July 2017

To Whom It May Concern:

NetApp, Inc. develops and supplies a variety of data management products. NetApp is committed to ensuring all our products and packaging, as provided to customers, meet applicable environmental legal requirements. NetApp is committed to reducing the use of potentially hazardous substances in our products and packaging to minimize any potential risk to human health and the environment. NetApp assumes no liability for product compliance with regulatory requirements that change after a product has been supplied to the customer.

NetApp currently complies with existing national and international product material content requirements. In conjunction with NetApp corporate social environmental policy, NetApp is extending its comprehensive product material management program beyond the existing comprehensive RoHS and WEEE programs to include the European Union's Regulation (EC) No 1907/2006 for Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH). REACH is applicable in all EU Member States and the European Economic Area (EEA) countries of Iceland, Liechtenstein, and Norway.

The European Court of Justice (ECJ) published its ruling on September 10, 2015 on "once an article, always an article" stating that each of the articles incorporated as a component of a complex product is covered by the relevant duties to notify and provide information when they contain a substance of very high concern (SVHC) in a concentration above 0.1% of their weight-by-weight mass. From the inception of its REACH declarations, NetApp has reported the presence of SVHCs in its products following "once an article, always an article", in concert with the recent ECJ ruling.

NetApp is a supplier of articles (products and packaging) into the EEA. The REACH regulation requires suppliers of articles to do the following:

1. Determine whether their articles contain any "Substances of Very High Concern" (SVHC) in a concentration greater than 0.1% weight-by-weight (w/w).
2. If an article contains one or more SVHCs in a concentration greater than 0.1% w/w, to inform customers of the SVHC presence and provide safe handling instructions.
3. If an article contains one or more SVHCs in a concentration greater than 0.1% w/w, and that SVHC is supplied into the EEA in an aggregated amount greater than 1 metric tonne per year, to notify the European Chemical Agency (ECHA).
4. Determine whether an article contains any substances that are "intended to be released under normal or reasonably foreseeable conditions of use."
5. If any of the released SVHCs are supplied into the EEA in an aggregate amount equal to or greater than 1 metric tonne per year, registration of the released SVHCs with the European Chemicals Agency (ECHA) may be required.

NetApp's REACH comprehensive compliance management includes the following elements and requirements:

1. Survey all articles to determine whether they meet any of the criteria listed above.
2. NetApp suppliers are required to provide NetApp a product material content disclosure which includes all SVHCs.
3. If any article contains one or more SVHCs, NetApp will maintain this information within a database. NetApp will post information to this website regarding the presence, if any, of SVHCs and the safe handling thereof, as appropriate.
4. NetApp will determine whether any articles are subject to REACH notification or communication requirements and take the appropriate compliance measures.
5. NetApp will determine whether an article contains any substances that are "intended to be released under normal or reasonably foreseeable conditions of use." NetApp will take appropriate compliance measures in the event its products or packaging contain any such substances.

The initial list of 15 SVHCs was published by ECHA on October 28, 2008. The current Candidate List of SVHCs can be found on the ECHA website here.

NetApp will communicate our continuing efforts to comply with REACH as we gather and analyze data from our supply chain. In addition, NetApp will respond to changes to the SVHC list as they are published. If SVHCs are present in NetApp products or packaging, NetApp will work with its supplier base to reduce or eliminate those SVHCs from its products and packaging, where practical.

NetApp will post information on SVHCs to this website as the information becomes available.

If you have any questions regarding NetApp REACH compliance, please contact your NetApp Sales Representative.

Sincerely,

Donald Goddard

Donald Goddard
Environmental Compliance Manager