



**Berry Global Inc.**  
**Restricted Substance List (RSL) Policy**

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- 1.0 Purpose:** The purpose of the Berry Global, Inc. Restricted Substance List (RSL) Policy (“Policy”) is to establish appropriate company guidance regarding the use of Berry Global, Inc. (together with all affiliates, “Berry Global”) virgin raw materials (“RM”) or chemicals in the manufacture and sale of finished Goods (collectively, “Products”).
- 2.0 Scope:** This Policy is specifically intended to address the substances proposed to be incorporated in Berry Global Products including RMs and Purchase-For-Resale (PFR) Products in order to prevent the intentional presence of Restricted Substances (defined herein) in Products. The Berry Global Regulatory department collects information from Suppliers related to the presence or absence of specific substances in supplied RM and PFR Products. Berry Global will rely on these Supplier disclosures and will not conduct testing to assess the presence or absence of restricted substances.
- 3.0 Objective:** The objective of this Policy is to manage Product risks associated with chemical substances which are highly regulated or have been internally determined to be undesirable for use from a sustainability perspective.
- 4.0 Policy:** Berry Global will not intentionally use RSL designated substances or RM containing RSL designated substances in Berry Global Products. Berry Global’s RSL is as follows (each a “Restricted Substance”):
- TPCH (a.k.a. CONEG) metals and the EU Packaging and Packaging Waste Directive (94/62) metals
    - Under both regulations, the sum of the concentrations of lead, mercury, cadmium, and hexavalent chromium cannot exceed 100 ppm
  - Conflict Minerals
    - Substances derived from Congo region that are known to fund terrorism, including columbite-tantalite (also known as coltan) [source for tantalum], cassiterite [source for tin], gold, wolframite [source for tungsten] or their derivatives
  - Natural Rubber Latex
  - Ozone Depleting Substances (ODS) as defined by the applicable jurisdiction (US, Canada, or EU)
  - Perfluorooctanoic acid (PFOA), Perfluorooctanesulfonic (PFOS)
  - Substances identified by the Restriction of Hazardous Substances Directive (RoHS) including [threshold for non-use indicated]:
    - Cadmium (Cd): > 100 ppm
    - Lead (Pb): > 1000 ppm
    - Mercury (Hg): > 1000 ppm
    - Hexavalent Chromium: (Cr<sup>+6</sup>) > 1000 ppm
    - Polybrominated Biphenyls (PBB): > 1000 ppm

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- Polybrominated Diphenyl Ethers (PBDE): > 1000 ppm
- Bis(2-Ethylhexyl) phthalate (DEHP): > 1000 ppm
- Benzyl butyl phthalate (BBP): > 1000 ppm
- Dibutyl phthalate (DBP): > 1000 ppm
- Diisobutyl phthalate (DIBP): > 1000 ppm
- Substances of Very High Concern (SVHC) as defined by the Registration, Evaluation, Authorization and Restriction of Chemicals (“REACH”)
- Berry Global Restricted Pigment List

**5.0 Exceptions to Policy:** Exception to the RSL Policy may be considered by Berry Global on a case-by-case basis and will be reviewed and adjudicated by an RSL Committee consisting of EVP of Operations, Director of Regulatory Compliance, EVP of Purchasing and the VP Sustainability (or their designee). Information required for exemption includes the following:

- Documentation and demonstration of the need for use of the RM or PFR containing the Restricted Substance,
- A duration of no more than one (1) year for the exemption with a requirement to continue to search for alternate RM that does not contain the Restricted Substance. This limited exception period may be renewed upon approval of the RSL Committee,
- Appropriate regulatory notifications as required by law or contract,
- Prior consultation with the Legal Department, and
- Documented approval by RSL Committee.

**6.0 Newly discovered RM or PFR on RSL:** Any newly discovered information which indicates the presence of an RSL-containing material will require notification to the Product Line Manager (PLM) and the RSL Committee. An evaluation based on the requirements in the Exceptions to Policy paragraph above will be required if continued use is requested. The preferred path is to remove and replace the Restricted Substance, or replace with the RM or PFR with an alternative that does not contain a Restricted Substance, however, this will be evaluated by the Berry Global Regulatory Department and the PLM in accordance with Berry’s Management of Change Policy.

**7.0 Business Acquisitions:** Following the closing date of a business acquisition, any RM, PFR, or Products containing Restricted Substances used by the acquired business will be addressed, and appropriate action will be taken with respect thereto, in accordance with this Policy.

**8.0 Documentation:** Relevant regulatory information for all RM, and all other necessary information used, prepared, or reviewed by the Director of Regulatory Compliance to



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comply with this Policy shall be provided to and maintained by the Director of Regulatory Compliance.

- 9.0 Record Retention:** Records for all Products known to contain restricted substances, and the business justification for doing so, shall be maintained in the Berry Regulatory files and managed in accordance with the Berry Records Retention and Destruction Policy.



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Request Form for RSL Exception & RSL Committee Approval Status

Date of Request:

Requestor (accepted only from Manager or higher):

Company Division:

Raw Material or PFR involved:

Berry finished Goods impacted (append list of items as needed):

Rationale for request and business impact:

Alternates considered:

Will notifications of use be required (i.e. SCIP database, Customer notice):

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**RSL Committee Action**

Approval status\*: Yes/No

Action date:

Divisional President:

EVP Operations:

EVP Purchasing:

VP Sustainability:

Director of Regulatory Compliance:

\* Approval is limited to 1 year from date of approval. Continued search for alternate without RSL substance is required

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