



The Dodd Frank Wall Street Reform and Consumer Protection Act, Pub.L. 111-203, H.R. 4173 (“Dodd Frank Act”) was signed into law on July 1, 2010. Section 1502 of the Dodd Frank Act amends the Securities and Exchange Act of 1934, 15 U.S.C. § 78a et seq. (“Securities Act”) to add Section 13(p). This section applies to companies that use minerals including tin, tantalum, tungsten and/or gold (3TG) if the 3TG minerals originate from the Democratic Republic of Congo (DRC) or an adjoining country, and either (a) the company files reports under the Securities Act (i.e., publicly traded companies); or (b) the minerals are “necessary to the functionality or production” of a product manufactured or contracted to be manufactured by the company.

Under section 1502 or 13(p), companies may be required to (a) Submit a report to the Commission that includes a description of the measures taken to exercise due diligence on the conflict minerals’ source and chain of custody, the report including (i) an independent private sector audit of the report that is conducted in accordance with standards established by the Comptroller General of the United States; (ii) the identity of the auditor and a certification of the audit; and (c) a description of the products manufactured or contracted to be manufactured that are not “DRC conflict free”, the facilities used to process the conflict minerals, the country of origin of the conflict minerals, and the efforts to determine the mine or location of origin; and (b) make the information disclosed to the Commission available to the public on the Company’s website. Recent jurisprudence in the U.S. Court of Appeals for the District of Columbia Circuit has called into question the constitutionality of some aspects of the Dodd Frank Act, such as reporting and posting requirements under the act.

RIGID encourages its suppliers to seek competent legal advice to determine whether products contain conflict minerals from the DRC or an adjoining country, and to ascertain their reporting obligations under the Dodd Frank Act. RIGID is committed to taking all steps necessary to comply with the legislation and has initiated an ongoing due diligence effort to gather information concerning the country of origin of potential conflict minerals in the supply chain. RIGID encourages its suppliers to use responsible and sustainable mineral sourcing policies, such as those promulgated by the Responsible Business Alliance (RBA) Code of Conduct, or the Global e-Sustainability Initiative (GeSI) Sustainability Assessment Framework (SASF), and to establish their own due diligence programs.

Should you have any questions regarding RIGID’s implementation of the above requirements, please contact us at [legal@rigidindustries.com](mailto:legal@rigidindustries.com)