



2023

# Supplier Code of Conduct



Formerra  
October 2023



## Formerra Supplier Code of Conduct

Formerra, LLC ("Formerra") is committed to being a world-class, sustainable organization. Our unique position in the supply chain allows us to work with suppliers to provide sustainable material solutions that transform customer challenges into opportunities, bringing new products to life for a better world.

We recognize our responsibility extends beyond our operational and process boundaries to our supplier partners. To ensure a mutually beneficial and productive relationship, Formerra requires all of our suppliers and their employees, personnel agents, and subcontractors (collectively referred to as "Suppliers") to fully comply with applicable laws and regulations and adhere to internationally recognized environmental, social, corporate governance and management system standards.

The Formerra Supplier Code of Conduct articulates our social, environmental, and ethical expectations for our Suppliers. It contains globally aligned standards and is rooted in international law. Implementing these standards into Supplier performance are important to us and we expect our Suppliers and business partners to communicate these expectations throughout their supply chain by adopting efficient management systems, policies, procedures, and training to uphold the standards and expectations set forth in this Supplier Code of Conduct within their own business operations.

### Health and Safety

- Implement appropriate processes and procedures to ensure that human health and safety are at the forefront of your actions. This includes measuring performance and setting appropriate goals to promote continuous improvement.
- Comply with all applicable environmental, health, safety, and security regulations. This includes operating in a responsible manner that is protective of the communities in which you operate.
- Identify and manage risks to human health and the environment during development, transport, use and disposal of your products.

### Environment

- Ensure systems are in place for safe handling, storage, recycling, reuse and management of waste, air emissions and wastewater discharges. Activities that have the potential to adversely impact human health or the environment shall be appropriately managed, measured, controlled, and handled prior to release of any substance into the environment.
- Ensure systems are in place to prevent or mitigate accidental spills and releases into the environment.
- Use natural resources (e.g., water, sources of energy, raw materials) in an economical way. Negative impacts on the environment and climate shall be evaluated to minimize or eliminate them at their source.
- Engage in the development and use of climate friendly products and processes to reduce power consumption and greenhouse gas emissions.

### Social

- Support basic human rights and not use any slave labor, child labor or labor from human trafficking.
- Supplier will not use forced labor, as defined by U.S. Section 307 of the Tariff Act of 1930 (19 U.S.C. § 1307), ILO Forced Labor Convention (No. 29) and the Abolition of Forced Labour Convention (No. 105), in the mining, production, manufacture or supply of any goods (which includes both raw materials and manufactured goods) or services for Formerra, nor, in connection with its supply to Formerra, will Supplier procure merchandise from any sub-supplier that was mined, produced, or manufactured, in whole or in part, using forced labor. Supplier will comply with all applicable U.S., UK, EU and local laws and regulations, directly or indirectly, governing forced labor, including, without limitation, the forced labor provisions in U.S. Section 307 of the Tariff Act of 1930 (19 U.S.C. §



1307) and Trade Facilitation and Enforcement Act of 2015 (TFTEA), the applicable provisions of the Uyghur Forced Labor Prevention Act (UFLPA), the modern slavery and human trafficking provisions of the UK Modern Slavery Act 2015, and the OECD Guidelines for Multinational Enterprises. Additional information is available at <https://www.cbp.gov/trade/forced-labor>.

- Treat employees with respect and refrain from harassing or discriminating against individuals based on race, sex, sexual orientation, gender identity, age, color, religion, national origin, disability, genetic information, protected veteran's status, or other legally protected classifications.
- Responsibly source Tantalum, Tin, Tungsten and Gold or their derivatives (3TG metals). Products supplied to Formerra must not directly or indirectly finance or benefit armed groups in the Democratic Republic of Congo or an adjoining country (the "Covered Countries"). In furtherance of the foregoing, we expect our Suppliers to:
- Supply only conflict free 3TG metals to Formerra;
- Engage in due diligence of supply chains by following a nationally or internationally recognized due diligence framework;
- Upon request, report to Formerra on its due diligence process and certify that 3TG metals supplied to Formerra from the Covered Countries are conflict free; and
- Promptly report to Formerra any supply chain changes regarding the origin of 3TG metals or conflict status.
- Enable employees and other stakeholders to report questions or concerns related to your business, people or products.
- Uphold freedom of association and the right to collective bargaining in accordance with applicable laws.

#### **Ethics and Governance**

- Conduct all commercial negotiations in a responsible, ethical, and lawful manner.
- Have appropriate licenses, registrations and certifications required to conduct business in the locations where you operate.
- Provide all proposals in writing with a direct copy of business correspondence to the appropriate sourcing and procurement professionals.
- Refrain from offering Formerra associates money, loans, credit, prejudicial discounts, gifts, products or services for their personal use or benefit. Generally, any gift that has a value in excess of \$100 USD or is disproportionate to the local custom should be rejected. Meals and entertainment for the purposes of developing business relationships must be within reasonable, customary, and lawful business practices in the country or industry.
- Comply with the U.S. Foreign Corrupt Practices Act and the UK Bribery Act, as well as all other applicable laws dealing with bribery of government officials or private enterprises. Formerra prohibits commercial bribery or kickbacks. Suppliers must keep a written accounting of all payments, including any gifts, meals, entertainment, or anything else of value, made on behalf of Formerra. Accounting records should be available to Formerra upon request. Avoid conflicts of interest that involve business dealings with family members and close personal friends at Formerra. Suppliers are required to immediately disclose these types of relationships to Formerra prior to commencing business or whenever they arise.
- Comply with all applicable import and export controls, as well as trade compliance and antitrust laws.
- Respect and safeguard Formerra's intellectual property (i.e. logos, trademarks, confidential information) against unauthorized use, modification and damage. Treat all transactions and dealings with Formerra as confidential and proprietary. External communications about Formerra require Formerra's prior written consent.
- Inform Formerra of financial, economic, supply changes (including origin or conflict status of 3TG metals), government regulations or other materials conditions that could affect ongoing operations or operating decisions, or if the company has been debarred as a government contractor.



- Establish an information security and data privacy system to protect Formerra's information, including information of its customers and associates, from being disclosed, changed, destroyed, or used for any purpose other than the purpose for which it was provided.

#### **Management Systems**

- Comply with all applicable legal and other requirements by implementing, when feasible, internationally recognized management systems.
- Continuously improve performance by appropriately assessing risk and implementing mitigating measures.

*For questions regarding this policy, contact [Quality@Formerra.com](mailto:Quality@Formerra.com).*

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