Western Plastics Stewardship Program

Western Plastics and its affiliates may be referred to as “Seller” and the buyer of Goods may be referred to as “Buyer.” Resins, colorants, additives, and other materials used in the production of Goods may be referred to as “Materials” and suppliers of Materials may be referred to as “Suppliers.” All statements are made to the best of Seller’s knowledge and are subject to the disclaimer at the end of this Statement.

US FDA Food Contact Status of PVC

This is to certify that every raw material selected to formulate the finished packaging and/or packaging components are listed in one or more of the following sections of Title 21, Code of Federal Regulations: 175.300, 177.1350 (a), (b), (c), 177.1520 (c) 2.1, 2.2, 178.2010, 178.3860, 181.24, 182.4505. The finished food-contact articles may be used at room temperature and below with fatty, non-fatty, non-alcoholic foods.

This (PVC) plastic wrap may be used as a contain cover for microwave (non-susceptor) reheating applications with the food types listed above. The film should not touch the product and should be vented to allow steam that is generated to escape. This plastic wrap is not to be used in a conventional oven.

All materials we provided that are intended for food service are officially sanctioned by the U.S. Food and Drug Administration (FDA) for use in food contact applications, such as packaging, and are subject to good manufacturing practices, as defined in Title 21, CFR § 110, and any limitations, which are part of the regulations. It is the responsibility of the food packer to determine if the supplied finished packaging and/or packaging components are suitable for their intended use.

Limited Product Guaranty

Our raw material suppliers have certified that the resins used to make all Western Plastics film’s except the opaque/tinted blends meet FDA Food Additive Regulation 21 CFR 177.1520 par(c) 3.1. This regulation states that the polymer can be used in all food packaging applications, except holding food during cooking.

Western Plastics hereby certifies that the films sold to the original buyers are not adulterated nor misbranded as outlined in section 409 of the United States Federal Food, Drug, and Cosmetic Act with the exception of our films containing pigments including, but not limited to, the UV inhibited products, the light tint color films, and dark tint color films. The stretch films supplied by Western Plastics do not contain Diisopropyl Naphthalene (DPIN); there is no Diisopropyl Naphthalene (DPIN) added during the extrusion, storage, or shipping process.

1. The undersigned corporation, on behalf of itself and its affiliates and subsidiaries (“Seller”), hereby guarantees that all products contained in any shipment or delivery, (“Buyer”) shall, as of the date of Seller’s shipment or delivery:

(a) Not be adulterated or misbranded within the meaning of the Federal Food, Drug and Cosmetic Act (“the Act”) and any amendment thereto;

(b) Not be articles of food which may not, under the provisions of section 404, 505 or 512 of the Act, be introduced into interstate commerce;

(c) Not be adulterated or misbranded within the meaning of the terms of the Federal Hazardous Substances Labeling Act;
(d) Not be adulterated or misbranded within the meaning of any state or local law or regulation which is comparable to the Federal Food, Drug and Cosmetic Act or the Federal Hazardous Substances Labeling Act; and

(e) Be in compliance with all other applicable federal, state and local laws.

The above guarantees do not apply to any packaging characteristic caused by or resulting from any designs, engineering, or specifications (or any combination thereof) supplied to Seller by Buyer.

2. This Limited Product Guaranty shall be subject to and governed by the laws of the United States.

3. This Limited Product Guaranty is effective upon signing and shall remain in full force and effect until Buyer receives written notice from Seller. This Limited Product Guaranty supersedes any and all prior guarantees of a similar nature.

California Proposition 65 (Safe Drinking Water and Toxic Enforcement Act of 1986)

Subject to the qualifications and exceptions below, each article comprising any shipment or other delivery of Goods made to or on order of Buyer is, on the date of such shipment, not an article that, to the best knowledge of the Suppliers of the Materials used in the manufacturing process, contains substances ("Listed Substances"), that are: (i) intentionally added during the manufacturing process or (ii) known or expected to be present at an exposure level requiring a warning under the current provisions of Proposition 65.

Some Listed Substances may be contained in Materials but in such cases, the Supplier has stated that the Listed Substance is believed to be present at a level that does not require a notice under Proposition 65 or may have stated only that it does not use or intentionally add it.

This representation is based solely on a compilation of the most recently received information from Suppliers. Proposition 65 states "no significant risk levels" for carcinogens ("NSRL") and "maximum allowable dose levels" for chemicals that may cause reproductive toxicity ("MADL") in terms of theoretical exposure levels of micrograms per day ("μg/day") but Suppliers refer to the presence of Listed Substances in terms of actual concentration levels of parts per million ("ppm"). California has not, however, published any guidelines or tables that could be broadly applied to enable manufacturers or others to readily convert actual concentration levels to theoretical exposure levels and therefore statements to the effect that Listed Substances are present at levels that do not require warnings Depend on certain assumptions about consumers' exposure and cannot be precise; Seller disclaims any responsibility to make any determination concerning the equivalence of any ppm that may be present in Materials to μg/day for any particular Listed Substance and relies solely on Suppliers' conclusions. (The U.S. Food and Drug Administration has published an industry guidance containing recommendations on methods that may be used to reach conclusions on exposure levels but the calculations require a number of assumptions that are fact specific and Seller declines to make such assumptions or perform such calculations.)

Few Suppliers test for Listed Substances and many rely solely on information provided by their raw material vendors; some state that catalysts used in the manufacturing process are proprietary to their vendors and may contain phthalates resulting in residual levels in the Materials. Proposition 65 also lists some substances for which no NSRL or MADL has been published but in such cases, the Suppliers remain subject to the provisions of Proposition 65 requiring that businesses that knowingly expose individuals
to such chemicals must provide a warning unless they can show that exposure at the level present in the
Materials poses no significant risk of cancer or reproductive toxicity. Seller has not received any
information from a Supplier that any Materials require a warning under this provision. Seller does not
conduct any independent tests for Listed Substances and disclaims any responsibility to do so.

**Heavy Metals, Coalition of Northeastern Governors (CONEG), Reduction in Toxics in
Packaging, Toxics in Packaging**

Based on representations of the Suppliers of the Materials from which the Goods are produced,
the Goods are, on the date of shipment or delivery, in compliance with the relevant heavy
metals requirements, and all current applicable amendments, for the CONEG (Coalition of
Northeastern Governors) Reduction of Toxics in Packaging Acts, and California Toxics in
Packaging Prevention (TIPPP) Act.
Specifically, the sum of incidental concentration levels of lead, cadmium, mercury and
hexavalent chromium present in the Goods shall not exceed 100 parts per million by weight. In
cases where the regulated heavy metals are present at levels below the amount stated above,
the regulated heavy metals were not intentionally added during the manufacturing process.

**Bisphenol-A (BPA)**

Based on representations of the suppliers of the resins and additives from which the Goods are
produced, the Goods are, on the date of shipment or delivery not manufactured to contain
Bisphenol-A (BPA). Berry does not analyze for the substance as it is not expected to be
present.

**Post-Consumer Recycled Content**

This is to certify that Post-Consumer Recycled (PCR) materials are not used in the manufacture
of the listed finished packaging and/or packaging components.

**Disposal**

Disposal of this film must be in accordance with current laws and regulations. This film may be
recycled. Check with local recycling facilities to determine if PVC films are accepted. This film is
not suitable for composting or biodegrading methods of disposal.

**Conflict Minerals**

US legislation has mandated that US corporations report whether they or their suppliers
purchase certain so-called “conflict minerals” or purchase products made with or from those
minerals. “Conflict minerals” are those minerals which often originate from African countries and
are the subject of internal and external conflicts between nations and cultural groups. It is the
intentions of the US legislation to have US companies avoid fostering the brutal and
unconscionable human rights abuses that accompany these conflicts by limiting the sale of the
minerals that are the currency of those conflicts.
Conflict minerals include columbite-tantalite (coitan), cassiterite, gold, wolframite or their
derivatives from the Democratic Republic of the Congo and its adjoining countries – Angola,
Burundi, Central African Republic, Republic of the Congo, Rwanda, Sudan, Tanzania, Uganda
and Zambia. The minerals in question are used in industrial applications in the manufacture of
electronics (cell phones, computers, televisions, PDAs, DVD players and video game systems),
medical equipment, high-speed tools, machine parts, glass and lamps.
The raw materials used to formulate Western Plastics items do not intentionally contain any of
these “Conflict Minerals” and the conflict minerals have not been intentionally introduced during
the manufacturing process.
Disclaimer
Seller does not conduct any independent tests of Materials and disclaims any responsibility to do so. Seller does not manufacture the Materials; the Materials are purchased from outside, unaffiliated Suppliers that have provided Material Safety Data Sheets or other information on which this Statement is wholly based. ASIDE FROM THE STATEMENTS ABOVE, NO WARRANTY, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY, FITNESS FOR ANY PURPOSE, OR ANY OTHER WARRANTY OR GUARANTEE IS MADE OR IMPLIED REGARDING THE MATERIALS OR THE GOODS OR THE REPRESENTATIONS OF THE SUPPLIERS, THE RESULTS TO BE OBTAINED FROM THE USE OF THE GOODS, THE SAFETY OF THE GOODS, OR THE HAZARDS CONNECTED WITH THE USE OF THE GOODS. ALL SUCH WARRANTIES ARE EXCLUDED. This Statement is not intended to modify any existing supply agreement or other agreement between the parties or relieve Buyer from its obligations to: (i) comply with applicable laws; (ii) provide accurate data for decorating and labeling of Goods; and (iii) use the Goods in a manner consistent with those data. Seller disclaims any responsibility for and shall not be liable for: (i) any modification of the Goods after shipment; (ii) Buyer’s use or storage that may result in degradation of the Goods or migration of other chemicals into the Goods; (iii) any non-conforming Materials or any modification of Materials by a Supplier; (iv) any addition to or amendment of any applicable European, U.S., state or local laws or regulations relating to the Materials, or the Goods; or (v) actions required by Suppliers or Buyer to comply with applicable European, U.S., state, and local laws relating to the Materials or the Goods. Buyer is responsible for determining and applying the law and regulations that may be applicable to the intended use of the Goods and determining if the Goods are suitable for their intended use. The chemical compositions for the Materials and the Goods may be proprietary formulations and, if so, are confidential.
Should you need additional information concerning the composition of the Goods, you may contact your salesmen.

Carlton Wright
Western Plastics
Quality control manager

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