

Dear customer,

Under certain circumstances, the United States of America (hereinafter the USA or US) requires even companies whose registered office is located outside the US to comply with their export control regulations.

As a global company serving customers with global operations, EUCHNER regards complying with these regulations as its responsibility.

There are many agencies in the US that issue export control regulations (see Appendix 1) for products such as medical products, nuclear technology, food and financial services. All of EUCHNER's products, however, fall within the scope of responsibility of the "Bureau of Industry and Security" (BIS), a division of the US Department of Commerce, a government agency. The export control regulations of the BIS are called "Export Administration Acts" (EAA) and "Export Administration Regulations" (EAR) and can be viewed and downloaded on the following website: <http://www.bis.doc.gov/policiesandregulations/ear/>. The following documents in particular are useful to gain an overview:

Table of Contents for the EAR
Part 730 - General Information
Part 732 - Steps for Using the EAR
Part 734 - Scope of the Export Administration Regulations
Part 736 - General Prohibitions
Part 738 - Commerce Control List Overview and the Country Chart
Supplement No. 1 to Part 738 Commerce Country Chart
Part 774 - The Commerce Control List

To determine whether goods require a license – including for sale outside the US – the first step is to categorize the products using the technical parameters on the Commercial Control List (CCL), which is available on the following web page:

<http://beta-www.bis.doc.gov/index.php/licensing/commerce-control-list-classification>

The CCL consists of the following categories and groups, whose categories and product groups **only** are identical to the Dual-Use-Regulation of the European Community (see appendix 1 of EU decree Nr. 428/2009).

Commerce Control List Categories	Commerce Control List Product Groups
0 = Nuclear materials, facilities and equipment (and miscellaneous items) 1 = Materials, Chemicals, Microorganisms and Toxins 2 = Materials Processing 3 = Electronics 4 = Computers 5 = Telecommunications and Information Security 6 = Sensors and Lasers 7 = Navigation and Avionics 8 = Marine 9 = Propulsion Systems, Space Vehicles, and Related Equipment	A. Systems, Equipment and Components B. Test, Inspection and Production Equipment C. Material D. Software E. Technology

If the product can be categorized in a category and group, the CCL specifies an ECCN (Export Control Classification Number) that then serves as the point of departure for determining whether a US export license is required.

The following brochures provide an overview of how to determine the ECCN: "Determining your ECCN" at http://beta-www.bis.doc.gov/index.php/forms-documents/doc_view/143-bis-eccn-pdf.

NONE of the products that you acquire from EUCHNER are listed on the CCL. The ECCN for products subject to the BIS regulations but which are NOT listed on the CCL is EAR99.

THE ECCN FOR ALL EUCHNER PRODUCTS IS EAR99. THEREFORE NO EUCHNER PRODUCTS REQUIRE A PRODUCT-DEPENDENT US EXPORT LICENSE ("NO LICENSE REQUIRED" OR "NLR"), provided your delivery does not breach any of the general prohibitions below (see EAR 736 "General Prohibitions," which are INDEPENDENT OF THE PRODUCT:

- General Prohibition Four (Denial Orders): Engaging in actions prohibited by a denial order.
- General Prohibition Five (End-Use and End-User): You may not, without a license, knowingly export or re-export any item subject to the EAR to an end-user or end-use that is prohibited by part 744 of the EAR (see <http://www.bis.doc.gov/complianceand enforcement/liststocheck.htm>).
- General Prohibition Six (Embargo): Export or re-export to embargoed destinations or to another country if known that the product's final destination is an embargoed country (see EAR 746 "Embargos and Other Special Controls"). The countries for which (per 07/2013) a BIS export license is currently REQUIRED are: Cuba, North Korea, Syria, Iran, Sudan, Libya, Afghanistan, Rwanda.
- General Prohibition Seven (U.S. Person Proliferation Activity) —No Support of Proliferation Activities by U.S. Persons.
- General Prohibition Eight (Intransit). and items to be unladen

- No In transit shipments transport or loading/unloading from vessels or aircraft in the following countries (as per 07/2013): Armenia, Azerbaijan, Belarus, Cambodia, Cuba, Georgia, Kazakhstan, Kyrgyzstan, Laos, Mongolia, North Korea, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Vietnam.
- General Prohibition Nine (Orders, Terms, and Conditions): No Violation of any order, terms, and conditions of U.S. authorities.
- General Prohibition Ten (Knowledge Violation): Nor proceeding with transactions with knowledge that a violation of U.S. export regulations has occurred or is about to occur.

Should questions arise, please consult your contact at EUCHNER order processing.

Appendix 1:

Useful web links:

Export Administration Regulations "EAR":

<http://www.bis.doc.gov/policiesandregulations/ear/>.

Commercial Control List "CCL":

<http://beta-www.bis.doc.gov/index.php/licensing/commerce-control-list-classification/commerce-control-list-ccl/17-regulations/139-commerce-control-list-ccl>

Instructions for determining the Export Control Classification Number "ECCN":

http://beta-www.bis.doc.gov/index.php/forms-documents/doc_view/143-bis-eccn-pdf

General Prohibitions:

<http://www.bis.doc.gov/policiesandregulations/ear/736.pdf>

Lists to check:

<http://www.bis.doc.gov/complianceandenforcement/liststocheck.htm>

Denied Persons List:

www.bis.doc.gov/dpl/default.shtm.

Appendix 2:**SUPPLEMENT NO. 3 TO PART 730
- OTHER U.S. GOVERNMENT DEPARTMENTS
AND AGENCIES WITH EXPORT CONTROL RESPONSIBILITIES**

DEFENSE SERVICES AND DEFENSE ARTICLES

* Department of State

Directorate of Defense Trade Controls

Tel. (202) 663-2700

Fax: (202) 261-8695

Internet: <http://www.pmddtc.state.gov/index.html>

22 CFR parts 120 through 130

DRUGS, CHEMICALS AND PRECURSORS

Chemicals: Drug Enforcement Administration

Office of Diversion Control

Import-Export Unit

Tel. (202) 307-4916

Fax: (202) 307-4702

Internet: http://deadiversion.usdoj.gov/imp_exp/index.html

21 CFR parts 1311 through 1313

Controlled Substances: Drug Enforcement Administration

Office of Diversion Control

Import-Export Unit

Tel. (202) 307-7182 or (202) 307-7181

Fax: (202) 307-7503

Internet: http://deadiversion.usdoj.gov/imp_exp/index.html

21 CFR 1311 through 1313

Drugs and Biologics: Food and Drug Administration

Import/Export

Tel. (301) 594-3150

Fax: (301) 594-0165

21 U.S.C 301 *et seq.*

Investigational drugs permitted: Food and Drug Administration

International Affairs

Tel. (301) 443-4480

Fax: (301) 443-0235

21 CFR 312.1106

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FISH AND WILDLIFE CONTROLS; ENDANGERED SPECIES

Department of the Interior

Chief Office of Management Authority

Tel. (703) 358-2093

Fax: (703) 358-2280

50 CFR 17.21, 17.22, 17.31, 17.32

FOREIGN ASSETS AND TRANSACTIONS CONTROLS

* Department of Treasury
Office of Foreign Assets Control, Licensing
Tel. (202) 622-2480
Fax: (202) 622-1657
31 CFR parts 500 through 590

MEDICAL DEVICES

Food and Drug Administration
Office of Compliance
Tel. (301) 594-4699
Fax: (301) 594-4715
21 U.S.C. 301 *et seq.*

NATURAL GAS AND ELECTRIC POWER

Department of Energy
Office of Fuels Programs
Tel. (202) 586-9482
Fax: (202) 586-6050
10 CFR 205.300 through 205.379 and 590

NUCLEAR MATERIALS AND EQUIPMENT

* Nuclear Regulatory Commission
Office of International Programs
Tel. (301) 415-2344
Fax: (301) 415-2395
10 CFR part 110

NUCLEAR TECHNOLOGY; TECHNICAL DATA FOR NUCLEAR WEAPONS/SPECIAL NUCLEAR MATERIALS

* Department of Energy
Office of Export Control Policy & Cooperation (NA-24)
Tel. (202) 586- 2331
Fax: (202) 586-1348
10 CFR part 810

OCEAN FREIGHT FORWARDERS

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Federal Maritime Commission
Office of Freight Forwarders
Tel. (202) 523-5843
Fax: (202) 523-5830
46 CFR part 510

PATENT FILING DATA SENT ABROAD

* Department of Commerce
Patent and Trademark Office
Licensing and Review

EUCHNER

More than safety.

Tel. (703) 308-1722
Fax: (703) 305-3603, 3604
37 CFR part 5

U.S. FLAGGED OR U.S. MANUFACTURED VESSELS OVER 1,000 GROSS TONS
U.S. Maritime Administration
Division of Vessel Transfer and Disposal
Tel. (202) 366-5821
Fax: (202) 366-3889
46 CFR part 221