

CECC Why ?

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Form S8-01-F07 EN version 0

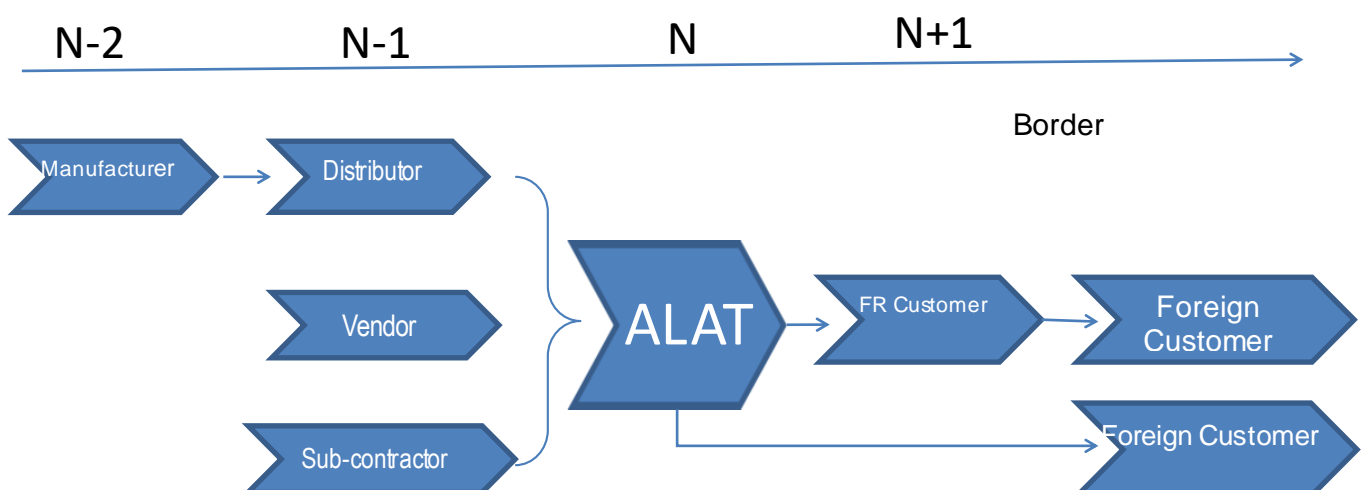
The applicable regulations and sanctions

The export and re-export from France of strategic items (e.g. defense or dual use items) is subject to compliance to the French regulations and respect of the constraints, if any, imposed by the country of origin of imported goods. Non respect of such constraints will result in economic sanctions from the country of origin and, in addition, possible penalties (jail and fines) from the American Regulations when applicable. These penalties might also be applied against the Air Liquide Group and/or its subsidiaries in the United States.

Applicable American Regulations are the International Traffic in Arms Regulations (ITAR) for defense items and the Export Administration Regulations (EAR) for dual use items. Defense items are classified according to one of the 21 categories in the Munitions List (for example: "ML-X (7). Any experimental or developmental electronic equipment specifically designed or modified for military application or specifically designed or modified for use with a military system"). Dual use items are identified by an alphanumeric number which refers to a specific entry in one of the 9 categories of the Commerce Control List (CCL) of the EAR. This alphanumeric number is called the Export Control Classification Number (ECCN). Its structure is one digit followed by a letter and three digits (for example: "1B231: Tritium facilities or plants, and equipment therefore"). The classification, either ITAR or EAR, is determined by the manufacturer.

The business flow

As shown in the flow diagram underneath you are at the N-1 level in the "supply chain" line. The AL-aT Company is at the N level and has to deliver to an N+1 level customer. Two options are shown: in the first option the customer is a foreign (non-French) company and in the second option, the N+1 customer is a French company which in turn will export to a foreign company.



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Traceability of export control constraints

It is the responsibility of AL-aT to comply with French and international regulations on export control when transferring items to a foreign company. When the customer is a French company AL-aT has to transfer the export control constraints, those it generated and those introduced through integration of your components. To do so AL-aT needs to know the classification of its products with respect to the French Regulations and also the export control constraints attached by the country of origin to everything which is purchased and incorporated in the final product.

The means to getting access to this information is the "Control Export Classification Certificate (CECC)" that you are requested to fulfill.

If you are the manufacturer of the goods you sell to AL-aT and do not integrate anything from another company you just mention the constraints for re-export which are attached to the goods (export licenses to the final user when known, list of authorized countries for re-export, ECCN, no control....) on the CECC form. If you are a French manufacturer you just check the "no" box.

Should you incorporate items from another company at N-2 level, whether or not French, you have to request your sub-contractor/vendor to provide you with the re-export constraints for transfer to AL-aT.

Even if there is no constraint the CECC has to be fulfilled.

Failure to fulfill the CECC might result in payment difficulties, or reject of the goods and possibly removal from the AL-aT agreed sub-contractors/vendors list.

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CECC

Commodity Export Classification Certificate

EXPORT CONTROL CLASSIFICATION QUESTIONNAIRE

QUESTIONNAIRE DE CLASSIFICATION DE CONTRÔLE D'EXPORTATION

Request for Information / Purchase Order No:

Demande d'Informations / N° de commande :

The following information is required to enable AL-AT to comply with all applicable export control laws and regulations.

Les informations suivantes sont exigées pour permettre à AL-AT d'être en conformité avec toutes les lois et réglementations applicables à l'exportation.

General Information / Informations Générales

Product Name/ *Nom du produit :*

Product Part-No/*Référence du produit :*

Supplier's name and address/ *Nom et adresse du fournisseur :*

Country of origin/*Pays d'origine :*

Manufacturer's name and address/ *Nom et adresse du fabricant :*

Supplier National Regulations / Réglementation nationale Fournisseur

Is the product subject to the supplier's national export control regulations? Yes/*Oui* No/*Non*
Le produit est-il soumis à une réglementation nationale d'exportation ?

Dual-Use item? Yes/*Oui* No/*Non* If "Yes", indicate Control List-No.:
Bien à double usage ? Si "Oui", N° de la Liste de Contrôle

Military Equipment? Yes/*Oui* No/*Non* If "Yes", indicate Control List-No.:
Matériel de guerre ? Si "Oui", N° de la Liste de Contrôle

End user certificate required issued from AL-AT ? Yes/*Oui* No/*Non*
Besoin certificat d'utilisation finale émis par AL-AT ?

End user certificate required issued from AL-AT's customer? Yes/*Oui* No/*Non*
Besoin certificat d'utilisation finale émis par le client d'AL-AT ?

US Regulations / Réglementation américaine

Is the product (or any component therein) subject to US-Export regulations?

Le produit (ou un composant de ce produit) est-il soumis aux règles d'exportations américaines ?

EAR Yes/Oui No/Non If "Yes", indicate ECCN-No./Si "Oui", indiquez le N° ECCN :

If "Yes", "Fair Market" price (de minimis calculation):

Si "Oui", "Prix du marché" (de minimis calculation)

ITAR Yes/Oui No/Non

If "Yes", indicate USML classific.No.:

Si "Oui", N° de classification USML :

If ITAR regulations apply, please specify whether the product:

Si les réglementations ITAR s'appliquent, spécifiez si le produit :

(i) is considered as Significant Military Equipment (ITAR § 120.7)? Yes/Oui No/Non

est considéré comme Équipement Militaire Important (ITAR § 120.7)?

(ii) is considered as Major Defense Equipment (ITAR § 120.8)? Yes/Oui No/Non

est considéré comme Équipement de Défense Principal (ITAR § 120.8) ?

Other Regulations / Autres réglementations

Is the product (or any component therein) subject to the export control regulations of any third country, other than the supplier's and/or the US? Yes No

Est-ce que le produit (ou un composant de ce produit) est soumis

aux règles d'exportations d'un pays tiers, autre que celui du fournisseur et/ou des Etats-Unis?

If "Yes", please specify in a separate attachment the following information:

Si "Oui", veuillez spécifier dans une pièce jointe les informations suivantes :

(i) Manufacturer/Fabricant; (ii) Country/Pays; (iii) Part no./N° d'article; (iv) Description/description; (v) Dual-Use item or Military/Bien à double usage ou Matériel Militaire; (vi) Control List-No./N° Liste de contrôle ; (vii) If any end-user certificate is required issued from/Si un certificat d'utilisateur final est exigé d'AL-AT; and/et (viii) If any end-user certificate is required issued from AL-AT's customer/Si besoin certificat d'utilisation finale émis par le client d' AL-AT ?

Number of attachments to this questionnaire/Nombre de pièces jointes à ce questionnaire:

This questionnaire must be filled in by the supplier and returned to AL-AT together with the supplier's offer or delivery note. The supplier shall immediately inform AL-AT of any changes in the classification of the above identified product. Please include a copy of your export license for our information.

Ce questionnaire doit être complété par le fournisseur et retourné à AL-AT avec l'offre du fournisseur ou le bon de livraison. Le fournisseur informera immédiatement AL-AT des changements de la classification du produit identifié ci-dessus. Veuillez joindre une copie de votre licence d'exportation à titre d'information.

The undersigned is duly entitled to act on behalf of the supplier, and hereby certifies the accuracy of the information provided herein.

Le soussigné est dûment autorisé à agir au nom du fournisseur et certifie par la présente l'exactitude des informations fournies dans ce document.

Sign/Signature: _____ Name/Nom :

Date: _____ Title/Titre :