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28 January 2019

Dear Valued Customer

Thank you for your inquiry with respect to our products and the new registration requirements regarding nanomaterials as outlined in French Decree no. 2012-232 issued on 17 February 2012, and the definition of nano materials as outlined on October 18<sup>th</sup>, 2011 by the European Commission (2011/696/EU) and the classification of nanomaterials under REACH. Our products do not meet the definition of nano materials as outlined in Decree no. 2012-232 and would accordingly not be subject to this declaration requirement. Likewise as natural products our kaolins would not meet the definition of nanomaterials under REACH.

EC 2011/696/EU has proposed a definition for nano materials for Member States. We do not believe our materials would meet this definition either but no final decision has been made on this by the authorities with respect to a harmonized standard. Accordingly it is unclear as to whether our products would meet this standard or not. It should be noted all other regulatory authorities have exempted naturally occurring materials from the standard which is in line with the French Decree. We are hopeful that the EU standard will eventually be clarified to be aligned with all other definitions.

The US EPA has issued reporting requirements around nanoscale materials. The definition does require that a material be purposely processed or manufactured in the nanoscale range for the purposes of generating unique properties. On August 17, 2017 the EPA issued a guidance document that further clarifies what is required to be reported. While our kaolin products do contain one dimension that is less than 100 nm (our kaolin plates are approximately 80 nm in thickness), our products do not meet the other requirements and therefore we do not need to be report to the EPA. As a user of our products the EPA requires you to determine if our products do create unique and novel properties for your application (e.g. discontinuous change in thermal conductivity or other physical or chemical property) to determine your reporting requirement. For more information, please refer to the US EPA's guidance document that can be found on their web site at <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/working-guidance-epas-section-8a>. We would be happy to provide any information you need to make this determination.

We thank you for your continued business and will issue further updates as any developments occur. Please let us know if you have any further questions regarding this issue.

With Best Regards,

A handwritten signature in black ink that reads 'Doug Carter'.

Doug Carter, Ph.D.  
Vice President – Technology and Business Development