

## CE NOTIFICATION AGREEMENT

pursuant to the Directive 94/9/EC of the European Parliament and the Council of 23 March 1994 on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres

Contract number : 2074728-QUA/IND  
Date : 2 September 2004  
Conformity Assessment Procedure : Annex IV and VII of Directive 94/9/EC

### Parties:

KEMA Quality B.V., a Netherlands limited liability company, having its registered office in Arnhem, the Netherlands, hereinafter referred to as "**KEMA**",

and

Crystal Engineering Corporation, having its registered office in San Luis Obispo, CA 93401, U.S.A., hereinafter referred to as "**Crystal Engineering**"

### Whereas:

- Crystal Engineering is a manufacturer of equipment and/or protective systems ("products") as specified in the Production Quality Assurance Notification to this agreement, and
- Crystal Engineering applies a Quality System for production, final equipment inspection and testing of the products concerned, as specified in the aforesaid notification, and has lodged an application for assessment in accordance with Annex IV and VII of Directive 94/9/EC, and
- KEMA, in its capacity of Notified Body appointed by the Netherlands government on the basis of Directive 94/9/EC, has assessed the quality system of Crystal Engineering, to determine its conformity to the requirements in aforesaid Annex IV and VII, and
- KEMA has established that the quality system implemented by Crystal Engineering satisfies the requirements referred to in Directive 94/9/EC and has notified Crystal Engineering of its conclusions regarding the examination and the reasons for its decision,

### Have agreed as follows:

- 1 KEMA hereby grants to Crystal Engineering the right to carry the enclosed Production Quality Assurance Notification under the terms and conditions hereof for the following production sites:

Crystal Engineering Corporation  
720 Aerovista Place, Suite B  
San Luis Obispo, CA 93401  
U.S.A.

- 2 The equipment and/or protective systems of Crystal Engineering governed by the aforesaid Production Quality Assurance Notification may not be placed on the market unless the appropriate CE conformity marking accompanied by the KEMA Notified Body Identification Number 0344 is properly affixed on such equipment and/or protective systems. In accordance with article 8(3) of Directive 94/9/EC no CE marking shall be affixed on components.
- 3 This agreement shall be governed by the provisions of the General Terms and Conditions for the Performance of Assessment and Certification Services (January 2001).
- 4 This agreement will be entered into for the period of three (3) years, and may be extended repeatedly for not more than three (3) years at a time, on application filed by Crystal Engineering not later than three (3) months before the expiration of the aforesaid period of time or its extension. After receipt of such application, KEMA shall carry out a re-assessment, at its then current rates and other terms and conditions. Surveillance audits are part of this agreement.
- 5 This agreement shall be effective as of the date of issuance of the Notification.

KEMA Quality B.V.

Crystal Engineering Corporation



Maarten J. van der Dussen

David K. Porter

Arnhem, The Netherlands

San Luis Obispo, U.S.A.

Date: 2 September 2004

Date: 10 September 2004