



MEMORANDUM

TO: Joint Committee on Environmental Leadership and Corporate Social Responsibility Assessment of Servers

FROM: Jennifer Costley, Chairperson of the Joint Committee

DATE: October 13, 2018

SUBJECT: **Adjudication ballot** - Proposed revision to NSF/ANSI 426 – 2017 *Environmental Leadership and Corporate Social Responsibility Assessment of Servers (426 i5 r1)*.

Enclosed is an **adjudication ballot** for revision 1 (r1) of NSF/ANSI 426 issue 5 that is being forwarded to the Joint Committee for balloting. Please review the original changes proposed and the negative votes and comments to this standard and **submit your ballot by October 29, 2018** via the NSF Online Workspace (<https://standards.nsf.org/login>).

This two-week ballot allows voters the opportunity to respond, change or reaffirm their vote based on the content of the comments contained herein. In the reference items for this ballot, included are the response letters to the comments from the 3 negative votes.

Voting options:

1. **Affirmative:** you are voting to accept the ballot document as it stands after your consideration of the unresolved negative comments.
2. **Negative:** You are voting to reject the ballot document as it stands after your consideration of the unresolved negative comments. Voters who change an affirmative to a negative shall cite the unresolved negative comment that caused their decision.
3. **Abstain:** You do not feel that you have sufficient information to make an informed decision on this issue.

Please note that if you do not return a vote in this adjudication ballot, your original vote will remain in effect.

At the close of this adjudication ballot, all results will be tallied to determine if the requirements for consensus have been satisfied.

Purpose

The proposed revisions in ballot NSF 426i5r1 addressed criteria 12.2.3, 12.4.2 and 12.4.3 regarding the scope of suppliers and the note for the definition of facility. This adjudication ballot is to address the negative votes with comments that were received and the proposed response from the Joint Committee.

Background

A proposal was submitted to modify the language in criteria 12.3.2, 12.4.2 and 12.4.3 to clarify supplier scope. This issue was presented at the May 15, 2018 JC meeting and there was concern that the revisions may change the intent of the current language. The issue was reviewed further by the governance team to determine possible next steps for moving forward.

The issue paper and recommendations from the governance team, to only clarify the scope and add a note regarding the definition of facility, were presented at the June 19, 2018 JC meeting and the committee voted in favor of balloting the proposed revisions.



The initial ballot was sent on July 31, 2018 and 3 negative votes were received. In addition, one affirmative vote with comment was received. The JC met on September 18, 2018 to review the negative votes and comments. During the meeting the JC agreed to keep the original ballot language from NSF 426i5r1 and they developed the following response to the NSF 426i5r1 ballot commenters:

“The JC will continue to work to address inclusion of sub-suppliers either through additional criterion(ia) or through definitions. In addition, JC members participating on the NSF 487 Corporate Common Criteria JC commit to considering additional criterion(ia) or clarifying that existing criteria intentionally and clearly extend down to the sub-supplier.

Efforts will be made in future continuous maintenance to ensure that the scope of the process is vetted and agreed to by the JC.”

Please see the response letters to the negative voters and the September 18th, 2018 JC meeting summary under the referenced items for additional information.

Issues:

Negative votes were submitted by Wayne Rifer, Holly Elwood and Cate Berard. Please refer to the responses to their comments under the referenced items. In addition, an affirmative vote with comment was submitted by Derek Hellar.

If you have any questions about the technical content of the ballot, you may contact me in care of:

Jennifer Costley, Chairperson
Joint Committee on Environmental Leadership and Corporate Social Responsibility Assessment of Servers
c/o Jessica Slomka
Joint Committee Secretariat
NSF International
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Note - Provided below are two versions of the criteria revisions.

- 1) The first version below is the OFFICIAL ballot showing the proposed revisions using ~~strikeout~~ for proposed removal of existing text and grey highlights to indicate the proposed new text. Only the revisions for this NSF Ballot (426i5r1) are shown.
- 2) The second version, provided within the RED BOX is for informational purposes only and is not part of this official ballot. The revisions for this ballot merged with the revisions from NSF Ballots 426i3r1 and 426i7r1 are shown for clarity. NSF Ballots 426i3r1 and 426i7r1 revisions are shown in red text are NOT included in this ballot.

NSF/ANSI Standard
for Sustainability –

Environmental Leadership and Corporate Social Responsibility Assessment of Servers

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12.2.3 Optional - Public reporting of toxics release data (corporate)

Manufacturer shall publicly report annually toxics release data for the following three types of components for servers (principal storage device(s); processor(s) (CPU); and printed circuit board(s)) from facilities owned or operated by three of the manufacturer's top six suppliers (by annual spend, fiscal or calendar) for each component, if applicable for the product declared to conform to this Standard. The reported data shall be according to the reporting requirements and for chemicals listed on the:

- U.S. EPA Toxics Release Inventory; or
- United Nations Protocol on Pollutant Release and Transfer Registry, or the applicable country's or region's equivalent (e.g., Canadian National Pollutant Release Inventory).

The data collected from the suppliers can be for their entire company or the specific part of the company that manufactures an identified component in a product declared to conform to this Standard.

If there are less than three suppliers for a component type named above, every supplier for component type needs to provide data.

Manufacturer may publicly report toxic release data by supplier or in aggregate. If the suppliers within scope do not release any toxics above reporting thresholds, the manufacturer may report that its suppliers report no emissions subject to reporting.

Manufacturer's website shall either provide the annual disclosure or, if reported by supplier, a link to a public repository containing the disclosure. The URL for the manufacturer's public website disclosing this

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information shall be provided during product registration, certification or self-declaration, and made publicly available.

Manufacturer may claim one point each for inclusion of the reporting elements listed in Table 12.3.

Table 12.3

Reporting elements	Points
— the identity and volume of each release	1
— the specific locations of the releases, and — the name of the company that is releasing the chemicals	1

NOTE — For the purpose of this criterion “facility” is defined as a manufacturing site that is majority owned or operated by one of the suppliers within the scope of this criterion.

Point value: maximum 2

Geographic applicability: This criterion shall be declared the same in all countries or regions for which the product is declared to conform to this Standard. The approach used to conform to this criterion may vary by country or region.

Verification requirements:

- a) URL for manufacturer’s website with public disclosure of or hyperlinks to toxic release data in b).
- b) toxic release data conforming to reporting format and chemicals listed on U.S. Toxics Release Inventory, United Nations Protocol on Pollutant Release and Transfer Registry, or applicable country/region registry for facilities owned or operated by 3 of the manufacturer’s top 6 suppliers of 3 components, if applicable to the product declared to conform to this Standard:
 - i. principal storage device(s)
 - ii. principle semiconductor device(s)
 - iii. printed circuit board(s)
- c) if suppliers in scope do not release any chemicals subject to the requirement, provide a URL to manufacturer’s public disclosure of no emissions.
- d) if the manufacturer has fewer than 3 suppliers of components listed in b), a signed statement from a company official stating the number of suppliers the company has for the product declared to the criterion.
- e) demonstration that the toxic release data is reported annually. Data must be reported within a year prior to declaration to the criterion, and annually thereafter.
- f) if claiming 1 point, the public disclosure of toxic release data must identify chemical(s) and volume of release(s). (Note: Aggregate reporting may fulfill this requirement.)

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g) if claiming 2 points, the public disclosure of toxic release data must contain f), location of release and name of the company releasing the chemicals

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12.4.2 Optional - Supply chain conformance to occupational health and safety performance standards (corporate)

Manufacturer shall ensure that three of their top six suppliers (by annual spend, fiscal or calendar) for each of these three main components, if applicable to the product declared to conform to this Standard, (principal storage device(s); processor(s) (CPU); and printed circuit board(s)) produce these components in supplier facilities that conform to or are certified by accredited certification bodies to either ANSI/AIHA/ASSE Z10 or OHSAS 18001 if the facility is owned or operated by the supplier. Certification bodies shall be accredited by an International Accreditation Forum (IAF) member accreditation body²⁷ to certify to the specific Standard identified.

If there are less than three suppliers for a component type named above, every supplier for that component type needs to provide data.

NOTE — For the purpose of this criterion “facility” is defined as a manufacturing site that is majority owned or operated by one of the suppliers within the scope of this criterion.

Point value: 2

Geographic applicability: This criterion shall be declared the same in all countries or regions for which the product is declared to conform to this Standard. The approach used to conform to this criterion may vary by country or region.

Verification requirements:

a) either demonstration of conformance or copy of current certificate or URL verifying current certification to either ANSI/AIHA/ASSE Z10 or OHSAS 18001 for facilities owned or operated by ~~of~~ 3 of their top 6 suppliers that produce the following 3 components, if applicable, for the product declared to the Standard:

- i. principal storage device(s)
- ii. principle semiconductor device(s)
- iii. printed circuit board(s)

b) if the manufacturer has fewer than 3 suppliers of components listed in a), a signed statement from a company official stating the number of suppliers the company has for the product declared to the criterion.

12.4.3 Optional - Certification to social responsibility performance standard (corporate)

Manufacturer shall ensure that all supplier owned or operated facilities of three of its 6 top suppliers (by annual spend, fiscal or calendar) that manufacture each of three main components (principal storage device(s); processor(s) (CPU); and printed circuit board(s)), if applicable, for the product are:

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— certified by accredited certification bodies to Social Accountability (SA) 8000³⁹. Certification bodies shall be accredited by an authorized accreditation body to certify to the SA8000. The certification shall be no older than three years. (2 points)

Optional points shall only be awarded for SA8000 certification if all facilities designated above are certified to SA8000. If there are fewer than three suppliers for a component type named above, every supplier for that component shall conform to this criterion;

Or

— audited to the EICC Code of Conduct¹⁵ using the Validated Audit Process (VAP). (1 point)

Optional point shall only be awarded for VAP audits if a certificate has been issued by the VAP Operations Management Team to verify that:

— validated audit reports contain no major or priority non-conformance findings as defined by the EICC VAP and shall be no older than two years; or

— closure audit report confirming that all major or priority non-conformance corrective actions resulting from VAP audits were remedied within time frame specified by the audit shall be no older than two years.

Optional point shall be awarded for EICC VAP audits if all facilities designated above meet the VAP audit requirements or facilities meet a combination of VAP audits and SA8000 certification.

If there are fewer than three suppliers for a component type named above, every supplier for that component shall conform to this criterion.

NOTE — For the purpose of this criterion “facility” is defined as a manufacturing site that is majority owned or operated by one of the suppliers within the scope of this criterion.

Point value: 1 or 2

Geographic applicability: This criterion shall be declared the same in all countries or regions for which the product is declared to conform to this Standard. The approach used to conform to this criterion may vary by country or region.

Verification requirements:

a) demonstration of certification to SA8000 or EICC VAP audits for all supplier owned or operated facilities of 3 of its 6 top suppliers that manufacture the 3 components listed above, if applicable, for the product declared to conform to this criterion, including either:

i. certificate to SA8000 2 years prior to product declaration or product verification for all supplier owned or operated facilities of 3 largest suppliers that manufacture the 3 components; or

ii. certificate issued by the EICC VAP Operations Management Team for all supplier owned or operated facilities of 3 of its 6 top suppliers that manufacture the 3 components listed above for

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the product declared to conform to this criterion. Each certificate must be issued within 2 years of product declaration or product verification and verify that:

- the validated audit report contains no major or priority non-conformance findings, or
 - the closure audit report confirms that all major or priority non-conformance corrective actions were remedied within the time frame specified by the VAP
- b) if the manufacturer has fewer than 3 suppliers of components listed in a), a signed statement from a company official stating the number of suppliers the company has for the product declared to the criterion.

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Clarification ONLY: Information provided within the red text box is not officially part of the ballot and is provided for clarity ONLY. NSF currently has two ballots open (NSF Ballot 426i3r1 and 426i7r1) to address additional revisions to these criteria. For reference purposes only, we have merged the revisions from these ballots for clarity and included the combined language below; however, please note that this is for informational purposes only. All RED text is for clarification ONLY and not a part of the official ballot. The official balloted language you are voting on is provided outside the text box.

Merged Language for Informational Purposes Only:

12.4.2 Optional - Supply chain conformance to occupational health and safety performance standards (corporate)

Manufacturer shall ensure that three of their top six suppliers (by annual spend, fiscal or calendar) for each of these three main components, if applicable to the product declared to conform to this Standard, (principal storage device(s); processor(s) (CPU); and printed circuit board(s)) produce these components in supplier facilities that conform to or are certified ~~by accredited certification bodies~~ to either ANSI/AIHA/ASSE Z10 or OHSAS 18001 if the facility is owned or operated by the supplier. ~~Certification(s) shall be obtained from a c~~Certification body~~ies shall be~~ accredited by an accreditation body that is a signatory to the International Accreditation Forum (IAF) Multilateral Recognition Arrangement (MLA) with the appropriate scope of accreditation. ~~member accreditation body²⁷ to certify to the specific Standard identified.~~

If there are less than three suppliers for a component type named above, every supplier for that component type needs to provide data.

NOTE — For the purpose of this criterion “facility” is defined as a manufacturing site that is majority owned or operated by one of the suppliers within the scope of this criterion.

Point value: 2

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Geographic applicability: This criterion shall be declared the same in all countries or regions for which the product is declared to conform to this Standard. The approach used to conform to this criterion may vary by country or region.

Verification requirements:

- a) either demonstration of conformance or copy of current certificate or URL verifying current certification to either ANSI/AIHA/ASSE Z10 or OHSAS 18001 for facilities owned or operated by ~~of~~ 3 of their top 6 suppliers that produce the following 3 components, if applicable, for the product declared to the Standard:
 - i. principal storage device(s)
 - ii. principle semiconductor device(s)
 - iii. printed circuit board(s)
- b) if the manufacturer has fewer than 3 suppliers of components listed in a), a signed statement from a company official stating the number of suppliers the company has for the product declared to the criterion.

12.4.3 Optional - Certification to social responsibility performance standard (corporate)

Manufacturer shall ensure that all ~~supplier owned or operated~~ facilities of three of its 6 top suppliers (by annual spend, fiscal or calendar) that manufacture each of three main components (principal storage device(s); processor(s) (CPU); and printed circuit board(s)), if applicable, for the product are:

— certified by accredited certification bodies to Social Accountability (SA) 8000³⁹. Certification bodies shall be accredited by an authorized accreditation body to certify to the SA8000. The certification shall be no older than three years. (2 points)

Optional points shall only be awarded for SA8000 certification if all facilities designated above are certified to SA8000. If there are fewer than three suppliers for a component type named above, every supplier for that component shall conform to this criterion;

Or

— audited to the EICC/~~RBA~~ Code of Conduct¹⁵ using the Validated Audit Process (VAP). (1 point)

Optional point shall only be awarded for VAP audits if a certificate has been issued by the VAP Operations Management Team to verify that ~~for each facility~~:

— ~~initial~~ validated audit reports contained ~~ed~~ no major or priority non-conformance findings. ~~as defined by the EICC VAP and shall be no older than two years; If the facility was determined to be Low Risk¹ as defined by the EICC/RBA VAP, the initial report shall be no older than four years. If the facility was determined to be Medium or High Risk² as defined by the EICC/RBA VAP, the initial report shall be no older than two years.~~

eOr

¹ Currently defined by EICC/RBA as ≥ 180 of 200 points

² Currently defined by EICC/RBA as < 180 of 200 points

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— closure audit report confirms~~ing~~ that all major ~~or~~and priority non-conformance corrective actions resulting from ~~previous~~ VAP audits were remedied within time frame specified by the EICC/RBA (i.e. RBA VAP Gold Recognition Certificate). The ~~initial~~ audit ~~report~~ shall be no older than two years.

Or

— closure audit report confirms that all non-conformance corrective actions resulting from previous VAP audits were remedied within the time frame specified by the EICC/RBA (i.e. RBA VAP Platinum Recognition Certificate). The initial audit report shall be no older than four years.

Optional point shall be awarded for EICC/~~RBA~~ VAP audits if all facilities designated above meet the VAP audit requirements or facilities meet a combination of VAP audits and SA8000 certification.

If there are fewer than three suppliers for a component type named above, every supplier for that component shall conform to this criterion.

NOTE — For the purpose of this criterion “facility” is defined as a manufacturing site that is majority owned or operated by one of the suppliers within the scope of this criterion.

Point value: 1 or 2

Geographic applicability: This criterion shall be declared the same in all countries or regions for which the product is declared to conform to this Standard. The approach used to conform to this criterion may vary by country or region.

Verification requirements:

- a) demonstration of certification to SA8000 or EICC/~~RBA~~ VAP audits for all ~~supplier owned or operated~~ facilities of 3 of its 6 top suppliers that manufacture the 3 components listed above, if applicable, for the product declared to conform to this criterion, including either:
 - i. certificate to SA8000 ~~issued within 32~~ years prior to product declaration or product verification for all ~~supplier owned or operated~~ facilities of 3 largest suppliers that manufacture the 3 components; or
 - ii. certificate issued by the EICC/~~RBA~~ VAP Operations Management Team for all ~~supplier owned or operated~~ facilities of 3 of its 6 top suppliers that manufacture the 3 components listed above for the product declared to conform to this criterion. ~~Initial audit reports must be issued within the timeframes specified below and Ee~~each certificate must ~~be issued within 2 years prior to of product declaration or product verification and~~ verify that:
 - the ~~initial~~ validated audit report contain~~eds~~ no major or priority non-conformance findings. ~~If the facility was determined to be Low Risk, the initial report must be issued within 4 years of product declaration or product verification. If the facility was determined to be Medium or High Risk, the initial report must be issued within 2 years of product declaration or product verification.~~

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or

— the closure audit report confirms that all major ~~and/or~~ priority non-conformance corrective actions were remedied within the time frame specified by the ~~VAP~~ EICC/RBA (i.e. RBA VAP Gold Recognition Certificate). The initial audit report must be issued within 2 years of product declaration or product verification.

or

— the closure audit report confirms that all non-conformance corrective actions were remedied within the time frame specified by the EICC/RBA (i.e. RBA VAP Platinum Recognition Certificate). The initial audit report must be issued within 4 years of product declaration or product verification.

- b) if the manufacturer has fewer than 3 suppliers of components listed in a), a signed statement from a company official stating the number of suppliers the company has for the product declared to the criterion.