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March 3, 2010

To: Importers of Nanophase products in the European Economic Community
From: Nanophase Technologies Corporation

Re. Appointment of Nanophase's REACH "Only Representative"

This communication is your official notification of our appointment of Intertek Analyses Chalon as Nanophase's "Only Representative," as defined under Article 8 of the REACH Regulation - (EC) No 1907/2006.

Only Representative Name Intertek Analyses Chalon

**Contact Information Campus Industriel Grand
Chalon Route de Chalon Sur Saone
France, 71102
Phone + 33 (0) 385 99 1274**

Nanophase has identified the substances we export to the European Community that are covered under the REACH Regulation. As of November 30, 2008 Intertek (an OR for Nanophase) has Pre-Registered all identified non exempt substances contained in Nanophase preparations that you import from Nanophase with the European Chemicals Agency (ECHA). For some chemical substances, Nanophase acts as a down stream (DU) user and assures that its down stream suppliers also have completed the Pre-Registration process for the substances that Nanophase utilizes in its preparations.

As a result of our appointment of Intertek as the Only Representative, under the REACH Regulation, Intertek will become the importer *pro forma* under the definition derived from the REACH Regulation; your status will change from "importer" to "downstream user," so that you will be exempt from the requirement to pre-register identified substances contained in imports from Nanophase. (This change of status to downstream user pertains only to your supply chain from Nanophase; i.e., to the metric tonnage you import from us as a *non-Community manufacturer* that has designated an Only Representative (Intertek). If you also import an identified substance from other non-EU suppliers, you must register such tonnage separately with ECHA or have the non-EU supplier appoint an Only Representative.)

Intertek will be responsible for identifying if your use of Nanophase's substances will be covered by the Registration dossier. This provides you with a contact to whom you can make your use, as a downstream user, known, and, in addition, provides you with clear documentation that your imports are covered by Intertek's appointment as Nanophase's Only Representative, so that you are not responsible for reporting to ECHA. (If for some reason you do not want to disclose all information on your usage to Intertek, you can, as any downstream user, report to ECHA according to Article 38 and prepare a Chemical Safety Report in accordance with Annex XII.)

If you require any further clarification please do not hesitate to contact Mr. Tom Williams, Customer Service Manager at 630-771-6709.