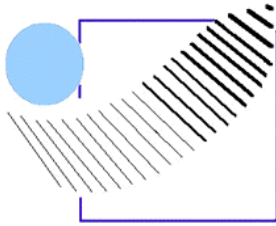


# RoHS Compliance

May 1, 2006

Frank Teleso  
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# Excelsior, Inc.

Dear Supplier,

The European Union is in the process of implementing certain directives regarding the use of substances that are hazardous to human health (Mercury, Lead, etc.). These directives have the force of law and could prevent a producer from being able to sell in the EU. The directive of greatest concern at this time is the RoHS directive (Directive 2002/95/EC of the European Parliament and the Council of 27 January 2003 on the restriction of the use of certain hazardous substances in electrical and electronic equipment).

Excelsior has products that are sold into the EU, which must comply. I am writing you to ensure that material your organization delivers to Excelsior is in compliance. We feel this information will be requested and required by all customers whether products are used in the EU or other parts of the world including the US.

The accompanying "Material Declaration" requests that part numbers supplied to Excelsior comply to the RoHS directive. In the event there are parts supplied to Excelsior that do not comply, the supplier should record the date when they feel the parts can be brought into compliance.

The maximum concentration values (MCV) allowed under the directive have been approved by the governing authorities. The following table lists the MCV thresholds:

<b><u>Substance</u></b>	<b><u>Maximum Concentration Value (MCV)</u></b>
Mercury	1000 ppm
Lead	1000 ppm
Cadmium	100 ppm
Hexavalent Chromium	1000 ppm
Polybrominated Biphenyls	1000 ppm
Polybrominated diphenyl ethers	1000 ppm

<b><u>Lead (as an alloying element in metal)</u></b>	<b><u>Maximum Concentration Value (MCV)</u></b>
Steel	</= .35% by weight
Aluminum	</= .4% by weight
Copper	</= 4% by weight

Under RoHS, MCVs apply to the homogenous materials within a product, not to the product as a whole. "Homogenous material" means material that cannot be mechanically disjointed into different materials through actions such as unscrewing, cutting, crushing, grinding or abrasive processes. The level at which a piece of material can no longer be differentiated from any other piece of similar material is considered the homogeneous level and is the level at which the MCVs apply. For example, the MCV for Cadmium in a semi-conductor package would apply to the weight of the plating material, not to the weight of the part that is plated.

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We need a "RoHS Material Declaration" form for all of the parts which you are currently providing to Excelsior, Inc..

The "RoHS Material Declaration" from your company must indicate that your company is in compliance with the levels mentioned above and that you will not intentionally introduce these substances into the material you are providing. We will not accept an MSDS (material safety data sheets) as proof of compliance nor a general statement indicating that the products you sell to us comply. You may use our form or one of your own as long as it covers the previously mentioned issues.

If your company procures material from someone else, you need to obtain a RoHS declaration from your source. If the source is unable or unwilling to provide a RoHS declaration, then a chemical analysis must be performed, when requested. There are various analytical methods being used. No standards have been set by the EU regarding the type of analysis other than the accuracy of the technique must reliably identify the levels of contaminants designated in the Directive. Consequently, we will accept an analytical method that is accurate to a .01 detection level of the specified allowable MCV; e.g., for lead the measurement instrument must be able to detect differences of 10 PPM.

We need to have a completed declaration or chemical analysis within **10 business days** from the date received.

I look forward to your help in this matter. If you have any questions or comments please contact me.

Sincerely,

Frank Teleso

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