

**DECLARATION OF COMPLIANCE FOR MATERIALS AND ARTICLES
INTENDED TO COME INTO CONTACT WITH FOOD
GLASS PACKAGING CONTAINERS**

BA GLASS, B.V., registered headquarter in Prins Bernhardplein 200, 1097 JB Amsterdam, The Netherlands, below designated as **BA Group**, declares in accordance with Article 16 of Regulation 1935/2004, to comply with all rules applicable to glass packaging as stipulated in Article 5 of the same Regulation, and moreover, that the packaging glass they produce and commercialize complies with:

1. Chemical composition and resistance to chemical attack

BA Group produces a soda-lime glass whose main raw materials are sand, soda ash and limestone with the following typical composition:

| Oxide | % |
|------------------------------------|---------|
| SiO ₂ | 71 a 75 |
| Na ₂ O+K ₂ O | 12 a 14 |
| CaO+MgO | 10 a 14 |
| Al ₂ O ₃ | 1 a 2 |

This glass presents a chemical agent attack resistance that meets the specifications of glass type III, from the USP 43 (*United States Pharmacopeia*) and NF 38 (*National Formulary – USA*), assuring that it is inert towards several types of attack.

This characteristic allows the use of this glass as a packaging material in contact with all type of food, beverages and it is suitable for drinkable water.

2. Applicable legislation - Glass packaging and package residues

Europe:

- Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC, with subsequent amendments.
- Regulation (EC) No 2023/2006 of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food, with subsequent amendments.
- Regulation (EC) N. ° 852/2004 of the European Parliament and of the council of 29 April 2004 on the hygiene of foodstuffs, in what concerns glass packaging, and amendments.
- Council Directive 84/500/EEC of 15 October 1984 on the approximation of the laws of the Member States relating to ceramic articles intended to come into contact with foodstuffs and amendments (although this Directive applies to ceramics, several Members States have extended its limits to glass containers)
- Swiss Ordinance on Materials & Articles in contact with food (SR 817.023.21) and amendments
- Law no. 2010-729 of 30 June 2010 amended by Law no. 2012-1442 of 24 December 2012 suspends the manufacture [*], import, export [*] and placing on the market, free of charge or against payment, of any packaging, container or utensil containing bisphenol A and intended to come into direct contact with all foodstuffs (France)
- BfR Recommendations on Food Contact Materials (Germany)

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- European Directive 94/62/CE of December 20th on packaging and packaging waste, modified by the European Directive 2004/12/CE of February 11th, and by the Commission Decisions 2001/171/CE of February 19th and 2006/340/CE of May 8th, with subsequent amendment
- Law 249/2015, with subsequent amendments, regarding the packing and waste packing management (Romania plant).

USA:

- In the Federal Register, Vol 48, No. 27, 08.02.1983, page 5718 is given: "The agency has traditionally considered materials such as ceramics, glass, and stainless steel as GRAS (**G**enerally **R**ecognized **A**s **S**afe) for food-contact use, based on their safe history of common use as food-contact materials before 1958. However, because the use of these materials has been so widespread, the agency has never considered it necessary to list these materials as GRAS".

The GRAS status of glass packaging means that glass can be used without limitation for food and beverage packaging applications.

- BA Group containers are in compliance with FDA (Food and Drug Administration in the USA) 21 CFR. "GRAS substances," such as glass, are not within the statutory definition of "food additive" under the FDCA.
- BA Group products comply with requirements of lead (Pb) and cadmium (Cd) leaching limits and acceptance criteria described in ISO 7086 – 2.
- Based on GRAS glass containers status, we believe that BA Group products, when used as intended, not pose consumer to any of chemical substances listed in the current Proposition 65 list (California's Safe Drinking Water and Toxic Enforcement Act of 1986) by ingestion, inhalation or by absorption through the skin.

The glass produced is analysed to assure legal compliance.

3. Dangerous substances

Packaging glass is exempt of the pre-register and register REACH according to the alteration produced by the Regulation 987/2008/CE on the Regulation (EC) No 1907/2006 of 18 December 2006, concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), with subsequent amendments.

The glass produced by **BA Group** does not include any of the dangerous substances referred to on the "Candidate List" issued by ECHA, or Arsenic, any kind of Bisphenol, Phtalates, Benzofenone, 4 Methyl-benzofenone, Isopropyl Thioxanthone, or any other substance that may put in risk its adequacy to food contact. New statement will be issued whenever relevant changes to this the "Candidate List" are published and affect BA product.

BA GLASS states that none of the following substances is intentionally used in the glass production process and therefore their presence is therefore not expected in the glass containers produced by BA Group:

- heavy metals
- Mineral Oil Saturated Hydrocarbons (MOSH)
- Mineral Oil Aromatic Hydrocarbons (MOAH)
- Per- and Poly-fluoroalkyl Substances (PFAS)

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4. Overall migration and substances having a restriction

Overall migration

In the absence of specific European legislation for packaging glass, BA decided to adopt for Overall migration Italian Ministerial Decree of 21st March 1973 - *Disciplina igienica degli imballaggi, recipienti, utensili, destinati a venire in contatto con le sostanze alimentari o con sostanze d'uso personale. G.U. n. 104 del 20 aprile 1973.*

BA Group carries out, on a regular basis, heavy metals migration analyses in accordance to the international available standards:

- Decreto Ministeriale del 21/03/1973 "Disciplina igienica degli imballaggi, recipienti, utensili, destinati a venire in contatto con le sostanze alimentari o con sostanze d'uso personale;
- DGCCRF - VERRE - 07/06/2016;
- ISO 7086-2 Glass hollowware in contact with food — Release of lead and cadmium.

Additives having multiple functions:

List of additives that have a double function - Not used.

Non-listed substances and Non- Intentionally-Added-Substances (NIAS)

None. Not applicable to the glass packaging.

5. Allergens and GMO

There is no introduction of allergens or genetically modified organisms (GMOs) in the glass produced by BA Group.

BA Group confirms that the glass packaging which we supply contains none of the substances or products classified as allergens or GMO.

6. Animal origin materials and Halal/ Kosher suitability

The glass produced by BA Group has no animal origin ingredients, substances or equipment based, in any part of its production process. BA glass containers are suitable to pack Halal/Kosher foodstuff.

7. Nanomaterials

Nanotechnology products or nanomaterials are not intentionally used in the process of BA Group glass containers manufacturing. Their presence is therefore not expected in this product.

8. Radiation and radiological hazard

Glass containers produced by BA Group and raw materials used for its composition are not the subjects of the ionizing radiation and does not undergo chemical changes induced by ionizing radiation. Raw materials used for the production purpose do not come from an area with elevated radiation and the plant is not located in such area.

9. Recyclability

Glass packaging is 100% recyclable and may be recycled infinitely. A container made from recycled glass has the same characteristics of a container made of new raw materials. Glass packaging use one of the following International Universal Recycling codes: GL 70 (Clear Glass), GL 71 (Green Glass) or GL 72 (Brown Glass).

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10. Certification status

BA Group is certified by the following volunteer referential systems:

| STANDARDS | PLANT | Portugal | | | Spain | | Poland | | Germany | Greece | Bulgaria | | Romania |
|-----------|---|----------|----|----|-------|----|--------|----|---------|--------|----------|----|---------|
| | | AV | MG | VN | LE | VF | JE | SI | GA | AT | SO | PV | BU |
| | Quality Mngmt System ISO 9001 | x | x | x | x | x | x | x | x | x | x | x | x |
| | Enviromental Mngmt Sys. ISO 14001 | x | x | x | x | x | x | x | | | x | x | x |
| | Food Safety Mngmt System FSSC 22000 | x | x | x | x | x | x | x | x | x | x | x | x |
| | Social Acountability Mngmt Sys. SA 8000 | x | x | x | x | x | | | | | | | |
| | Occupational H&S Mngmt Sys. ISO 45001 | | | | | | | x | x | | x | x | x |
| | Energy Mngmt System ISO 5001 | | | | | | | | x | | | | |
| | The Sedex Members Ethical Trade Audit (SMETA) | x | x | x | x | x | x | x | x | x | x | x | x |

Revision

- a/ Document revised, new declarations were added
- b/ change in item Dangerous Substances
- c/ change in point Chemical composition and Applicable legislation
- d/ document revised, USA regulation and points 4, 8, 9 were added, point 10 revised

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