



RoHS and WEEE Position Statement

On January 27, 2003, the European Parliament and the Council of the European Union (“EU”) adopted Directives on (i) the Restriction of the Use of certain Hazardous Substances in Electrical and Electronic Equipment (“RoHS Directive” 2002/95/EC), and (ii) Waste Electrical and Electronics Equipment (“WEEE Directive” 2002/96/EC).

RoHS: The prime objectives of the RoHS Directive are to approximate the laws of the Member States of the European Union on the restrictions of the use of hazardous substances in electrical and electronic equipment and to contribute to the protection of human health and environmentally sound recovery and disposal of electrical and electronic equipment. The RoHS Directive requires Member States to ensure that, as a general rule, as of July 1, 2006, new electrical and electronic equipment put on the market within the European Union does not contain lead, cadmium, mercury, hexavalent chromium, polybrominated biphenyls, or polybrominated diphenyl ethers.

WEEE: The prime objectives of the WEEE Directive are the prevention of waste electrical and electronic equipment and the reuse, recycling and other forms of recovery of such wastes so as to reduce the disposal of waste. The WEEE Directive encourages, and sets criteria for, the collection, treatment, recycling and recovery of waste electrical and electronic equipment, and makes producers responsible for financing most of these activities.

It is JDS Uniphase’s (“JDSU”) policy to limit, and to a great extent avoid, the use of hazardous substances in the design and manufacturing of its products. In response to the EU’s Directives, JDSU is developing and deploying programs to facilitate compliance with the RoHS and WEEE Directives.

JDSU is committed to making sure its products comply with the RoHS and WEEE Directives. In response to the RoHS Directive, JDSU has redesigned certain products to remove listed hazardous substances making those products RoHS compliant. Other JDSU products are RoHS compliant based on a specified “exemption” set out in the RoHS Directive under which new electrical and electronic equipment, within certain categories may contain an otherwise listed substance. Finally, certain JDSU electrical and electronic equipment fall outside the scope of RoHS altogether. JDSU’s CommTest division products, monitoring and control instruments are out of the scope of RoHS Directive under Article 2, Section (1), category 9.

JDSU is also committed to compliance with the country laws that are based on the WEEE Directive. JDSU products are being marked as required, producer registration and reporting requirements are being followed as countries bring their WEEE programs on-line, and return and recycling programs are available to properly dispose of products at their end of life.

JDSU recognizes that these Directives represent a significant change in material requirements for components and certainly for the telecommunications and electronics industries as a whole. By both active involvement in the compliance process and working in alignment with suppliers and customers, JDSU expects to achieve the objectives of the RoHS and WEEE Directives as the industry moves forward toward compliance.