

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 (MAP's), has adopted this policy. This policy will be posted on our web site for future reference and will remain in effect until Dwyer phases out all MAP's.

Overview

Dwyer continues its development of non-mercury replacement alternatives for those products currently offered containing 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 products 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 states and/or countries. 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 are properly disposed of at the end of their useful life. Many web sites are available to help educate consumers about proper disposal of mercury added products. Please visit www.newmoa.org for addition information related to mercury usage.

Compliance Method

Dwyer will (1) comply with established laws for that locality, state, region, or country, and/or; (2) Limit, restrict, or prohibit sales of MAP's to areas establishing laws to which our MAP's do not conform. Currently covered areas are listed below.

International

The sale of MAP's to any country outside the United State of America is prohibited.

Domestic:

Mercury-Free States (MFS):

(Connecticut, Louisiana, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, North Carolina, Rhode Island, Vermont, and Washington.)

Dwyer has ceased direct sales of MAP's to states that have adopted laws restricting the sales of such products. It is our intention that MAP's 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 will, therefore, no longer be subject to the Mercury Education and Reduction Acts of those states. As such, our Mercury-added Product Notification will no longer be in effect and we will no longer be monitoring the state laws to ensure compliance.

Restricted Sales States (RSS)

(California, Illinois, New York)

MAP's will continue to be sold to customers in RSS provided the application falls under IMERC's Statutory Exceptions, which Dwyer will limit as follows. Dwyer will only sell replacement switches used in manufacturing or otherwise integrated and not physically separable from the larger product in use prior to **DATE**.

The following statement will be conveyed to all customers in RSS, at the time of order and/or on their Invoice.

“By accepting/placing this order you attest that this Mercury-added Product is only to be used as a replacement part for manufacturing equipment in service prior to **DATE**.”

DATE:

California	July 1, 2006
Illinois	July 1, 2007
New York	January 1, 2008

Non-Contiguous States (NCS)

(Alaska, Hawaii, Puerto Rico and US Territories)

Dwyer has ceased direct sales of MAP's 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 MAP's within or to these states.

Labeling

All MAP's 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 which will 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 / or laws. Be advised that if you choose to sell or otherwise distribute any MAP's, you may be required to comply with all related MAP's 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 sale, labeling, collection systems, phase-outs and other requirements.

Education

Dwyer Product Information

A chart referencing mercury containing products, and cross-referencing possible mercury free alternates is in (pdf) format and can be found on the home page of www.mercoid.com. Other product solutions may be found at www.dwyer-inst.com.

Mercury Information and Disposal

Links to web sites containing mercury information will be listed below and available on Dwyer's web site.

www.newmoa.org

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 determined necessary.

Dwyer Compliance Group

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