

## **Mercury-Added Products Policy**

Dwyer Instruments, LLC (Dwyer), in an effort to comply with all local, state, federal, and international laws regarding the sale of Mercury-Added Products (MAPs), has adopted this policy. This policy will be posted on our website for future reference and will remain in effect until Dwyer phases out all MAPs.

### **Overview**

Dwyer continues development of non-mercury replacement alternatives for those products currently offered which contain mercury. No timetable will be established for the completion of this project. We will continue to work with all customers to supply mercury-added products as needed for replacement of products currently in use and to guide customers towards non-mercury added for new applications.

Dwyer will comply with all local, state, federal, and international laws regarding the sale of mercury-added products. These laws may affect our ability to sell, distribute, or transport products into restricted markets. Mercury-added product sales may be limited or denied to certain customers depending on the location or intended use of the product.

Dwyer encourages all customers to become familiar and comply with all mercury legislation. Sales of any and all mercury-added products will be discontinued to any customer that knowingly or willfully disregards any legislation concerning mercury.

Dwyer requests that all mercury containing products be properly disposed of at the end of their useful life in accordance with local, state, and federal requirements. Many websites are available to help educate consumers about proper disposal. Please visit [www.newmoa.org](http://www.newmoa.org) for additional information.

### **Limitations on Sales - International and Domestic**

#### **International**

The sale of MAPs to any country outside the United States of America is prohibited.

## **Domestic United States**

### **Mercury-Free States (MFS)**

Connecticut, Louisiana, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, Vermont, Washington

Dwyer has ceased direct sales of MAPs to states that have adopted laws restricting the sales of such products. It is our intention that MAPs *will not be sold or distributed* into any MFS. We have informed the Interstate Mercury Education and Reduction Clearinghouse (IMERC) that we are no longer selling or distributing products in those states and are therefore not subject to the Mercury Education and Reduction Acts of those states. As such, our Mercury-Added Products notification will no longer be in effect and we will no longer be monitoring the state laws to ensure compliance.

### **Restricted Sales States (RSS)**

MAPs will continue to be sold to customers in RSS provided the application falls under IMERC's Statutory Exemptions, the State of California's Health and Safety Code Article 10.2.1, or Illinois 415 ILCS Environmental Protection Act Section 22.23b(b), which Dwyer limits as follows: only replacement switches used in manufacturing or otherwise integrated and not physically separable from the larger product in use prior to the following dates:

California July 1, 2006

Illinois July 1, 2007

### **Non-Contiguous States (NCS)**

Alaska, Hawaii, Puerto Rico, and U.S. Territories

Dwyer has ceased direct sales of MAPs to states outside of the contiguous United States, and Territories under control of the United States. Dwyer acknowledges NCS includes states without regulatory restrictions; this policy was enacted due to carrier and air-transport requirements.

### **Non-Regulated States (NRS)**

(All remaining States)

Dwyer currently has no limitations on sales of MAPs within or to these states.

## **Labeling**

All MAPs sold by Dwyer will contain labels that the product contains mercury and proper disposal is required. The label will also contain a Mercury-Added Product Tracking Number. This number will be logged, at the time of shipment, into a database to record all pertinent information about the MAP and purchaser.

## **Distribution**

All distributors of Dwyer products are fully expected to honor the intent of this policy. Appropriate action will be taken against any distributor willfully selling, distributing, or transferring mercury-added products in any manner contrary to our policy, any applicable regulations, and laws. Be advised that if you choose to sell or otherwise distribute MAPs, you may be required to comply with all related MAPs laws. You may be responsible for the obligations of the manufacturer under the relevant state laws pertaining to mercury-added product sales, including provisions relating to proper notification of the states (either directly or through IMERC) prior to the sale, labeling, collection systems, phase-outs and other requirements.

## **Mercury Information and Disposal**

Links to websites containing mercury information:

[www.newmoa.org](http://www.newmoa.org)   [www.epa.gov](http://www.epa.gov)   [www.atsdr.cdc.gov](http://www.atsdr.cdc.gov)

## **Amendments**

Dwyer reserves the right to change or amend this policy at any time, with or without notice. No section is intended to supersede any regulations or laws, and appropriate changes will be made to this policy if deemed necessary.

*Dwyer Compliance Group*

102 Indiana Hwy 212

Michigan City, IN 46360, USA

March 31, 2023