

# Certificate of Compliance RoHS, REACH and CE

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## RoHS compliance statement

Regarding Nexthermal's activities with respect to the Restriction of Hazardous Substances in Electrical and Electronic Equipment (EEE) (RoHS), please be advised of the following:

### Executive Summary

RoHS Directive 2011/65/EU (RoHS 2) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011L0065>) became effective on June 8, 2011. RoHS Directive 2015/863 came into effect on March 31, 2015 (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32015L0863>), amending the list of restricted substances to an additional 4 compounds.

RoHS 2 deals with the same hazardous substances and the same maximum concentration limits as Directive 2002/95/EC (RoHS 1). Therefore, all products meeting the substance restrictions of RoHS 1 remain compliant to the substance restrictions of RoHS 2. The scope of RoHS 2 expanded to phase in the previously excluded categories of medical devices and monitoring & control instruments, as well as certain cables. In addition, RoHS 2, for finished EEE, requires the use of the CE mark to demonstrate compliance with the Directive. The commentary below provides more detail related to Nexthermal's approach to ensure compliance to RoHS 2.

### Awareness and Focus

Nexthermal is fully aware of 2011/65/EU (RoHS 2) and 2015/863 maintains focus on the changes of the directive.

### Substance Restrictions

RoHS 2 deals with the same six hazardous substances and the same maximum concentration limits as RoHS 1: lead (0.1%), mercury (0.1%), cadmium (0.01%), hexavalent chromium (0.1%), polybrominated biphenyls [PBB] (0.1%), polybrominated diphenyl ethers [PBDE] (0.1%).

Therefore, all products meeting the substance restrictions of RoHS 1 remain compliant to the substance restrictions of RoHS 2.

### Expansion of Scope

RoHS 2 expands the scope of products covered by phasing in EEE categories 8 (medical devices) and 9 (monitoring and control instruments) which were previously excluded under RoHS 1. Nexthermal products that are used in equipment falling into these categories are already compliant.

The expanded RoHS 2 scope also includes certain cable assemblies used to connect EEE or to provide power to EEE. Per the RoHS 2 FAQ version of December 12, 2012, cables internal to EEE (this includes cables permanently attached to EEE), and cables with a rated voltage greater than or equal to 250 volts are considered to be 'out of scope'.

The RoHS 2 Directive does not apply to non-electric tools, large-scale fixed installations (Article 2, 4(e)) or to electrical and electronics equipment designed for use with a voltage rating exceeding 1000 volts AC or 1500 volts DC.

### CE Marking

In contrast to RoHS 1, RoHS 2 is a CE marking Directive, and requires, for finished EEE, the use of the CE mark on the product to show compliance. The responsibility for affixing the CE mark resides with the manufacturer.

- For finished EEE where Nexthermal is the legal manufacturer, Nexthermal will affix the CE mark.
- For finished EEE that Nexthermal produces for OEMs, the CE mark can, similar to other customer specifications, be affixed by Nexthermal on the customers behalf without Nexthermal assuming the OEMs' (manufacturers') responsibility.

Please be advised that CE marking for RoHS 2 only applies to finished EEE in scope of RoHS 2. The use of the CE mark is not allowed on products not in scope of an EU Directive, and can therefore not be applied to Nexthermal component products (such as connectors, etc.). Please see REGULATION (EC) No 765/2008 (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:218:0030:0047:en:PDF>) for general CE mark guidelines.

### **Declaration of Conformity (DoC) and Technical Documentation**

In addition to placing the CE mark on all finished EEE in scope of RoHS 2, all CE marked EEE will require a Declaration of Conformity (DoC) and associated technical documentation. The responsibility for this DoC and documentation resides with the manufacturer.

- For finished EEE Nexthermal manufactures, Nexthermal will provide the DoC and prepare technical documentation per Harmonized European Standard EN50581. Please see section titled “Declaration of European Community Conformance” attached at the end of this document for Nexthermal’s DoC statement of this condition to the indicated products.
- For finished EEE that Nexthermal produces for OEMs which includes Nexthermal components as well as other manufacturer’s components, it is only the OEM that can fulfil the obligations to provide the required documentation for the complete system under its own name.

## **REACH (Registration, Evaluation, Authorization and Restriction of Chemicals) compliance statement**

In response to Nexthermal’s activities with respect to REACH, the European Union Regulation concerning the Registration, Evaluation, Authorization, and Restriction of Chemicals, please be advised of the following:

### **Awareness and Focus**

Nexthermal is aware of the European REACH Regulation EC No 1907/2006 and has reviewed the list of materials involved.

### **Registration of Substances**

Nexthermal is in the process of contacting our suppliers of “substances, preparations, and articles” to ensure that all necessary pre-registration/registration requirements are being met within the required timeframes. This effort extends to all materials used by Nexthermal that are within the scope of REACH and with regard to the applications in which those materials are used in our products. Nexthermal does not manufacture or import any of the substances listed on the Substances of Very High Concern (SVHC) effective ED/121/2013.

### **Ongoing Supply of Our Products**

As a result of our preparation and ongoing efforts described above, compliance with REACH is not expected to disrupt the supply of materials used in Nexthermal’s products or the supply of products to our customers.

### **Substances of Very High Concern (SVHCs)**

We are regularly monitoring the continuing additions of Substances of Very High Concern (SVHC) to the Candidate List, which is the first step of the REACH authorization procedure. To date, 151 substances have been identified as SVHC and published on the Candidate List located at <http://echa.europa.eu/web/guest/candidate-list-table>.

To date, none of the products used by Nexthermal contain any of the published SVHC materials. Be assured that, if a Substance of Very High Concern is identified in any of our products above the threshold of 0.1% by weight, we will communicate the required information to our customers, according to REACH Article 33.

### **Notification to ECHA of SVHCs in Articles**

We are performing ongoing evaluations to monitor and identify manufacturing and/or importation notification obligations to the European Chemical Agency (ECHA) for SVHC in articles. To date, we have determined that no such notifications are required.

### **REACH Authorization List (Annex XIV)**

We are monitoring the continuing additions of prioritized SVHC published in the Candidate List to the Authorization List in Annex XIV. If Annex XIV substances are ever present in our products, Nexthermal will target the substitution of those substances to ensure that those SVHC are removed from Nexthermal products before their respective sunset dates.

### **Annex XVII Restrictions**

We are also monitoring the ongoing amendments to Annex XVII of REACH, which has introduced some new restrictions, but primarily replaced a number of European Union directives by consolidating existing restrictions, including those that had

been implemented as amendments to Directive 76/769/EEC. In many cases, Annex XVII restrictions are application specific.

We have evaluated that our products are not being used in those restricted applications. Nextthermal has been in compliance with the directives replaced by Annex XVII and is currently in compliance with Annex XVII. We will continue to monitor new additions to Annex XVII and will update our compliance statement as appropriate.

## Declaration of European Community Conformance (CE)

Pertaining to Nextthermal manufactured products classified as Electric Heaters Type HW, MW, CH, MC and TU and Temperature Sensors Type TC and RTD we hereby confirm, knowing that we are responsible, fully comply with the following European Community guidelines:

- Directive 2011/65/EU of the European Parliament and of the Council of June 8, 2011
- Commission Delegated Directive (EU) 2015/863 of March 31, 2015

Based on the restriction of the use of certain hazardous substances in electrical and electronic equipment ("RoHS Directive")

Technical documentation for the above-mentioned object were prepared as per Harmonized European Standard EN50581:2012.

Further, Directive 2014/35/EU (ELECTRICAL EQUIPMENT DESIGNED FOR USE WITHIN CERTAIN VOLTAGE LIMITS) applies to all electrical equipment designed for use with a voltage rating of between 50 and 1000 V for alternating current and between 75 and 1500 V for direct current. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32014L0035>

The following standards were applied at the examination/production:

- DIN EN 60204 VDE 0114 part 1
- DIN IEC (Sec) 171 VDE 0113 part 1 A1
- DIN EN 60335 part 1 VDE 0700 part 1

The standards were complemented by the Nextthermal standards for the following tests:

- High-voltage strength
- Leakage current
- Insulation resistance

We require that the electric heaters type HW, MW, CH, MC and TU and Temperature Sensors Type TC and RTD styles are to only be applied, according to our instructions, in tools and plants that correspond to the current European Community-guidelines for the CE markings to be in effect.

The assurance of special product features according to product liability law is not guaranteed with this declaration of EC-conformity.

Signed:



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