SVHC in a concentration above 0.1% w/w are identified in an article supplied by Pactrol Controls Ltd.

- Pactrol Controls Ltd is aware of the requirement of authorisation for certain uses of SVHC once included in Annex XIV to the REACH Regulation. Pactrol Controls Ltd will closely follow the developments with regard to the compilation of Annex XIV and take the necessary steps in due time.
- Pactrol Controls Ltd is aware that Annex XVII of the REACH Regulation stipulates restrictions for certain substances on their own, in a mixture or in an article. Pactrol Controls Ltd will closely follow further developments with regard to the compilation of Annex XVII and take the necessary steps.
- Pactrol Controls Ltd is aware of the obligation on any producer or importer of articles containing SVHC above a concentration of 0.1 % w/w and present in the articles above 1 tonne per year per producer/importer to notify the European Chemicals Agency within 6 months after the inclusion of the SVHC in the candidate list, starting from 1 June 2011 (subject to certain exemptions), unless the relevant substance has already been registered for that use, or exposure to humans or the environment during normal or reasonable conditions of use can be excluded. It is anticipated that Pactrol Controls Ltd suppliers effect all necessary registrations.

We will closely monitor these issues and will continue to adapt our compliance strategy to known changes with regard to the REACH requirements as they occur.

Should you require any further information on REACH and how it may affect your transactions with Pactrol Controls Ltd, please contact your usual contact in Pactrol Controls Ltd in the first instance or Dave Beeston (dave.beeston@pactrol.com)

Pactrol Controls Ltd