

Duracell Conflict Minerals Policy

It is the policy of The Duracell Company and its direct and indirect subsidiaries (collectively “Duracell”) to comply with all laws and regulations that apply to the Duracell Company’s and their parent company, Berkshire Hathaway Inc. (“Berkshire”) activities and operations, including Section 1502 of the Dodd-Frank Wall Street Reform and Consumer Protection Act and associated rules and regulations (“US Conflict Minerals Laws”) and Regulation (EU) 2017/821 of the European Parliament (“EU Conflict Minerals Law”). Officers, directors or employees of Duracell (each, a “Duracell Person” and collectively, “Duracell Personnel”) shall comply with this Conflict Minerals Policy (this “Policy”), shall abide by all such applicable laws and regulations, and shall exercise great care not to take or authorize any actions in violation of the US and EU Conflict Minerals Laws. Duracell’s suppliers shall also comply with this Policy.

This policy applies to the procurement of products containing Columbine-Tantalite (Tantalum), Cassiterite (Tin), Wolframite (Tungsten) and Gold (“Conflict Minerals”) in the United States and in the EU. Duracell Personnel who violate this Policy shall be subject to appropriate disciplinary action.

Background

In an effort to curb financial support for conflict in the Democratic Republic of the Congo (the “DRC”) and the surrounding region, the US Conflict Minerals Laws require certain companies subject to Securities Exchange Commission (“SEC”) jurisdiction to disclose whether any:

- Columbine-Tantalite (Tantalum)
- Cassiterite (Tin)
- Wolframite (Tungsten)
- Gold

(collectively “Conflict Minerals”), necessary for the functionality or production of their products comes from the Democratic Republic of the Congo. Conflict Minerals have a wide variety of applications. For example, tungsten is used as an alloying component in Hastelloy and other hardened metals and is used for filament in lighting applications. Tin and gold are often used in highly conductive wiring, and tantalum is used in capacitors for electronic equipment.

Countries or areas considered to be conflict-affected or high-risk are those whose natural resources include minerals which are in high demand, either locally, regionally or globally; and are either suffering from armed-conflict, such as civil war, a state of fragile post-conflict, or witnessing weak or non-existing governance and systematic violations of international law, including human rights abuses.

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Of particular concern are Conflict Minerals that originate in the following countries (“Covered Countries”):

- Democratic Republic of the Congo
- Angola
- Burundi
- Central African Republic
- Rwanda
- South Sudan
- Tanzania
- Uganda
- Zambia

The US Conflict Minerals Laws apply to public companies to which Conflict Minerals are necessary to the functionality or production of a manufactured product. Although Duracell is not an issuer, Berkshire is a public company subject to the Conflict Minerals Laws and therefore Duracell falls within the scope of the law as a wholly owned subsidiary of Berkshire. Additionally customers who are subject to the jurisdiction of the SEC need to query their supply chains, including Duracell Companies, regarding the source of Conflict Minerals that are necessary to the functionality or production of their products. Therefore, Duracell must perform the necessary due diligence to identify the source of Conflict Minerals that are necessary to the functionality or production of their products.

In the EU, Duracell is not an importer of products containing Conflict Minerals. EU Conflict Minerals Law requires importers of products containing Conflict Minerals into the EU to conduct due diligence to ensure they import these minerals and metals from responsible and conflict-free sources only. Duracell in the EU therefore is not responsible for this due diligence – however we require our suppliers to comply with EU Conflict Minerals Law, including the requirement to provide information on their due diligence to Duracell upon request.

Reasonable Country of Origin Inquiry (Chain of Custody)

Companies using Conflict Minerals are required to conduct a “Reasonable Country of Origin Inquiry” (“RCOI”) to determine whether the Conflict Minerals used in the products originated in any of the Covered Countries. One exception is minerals derived from scrap or recycled materials. Therefore, Duracell shall perform, in good faith, a RCOI designed to determine whether the Conflict Minerals received and used in the production of manufactured products or that are contained in any products that may be necessary to the functionality or production of products originate from either (i) recycled or scrap sources, or (ii) any of the Covered Countries.

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Duracell requires its suppliers to declare the following information about Conflict Minerals supply chain, to establish information regarding the material country of origin, smelters and refiners:

1. A description of the raw material, including its trade name and type;
2. The name and address of the supplier that supplied the product containing Conflict Minerals
3. The country of origin of the Conflict Minerals and the market transactions from the Conflict Minerals' extraction to Duracell's immediate supplier
4. The quantities of Conflict Minerals present in product, expressed in percentage or weight.

Duracell's Tier 1 suppliers should pass these requirements to their own suppliers to collect the information.

Suppliers that are unable to comply with these requirements because they do not have access to the information must provide any information they can such as country locations of smelters/ refiners to Duracell, so that Duracell can assess the risks in its supply chains. Suppliers must provide evidence to Duracell they are taking steps to collect missing Chain of Custody information.

If, as a result of the RCOI, a company is unable to determine that the Conflict Minerals (i) came from scrap or recycled materials, or (ii) did not come from one of the countries listed above, then the company must require its smelters/refiners to engage a third party to validate its due diligence practices. Duracell's preferred provider is Responsible Minerals Initiative's Responsible Minerals Assurance Process (RMAP). The RMAP standards are developed to meet the requirements of the OECD Due Diligence Guidance, the Regulation (EU) 2017/821 of the European Parliament and the U.S. Dodd-Frank Wall Street Reform and Consumer Protection Act.

Duracell reserves the right to suspend trading with a supplier that repeatedly fails to comply.

Risk Assessment

In addition to the RCOI, Duracell performs regular risk assessment of all suppliers with whom Duracell spends \$5m or more a year. Suppliers are assessed on social and environmental issues including labour rights, working conditions and environmental management. High and medium risk suppliers are required to joined Sedex, receive SMETA audits and demonstrate corrective action. This process ensures that suppliers are monitored for ESG risk beyond conflict mineral risks.

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Vendor Requirements

To ensure compliance with the Conflict Minerals Laws, Duracell expects vendors to perform a RCOI on their materials and confirm to Duracell that they provide only “Conflict Free” materials.

In evaluating the Conflict Minerals information received from vendors, Duracell must have reason to believe that the representations are true given the facts and circumstances surrounding those representations. Duracell will take into account any applicable warning signs or other circumstances indicating that Conflict Minerals may have originated in the Covered Countries or did not come from recycled or scrap sources. The vendor’s policies with respect to the sourcing of Conflict Minerals will form a part of Duracell’s RCOI.

If Duracell identifies a supplier as high or medium risk for social and environmental issues, the supplier will also be required to join Sedex or another Duracell-approved audit provider, provide information through an SAQ on their policies and practices and receive a SMETA audit.

Ongoing compliance obligations

Each general manager of Duracell shall be responsible for the enforcement of and compliance with this Policy within his or her area of responsibility, including distribution of this Policy to all employees. Duracell’s Suppliers shall also ensure their full compliance with this Policy. Any Duracell Person who becomes aware of a failure of any other Duracell Person to abide by the terms of this Policy should contact the Duracell Chief Legal Officer or CFO. Should any Duracell Person be concerned as to whether reporting of activity as required by this Policy may subject him or her or any other Duracell Person to any form of retaliation, he or she should contact the Duracell Chief Legal Officer or CFO. If any Duracell Person would prefer to report matters pertaining to this Policy anonymously, and for any report by a Supplier or Supplier employee, he or she may do so through the Berkshire Hathaway Ethics & Compliance Hotline, which is available 24 hours a day, seven days a week at 1-800-261-8651 or other country specific toll-free number, by calling collect at 1-704-752-9679, or by going online at www.brk-hotline, as set out in Duracell’s Grievance Policy.