



**EPEAT Clarification #3-2  
regarding temporal conditions for conformance**

**This Clarification applies to the following IEEE Standards and criteria:**

**Applicable Standards:**

- IEEE 1680.1 – Computers and Displays
- IEEE 1680.2 – Imaging Equipment
- IEEE 1680.3 – Televisions

**Applicable Criteria**

**PVC Determination:**

The effective language from the 1680 standard is “This Agreement shall commit the manufacturer to providing accurate product and company information....” This can only mean that when a subscriber declares that a product meets the terms of a criterion, it does in fact meet those terms. Therefore, the product must meet all the requirements of a criterion when the subscriber declares to that criterion, and it would be a non-conformance to declare to a criterion, and then later to bring the product into conformance. The reference in the standard to “all units sold...shall conform” does not provide a condition for when the declaration must be accurate.

*Special Circumstance:* One criterion that is being verified in Round Two will be given special treatment due to the unique language in the following criterion.

**Criterion 4.7.3.2 Optional – Corporate report based on GRI**

**Annual Report Criterion:** Manufacturer shall produce an annual public report that is based on, but not limited to, certain elements of the GRI Sustainability Reporting Guidelines. An index shall be provided to indicate which portions of the GRI Sustainability Reporting Guidelines are covered and not covered in the report.

**Applies to:** All manufacturers with products that are declared to conform to this Standard.

**Verification Requirements:**

1. Declaration from manufacturer
2. Copy of annual report
3. Index to report showing how report is based on GRI

The special treatment results from the unique phrase in this criterion: “shall produce”. The tense of this phrase has created confusion as to whether the annual report must have been produced prior to declaration to the criterion.

- 1. In the future, before the subscriber declares to this criterion a corporate report that meets this criterion shall have been produced. That is, such report shall exist so that a “copy of annual report” can be provided to the verifier. It shall also be demonstrated that the subscriber intends to produce the report annually.
- 2. For Round Two only, however, due to the ambiguity of the phrase “shall produce”, the pre-existence of the annual report shall not be required for conformance. However, the subscriber must be able to provide evidence that an annual report that meets the criterion is explicitly planned for production, or is currently in production.

### **Background analysis:**

This Clarification relates to the conditions of conformance of all criteria. The relevant language is from section 1.4 of the 1680 standard, and reads as follows:

Conformance with this Standard shall be demonstrated by the following process:

1. Before declaring the conformance of products to this Standard, the manufacturer will sign a legally binding Agreement with a Product Registration Entity. This Agreement shall commit the manufacturer to providing accurate product and company information and shall provide for remedies should inaccuracies be discovered.

The Agreement shall provide that all units sold of a product that is declared to this Standard shall conform to the product declaration submitted by the manufacturer....

*The following issue arose in Verification Round Two:*

Some investigations revealed, through evidence of dated documents, that the conditions of a criterion were met well after the criterion was declared to by the subscriber, and in some cases after the Verification Round began and the subscriber was notified that the criterion in question would be investigated.

In some of those cases the declared product, and its attributes relevant to conformance with 1680, was designed especially for an institutional procurement that had not yet been completed. The declaration to criteria and the status of the product on the Registry were relevant to product selection in the procurement. However, subscribers claimed that since none of the products being verified had yet been sold, they did not need to be in conformance.

### **Change History:**

Created: March 2008