

# GEC Criteria Development Process

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This document identifies the process followed by the Global Electronics Council (GEC) to develop criteria, revise criteria, and evaluate criteria for use in its ecolabels, including the EPEAT Program.

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# GEC Criteria Development Process

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## 1.0 Introduction

The Global Electronics Council (GEC) is a mission driven non-profit working to create a more sustainable and just world. To achieve this goal, we focus on technology and supporting institutional purchasers in procuring only credible sustainable and circular technology products and services. GEC owns and operates EPEAT®, a comprehensive voluntary sustainability ecolabel that helps purchasers identify more sustainable and circular technology products and services. GEC ecolabel criteria address priority impacts throughout the life cycle of the product, based on an evaluation of scientific evidence and international best practices. Criteria are developed in balanced, voluntary consensus processes consistent with:

- ISO 14024 *Environmental labels and declarations – Type 1 environmental labelling – Principles and procedures*<sup>1</sup>, and
- U.S. Executive Office of the President, Office of Management and Budget, OMB Circular A-119: *Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities*<sup>2</sup>.

With its Dynamic Criteria Development Process, and specifically through the use of modular criteria, GEC implements an efficient and scalable voluntary consensus process that encourages broad and balanced stakeholder participation. GEC develops a Business Case to decide whether to launch a Dynamic Criteria Development Process; the Business Case identifies the landscape of relevant technology providers, large-scale purchaser demand, and where criteria have the potential to reduce sustainability impacts. The Dynamic Criteria Development process, combined with routine maintenance of criteria, ensures that purchasers are able to procure technology products and services that respond to evolving science, leverage best practices and integrate a global perspective.

GEC Criteria are owned by GEC and, unless noted otherwise, their use is constrained to the tools and resources developed by GEC as part of its mission activities. GEC is interested in the harmonization of environmental and social criteria with existing regulations and global standards, as well as other ecolabels and voluntary programs, and welcomes requests to collaborate. All GEC Criteria are publicly available.

## 2.0 Dynamic Criteria Development Process

The key goals of GEC's Dynamic Criteria Development Process, as illustrated in Figure 1, are:

- Criteria are science-based and address priority environmental and social impacts throughout the life cycle of electronic products and services, and harmonized with international best practices, where applicable.
- Criteria developed with and adhering to the principles of transparency and voluntary consensus, including a process that is open without discrimination to interested parties and representing a balance of stakeholder interests.

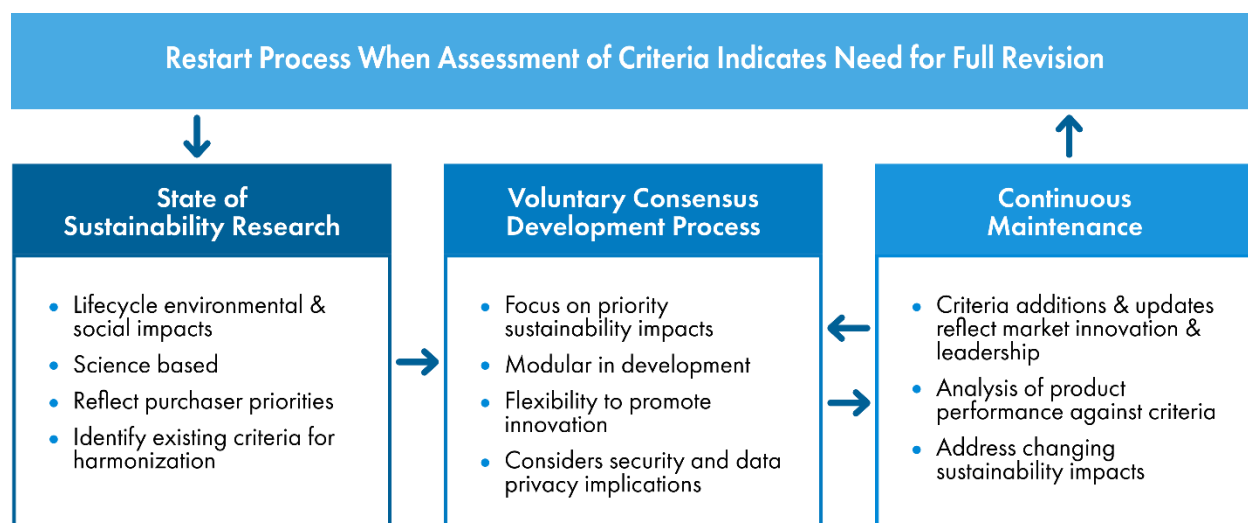
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<sup>1</sup> Available at: <https://www.iso.org>

<sup>2</sup> Available at: [https://www.whitehouse.gov/wp-content/uploads/2020/07/revised\\_circular\\_a-119\\_as\\_of\\_1\\_22.pdf](https://www.whitehouse.gov/wp-content/uploads/2020/07/revised_circular_a-119_as_of_1_22.pdf)

- Criteria are continually maintained to ensure relevance, credibility and reflect market innovation in addressing sustainability impacts.

**Figure 1: GEC Dynamic Criteria Development Process**



As shown in the process schematic in Figure 2, GEC performs preparatory work for criteria development, including State of Sustainability Research and compiling existing criteria that address identified sustainability impacts. GEC then brings together subject matter experts in Expert Ad Hoc Groups to develop and/or refine draft criteria. These criteria are provided as a starting point for the voluntary consensus process undertaken by the multi-stakeholder Technical Committee. GEC partners with third-party Criteria Development Organizations, to manage the Technical Committee, and ensure the objective adherence of the process to the principles of voluntary consensus.

Public consultation is actively sought and open to all stakeholders at two critical points in the Dynamic Criteria Development Process: 1) on the State of Sustainability Research; and 2) on the Full Draft Criteria Document. These documents are available for public consultation for a period of no less than 30 days. GEC notifies stakeholders of public consultation through GEC newsletters and specific announcements.

Each of the steps in the process are described in more detail below.

Figure 2: Steps in Criteria Development Process



## 2.1 State of Sustainability Research

GEC publishes State of Sustainability Research as the initial step in the development and revision of criteria. The research presents science-based evidence of social and environmental impacts across the life cycle of technology products and services, and strategies to reduce the identified sustainability impacts. The research also identifies best practices, existing regulations and existing voluntary leadership programs designed to reduce sustainability impacts. The data and analyses in the State of Sustainability Research serves as the foundation for the development and revision of criteria, as well as identification of opportunities for harmonization. GEC may contract with third parties for research and data analysis assistance during this step.

GEC makes the draft State of Sustainability Research available for public consultation for a minimum of 30 days. In the public consultation process, GEC invites stakeholders to review the scientific evidence presented in the State of Sustainability Research, identify gaps in the data, and share additional data and impact mitigation strategies. GEC notifies stakeholders of the availability of State of Sustainability Research for public consultation through GEC newsletters and announcements. All comments are considered, and, if appropriate, the State of Sustainability Research modified. The final State of Sustainability Research is published and made available on the GEC website. GEC also prepares a stakeholder comment report that summarizes comments received and how the research was modified in response. The stakeholder comment report includes a list of organizations who provided comments.

## 2.2 Criteria Drafting

GEC Criteria are intended to meet the six Principles for GEC Criteria in Table 1.

Table 1: Principles for GEC Criteria	
1.	Criteria address priority sustainability impacts, as identified in the State of Sustainability Research, and throughout the life cycle of products and services, inclusive of the supply chain.
2.	Criteria establish baseline leadership performance by specifying criteria that are required to be met, while incentivizing continuous improvement and innovation through the use of optional criteria.
3.	Criteria represent leadership and current best practice for reducing identified sustainability impacts, with due consideration of life-cycle trade-offs, and of the ability of the market to meet the criterion within a reasonable timeframe.
4.	Criteria differentiate environmentally and socially preferable products from others in the market based on measurable differences in impact, acknowledging that the ability to quantify the outcome may be limited under some circumstances.
5.	Criteria align with international leadership best practices, whether regulations, standards or voluntary programs and do not create obstacles to international trade.
6.	Criteria requirements can be independently verified through objective measures and commonly accepted tools, methodologies, or standards.

Criteria are required to address sustainability impacts throughout the technology life cycle as identified in the State of Sustainability Research. Criteria include performance requirements as well as documentation and methods for the verification of conformance.

Draft criteria may originate from different sources, including, but not limited to:

- Existing GEC or EPEAT Criteria, if available and representing leadership, with or without modifications.
- GEC staff or partner organizations.
- Submissions from stakeholders.
- Expert Ad Hoc Groups.

All draft criteria are reviewed and revised, as needed, by Expert Ad Hoc Groups before consideration by the consensus body, referred to as the Technical Committee. The delivery of fully drafted criteria to the Technical Committee streamlines the voluntary consensus process in order to broaden multi-stakeholder participation.

## 2.3 Expert Ad Hoc Groups

GEC convenes Expert Ad Hoc Groups by impact topic, mitigation strategy, or cluster of closely related criteria associated with an impact identified in the State of Sustainability Research. The Expert Ad Hoc Groups review draft criteria and evaluate whether the draft criteria, as proposed, have the potential to mitigate the identified sustainability impacts and meet the Principles for GEC Criteria in Table 1. Expert Ad Hoc Groups may be asked to develop draft criteria to address a specific impact identified by the State of Sustainability Research.

The goal of Expert Ad Hoc Groups is to recommend the approach, requirements, and language of draft criteria for the assigned topic that will be included in the full draft of criteria submitted to the Technical Committee. If a recommendation is not provided within a specified timeframe, GEC evaluates the outcome of Expert Ad Hoc Group discussions against the Principles for GEC Criteria in Table 1 and determines which criteria and criteria language to forward to the Technical Committee. GEC may choose to forward 2 or more criteria options (e.g., Option A and B) if upon evaluation it is determined that alternative approaches to draft criteria meet the Principles for GEC Criteria and address the impacts identified in the State of Sustainability Research. A summary of the Expert Ad Hoc Group discussions, rationale, and any points of technical dissension is documented and transmitted to the Technical Committee, along with the criteria recommendations.

Expert Ad Hoc Groups typically meet by teleconference on a schedule acceptable to participants, and to accommodate diverse time zones, as needed. The review of criteria by Expert Ad Hoc Groups also may be executed by electronic mail.

### 2.3.1 Expert Ad Hoc Group Membership

GEC's goal is to assemble 4-12 stakeholders with expertise and perspectives on the topic under consideration for each Expert Ad Hoc Group. GEC seeks balanced representation from the following stakeholder categories, which are the same stakeholder categories assembled for the Technical Committee: manufacturers; sustainability advocates and government policy; purchasers and ecolabel criteria users; and other industry in the supply chain, as relevant to the criteria topic. See Table 2 for the definition of each stakeholder category. Only one member may serve on an Expert Ad Hoc Group from an organization, unless the representatives represent different stakeholder categories. In the event that a member is unable to attend a meeting, that member may designate a proxy.

Table 2: Stakeholder Categories	
<b>Manufacturers</b>	Manufacturers of products or services covered by the scope of the criteria and their trade associations.
<b>Other Industry</b>	Other businesses commercially engaged with the products or services such as: <ul style="list-style-type: none"> <li>• Suppliers and their trade associations</li> <li>• Recyclers, repair and refurbish companies, asset management service providers, and their trade associations</li> <li>• Other types of businesses commercially engaged with the product.</li> </ul>
<b>Sustainability Advocates and Government Policy</b>	Individual from a public agency (local, regional, state, federal, or international) or represents a professional public/environmental health/safety organization, academia, or not-for-profit environmental organization.
<b>Purchasers and Ecolabel Criteria Users</b>	An individual whose organization purchases, uses, or specifies products or services covered in the scope of the criteria. User/consumers and their trade association representatives, institutional purchasers, third-party conformity assessment bodies (e.g., testing laboratories), and retailers are included in this membership classification.

GEC notifies stakeholders of the opportunity to join Expert Ad Hoc Groups, following publication of the draft State of Sustainability Research. GEC identifies prospective members of Expert Ad Hoc Groups, through self-nomination or direct recruitment of individuals with relevant technical expertise and stakeholder perspectives. GEC issues invitations to participate in Expert Ad Hoc Groups, following a review of technical qualifications and affiliations of prospective participants. Individuals must complete GEC's Participant Agreement prior to joining an Expert Ad Hoc Group. A list of organizations participating in Expert Ad Hoc Groups is made available to the Technical Committee and is publicly available.

If stakeholder representation relevant to the criteria is not achieved for an Expert Ad Hoc Group, GEC may reach out to stakeholders not represented or underrepresented on the Expert Ad Hoc Group to bring in their perspectives.

## 2.4 Full Draft Criteria Document

GEC compiles a comprehensive Full Draft Criteria Document based on the recommendations of the Expert Ad Hoc Groups and submits it to the Technical Committee as the starting point for their deliberation. GEC confirms that the Full Draft Criteria Document addresses the environmental and social impacts identified in the State of Sustainability Research. If gaps are identified in the Full Draft Criteria Document, GEC prepares a plan for addressing the gaps and provides it to the Technical Committee.

The Full Draft Criteria Document is accompanied by a summary that includes the origins of the criteria, key discussion points, as well as areas of technical disagreement identified by the Expert Ad Hoc, to provide context for the Technical Committee. This summary also identifies whether an Expert Ad Hoc was unable to develop a recommendation to address an impact identified in the State of Sustainability Research Report, and why.

## 2.5 Voluntary Consensus Process

GEC partners with third-party Criteria Development Organizations to manage the multi-stakeholder consensus body, called the Technical Committee. The Criteria Development Organization must have documented procedures that address and adhere to the five characteristics of voluntary consensus in Table 3.

Table 3: Characteristics of Voluntary Consensus

- |   |
|---|
| 1. <b>Openness:</b> The process is open to participation by all interested parties. Such parties are provided meaningful opportunities to participate in criteria development on a non-discriminatory basis. The procedures or processes for participating in criteria development and for developing the criteria are transparent.                 |
| 2. <b>Balance of interests:</b> The process includes a balance of stakeholder interests with no single interest dominating decision-making.   |
| 3. <b>Due process:</b> The process includes documented and publicly available policies and procedures, adequate notice of meetings and other activities, sufficient time to review drafts and prepare views and objections, access to views and objections of other participants, and a fair and impartial process for resolving conflicting views. |
| 4. <b>Appeals process:</b> A process must be available for the impartial handling of procedural appeals.  |

Table 3: Characteristics of Voluntary Consensus

5. **Consensus:** Consensus is defined as general agreement, but not necessarily unanimity, and includes a process for attempting to resolve objections by interested parties. All comments must be fairly considered, each objector must be advised of the disposition of his or her objection(s) and the reasons why, and the consensus body members must be given an opportunity to change their opinion after reviewing the comments.

The Criteria Development Organization must also have procedures in place to objectively select Technical Committee members, safeguard against anti-competitive behaviors, and avoid the use of commercial terms and other requirements that may restrict trade and competition. Approved minutes of Technical Committee meetings must be publicly available.

### 2.5.1 Technical Committee Membership

GEC notifies stakeholders of the opportunity to apply for membership on the Technical Committee through GEC newsletters and announcements. Interested stakeholder must submit an application, including documentation of experience and qualifications, for membership on the Technical Committee. The Criteria Development Organization processes applications for Technical Committee membership, in consultation with GEC. Members are selected using objective evaluation factors such as technical qualifications, balance of stakeholder interests, and geographic representation. Technical Committee members must complete GEC's Participant Agreement in advance of the first Technical Committee meeting, or risk forfeiture of Technical Committee membership.

GEC requires balanced representation of stakeholders on the Technical Committee from the four interest categories listed in Table 2. Balanced is defined as no one interest category representing more than 25% of voting Technical Committee members. If balanced representation is not achieved on a Technical Committee, weighted voting may be applied to achieve equal representation among the four stakeholder categories.

The role of the Technical Committee is to evaluate the criteria against the Principles for Criteria in Table 1, address public comments, and reach consensus on criteria. The names of individuals and the organizations that they represent on the Technical Committee are publicly available.

### 2.5.2 Public Consultation

The Full Draft Criteria Document is made available to all interested parties for review and comment. The Criteria Development Organization administers the public consultation process, which must be open for no less than 30 days. GEC notifies stakeholders of the public consultation period through GEC newsletters and announcements.

The Technical Committee considers comments submitted through the public consultation process as part of the voluntary consensus process. The Criteria Development Organization prepares a comment resolution report and notifies public commenters of the resolution of their comments.

## 2.6 Continuous Maintenance

GEC implements a Continuous Maintenance Process to ensure that the criteria remain relevant, continue to be impactful and incentivize leadership performance, and recognize change in technology, science, and best practice. Criteria revisions are published no more frequently than on an annual basis. GEC assesses the need for a full criteria revision three years after Criteria were initially adopted within an ecolabel product category. If the assessment determines that a revision is required, GEC restarts the Dynamic Criteria Development Process beginning with State of Sustainability Research (Section 2.1) and proceeding through criteria drafting and voluntary consensus (Sections 2.2 – 2.5). If the assessment determines that a revision is not required, GEC evaluates the need for a full revision of the Criteria every 12 months thereafter.

The following factors are considered when evaluating criteria revisions:

- Age and impact of existing criteria.
- Comparison of existing criteria against the current State of Sustainability Research to ensure Criteria reflect existing knowledge and best practices.
- Potential impact on and current capability of manufacturers to meet updated criteria including design implementation, product life cycle, and testing timeline.
- Ability of existing criteria to meet institutional purchaser needs.

## 2.7 Appeals Process

GEC operates an appeals process to allow stakeholder concerns about criteria development to be addressed fairly. Any party may appeal any procedural matter in the implementation of the GEC Dynamic Criteria Development Process. Complaints and appeals about the Voluntary Consensus Process must be processed through the Criteria Development Organization appeals process before it is brought to GEC. The membership and recommendations of Expert Ad Hoc Groups cannot be appealed. Appeals regarding technical or substantive content of GEC Criteria are not permitted.

Appeals must be made in writing to GEC within 30 calendar days of a decision and include the following to be considered valid:

1. The reason for the appeal, including the relevant clauses of this document, *GEC Criteria Development Process (P74)*, where non-conformance is alleged to have occurred, and specific evidence supporting the appeal.
2. The specific damage(s) or disadvantage(s) caused by the alleged non-conformity.
3. The specific resolution requested.

GEC will notify the appellant in writing within 5 business days of receipt of the appeal. GEC will notify the appellant in writing of its decision on the matter within 60 business days.

## 2.8 Patent Policy

GEC Criteria can include the use of an essential patent claim (one whose use would be required for compliance with the Criteria) if it is considered that technical reasons justify this approach. Participants in the criteria development process should bring patents with claims believed to be essential to the attention of GEC.

In order to include an essential patent claim in GEC Criteria, GEC shall receive from the patent holder or a party authorized to make assurances on its behalf, in written or electronic form, either:

- a) assurance in the form of a general disclaimer to the effect that such party does not hold and does not currently intend holding any essential patent claim(s); or
- b) assurance that a license to such essential patent claim(s) will be made available to applicants desiring to utilize the license for the purpose of implementing the GEC Criteria either:
  - i) under reasonable terms and conditions that are demonstrably free of any unfair discrimination; or
  - ii) without compensation and under reasonable terms and conditions that are demonstrably free of any unfair discrimination.

Such assurance shall indicate that the patent holder (or third party authorized to make assurances on its behalf) will include in any documents transferring ownership of patents subject to the assurance, provisions sufficient to ensure that the commitments in the assurance are binding on the transferee, and that the transferee will similarly include appropriate provisions in the event of future transfers with the goal of binding each successor-in-interest. The assurance shall also indicate that it is intended to be binding on successors-in-interest regardless of whether such provisions are included in the relevant transfer documents.

When GEC receives assurance from a patent holder the affected GEC Ecolabel or Criteria shall include a note as follows:

NOTE – The user’s attention is called to the possibility that conformance with these criteria requires use of an invention covered by patent rights. The patent holder has filed a statement with GEC of willingness to grant a license under these rights on reasonable and nondiscriminatory terms and conditions to applicants desiring to obtain such a license. Details may be obtained from GEC.

## 3.0 Use of Criteria by GEC

GEC Criteria are owned by GEC and, unless noted otherwise, their use is constrained to the tools and resources developed by GEC as part of its mission activities. GEC is interested in the harmonization of environmental and social criteria with existing regulations and global standards, as well as other ecolabels and voluntary programs, and welcomes requests to collaborate. All GEC Criteria are publicly available.

## 4.0 Supplementary Information

### 4.1 References

The following documents are referenced in this document, *GEC Criteria Development Process (P74)*, and are indispensable for its application. Undated references indicate that the latest edition of the referenced document applies.

- ISO 14024 *Environmental labels and declarations – Type 1 environmental labelling – Principles and procedures*

- U.S. Executive Office of the President, Office of Management and Budget, OMB Circular A-119: *Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities*

## 4.2 Definitions

The following definitions are referenced throughout this document, *GEC Criteria Development Process (P74)*, and are indispensable for its application.

**Appeal:** For the purposes of this document, a written request that challenges a procedural decision in the development of GEC Criteria that is considered by the appellant to be inconsistent with the policies and procedures in this document, *GEC Criteria Development Process (P74)*.

**Continuous Maintenance Process:** The process for reviewing and revising GEC Criteria to ensure they remain relevant, continue to be impactful, and recognize changes in technology, science, and best practice in reducing impacts.

**Criteria Development Organization:** The third-party organization that administers all aspects of the Technical Committee, which is the consensus body for the Dynamic Criteria Development Process.

**Dynamic Criteria Development Process:** The process used by GEC to develop its Criteria consistent with the characteristics of voluntary consensus and the requirements of ISO 14024 *Environmental label and declarations – Type 1 environmental labelling – Principles and procedures*.

**Expert Ad Hoc Group:** A multi-stakeholder group convened by GEC and serving in an advisory capacity to review and draft criteria that address sustainability impacts for a technology or service.

**GEC Criteria:** Environmental and social requirement intended to reduce the sustainability impacts of a technology or service, developed through a balanced, voluntary consensus process, and adopted by GEC for application to its ecolabel(s).

**Full Draft Criteria Document:** The compilation of criteria recommendations from the Expert Ad Hoc Groups into a single document, which is the starting point for deliberation by the Technical Committee.

**Manufacturer:** Brand owner that registers products to a GEC ecolabel and is responsible for ensuring ongoing conformance of the products against the GEC Criteria selected for those products.

**State of Sustainability Research:** The presentation and analysis of available data on the life cycle sustainability impacts of a technology or service that guides the development of GEC Criteria.

**Technical Committee:** The multi-stakeholder committee serving as the voluntary consensus body for GEC Criteria, and administered by a third-party Criteria Development Organization.

**Voluntary Consensus Process:** The process used to develop GEC Criteria that adheres to the characteristics of voluntary consensus as defined by OMB Circular A-119: *Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities*.

## 5.0 Document Change History

This document, *GEC Criteria Development Process (P74)*, defines the process that GEC follows for the development, routine maintenance, and revision of criteria. While not solely dedicated to the development of EPEAT criteria, this document, *GEC Criteria Development Process (P74)*, is controlled as part of the EPEAT Quality Management System.

Issue	Revision	Author	Description of Change	Approver	Approval Date	Effective Date
1	0	Senior Director, Category and Criteria Development	Initial release	CEO	2021 April 30	2021 April 30
1	1	Senior Director, Category and Criteria Development	Added Section 2.8, Patent Policy	CEO	2021 May 20	2021 May 20
1	2	Senior Director, Category and Criteria Development	Updated Section 1.0 to reference Business Case	CEO	2021 June 17	2021 June 17