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The Product Compliance Best Practices Checklist

12 Steps to a More Resilient Program



Introduction: How to Use This Workbook

This workbook helps you boost the resilience of your product compliance program to external risks by developing a strong foundation. It contains an interactive checklist of 12 best practices used by leading manufacturers and recommended by industry experts. Start by implementing the practices that align with your near-term business goals, then work your way through the rest.



No Printing Needed! This PDF Is Fully Interactive

Simply save this PDF with your other files and click the checkboxes as you complete them.

Why Resilience Matters

Resilience is your program's ability to function properly even during disruption and change. And if there's one constant in the manufacturing industry, it's change: New regulatory requirements and shifts in the supply chain can lead to unplanned product redesigns and blocked market access if you're not planning ahead.

Get further insights about resilience so your business can grow. Download our whitepaper, *Dodging Disruption: How Resilient Businesses Overcome What They Can't Control*.

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Best Practices Checklist

We recommend reviewing all 12 best practices before you start any program updates. Each best practice in this list will require time and resources to achieve, and taking on too many at once will be counterproductive. We recommend you review all 12 before you get started. If you need help understanding the detailed tactics behind these best practices, or don't have the in-house resources to accomplish them all, Assent's product compliance solution can bridge the gap.

Monitor Regulatory Changes

Best Practices to Keep You Proactive

Just because your product compliance program meets your regulatory requirements today doesn't mean it will keep you protected tomorrow. Regulations change frequently, with new chemicals like perfluoroalkyl and polyfluoroalkyl substances (PFAS) being added to regulatory lists all the time. This is why proactive regulatory monitoring is critical to being resilient in the face of change.

☐ Assign a dedicated individual to track regulations in your target markets

Monitoring proposed changes to existing requirements, as well as proposals for new regulations, is essential to identifying and avoiding disruptions. Someone with knowledge of the regulations and your products, markets, and applications is your best resource for determining which requirements will apply to your business. If this isn't doable for your organization, outsourcing may be your best option.

Learn how Assent's solution can support regulatory upkeep for your organization.

☐ Create a compliance calendar

A compliance calendar is a document detailing when some regulations are typically updated, helping you understand when you should start reaching out to suppliers to update related material data. It makes regulatory monitoring and supplier outreach more straightforward and predictable. A calendar should include all in-scope regulations and key changes — for example, the EU Registration, Evaluation, Authorisation, and Restriction of Chemicals (REACH) Regulation's Candidate List of substances of very high concern (SVHCs) is typically updated twice a year, generally between December and January and again between June and August.

☐ Create a communication plan

It's not enough to stay on top of regulatory updates; your stakeholders in product design, procurement, and risk management need to be aware of upcoming changes. Customers may also require updated information for your products when regulatory requirements have changed. And don't forget about your suppliers — they should be informed and trained about any new requirements you have for them. Create an internal process to share regulatory updates, whether it be a recurring meeting, an intranet resource page, or other publication.



Make Suppliers Partners in Compliance

Best Practices to Keep Suppliers Engaged

Supplier relationships can make or break your product compliance program. A good relationship that helps you and your suppliers avoid disruptions is built on trust and accountability. These best practices focus on the formal frameworks that support supplier relationships.

☐ Define expectations in a written policy

The foundation of a product compliance program starts by defining, in writing, any restrictions or obligations your suppliers must follow when providing materials. Include expectations around business practices, such as adherence to specific labor laws. An effective policy can be based on specific **regulations** (for example, “parts provided must comply with RoHS”), as well as specific **substances** (for example, “parts must not contain PFAS”). Include supplier responsibilities, such as requirements for suppliers to provide a certificate of compliance upon request.

☐ Build legal obligations into agreements

Trust alone isn't enough to keep you safe from supply chain disruptions. Your supplier requirements should be documented in your written policy, and be regularly reviewed, updated, and agreed upon by both yourself and the supplier. It should also contain language about accountability or consequences. Another best practice is to embed these requirements in supplier-facing agreements such as:

- ▶ Supplier Onboarding Processes
- ▶ Purchase Terms & Conditions
- ▶ Supplier Codes of Conduct
- ▶ Supplier Change Management
- ▶ Supplier Selection Processes
- ▶ Part and Product Drawings

☐ Consolidate your data requests

Supplier survey fatigue is one of the biggest challenges in running a product compliance program. To improve engagement, consolidate your data requests as much as possible. You'll send fewer surveys to suppliers, and you'll avoid asking them for the same information multiple times. A product compliance solution can remove the manual effort from this process: Assent's platform, for example, maps data across multiple regulations, eliminating repetitive work for you and your suppliers.

☐ Provide education and training

Develop a formal training program for suppliers to educate them about the regulations and requirements in your policy. These may include onboarding training sessions, access to your regulatory expert, recorded webinars, or guides. Make it easy for suppliers to access these resources and have a plan to update them when requirements change. To make this best practice more achievable, partner with a solution provider that has educational resources and other supplier engagement tools built into their offering. A world-class compliance program will incorporate multiple language options into the supplier communication strategy.

☐ Measure responsiveness and hold suppliers accountable

Supplier management should include processes to measure supplier responsiveness, and a plan for holding non-responsive ones accountable. It's important to track which suppliers provide timely, accurate data, and which require additional follow-up or support.

Some strategies for managing suppliers include:

- ▶ Make providing data a requirement to access preferred supplier programs
- ▶ Include supplier responsiveness in supplier health metrics alongside typical measures like quality, delivery, and price
- ▶ Auditing, particularly on non-responsive suppliers
- ▶ Refrain from awarding new business and projects to suppliers who have not provided data on existing parts and materials

Although you may be hesitant to offboard a non-responsive supplier, especially if they are your single source for a material, the consequences of inaction are not worth the risk. If there are no, or few, viable alternative suppliers, a phased approach to penalties can be helpful.



Embed Resilience

Best Practices for Compliance Program Longevity

A compliance program is a living, evolving part of your business. For it to scale with your company's growth, it needs to be flexible. These best practices help your organization implement the right data standards to support expanding requirements and protect your products from falling out of compliance over time.



Use international standards

Don't reinvent the wheel when it comes to your compliance program. Instead, implement international standards, such as IEC 63000, IPC-1752/1754, and IEC 62321. Although aligning your documentation with international standards may take more effort up front, they will help your program meet global requirements, are more familiar to your suppliers, and are more reputable with regulators. If using a product compliance solution, choose one that uses recognized standards as its foundation.



Set a plan to revisit compliant products

Just because your product complied with regulatory requirements when you first launched it doesn't mean it will be compliant tomorrow. Regulations, standards, and codes continually change, certifications expire, and new requirements are proposed every day. Compliance status needs to be revisited throughout a product's lifecycle, and may include periodic testing. Establish a plan to review products when certifications expire, applicable regulations change, and suppliers change, and during product redesign. This should include a regular schedule in addition to a flexible process to follow new regulations coming into force.



Focus on data completion, not supplier response rates

Program health and performance should be measured by data completion for all the materials in your product — do you have all the data you need to determine and document compliance? Supplier-provided data may not make up all of the required compliance documentation and you cannot judge program success solely by supplier response rates.

For most product composition regulations, regulators allow compliance to be determined and demonstrated through a combination of different data types, including supplier declarations, contractual agreements, material declarations, and analytical testing. A world-class product compliance program taps into multiple data sources to validate compliance for all the parts in the product, and is more resilient to disruption because compliance is not reliant on just one type of data.



Centralize supply chain data

Keep supply chain compliance data in a centralized database where it can be used across multiple regulations and business units. Your organization may have different product groups using the same suppliers and/or parts for product design, sustainability reporting, etc. Storing compliance data in silos creates more work for your own teams, and often leads to supplier fatigue and frustration.



Resilience at Work: PFAS Risks

When new reporting requirements for PFAS were rolled out under Section 8(a)(7) of the U.S. Toxic Substances Control Act (TSCA), it created a new set of supply chain risks. Beyond the extensive data requirements for compliance with this and other rapidly expanding regulations targeting these substances, manufacturers that rely on PFAS chemicals or parts containing PFAS are increasingly subject to risks around part obsolescence, price increases, customer/insurer/investor demands, and increased legal liability.

Here's how having a proactive and resilient product compliance program can make a difference for manufacturers managing new requirements for PFAS reporting:

- ▶ A dedicated regulatory expert helps companies understand their reporting and restriction requirements earlier so they can start engaging suppliers sooner
- ▶ Companies that already have an established processes for reviewing products and parts regularly can add PFAS due diligence without having to develop new processes from scratch
- ▶ Having a centralized database for storing and managing part composition data means that PFAS data collected for TSCA reporting can also be repurposed for compliance with the many other regulations that address PFAS, including the REACH Regulation and U.S. state-specific laws
- ▶ Manufacturers with more visibility into their PFAS use are better positioned to secure PFAS-free alternatives (where possible) and gain a competitive advantage by avoiding obsolescence risks
- ▶ Following existing change-management processes, proactive companies can update supplier outreach to include PFAS questions and train suppliers on why PFAS is now a compliance focus



Progress, Not Perfection

The best practices detailed in this workbook are essential to creating a mature and deeply sustainable product compliance program, but they can't be achieved overnight. Depending on the scale of your operations, it may take years to complete this checklist.

Tackle these best practices one at a time, focusing on the topics that match your business goals. For example, if your organization is looking to expand into new global markets, start with best practices around establishing a regulatory monitoring program to first understand new requirements, and then implement relevant global standards.

As with any large project, it can be difficult to reach goals without support and expertise. If time is of the essence for your company, you may need to partner with a solution provider to get these best practices implemented fast so you can start seeing better program results. Assent's product compliance solution is built on a foundation of expertise and global best practices, giving you superior compliance data and reducing exposure to supply chain risks.



Reach out to learn how our team of experts can help you communicate with your suppliers and improve your program using automated supplier outreach with surveys that align with global standards.

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