

Counseling on the full range of environmental and sustainability challenges facing the electronics industry.

#### KEY FOCUS AREAS

- Conflict Minerals and Forced Labor
- RoHS, Material Restrictions, and Materials Disclosure
- Circular Economy
- Energy Efficiency
- Prop 65 Warnings
- Environmentally Preferable Purchasing (EPEAT, FAR)
- Product Take-Back, Repair, and Recycling
- Product Recalls
- Environmental Marketing Claims
- Hazardous Materials/Dangerous Goods Transportation
- Hazardous Waste Classification
- Facility Permitting
- TSCA, REACH, Green Chemistry
- Basel Convention Controls on Waste Imports and Exports
- CSR and Sustainability Reporting



Beveridge & Diamond represents information technology (IT) clients—including electronics manufacturers, semiconductor manufacturers, data center operators, telecommunications service providers, and industry trade associations—on the full spectrum of environmental compliance, market access, supply chain, and enforcement matters. We help companies develop and launch new products and services in the U.S. and in key markets world-wide.

## Core Services

**Product Stewardship and Global Supply Chains.** We provide compliance and business-planning advice across the full life-cycle of electronic products to ensure market access while mitigating business disruption and reputational risks. We advise on the sourcing of raw materials, product design, manufacturing, supply chain communication, distribution, and end-of-life management.

**RoHS and Material Restrictions.** We advise on all aspects of material restrictions (including Restriction of Hazardous Substances (RoHS)) in the EU, U.S., China and other countries. We advise on responses to non-compliance and on issues unique to emerging wearable technology, including skin contact, safety, and medical device restrictions.

**Responsible Sourcing, Human Rights and Disclosures.** We help establish corporate policies and due diligence programs to drive responsible sourcing and supply chain standards. We assist clients with supply chain inquiries and disclosures pursuant to the SEC conflict minerals rule and expected obligations under the EU conflict minerals regulation, the California Transparency in Supply Chains Act, and the UK Modern Slavery Act. We also advise on federal procurement issues, including the Federal Acquisition Regulation (FAR) anti-trafficking provisions.

**Extended Producer Responsibility (EPR).** We help clients implement local, national, and international product take-back and recycling programs for electronic products and supplies to ensure compliance with WEEE legislation, hazardous waste laws, and dangerous goods rules.

**Circular Economy.** We advise on legal and policy initiatives shaping the move toward a more circular economy. Our work includes advising on requirements for the transboundary movement of used products for re-use and repair and also shipment of end-of-life products for recycling.

**Energy Efficiency.** We advise clients on state, federal and international energy efficiency mandates, including performance, testing, reporting, certification and labeling requirements, conformance with ENERGY STAR specifications, and partnership requirements. We also defend against disqualification and delisting efforts.

**Product Recalls.** We design and implement strategies for world-wide product recalls of electronic products, lithium batteries, and toys, including advising on the transport and proper disposition of collected products.

**Sustainability and Corporate Social Responsibility (CSR).** We advise on sustainability and CSR initiatives, including the development and publication of CSR reports, setting and meeting corporate goals on sustainability, and preparing submissions to benchmarking and rankings organizations such as the Carbon Disclosure Project and Dow Jones Sustainability Index.

**Advocacy Support.** We advise on proposed legislation and rulemakings and help shape future environmental requirements in the U.S. and in key markets world-wide. We have helped clients shape the development of EPA rules, California's energy efficiency standards, and EPR measures world-wide.

**Litigation, Civil, and Criminal Enforcement Defense and Toxic Torts.** We address routine and "high stakes" contested matters involving product compliance, Prop 65, and potential liability at contaminated sites. This includes defending clients in civil administrative and criminal agency enforcement actions, citizen suit enforcement defense, and resolving large-scale property damage and personal injury toxic tort claims.

## Representative Matters

- Advising a Fortune 50 company on the design and operation of product take-back and recycling programs world-wide.
- Providing comprehensive EHS compliance advice for data center operators with facilities in the U.S. and in several jurisdictions overseas.
- Representing the Information Technology Industry Council in international Basel Convention and OECD negotiations on the control of used electronic equipment exported for repair, refurbishment, and recycling.
- Advising a leading IT company on regulatory and litigation risks related to the development of 3D printers and 3D printed products.
- Helping a leading consumer electronics company implement a world-wide product recall.
- Advising IT manufacturers on conformance with ENERGY STAR, EPEAT, and other eco-design and green procurement requirements.
- Representing the IT industry in litigation challenging New York City's take-back law and facilitating adoption of a preferred state law.
- Maintaining a regulatory tracking tool on product-related environmental requirements in key markets.

We deploy a carefully curated global network of local environmental counsel and technical consultants and manage multi-jurisdictional projects.

### ABOUT BEVERIDGE & DIAMOND, P.C.

Beveridge & Diamond's over 100 lawyers in eight U.S. offices focus on environmental and natural resource law, litigation, and alternative dispute resolution. We help clients around the world resolve critical environmental and sustainability issues relating to their products, facilities, and operations.

Learn more at [bdlaw.com](http://bdlaw.com).

### FOR MORE INFORMATION

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