



## Certificate of Conflict Minerals Compliance

### Dodd-Frank Act, Section 1502, Final Rule, August 22, 2012

#### Definition of Conflict Minerals

Conflict minerals are ores mined for the production of Tantalum, Tungsten, Tin, and Gold (3T+G) or their derivatives, as determined by the U.S. Secretary of State in section 1502(e)(4) that originate from the Democratic Republic of the Congo (DRC) and/or adjoining countries.

#### Conflict Minerals Regulation

On August 22, 2012, the SEC adopted the final rule implementing Section 1502 of the Dodd-Frank Act, the Conflict Minerals Rule. Under the final rule, SEC reporting companies that *manufacture or contract to manufacture products that contain conflict minerals* must conduct a Reasonable Country of Origin Inquiry (RCOI) on the source and chain of custody of the applicable conflict minerals. This rule does not apply to conflict minerals "outside the supply chain" prior to of January 31, 2013.

#### Who must report? What must be reported?

Section 1502 is applicable to all SEC "issuers" (including foreign issuers) that manufacture or contract to manufacture **products containing conflict minerals where the "conflict minerals are necessary to the functionality or production" of the product.** This also means that, even though there is no exception for minute or trace amounts of 3T+G, *a de minimis amount of conflict minerals in a product does not trigger reporting obligations unless those conflict minerals are necessary to the functionality or production of a product.*

For example, in materials, such as stainless steels, that may contain tin only as a contaminant, not as a required or specified ingredient, (where the tin is not intentionally added) the Tin is not considered to be "necessary to the functionality or production" and so is not required to be reported.

In the absence of a specification requirement for any of the 3T+G elements in a product, OR if the specification shows a maximum allowed amount only (no minimum requirement stated) then the elements are not, by definition, "necessary to the functionality or production" of the product, and not reportable under the rule.

#### Horberg's Commitment

Horberg is not an SEC Classified Issuer, and therefore not subject to the rule. In order to assist our customers with their legal obligation to do so, Horberg has conducted an RCOI and maintains documents from its supply base **confirming that all of the 3T+G containing materials and plating provided to Horberg Industries are DRC conflict free.**

To request additional information, contact [leety@horberg.com](mailto:leety@horberg.com).

  
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Robert C. Leety, President

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