



Berkshire Corporate Park, Bethel, CT 06801 USA

January 3, 2023

Re: US SEC Conflict Minerals Rule

Dear Customer,

Procell must decline your request to complete the EICC-GeSI Conflict Minerals Reporting Template. Procell is of the position that it does not need to complete supplier declarations regarding the use of conflict minerals.

The SEC reporting rule applies to companies that use minerals including tantalum, tin, gold, or tungsten if: (1) the company files reports with the SEC under the Exchange Act and (2) the minerals are “necessary to the functionality or production” of a product manufactured or contracted to be manufactured by the company.

“The concepts of “contracting to manufacture” and “influencing the manufacture” are key requirements in determining supply chain scope for the purpose of requesting conflict mineral declarations. These concepts are explained in the SEC Conflict Minerals FACT SHEET (referred to herein as “Fact Sheet” and can be seen at <https://www.sec.gov/News/Article/Detail/Article/1365171562058>)”

The SEC does not require companies to report on products in which they have no actual influence or control. Procell has complete control over the manufacturing of its Procell branded batteries that are supplied to you as our OEM customer or as a purchaser of our products. As a purchaser, you do not influence the manufacture of our products in any way. As such, there is no requirement for your company to report on Procell branded batteries that are supplied to you by Procell.

“A new Conflict Minerals Regulation for the EU came into force on January 1, 2021. The assessment (aligned within the industry) is in line with that of the aforementioned US Conflict Mineral Regulation (i.e., NO OBLIGATION towards our customers regarding conflict minerals reporting).”

Cordially,

A handwritten signature in black ink that reads "Laura Zadrick".

Laura Zadrick
Procell NA Regulatory
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