

# JONES DAY

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April 18, 2014

TO WHOM IT MAY CONCERN

Dear Applicant,

**Re: Sorbitol and Maltitol Joint REACH Registration Group ('SMJRRG')**

This document contains the relevant information for purchasing a letter of access 'LoA' for joining the joint REACH registration for the substance:

**CAS 68425-17-2 SYRUPS, HYDROLYZED STARCH, HYDROGENATED; DESCRIPTION: A COMPLEX COMBINATION OBTAINED BY THE CATALYTIC HYDROGENATION OF HYDROLYZED STARCH SYRUPS. IT CONSISTS PRIMARILY OF SORBITOL, MALTITOL, MALTOTRITOL, AND HYDROGENATED OLIGO AND POLYSACCHARIDES**

prepared by the **SMJRRG**. In addition, this PDF provides the relevant earlier SIEF communications issued by the Lead Registrant / Consortium. Please note that the Consortium management was transferred from McKenna Long & Aldridge LLP to **JONES DAY** in 2014, with still the same person (Ursula Schliessner) in charge after the transfer. The pre-2014 documents are therefore under the McKenna Long & Aldridge LLP name.

If you wish to purchase a LoA, please fill in the next pages '**LOA APPLICATION FORM**' and **pdf them to the attention of Airi McCabe: [amccabe@jonesday.com](mailto:amccabe@jonesday.com)**. You will then receive a pre-payment notice by email for payment of the LoA price. As soon as we have received your payment in full, we will confirm that payment has been received and you will receive the joint submission token and any other necessary documentation (Chemical Safety Report, Guidance on Safe Use as the case may be) that you may need to join the Joint Submission via the ECHA REACH-IT portal (please see the ECHA Guidance on joining the Joint Submission). Potential registrants have to submit their individual parts (Article 10 (a) (i), (ii), (iii) and (x)) of the IUCLID 5 registration dossiers separately to ECHA by the relevant deadline.

Invoices for paid LoA fees will be issued by the Consortium on a periodic basis as soon as a sufficient number of LoAs have been processed and pre-paid.

If you have any questions, please do not hesitate to contact us:

Airi McCabe at [amccabe@jonesday.com](mailto:amccabe@jonesday.com) / Telephone +32-2-645 1442, or  
Ursula Schliessner at [uschliessner@jonesday.com](mailto:uschliessner@jonesday.com) / Telephone +32-2-645 1460

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BRI-1394597v1



## Letter of Access ('LoA') Application Form

### Sorbitol and Maltitol Joint Reach Registration Group ('SMJRRG')

LoA will be issued per group of companies. Please fill in the application form only **once** for all affiliated group companies.  
(To be filled in and emailed back to [amccabe@jonesday.com](mailto:amccabe@jonesday.com))

#### **NOTE:**

**\* By completing and sending the LoA application form to Jones Day, you shall be considered as having accepted the terms of the respective SIEF Agreement overleaf.**

**\* Only once formal invoices will have been issued and settled, the LoA will be considered as issued and effective.**

**\* LoA applicants will be informed by separate email or via SIEF communication if the CSR and guidance on safe use will be prepared jointly and also **submitted jointly**, or rather whether they will be prepared jointly but will have to be **submitted individually**. In the latter case, LoA applicants will receive the CSR and guidance on safe use via a luclid so-called "export file" and must then insert it themselves into their individual REACH registration.**

#### **Substance:**

**CAS 68425-17-2 Syrups, hydrolyzed starch, hydrogenated; Description: A complex combination obtained by the catalytic hydrogenation of hydrolyzed starch syrups. It consists primarily of Sorbitol, Maltitol, Maltotriitol, and hydrogenated oligo and polysaccharides**

#### **Current Prices LoA:**

- Below 10 tons or intermediate: EUR 67,994 (excl. VAT)
- 10 - 100 tons: EUR 76,583 (excl. VAT)
- 100 - 1000 tons: EUR 93,237 (excl. VAT)
- Above 1000 tons: EUR 153,599 (excl. VAT)

**Please fill in applicable joint submission category. Any change in category (higher tonnage or change from intermediate to full substance registration) will require notification to Jones Day to adapt price.**

#### **Restrictions (optional):**

- a.  'Opt-out' pursuant to Article 11 (3) for the following mandatory joint parts.
  - Article 10 (a)
  - Article 10 (a) (iv),
  - Article 10 (a) (vi),
  - Article 10 (a) (vii),
  - Article 10 (a) (ix)

## Identification

Company: .....  
.....

REACH-IT UUID Number: .....

Company reference name or number (optional): .....

VAT number: .....

**If you do not fill out a VAT number, you will be charged 21%.**

Address: .....  
.....

Postal Code: ..... City: ..... Country: .....

**Please give full details of person authorized to make the application:**

Mr  Ms  Dr

Last Name: ..... First Name: .....

Phone Number: ..... Fax Number: .....

E-mail address: .....

**Please give full company details for all affiliates to be covered by this Letter of Access:**

*Example: The Miracle Chemicals Co. Ltd; 95130 Rome, 25 Nano Boulevard, Belgium*

**Affiliates:** .....  
.....  
.....  
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## Registration

In his registration, the Applicant acts:

- a.  for **himself**
- b.  as **Only Representative** pursuant to Article 8 REACH for the following non-EU manufacturer; Please give full contact details of **non-EU legal entity** represented by Only Representative  
***If you act on behalf of several non-EU legal entities that are not related to each other, please fill in new application form for each of your principals.***

Company: .....

.....

Address: .....

.....

Postal Code: ..... City: ..... Country: .....

Mr  Ms  Dr

Last Name:..... First Name:.....

Phone Number: ..... Fax Number: .....

E-mail address: .....

- c.  as **Third Party Representative** pursuant to Article 4 REACH.

Do you want to disclose the name of the party you represent?

- a.  Yes
- b.  No

Company Name: .....

.....

REACH-IT UUID Number: .....

Address: .....

.....

Postal Code: ..... City: ..... Country: .....

Mr  Ms  Dr

Last Name:..... First Name:.....

Phone Number: ..... Fax Number: .....

E-mail address: .....

<b>Applicable Joint Submission:</b>	
<p>Is the <b>company to be invoiced</b> the same as the legal entity registering under REACH?</p> <p>a.     <input type="checkbox"/> Yes</p> <p>b.     <input type="checkbox"/> No</p> <p style="text-align: center;"><b><i>If no, please give full company details of legal entity to be invoiced:</i></b></p> <p>Company: .....</p> <p>VAT number: .....</p> <p style="text-align: center;"><b><i>If you do not fill in a VAT number, you will be charged 21%.</i></b></p> <p>Address: .....</p> <p style="text-align: center;">.....</p> <p>Postal Code: .....     City: .....     Country: .....</p>	

**General Terms and Conditions:**

1. The right of referral only gives access to the Joint Registration Dossier of the substance for the registration as specified above.
2. The right of referral is solely granted in favor of the Applicant (and, only where applicable, the Affiliates listed herein), and is not transferable to any other entity or person.
3. Unless otherwise specified below at 6., the Applicant is not authorized to receive any copies of the Joint Registration Dossier nor is the Applicant authorized to inspect or view the Joint Registration Dossier or any related specific document in whole or in part, outside the general inspection period granted by the Consortium and outside the conditions set out in the SIEF Agreement.
4. This Letter of Access shall in no event be construed as granting the Applicant any property rights whatsoever in the Joint Registration Dossier.
5. Nothing in this letter shall require the Consortium members to file any additional data.
6. In as far as the Joint Registration Dossier may contain a chemical safety report ("CSR") and guidance on safe use, and the Applicant is participating in joint submission for those parts of the dossier, or has otherwise acquired rights to them, those will be made available to the Applicant as needed and may be used by it in as far as needed for purposes of safe handling and elaboration of eSDS and must be filed by it individually if set out in the SIEF Agreement.
7. If the Applicant has chosen to prepare itself the CSR, exposure scenarios and guidance on safe use, but does otherwise fully participate in the Joint Registration Dossier, it shall receive an electronic copy of parts Article 10 (a) (iv), (vi), (vii) and (ix) REACH of the Joint Registration Dossier and shall have the rights to use for this purpose only the (robust) study summaries and other information contained therein as well as to refer to the full study reports on which basis the (robust) study summaries have been developed.
8. In any event and regardless of the rights and restrictions set forth above, the Applicant shall always receive a list of uses which are covered by the CSR, the proposed classification and labeling as well as the PNECs and DNELs where available.

This Letter of Access does not create any rights for third parties or any liability towards third parties in relation to the data for which access is granted.

Applicant's certifications and undertakings:

- The Applicant hereby declares that it is aware of, agrees and complies with the provisions of the SIEF Agreement issued by the Lead Registrant, which shall apply in its entirety in addition to the provisions set out hereunder.
- In case the Applicant has applied for an intermediate LoA only, the Applicant hereby declares that it is aware that registration as an intermediate pursuant to Articles 17 and 18 REACH is conditional upon fulfillment of the conditions set out there under.
- The Applicant declares that it has wired the Letter of Access Pre-payment fee to the following bank account within 30 calendar days of signature of this Letter of Access. The joint token will be issued after receipt of the pre-payment. The invoice for the Letter of Access / Joint Submission will be issued after pre-payment has been received, but at the latest at the end of the applicable year of registration (end 2010, end 2013, end of 2018, as the case may be).
- If Applicant chooses not to disclose the Third Party represented, Jones Day reserves the right to appoint a neutral party that is entitled to audit the accuracy of the Third Party Representative's submission whilst guaranteeing the confidentiality of the Third Party. The Third Party Representative hereby agrees to such third party audit.

**I have read and I agree with the legal Terms of the Agreement.**

*Signature of LoA applicant:* .....

*Name:* .....

*Date:* .....

\* \* \*