

How to be an ESG-Conscious Product Manufacturer

Four Steps to Improve Product Compliance



2023

Why Do You Need This Checklist?

In a world full of regulatory change, practical advice is required to better manage product compliance. Environmental, social, and governance (ESG)-type obligations are increasingly imposed on actors in the modern product supply chain.

Such obligations impact all stages of the product lifecycle and additionally impose subject-matter-specific reporting obligations on companies in respect of these matters.

4-Step Checklist



1. Review Your Product Portfolio

Given the way ESG-obligations have arisen in this area, many companies are not fully aware of new obligations that may apply to their product portfolio.

Companies should track and then review application of new legislation to their existing product portfolios.



2. Be Selective with Your Supply Chain

Although difficult to balance with the lack of supply in some areas, you should require any new partner to complete thorough and comprehensive onboarding. Include protective contractual clauses within any supply agreements to ensure imposed ESG obligations are also adhered to by suppliers.

Regular and thorough review processes should be implemented to monitor supply chain compliance with these obligations. You could consider requiring declarations from supply chain throughout the lifetime of their supply.



3. Consider Alternative Materials and Production Mechanisms

Scrutiny is likely to be imposed on certain materials, such as plastics and single-use items. You should consider finding long-term alternatives to reduce use of these highly taxed and regulated products.

Similarly, reduction of use of natural resources during production should be considered.

Ensure the integrity, safety and standards of your products are not compromised by these changes, and the new product is fully compliant with applicable product safety standards.



4. Be Diligent with Record Making and Keeping

Consider in advance your mechanisms for tracing and recording your consideration of ESG-obligations to assist in establishing due diligence and complying with reporting requirements.

Streamlined and formalized report forms should be made, and systems to flag growing concerns should also be implemented. Ideally, a separate and dedicated business unit should be created for compliance with ESG obligations.

Such systems should ensure they capture all relevant information that is covered by the legal frameworks.

About the Authors



Compliance and Risks is a leading market access and product compliance firm. We are the trusted market access technology provider for the world's leading brands.

Our mission is to help ensure global companies have the tools and information to build consumers safe, sustainable, products in a world full of change.

We have spent two decades honing the digital tools, expertise, and content you need to monitor, assess and prove your products' compliance, protecting your brands and helping drive your growth. We stay ahead of an ever-evolving regulatory landscape so that you can, too.

Our enterprise-grade technology solution, C2P is the key to unlocking market access. Design and build new products with full confidence that you've met all compliance obligations. Achieve, maintain and expand global market access with a smarter way of managing product compliance.

Our global team of SME's, with expertise across a diverse range of products, geographies and policy areas, collaborate with our Knowledge Partners to address questions about laws and regulations including purpose, applicability, requirements highlights and more.

Continually monitor regulatory changes around the world and keep ahead of proposed changes before they happen. Keep all compliance evidence up to date and live linked back to their Regulations, Standards and Requirements. It's easy to simplify your product compliance process with C2P.

Kennedys

Kennedys has a market-leading product liability and product safety practice across Europe, Asia Pacific, the Americas and the Middle East. We provide a comprehensive service to our clients where we are able to deal with all their product-law-related issues, from cradle to grave of the product lifecycle.

We act for parties along the entire supply chain and have in-depth expertise in high-profile and complex matters involving a wide range of products including: consumer goods, health, beauty and nutrition, industrial, vehicles/transport and machinery, technology and life sciences.

Our clients are manufacturers, leading distributors and retailers, as well as their insurers and reinsurers.

We are often sought out in high-stakes, international matters to assist companies navigate the ever-more complex and global nature of modern-day product law issues. In our capacity as overall strategic legal advisers in such matters, we often coordinate the input of international external legal and non-legal specialists.

We have in-depth knowledge of all aspects of product law matters across the product lifecycle. We regularly advise on product launch and development, corporate social responsibility, marketing, advertising and product claims, ongoing regulatory compliance, regulator engagement and enforcement, consumer rights and remedies, product recalls and other corrective actions, product liability and product-related contentious matters, mass tort litigation, and product law policy and legal reform