



Policy Environmental Services

KapStone Supplier Product Information Requirements - Chemicals and "Articles" Intended to Come in Contact with Paper Product

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Prior to the procurement and use of any chemical intended for pulp and paper production or any "article that will come in contact with the final paper product" at KapStone Paper and Packaging Corporation, the following information and documentation must be on file. Please provide complete information regarding the following regulatory requirements by completing the **KapStone Supplier Product Stewardship Declaration** survey.

Material Safety Data Sheets/GHS Safety Data Sheets

Per the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard 29 CFR 1910.1200 and pertinent state and local standards, chemical manufacturers, importers, and distributors are required to provide Material Safety Data Sheets (MSDSs). After June 1, 2015, chemical manufacturers, importers and distributors will be required to provide GHS Safety Data Sheets (SDSs). All containers shipped to KapStone must be properly labeled. Prior to shipment, KapStone must receive:

- A copy of an MSDS/SDS that meets the OSHA/State/local Hazard Communication Standard requirements.
- A statement that your company will properly label with appropriate hazard warnings all chemical containers required by the Hazard Communication Standard.

Food and Drug Administration Guaranty (FDA letter of guarantee)

Guarantee that your product(s) comply with the Federal Food, Drug and Cosmetic Act as amended by the Food Additives Amendment of 1958 and Color Additives Amendment of 1960. Provide a dated, continuing guarantee that the product is suitable for use in direct food contact applications. Include any limitations and conditions of use and food types as found in 21 Code of Federal Regulations (CFR) 176.170(c) Table 1.

- Provide a compilation of the chemical components of the product(s) and where these components are regulated in the CFR or FCN if CAS numbers are not included in the MSDS/SDS. If component information is proprietary, KapStone will enter into a confidential disclosure agreement.

European Union Food Contact Regulation (EU Directive EN 1935/2004)

A large number of our customers require us to be compliant with several European regulations that detail guidelines for all materials and articles intended to come into contact with food.

- European Union (EU Directive EN 1935/2004)
- German BfR Recommendation XXXVI (Paper and board for food contact)
- General Product Safety Directive (2001/95/EC)

Guarantee that your product(s) are approved by any European community for use in food-contact material.

ISO 9001:2008 or Equivalent Quality Management System

Suppliers should either be registered to the ISO 9001:2008 Quality Management System standard or have a system that is consistent with the requirements of the ISO 9001 system and willingness to be audited upon request by KapStone.

Good Manufacturing Practices (cGMP)

Suppliers should have implemented practices that are consistent with current GMP requirements relevant to that facility.

Food Defense Plan (FDP)

Suppliers should have implemented practices that are consistent with current FDP requirements relevant to that facility.

Hazard Analysis and Critical Control Points (HACCP) Plan

Suppliers should have implemented practices that are consistent with current HACCP requirements relevant to that facility.

Heavy Metals

KapStone is committed to compliance with all laws, including those relating to "Heavy Metals" in packaging. "Heavy Metals" are lead, mercury, cadmium and hexavalent chromium. Packaging suppliers are required to minimize heavy metals in packages and packaging materials under both the European Parliament and Council Directive 94/62/EC on Packaging and Packaging Waste ("Directive 94/62/EC") and the United States laws enacted by various states under the Coalition of Northeastern Governor ("CONEG") Model Toxics in Packaging legislation, including the California Toxics in Packaging Prevention Act, which requires suppliers to provide to their purchasers Certificates of Compliance with that law.

Suppliers to KapStone that deliver finished packaged products are also required to follow the Essential Requirements outlined in Annex II of Directive 94/62/EC.

RoHS Specification

KapStone has developed a corporate EU RoHS Specification which sets forth KapStone's expectations for suppliers providing materials to KapStone that may be subject to the requirements of the European Union's Directive 2002/95/EC, Restriction of the use of certain Hazardous Substances in Electrical and Electronic Equipment, as amended, and/or the substance restrictions of the recast RoHS Directive 2011/65/EU, Annex II, jointly known as "EU RoHS."

Directive 2002/95/EC as amended is repealed on January 3, 2013. Directive 2011/65/EU is in effect as of that date. Under EU RoHS, electrical and electronic equipment placed on the European Union market may not contain more than certain levels of lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls (PBBs) (flame retardant), and polybrominated diphenyl ethers (PBDEs) (flame retardant).

Other countries around the world are considering and/or have implemented regulations that are similar to EU RoHS.

The KapStone EU RoHS Specification applies to all materials, parts, components and/or products (whether finished or semi-finished) that include restrictions on the EU RoHS substances listed above or that have this specification cited on or in their KapStone part number drawing, part or product specifications, sourcing agreements, purchase contracts, purchase orders or other purchasing documentation.

Legal Harvesting Laws – Lacey Act and European Union Timber Regulation

Products and product packaging supplied to KapStone must comply with laws related to product content, including laws that prohibit use of illegally harvested timber or plant materials. Laws regarding timber and timber products, such as the United States Lacey Act and the European Union Timber Regulation, restrict the sales and imports of illegally harvested timber or products derived from such timber (including paper or paper pulp). These laws also may include "due care" or "due diligence" requirements.

Additional Details on U.S. Lacey Act Requirements

The U.S. Lacey Act was amended in 2008 to prohibit the purchase or sale of products or product packaging in the United States made from wood, paper, wood fiber or other plant materials, with certain limited exceptions, if the plant material was illegally harvested in its country of origin. The Lacey Act has import declaration requirements that are currently in effect for a limited number of wood products. However, the prohibition on purchase or sale of products containing illegally harvested plant materials applies to **all** products containing plant material.

KapStone has developed a corporate U.S. Lacey Act Specification and requires their suppliers to adopt similar policies and systems.

As a supplier to KapStone, please become aware of these requirements and take steps to determine which of the products you supply to KapStone contain timber or plant materials within the scope of the U.S. Lacey Act or the EU Timber Regulation and similar laws and work with your suppliers to make sure all plant materials are legally harvested, sourced and exported from their country of origin, or validate the origin as recycled.

Country of Origin

Supplier must disclose the country of origin.

European Union REACH Substances of Very High Concern (SVHC)

Supplier must declare compliance with REACH and disclose listed SVHC substances in the product up to the latest revision of the list, providing the total concentration in weight percent of each SVHC component in the product if applicable.

The People's Republic of China Ministry of Health GB-9685

Supplier must disclose if the product is on the China GB-9685 list of chemicals allowed in the manufacture of food contact papers and the conditions of use for chemicals identified.

California Proposition 65

Supplier must disclose listed Proposition 65 substances in the product, provide the total concentration in weight percent of each Proposition 65 component in the product and provide the result of all risk assessment studies performed on the product if applicable.

Ozone-Depleting Chemicals (ODCs)

Supplier must disclose if the product contains any Class I or Class II ODCs per EPA regulation 40 CFR 82 and provide CAS numbers of listed components.

Decomposition/Reaction Products

Supplier must disclose the decomposition products of the product under normal conditions of use and decomposition products of the product due to fire and chemical incompatibilities.

Biocidal Product Regulation (EU) No. 528/2012

Supplier must disclose if biocides and/or preservatives are used in the product meet Biocidal Product Regulation (EU) No. 528/2012.

Impurities (and Chemicals of Concern)

Supplier must disclose if the product contains (and the concentration if present) any of the following:

- a. Alkyl phenol ethoxylates
- b. Anthraquinone
- c. Asbestos
- d. Azo dyes
- e. Bisphenol A
- f. Fluorescent agents
- g. Formaldehyde
- h. Glycol ether (compounds)
- i. Latex
- j. Mineral oil
- k. Nonylphenol ethoxylates
- l. Organotin compounds
- m. Perfluorooctanoic acid (PFOAs)
- n. Perfluorinated chemicals (PFCs)
- o. Phthalate compounds
- p. Polybrominated biphenyls
- q. Polybrominated diphenyl ethers
- r. PVC (polyvinyl chloride)
- s. PVDC (polyvinylidene chloride)

Allergens

Supplier must disclose if any of the following allergens are present: Artificial Colors/AZO dyes, Barley products, Celery and celery products, Egg and egg products, Fish/Crustaceans, Hydrolyzed Vegetable Proteins, Milk and Dairy products, Monosodium Glutamate (MSG), Mustard and mustard products, Oat products, Peanuts, peanut oils and peanut products, Rye products, Safflower products, Seeds or their derivatives, Soybean and soybean based products, Sulphites, Tree nuts or their derivatives, Wheat or wheat products.

Animal-Derived Content

Supplier must disclose if the product contains any animal-derived component. If Supplier is certified to Kosher and/or Halal, please provide certificate.

Consumer Product Safety Improvement Act of 2008 (CPSIA)

Consumer Product Safety Improvement Act of 2008 established limits for the maximum allowable concentration of chemicals aimed at products designed or intended primarily for children age 12 and under.

Materials supplied to KapStone may be used in children's products. Do any of the products you currently supply or could supply to KapStone contain chemicals defined by the CPSIA?

California Transparency Supply Chain Act

On January 1, 2012, the 2010 California Transparency in Supply Chains Act took effect. The Act compels companies that meet certain threshold requirements to disclose their efforts to eradicate slavery and human trafficking from their supply chains.

Great Lakes Binational Toxics Strategy

The Canada-United States Strategy for the Virtual Elimination of Persistent Toxic Substances in the Great Lakes Basin, known as the Great Lakes Binational Toxics Strategy. The Strategy provides a framework for actions to reduce or eliminate persistent toxic substances, especially those which bioaccumulate, from the Great Lakes Basin.

Do any of the products you supply or could supply to KapStone Charleston contain chemicals defined under Level I or Level II substances by the Great Lakes Binational Strategy?

Canadian (CFIA) Letter of No Objection

The safety of all materials used for packaging foods is controlled under Division 23 of the Food and Drugs Act and Regulations, Section B.23.001 of which prohibits the sale of foods in packages that may impart harmful substances to their contents. This regulation puts the onus clearly on the food seller (manufacturer, distributor, etc.) to ensure that any packaging material that is used in the sale of food products will meet that requirement.

Letters expressing favorable opinions are called "no objection letters" and can be used by the recipients to assure their prospective customers that the products they are selling have been evaluated by the Food Directorate and deemed acceptable, from a chemical safety standpoint, for use in specified food packaging applications. However, it is important to note that such letters do not constitute approvals in a legal sense and do not relieve the food sellers of their responsibilities under Section B.23.001 of the Food and Drug Regulations.

Please pass on any Supplier product Letters of No Objection, if applicable.

Conflict Minerals

Armed groups operating in the eastern Democratic Republic of the Congo (DRC) have controlled many of the region's mines or transit routes and have engaged in armed conflict, as well as some of the world's worst human rights violations. Concern that proceeds from the mining of minerals have been used to fund extreme violence in that region led to a requirement in the U.S. Dodd-Frank Financial Reform Law of 2010, that U.S. publicly-traded companies must disclose any "conflict minerals" necessary to the functionality or production of products they manufacture or contract to manufacture. The conflict minerals are tin, tungsten, tantalum and gold (3TG's). Companies using conflict minerals must also disclose their supply chain inquiries to verify whether these minerals originated in the DRC or adjoining countries.

Current federal regulations require all public companies 1) to evaluate whether conflict minerals are necessary to the function or production of their products by evaluating their supply chain, and if so 2) to publicly file certain information about the conflict minerals with the Securities and Exchange Commission. As a result, while the burden of compliance is on public companies, members of their supply chain are also impacted.

KapStone's Conflict Minerals Policy. KapStone deplores the violence in the DRC and adjoining countries and is committed to supporting responsible sourcing of conflict minerals from the region. Accordingly, KapStone expects its suppliers to meet the following expectations.

KapStone's Expectations for Suppliers:

- Supply "DRC Conflict Free" materials. Under KapStone's conflict mineral's policy, suppliers are expected to supply materials to KapStone that are "DRC conflict free," which means either: 1) any 3TGs necessary to the functionality or production of supplied materials must not directly or indirectly fund armed conflict in the DRC or adjoining countries, or 2) any 3TGs must be from recycled or scrap sources.

Volatile Organic Compounds (VOC)

Supplier must disclose the VOC content of the product and provide the test method used to determine VOC content.

Hazardous Air Pollutants (HAPs)

Supplier must disclose if any of the components are listed as HAPs by the EPA and provide the test method used to determine if HAPs are present.

Toxic Substance Control Act (TSCA)

Supplier must disclose if the product or its constituents are listed in the TSCA inventory and provide inventory numbers.

1. Disclose if the US Environmental Protection Agency (EPA) has required the product be tested for health effects, environmental effects, or chemical fate under Section 4. Disclose the results of required testing.
2. Disclose if the EPA has elicited information about the product under Section 8(a).

Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and Superfund Amendment and Reauthorization Act (SARA) Title III

CERCLA and SARA require that additional information for hazardous and/or toxic components be shown on the MSDS/SDS. These requirements include:

1. The Chemical Abstract Services (CAS) number for each extremely hazardous, toxic, or CERCLA hazardous component as defined by 40 CFR 302, 40 CFR 355, and 40 CFR 372.
2. The total concentration in weight percent for each extremely hazardous, toxic, or CERCLA hazardous component as defined by 40 CFR 302, 40 CFR 355, and 40 CFR 372.
3. A statement whether the product meets the definition of a hazardous chemical per 40 CFR 370 for hazardous chemical reporting and in which category it should be reported (acute, chronic, reactive, fire hazard, sudden release of pressure).

Resource Conservation and Recovery Act

Supplier must disclose if the product supplied to KapStone, in its pure and undiluted form, satisfies the criteria for a hazardous waste per 40 CFR 261.

1. If the answer to 1 is yes, please explain specifically why the product is hazardous.
2. If the product is an Acute Hazardous or Toxic Waste, please disclose the appropriate solvent or cleaning procedure for the container.
3. Please indicate the type of container (bulk, drum, bag, bottle, cylinder, or other), the size of container, and container construction.