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Information sheet with regard to US (re-)export law

In order to protect its national security and to support American foreign policy, the USA has standardized extensive controls with which it records re-exports of US goods abroad, among others. These control mechanisms include in particular the Export Administration Regulations (EAR) and the International Traffic in Arms Regulations (ITAR).

The **International Traffic in Arms Regulations (ITAR)** cover the (re-)export of armaments. The approvals agency responsible is the Directorate of Defense Trade Controls (DDTC).

As soon as an item of goods is listed on the armaments list of the so-called US Munitions List (USML), before a delivery to a further consignee (within or outside Germany) prior approval generally has to be obtained from the DDTC in the form of a license (e.g. DSP-5). Furthermore, the utilisation of an item of ITAR goods in a German product will lead to the entire product also (besides the German) being subject to ITAR regulations in addition.

The **Export Administration Regulations (EAR)** regulate the (re-)export of both American dual-use goods and also purely commercial economic goods without any military application. The approvals agency responsible is the Bureau of Industry and Security (BIS). An American export license is generally required if a licensing requirement has been explicitly set in the EAR and no license exception applies. All EAR goods are given an Export Control Classification Number (ECCN) in the Commerce Control List (CCL). Any export restrictions and license exceptions for the end use country can be identified on the basis of this ECCN.

Against this background, we require a binding statement from you whether the order items of the enclosed order are subject to the ITAR and/or EAR. In order to systematically record this information, please complete the enclosed Export Classification Request without delay.