Regulating Corporate Responsibility in the American Market: A Comparative Analysis of Voluntary Certifications

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Voluntary standard and certification systems are proliferating in the United States and around the world. While the majority of certification research draws on case studies, we pursue a cross-sectional empirical analysis of an original database of 108 certifications operating in the United States. We analyse the rise and configuration of private regulatory initiatives, variations in programme breadth and focus, and variations in programme participation and oversight requirements. We highlight the predominance of international and multi-stakeholder initiatives in the United States. Our research identifies substantial convergence in the ecological and social priorities of certification programmes and even greater convergence in their assessment and oversight procedures. Statistical analysis helps explain the prevalence of multi-stakeholder initiatives, but we find no significant differences between these and industry-led initiatives in their foci or procedures. We argue that there is a standardization of certification norms and practices which may mask important programme differences.

Introduction

Recent years have seen the rapid rise of voluntary standard and certification initiatives in the United States and around the world that specify expectations regarding the environmental and ethical practices of businesses. These private non-state

regulatory arrangements represent an expanding arena of economic governance, one which extends beyond the firm in addressing corporate responsibility and accountability. Certification initiatives dictate business standards above legal requirements, establish mechanisms to foster compliance and often award labels to promote participating companies. These regulatory systems forge new institutional ties between businesses, industry associations and non-governmental organizations (NGOs). Given the sometimes dubious assertions of ethical business behaviour, consumers often look for outside assurance that companies live up to their marketing claims. Fifty-seven per cent of American shoppers say that they rely on consumer reports, certification seals and product labels to verify company practices (BBMG, 2009). Many businesses turn to voluntary standard and certification systems to validate their social and environmental commitments and position themselves in the $300 billion per year US ethical consumer market (LOHAS, 2013).

There is a burgeoning literature on private standards and certifications. A number of studies analyse the logic of global private governance initiatives (Bartley, 2007; Büthe, 2010; Conroy, 2007; Ingenbleek & Meulenberg, 2006; Mayer & Gereffi, 2010; Rahim, 2012; Vogel, 2010), with some focusing specifically on voluntary regulations in environmental (Auld *et al.*, 2008) and labour arenas (Seidman, 2007). Often researchers investigate the workings of a set of certifications in key sectors such as food and beverages (Hatanaka & Busch, 2008; Raynolds *et al.*, 2007), forest products (Cashore *et al.*, 2004; Eden, 2009) and garments (Locke *et al.*, 2009; O'Rourke, 2006). There are also many individual certification case studies (Bieri & Boli, 2011; Raj-Reichert, 2011; Raynolds, 2012).

This study extends the literature by providing a cross-sectional empirical analysis of 108 private voluntary regulations currently operating in the United States. We systematically analyse the field of US governance programmes, recognizing that national laws, market characteristics and social movement pressures shape the need for private regulations. While most certification research draws on illustrative case studies and provides a narrow view of the field, this study examines a large number of programmes to offer a more comprehensive assessment of regulatory initiatives. Our investigation includes a broad range of voluntary programmes that address social or environmental conditions and go beyond an individual firm to govern business practices across multiple enterprises.

The article begins by reviewing the literature on private regulation and certification, identifying major research domains, debates and propositions for analysis. We identify three key questions which guide our empirical investigation and help reveal the nature of private governance in the United States. First, what are the key factors explaining the rise and configuration of private regulatory initiatives in the United States? Second, how do certification programmes differ in their breadth and focus and how can we account for these variations? Third, how do certifications differ in their programme participation and oversight requirements and how can we account for these variations? After considering each of these questions in turn, we conclude by addressing the broader implications of our findings for the nature and transformative potential of private regulation.

Background: the rise of private regulation and certification

Since the 1990s, private regulations that govern social and environmental conditions in national and international markets have proliferated, taking on regulatory activities traditionally left to the state. These private voluntary regulations involve 'rule-making by non-governmental actors' that 'govern — that is they enable and constrain — a broad range of economic activities' (Büthe, 2010: 1). New governance arrangements operate through 'voluntary, private, non-state industry and cross-industry codes that address labour practices, environmental performance, and human rights policies' (Vogel, 2010: 68). Individual corporate efforts address negative externalities via self-regulation using codes of conduct and production guidelines (Auld *et al.*, 2008; Rahim, 2012). Public distrust of corporate self-regulation and the strategic benefits of industry-wide standards have prompted many companies to pursue multi-enterprise initiatives (Bartley, 2007).

Widespread public concern over the social and environmental implications of business practices has propelled the growth of private regulatory arrangements. By 'naming and shaming' poor performers and threatening the value of corporate brands, activist groups have fuelled corporate participation. Popular outcry over human rights abuses in the global garment and footwear industries has propelled major corporations to pursue social responsibility measures (Locke *et al.*, 2009; O'Rourke, 2006). Growing environmental concerns have at the same time encouraged numerous companies to adopt voluntary ecological regulations (Prakash & Potoski, 2006). Many corporations have joined industry programmes that provide associations of common interest, collective learning and more transparent standard-setting (Auld *et al.*, 2008; Hughes *et al.*, 2007). In many cases NGOs have created standards and regulations, working with firms and industry groups to improve their practices (Conroy, 2007; Raynolds, 2004). Voluntary regulations are often coordinated by NGOs, giving them greater corporate independence and legitimacy (Boström & Tamm Hallström, 2010; Cashore *et al.*, 2004; Raynolds, 2012). Although certifications are non-state systems, state agencies may be involved in promoting or accrediting private programmes and national laws shape the need and openings for private rules (Gond *et al.*, 2009; Mayer & Gereffi, 2010). Many voluntary regulations are multi-stakeholder in nature, involving companies, industry associations, NGOs and, sometimes, government agencies (Tamm Hallström & Boström, 2010; O'Rourke, 2006).

As Gereffi *et al.* (2001) propose, private regulatory initiatives involve two fundamental components: a set of guidelines or standards and a reporting or monitoring mechanism. Regulatory programmes specify a set of 'standards … by which a product or a service's performance, its technical and physical characteristics, and/or the process and conditions, under which it has been produced or delivered, can be assessed' (Nadvi & Wältring, 2002: 6). Where conventional market standards focus on a product's measurable physical qualities, new standards often focus on the process by which goods and services are produced. Process rules may address a range of social and environmental concerns, specifying encouraged or disallowed company practices (Busch, 2011). Since conformity with these new standards can often not be visibly assessed, regulatory initiatives establish procedures for reporting or monitoring.

This study focuses on the rising number of external governance initiatives which engage outside arbitrators — either industry associations or NGOs — in overseeing the performance of multiple enterprises in the US market. We include what are commonly called second- and third-party certifications (Gereffi *et al.*, 2001), where industry groups or NGOs are involved in establishing guidelines or monitoring compliance. Although technically certification refers to a process by which products or participants earn a certificate of conformity from an outside auditor, much of the literature refers to any external corporate governance programme as a certification (Bartley, 2007). We follow this convention, referring to all voluntary programmes where industry groups or NGOs are involved in standard setting or monitoring as *certifications*, since all involve a system of external endorsement.

The certification literature: debates and propositions

From the certification literature we identify three key research questions and related debates and propositions that guide our empirical investigation and which are summarized in Table 1. First, we examine the key factors explaining the rise and configuration of private regulatory initiatives in the United States. Much of the literature focuses on the 1990s 'certification revolution' (Conroy, 2007) when private governance became a driving force in the context of neoliberal deregulation (Gereffi *et al.*, 2001; Vogel, 2010). While many authors see voluntary regulation as a global trend (Auld *et al.*, 2008; Bartley, 2007; Gereffi *et al.*, 2001; Prakash & Potoski, 2006), the varieties of capitalism literature argues that firm strategies differ between national economies as a result of varied business/society relations (Hall &Soskice, 2001). We propose that regulatory systems are likely to reflect national legal requirements, since state engagement in voluntary regulations varies (Hughes et al., 2007), market characteristics, since firms vary in their regulatory initiative preferences (Christopherson & Lille, 2005), and social movement pressures, since activist success in challenging corporate practices varies (Schurman & Munro, 2009). Mayer and

TABLE 1

CERTIFICATION RESEARCH DOMAINS, DEBATES AND PROPOSITIONS

Research domains	Debates/propositions
Factors explaining the rise and configuration of programmes	• Relative importance of global, national and sectoral forces • Temporal emergence and evolution over time • Industry vs. multi-stakeholder programmes • Role of highly branded lead firms and activist pressure
Accounting for variations in programme breadth and focus	• Narrow vs. broad programmatic focus • Greater company support for ecological than social programmes • Influence of regulatory agency variation on programme focus • Environmental and social regulatory priorities
Accounting for variations in programme participation and oversight requirements	• Membership commitment vs. formal standards • Influence of regulatory agency variation, programme rivalry and maturity on standard formalization • Internal vs. external monitoring systems • External auditing increases rigour and credibility

Gereffi (2010) argue that certifications are found most often in sectors dominated by lead firms where products and firms are highly branded and where there is strong activist pressure. Many certification studies analyse programme sponsorship, suggesting that industry-led initiatives are less stringent than those sponsored by NGOs, which require more fundamental environmental and social change (Boström & Tamm Hallström, 2010; Fransen, 2012; Ingenbleek & Meulenberg, 2006; O'Rourke, 2006). NGO involvement is seen as central to certification legitimacy (Cashore *et al.*, 2004; Gereffi *et al.*, 2001). While NGOs often initiate and manage certifications, to ensure business participation they often reserve a place for industry representatives (and sometimes government and other experts), thus creating multi-stakeholder initiatives. The multi-stakeholder model appears to be becoming more prevalent, with programmes moving to adopt this structure over time, particularly in sectors where certifications compete (Tamm Hallström & Boström, 2010).

The second question focuses on how certification programmes differ in their breadth and focus and how we account for these variations. Ingenbleek and Meulenberg (2006) argue that there is an important distinction between certifications that address narrow versus broad programmatic concerns. Case studies suggest that many certifications have expanded their focus over time, with eco-certifications such as the Forest Stewardship Council taking on greater social concerns (Bartley, 2007) and social certifications such as Fairtrade International expanding their environmental criteria (Raynolds, 2012). Yet, programmatic breadth is not directly related to programme rigour: while 'idealist' programmes address a broad domain via high standards that few can meet, 'size seeker' programmes adopt a broad focus and low requirements that most firms can reasonably fulfil (Ingenbleek & Meulenberg, 2006). While many certifications have rigorous standards that demand significant behavioural changes, some focus more on improving the image of participants than their practices. Research on standard rigour is challenging and systematic comparisons are only available for a handful of programmes (McDermott, 2013; Raynolds *et al.*, 2007; Riisgaard, 2009). Much of the literature assumes that the character of regulatory bodies will shape their programmatic focus. Case studies suggest that multi-stakeholder initiatives have a broader, more socially-orientated, agenda than industry-led initiatives (Fransen, 2012; Ingenbleek & Meulenberg, 2006; McDermott, 2013). Private regulatory initiatives reflect global social and environmental norms (Bieri & Boli, 2011), which are fuelled by media reports of labour rights violations, human rights abuses, environmental degradation and ecological disasters (Cashore *et al.*, 2004; Conroy, 2007). Yet social movement research finds that, in the United States, environmental sustainability concerns have greater salience than social justice issues and that activist success in promoting ecological and ethical concerns is uneven (Buttel & Gould, 2004; Schurman & Munro, 2009). Mayer and Gereffi (2010) argue that certifications that align with commercial interests are more likely to be successful and that businesses are more likely to participate in eco-certifications, since they often lead to cost savings, than social certifications which have fewer cost advantages.

The third question addresses how certifications differ in their programme participation and oversight requirements and how these variations can be accounted for. Private regulatory initiatives have developed varied systems for acknowledging compliance with programme guidelines. Gereffi *et al.* (2001) distinguish between second-party certifications, where industry associations establish standards and

supervise conformity, and third-party certifications, which have NGO coordinating bodies that set standards and monitor compliance. Yet this classification conflates programme sponsorship with standard and oversight systems, obscuring potential differences. Initiative participation requirements may involve informal member commitments or formal bureaucratic standards. Research suggests that industry sponsored programmes are the most likely to expect only a commitment to common principles to promote joint learning or, viewed more critically, to offer participants a way to align themselves with programme goals without changing their practices (Fransen, 2012; Hughes *et al.*, 2007; Ingenbleek & Meulenberg, 2006). Programme competition may encourage the rise of membership initiatives which offer businesses a flexible alternative to standard systems (Conroy, 2007). Initiatives may formalize their standards over time as they solidify their goals and practices (Auld *et al.*, 2008). Research suggests that external auditing has become the norm, increasing programme rigour and credibility since participant performance is not assessed by the enterprise itself or the standard-setting organization (Cashore *et al.*, 2004). Case studies find that multi-stakeholder certifications are more likely to require external monitoring than industry initiatives that prefer less rigorous internal reviews (Tamm Hallström & Boström, 2010). There is some evidence to suggest that external monitoring may be adopted as programmes mature or face competition from other certifications (Auld *et al.*, 2008; Conroy, 2007).

Data collection

Since there is no authoritative source of information on the universe of voluntary standard and certification systems, we constructed a dataset of programmes that operate in the United States using five sources: (1) the Ecolabel Index (2011), an independent North American initiative, provided a digital directory of 138 environmental standards and certifications; (2) the United Nations International Trade Centre (ITC, 2011) 'Standards Map' supplied information on 21 global social and environmental certifications; (3) the British policy research centre, the International Institute for Environment and Development (IIED, 2011), 'Shaping Sustainable Markets' detailed 33 programmes for consideration; (4) the International Social and Environmental Accreditation and Labelling Alliance (ISEAL Alliance, 2011) offered information on its 19 members; and(5) an extensive review of academic articles, research reports, books and websites provided important additional information. After eliminating duplicate programmes, our dataset included 178 different regulatory initiatives.

This study focuses on voluntary social and environmental standards and certifications that apply to a set of products, businesses or organizations and currently operate across the United States.[1] Initiatives that do not fit our population of interest were excluded from the analysis. We eliminated individual corporate responsibility programmes (for example, Timberland Green Index), since our interest is in external regulations. To focus on product and organization certifications, we excluded professional credential programmes (for example, EcoBroker). Further, we removed government initiatives, including US government programmes (for example, EPA 33/50), programmes run by foreign governments for products sold in the United States (for

example, Blue Angel Germany) and multilateral government standards (for example, UN Global Compact). In the case of organic certification, we include the voluntary International Federation of Organic Agriculture Movements (IFOAM) programme, but not the US Department of Agriculture Organic or state government initiatives. We excluded certifications that were not yet fully operational (for example, Alliance for Water Stewardship) and programmes that provide evaluation metrics and management systems to assess and promote social and environmental performance, but have no oversight or company requirements (for example, ISO 14001). We eliminated sham programmes and those which simply promote certifications already in our dataset. After applying these exclusion criteria, we were left with 108 voluntary standard systems for analysis.

We gathered information on the 108 social and environmental certifications from our five key sources, triangulating data from multiple sources. While the largest data source, the Ecolabel Index, provided an outline of many programmes of interest, data from the ITC Standard's Map, IIED Shaping Sustainable Markets initiative, ISEAL Alliance and our review of the literature were critical in providing missing information and clarifying ambiguities. In order to confirm information provided by secondary sources, correct any errors and incorporate data not otherwise available, we reviewed all programme websites, telephoning programmes directly if their online information was incomplete. Using these methods we created a fairly complete dataset including 18 variables for analysis, with approximately 5 per cent of the data missing. Our data coding procedures are discussed as key variables are introduced.

Although we have compiled a novel and robust dataset and can make a major contribution through the breadth of our analysis, this study has important limitations. Our cross-sectional analysis provides a snapshot of programmes currently operating in the United States and cannot systematically address questions regarding programme evolution. Since most of our information derives from programme self-reporting, rather than objective assessments, we cannot distinguish between certifications that effectively address a topic of concern and those which pay only lip service to an issue. Several programme characteristics are not included in publically available data sources, perhaps most importantly measures of programme impact.

Factors driving the rise of certification programmes

As demonstrated in Table 2, private standard and certification initiatives are found in all major sectors of the American economy. The 108 programmes studied span 14 sectors: food and beverages; meat, dairy and aquaculture; forest products; flowers and ornamentals; textiles, carpets and footwear; retail, toys and personal care; electronics and appliances; mining, gold and gems; chemicals, cleaning products and plastics; energy and carbon offsets; building and building products; business and banking services; dining, hotels and tourism; and multi-sector. Although most initiatives operate in just one sector, several programmes (for example, Green Good Housekeeping) work across several industries and thus are included in more than one sector category. There are 13 certifications which are truly multi-sectoral and can be adopted by companies in any industry (for example, B Corporation). These initiatives contrast most sharply with single-commodity programmes like those for sugarcane (for example, Bonsucro) or diamonds (for example, Kimberley Process).

TABLE 2

CERTIFICATION INITIATIVE CHARACTERISTICS BY SECTOR

	Number of certifications	Median year started	Scope % international	Scope % national
Food and beverages	22	1997	73	27
Meat, dairy and aquaculture	14	2002	53	47
Forest products	4	1999	100	0
Flowers and ornamentals	6	1998	100	0
Textiles, carpets and footwear	11	1998	82	18
Retail, toys and personal care	4	2003	50	50
Electronics and appliances	4	2003	50	50
Mining, gold and gems	5	2004	100	0
Chemicals, cleaning products and plastics	9	2006	38	62
Energy and carbon offsets	11	2001	50	50
Building and building products	17	2005	47	53
Business and banking services	5	2005	80	20
Dining, hotel and tourism	5	1999	60	40
Multi-sectoral	13	2002	85	15
TOTAL[a]	108[b]	2004	67	33

[a] Double-counting has been eliminated in this summary row. [b] This column adds to 130 since several certifications operate in several sectors.

Our data suggest that certification emerged in the 1970s and 1980s, but that most initiatives were launched in the new millennium, with a median founding date of 2004. Rather than emerging as a direct response to 1990s deregulation (Gereffi *et al.*, 2001; Vogel, 2010), we find substantial variation in programme initiation, suggesting that the 'certification revolution' (Conroy, 2007) is still underway. Even in sectors where certification emerged first — in food and beverages, forest products, and electronics — new initiatives continue to spring up. This suggests that certifications arise to address fresh concerns resulting from technological changes in sectors where programmes already exist (for example, GMOs in food) as well as to address established concerns in areas previously lacking regulatory initiatives, like banking (Büthe, 2010). After 40 years of institutional development, voluntary regulatory systems are no longer revolutionary; they are now part of the normal US business environment.

Of the 108 initiatives analysed, 67 per cent are international[2] in scope — meaning that they cover products, businesses and enterprises that span multiple countries — in keeping with the US's role as a major world trading partner and the global nature of many industries. Our research supports an understanding of private regulation as a global phenomenon (Auld *et al.*, 2008; Bartley, 2007; Gereffi *et al.*, 2001). Yet the fact that 33 per cent of programmes are uniquely American cautions against an overly macro view, bolstering the contention that private regulations reflect national realities (Hughes *et al.*, 2007). Our data suggest that national programmes are found most disproportionately in the chemical industry (followed by the energy, building, retail,

electronic and meat sectors) where domestic production is important and businesses must navigate a complex set of federal, state and local laws.

To better understand the configuration of certification programmes we contrast industry-led and multi-stakeholder initiatives.[3] Our findings support the oft-assumed predominance of multi-stakeholder initiatives (Tamm Hallström & Boström, 2010): out of 108 programmes in the US economy, 63 per cent are multi-stakeholder efforts where NGOs participate in setting standards or overseeing certification. Yet industry-led programmes are also important, comprising 37 per cent of our sample, and include programmes initiated and managed by industry associations and those established by for-profit certification firms. Some industry-led certifications (for example, Common Code for the Coffee Community) have adopted a multi-stakeholder form over time to boost their rule-making authority. Although our cross-sectional dataset does not include information on programme revisions, we can analyse the relationship between certification launch date and programme sponsorship. Bivariate analysis finds that there is a significant relationship between these variables: the older a certification is, the more likely it is to be multi-stakeholder.[4] The predominance of multi-stakeholder initiatives in our sample and these bivariate findings lend support to the view that programmes may adopt this form over time. Tamm Hallström and Boström (2010) suggest that the prevalence of multi-stakeholder initiatives is also shaped by programme rivalry, with initiatives adopting this organizational form to boost their popularity. Our analysis supports this argument, revealing a significant relationship between certification numbers and programme sponsorship: the more certifications there are in a sector, the more likely programmes are to be multi-stakeholder.[5]

Although we cannot formally test Mayer and Gereffi's (2010) proposition that certifications are concentrated in sectors dominated by highly branded lead firms, where there is strong activist pressure, our findings are consistent with this argument. We find that certifications are most common in sectors that produce physical products — in the natural resource, manufacturing and construction sectors — where products and negative externalities are most tangible and susceptible to review. Fewer programmes exist in service sectors where products are harder for companies to brand and harder for activists to target. We find by far the largest number of certifications (22) in the food and beverage sector, which is home to the oldest initiative — organic certification began in the 1970s. Supporting Mayer and Gereffi's (2010) proposition, this sector is dominated by powerful lead firms, produces items with very high consumer attachment and has faced extensive public pressure to improve production practices. The food sector exemplifies many of the patterns outlined earlier, including a predominance of international programmes (in keeping with strong US integration in global food markets) and a high proportion of multi-stakeholder certifications. Our study finds that the meat, dairy and aquaculture and textile, carpets and footwear sectors also have large numbers of well-established certifications (14 and 11, respectively) and generally uphold the expected industry, social movement and sponsorship characteristics. Yet we also find numerous certifications in building and building products (15) and energy and carbon offsets (11), sectors which are not as clearly dominated by lead firms or branded products, although they have experienced substantial social movement pressure.

Accounting for variations in programme breadth and focus

Our data suggest that no clear distinction exists between environmental and social certifications. As noted in Table 3, 55 per cent of the programmes in our study incorporate both social and environmental criteria. This broad scope reflects the strength of social and ecological concerns in US society and the increasing recognition that these concerns are so entwined that it is difficult to bring improvements in one domain without addressing the other. For example, all flower certifications studied identify pesticide use as a threat to human as well as ecological health and integrate social and environmental regulations. Our study finds that the majority of private regulatory efforts in other natural resource sectors — including food, meat, forest products, and mining — similarly connect human and environmental wellbeing and include guidelines in both areas.

Of those programmes which pursue a singular focus (45 per cent), the vast majority are eco-certifications that address only environmental concerns (36 per cent), with only a small group focusing solely on social issues (9 per cent). There is programmatic efficiency in pursuing a narrow focus but this does not explain why we find more narrowly focused environmental than social certifications. Our finding that many more single focus certifications address environmental rather than social concerns is consistent with Mayer and Gereffi's (2010) proposition that eco-certifications are more successful in drawing in business participants since they are less costly than social certifications. While it might be argued that programmes address the most

TABLE 3

CERTIFICATION PROGRAMME FOCUS

	Social criteria only (%)	Environmental criteria only (%)	Environmental and social criteria (%)
Food and beverages (*n* = 22)	5	18	77
Meat, dairy and aquaculture (*n* = 14)	14	14	71
Forest products (*n* = 4)	0	25	75
Flowers and ornamentals (*n* = 6)	0	0	100
Textiles, carpets and footwear (*n* = 11)	36	9	55
Retail, toys and personal care (*n* = 4)	0	25	75
Electronics and appliances (*n* = 4)	0	75	25
Mining, gold and gems (*n* = 5)	20	0	80
Chemicals, cleaning products and plastics (*n* = 9)	0	67	33
Energy and carbon offsets (*n* = 11)	0	91	9
Building and building products (*n* = 17)	0	71	29
Business and banking services (*n* = 5)	40	60	0
Dining, hotel and tourism (*n* = 5)	0	40	60
Multi-sectoral (*n* = 13)	0	23	77
TOTAL (*n* = 108)[a]	9	36	55

[a] Double-counting has been eliminated in this summary row.

pressing concerns in a sector — whether social or environmental — our study finds limited support for this view. The labour intensive textile industry has relatively few certifications focusing solely on environmental issues as we might expect, but in electronics, where sweatshop conditions may be as prevalent, we find that 75 per cent of certifications target only environmental issues. In the building sector, 60 per cent of programmes identified include only environmental criteria even though many workers are hired informally and many are illegal immigrants unprotected by US labour laws.

Some authors suggest that multi-stakeholder programmes have a broader ethical orientation than industry-led certifications (Fransen, 2012; Ingenbleek & Meulenberg, 2006), but our research finds no significant relationship between certification sponsorship (industry-led versus multi-stakeholder) and programme focus (social criteria only, environmental only or both).[6] Industry-led certifications in the United States appear to voice the same priorities as multi-stakeholder programmes, although our analysis cannot reveal whether they pursue these issues with similar rigour. In our study the only certification characteristic that helps explain programme focus is geographic scope, with international certifications being significantly more likely to address both environmental and social concerns, and national programmes being more likely to limit their focus to environmental issues.[7] This finding is consistent with research on the primacy of environmental norms and activism in the United States (Buttel & Gould, 2004).

Table 4 outlines the five key environmental issues addressed by initiatives which include ecological criteria (either exclusively or in conjunction with social criteria). We find a convergence in environmental priorities even though there is no generally accepted ecological benchmark referenced by these programmes. The most popular focus, addressed by 86 per cent of programmes, is reducing chemicals, carbon and hazardous materials, followed by conserving natural resources and energy and then pollution and waste reduction, addressed by 70 and 62 per cent of initiatives, respectively. These common priorities suggest that there is substantial agreement across US society that the overuse of dangerous and natural products is a problem that companies can and should address (Auld *et al.*, 2008). Yet, as Mayer and Gereffi (2010) argue, the prioritization of conservation criteria may also be explained by profit motives, since these measures often simultaneously advance environmental goals and company savings (as in hotel towel reuse programmes which save water and staff time). Many certifications address multiple environmental concerns. In forest products, for example, most initiatives address all five of the key issue areas.

Certification programmes that pursue social agendas, exclusively or in combination with environmental issues, address a broad range of employment and ethical concerns. Table 5 outlines the seven major priority areas. We find far less agreement among initiatives relating to social rather than environmental priorities, even though most programmes addressing employment issues benchmark their standards using International Labour Organization (ILO) conventions. Only one issue, worker health and safety, is addressed by a strong majority (75 per cent) of programmes. Roughly half of all certifications focus on three additional ILO core labour domains: restricting child and forced labour; ensuring rights of association and collective bargaining; and wage and benefit criteria. These employment concerns are addressed most frequently in labour intensive sectors that rely largely on foreign production, including

TABLE 4

FOCUS OF CERTIFICATIONS WITH ENVIRONMENTAL CRITERIA

	Conserving natural resources and energy[a] (%)	Pollution and waste reduction[b] (%)	Chemical, carbon and hazardous material reduction[c] (%)	Conserving biodiversity and wildlife[d] (%)	Other environmental sustainability criteria[e] (%)
Food and beverages (*n* = 21)	90	62	95	52	76
Meat, dairy and aquaculture (*n* = 12)	42	25	58	58	58
Forest products (*n* = 4)	75	100	100	75	100
Flowers and ornamentals (*n* = 6)	100	100	83	67	83
Textiles, carpets and footwear (*n* = 8)	63	50	63	13	38
Retail, toys and personal care (*n* = 4)	75	75	100	0	25
Electronics and appliances (*n* = 4)	100	100	100	0	0
Mining, gold and gems (*n* = 4)	50	75	75	75	50
Chemicals, cleaning products and plastics (*n* = 9)	22	56	100	0	0
Energy and carbon offsets (*n* = 11)	64	28	91	9	9
Building and building products (*n* = 17)	76	59	94	12	24
Business and banking services (*n* = 3)	100	100	100	0	0
Dining, hotels and tourism (*n* = 5)	100	100	100	40	20
Multi-sector (*n* = 13)	77	77	77	54	54
TOTAL (*n* = 101)[f]	70	62	86	37	43

[a] Includes efforts to conserve water and forests and reduce energy use. [b] Includes measures addressing air quality, reducing and recycling waste and reusing materials. [c] Includes measures to reduce the use of toxics, pesticides and other chemicals, require proper handling and disposal of chemicals and hazardous materials, and reduce carbon and greenhouse gases. [d] Includes efforts to bolster wildlife and plant diversity and health. [e] Includes measures addressing soil quality, erosion and conservation concerns, crop rotation and land use restrictions, sustainable harvesting, and other non-specified 'environmentally sustainable' practices; [f] Double-counting has been eliminated in this summary row.

food, forest products, flowers, textiles and mining, where systematic labour rights violations have been well-documented (Cashore *et al.*, 2004; Conroy, 2007). Fifty-six per cent of certifications with social criteria address human, local and indigenous rights and discrimination. A smaller share includes criteria supporting social and community development or animal welfare (particularly in meat, dairy and aquaculture). As in the environmental field, many certifications address a range of social concerns. In food and mining most programmes tackle six of the top seven social issues.

Our analysis identifies the key environmental and social concerns addressed by certifications in the United States, but we are not able to explain which types of programmes will pursue which issues and which initiatives will have higher standards. The convergence we find in programme priorities points to the most salient public concerns regarding corporate impacts (Bieri & Boli, 2011), but it does not mean that programmes have equally rigorous criteria. In fact, this normative convergence could encourage certifications to pay lip service to concerns that are not rigorously

TABLE 5

FOCUS OF CERTIFICATIONS WITH SOCIAL CRITERIA

	Child and forced labour (%)	Wages and benefits[a] (%)	Worker health and safety (%)	Rights of associa- tion[b] (%)	Human, local and indigenous rights[c] (%)	Social develop- ment[d] (%)	Animal Welfare (%)
Food and beverages (*n* = 18)	67	61	78	56	56	33	28
Meat, dairy and aquaculture (*n* = 13)	23	23	31	23	23	0	77
Forest products (*n* = 3)	100	100	100	100	100	33	0
Flowers and ornamentals (*n* = 6)	83	67	83	67	67	33	17
Textiles, carpets and footwear (*n* = 10)	80	70	90	70	60	30	0
Retail, toys and personal care (*n* = 3)	67	67	67	67	67	33	33
Electronics and appliances (*n* = 1)	0	0	100	0	0	0	0
Mining, gold and gems (*n* = 5)	100	100	100	60	100	60	0
Chemicals, cleaning products and plastics (*n* = 3)	0	0	33	33	0	67	33
Energy and carbon offsets (*n* = 1)	100	100	100	100	100	100	0
Building and building products (*n* = 6)	0	0	83	33	33	33	0
Business and banking services (*n* = 2)[e]	0	0	0	0	100	0	0
Dining, hotels and tourism (*n* = 3)	67	67	100	67	67	100	67
Multi-sector (*n* = 10)	50	50	80	60	70	50	20
TOTAL (*n* = 72)[f]	53	50	75	51	56	32	22

[a] Includes provision of minimum wages, paid time off, insurance benefits and work hour limits. [b] Includes collective bargaining rights, access to labour unions and freedom of association. [c] Includes measures to protect local cultures, involve local communities in decisions, respect local religions, and protections for workers against discrimination and sexual harassment. [d] Includes providing education and training, social services and development projects. [e] Banking and investment programmes focus on supporting companies with strong human rights records and thus are classified in the human/local rights category. [f] Double-counting has been eliminated in this summary row.

addressed, since to ignore them might undermine programme popularity.[8] Even where programmes link their criteria to a common benchmark, it does not guarantee equivalent standards. For example, while many certifications address rights of association and reference ILO conventions 87 and 98,[9] some merely state that rights of association must be respected, some require that national laws regarding rights of association be upheld, and others require measures to actively bolster worker organizing. The tendency for certification programmes to adopt a standard repertoire of social and ecological concerns masks important variations and may help explain why our analysis finds no significant differences between industry-led and multi-stakeholder initiatives in their regulatory foci.

Accounting for variations in participation and oversight requirements

Private regulatory initiatives have developed bureaucratic certification systems which articulate a set of principles for bringing about desired changes in company practices

TABLE 6

PROGRAMME PARTICIPATION REQUIREMENTS

	Membership commitment[a] (%)	Formal standards[b] (%)
Food and beverages (*n* = 22)	14	86
Meat, dairy and aquaculture (*n* = 14)	0	100
Forest products (*n* = 4)	0	100
Flowers and ornamentals (*n* = 6)	0	100
Textiles, carpets and footwear (*n* = 11)	36	64
Retail, toys and personal care (*n* = 4)	25	75
Electronics and appliances (*n* = 4)	0	100
Mining, gold and gems (*n* = 5)	40	60
Chemicals, cleaning products and plastics (*n* = 9)	22	78
Energy and carbon offsets (*n* = 11)	0	100
Building and building products (*n* = 17)	0	100
Banking and business services (*n* = 5)	40	60
Dining, hotel and tourism (*n* = 5)	0	100
Multi-sectoral (*n* = 13)	8	92
TOTAL (*n* = 108)[c]	11	89

[a] Involves participant statement of commitment to programme goals but no specific measurable behaviour expectations. [b] Involves specific formal standards regarding on-the-ground participant behaviour. [c] Double-counting has been eliminated in this summary row.

and a system for acknowledging compliance with programme guidelines. We analyse the nature of programme assessment tools separately from the institutional independence of their oversight procedures. As outlined in Table 6, 89 per cent of certifications studied have formal standards specifying participant performance expectations, with the remainder requiring only informal member commitments.[10] Formal standard systems predominate in most sectors: in meat, forestry, flowers, electronics, energy, building and dining, all certifications require adherence to bureaucratic standards. These standards are detailed via lengthy technical documents and check sheets that specify operational guidelines and compliance indicators. Perhaps most well-known are IFOAM Organic standards, which include an extensive list of acceptable and unacceptable agricultural inputs and rigorous farm documentation requirements. As in this case, most formal standards specify production process rules, rather than testing product attributes (for example, checking food for pesticides). While many certifications set a single performance threshold, a growing number utilize point systems to distinguish a hierarchy of achievement levels and some require that participants make progress over time.[11]

Although research suggests that industry sponsored programmes will be the most likely to depend on membership commitments (Fransen, 2012; Ingenbleek & Meulenberg, 2006), we find no significant difference between industry-led and multi-stakeholder certifications in their propensity to rely on membership commitments.[12]

Some industry membership programmes seek to provide a more flexible alternative to rigorous standard systems (for example, the Better Cotton Initiative as an alternative to Fairtrade International certification), but our data reveal no statistical relationship between the number of certifications in a sector and programme requirements and thus no overall support for the competition argument.[13] We similarly find no support for the view that certifications formalize their standards over time (Auld *et al.*, 2008); our data show no statistically significant relationship between certification age and programme requirements.[14]

Table 7 outlines the nature of certification monitoring systems, distinguishing between programmes that appraise participant performance themselves and those that require external auditing.[15] In our sample, 35 per cent of initiatives rely on internal oversight to assess compliance. Membership commitment initiatives all use in-house systems, since there are no clear standards that could be externally audited; some formal standard certifications also rely on internal oversight. Although a few initiatives ask only that participants sign on to document their commitment, most internal review systems involve documentation, peer evaluations or screening. Sixty-five per cent of initiatives in our study require external auditing, including all certifications in the forest and flower sectors as well as the vast majority of programmes in meat (86 per cent), building (80 per cent) and retail (75 per cent). External monitoring agencies review participant activities every one to three years to ensure that they uphold specified standards and certify that they have (or have not) met programme

TABLE 7

CERTIFICATION MONITORING SYSTEM

	Internal programme oversight[a] (%)	External auditing[b] (%)
Food and beverages (*n* = 22)	36	64
Meat, dairy and aquaculture (*n* = 14)	14	86
Forest products (*n* = 4)	0	100
Flowers and ornamentals (*n* = 6)	0	100
Textiles, carpets and footwear (*n* = 11)	55	45
Retail, toys and personal care (*n* = 4)	25	75
Electronics and appliances (*n* = 4)	50	50
Mining, gold and gems (*n* = 5)	60	40
Chemicals, cleaning products and plastics (*n* = 9)	33	67
Energy and carbon offsets (*n* = 11)	36	64
Building and building products (*n* = 17)	18	82
Banking and business services (*n* = 5)	80	20
Dining, hotel and tourism (*n* = 5)	40	60
Multi-sectoral (*n* = 13)	54	46
TOTAL (*n* = 108)[c]	35	65

[a] Involves internal oversight by NGO or industry group programmes. [b] Involves monitoring and enforcement by an external entity. [c] Double-counting has been eliminated in this summary row.

requirements. Audits typically involve document reviews and manager interviews; in some cases they include site visits and worker and community interviews.

The preponderance of externally audited programmes in our sample supports the widely held view that externally monitored certifications dominate the field (Cashore *et al.*, 2004; Gereffi *et al.*, 2001). Yet our analysis finds no significant difference in the certification monitoring systems used by industry-led and multi-stakeholder programmes.[16] We similarly find no support for the propositions that rivalry between certification programmes or programme maturation over time will encourage the adoption of external monitoring (Auld *et al.*, 2008; Conroy, 2007).[17]

In sum, our analysis finds that the majority of certification programmes in our database exhibit the expected bureaucratic features — the formal standards and external auditing — which are often identified as 'best practices' in the field. Yet our statistical analysis identifies no significant predictors of these bureaucratic features, testing for differences between industry-led and multi-stakeholder programmes, for the impacts of programme maturity and for the impact of certification competition. One reason for this may be that the underlying assumption that formal standards and external auditing are indicators of programme rigour is itself flawed. Most research assumes that membership initiatives represent a more lenient alternative to formal standard systems. Yet membership programmes are not necessarily less demanding — some membership initiatives pursue an idealistic vision, which cannot be fully captured via bureaucratic standards, as for example the membership-based Workers' Rights Consortium, which has higher labour expectations than other standard-based garment certifications (O'Rourke, 2006). Similarly, while external auditing is assumed to provide objective oversight and ensure significant impacts, this is not always the case. Monitoring agencies do not operate independently of standard-setting programmes, which provide them with business and accreditation, or participating enterprises, which provide information and certification fees (Hatanaka & Busch, 2008). And external auditing does not guarantee meaningful or consistent improvements in company practices or that non-compliance is identified or penalized (Locke *et al.*, 2009).

Conclusions

Certification programmes which regulate the social and environmental practices of firms have become an increasingly important feature of the economy. While there is a growing literature that seeks to analyse this phenomenon, most studies draw on a small set of illustrative case studies and thus can provide only a partial view of the field. This study extends the literature by analysing the organizational characteristics of 108 certification programmes operating across 14 sectors of the US economy. Our analysis finds that certification, which may once have led a revolution in corporate practices (Conroy, 2007), is, after 40 years of institutional development, becoming part of the normal US business environment. Most programmes in our study operate internationally, in keeping with the global nature of production, yet a third of certifications are uniquely American, supporting our contention that regulatory systems reflect national legal requirements, market characteristics and social movement pressures. This study confirms the oft-assumed predominance of multi-stakeholder

initiatives and finds statistical support for the idea that certifications may move to adopt this organizational form over time or may gravitate to the multi-stakeholder model to bolster their legitimacy in the face of programme rivalry (Cashore *et al.*, 2004; Tamm Hallström & Boström, 2010). We find that in the United States certifications are most commonly found in sectors where products and firms are highly branded and where there is strong social activist pressure, as Mayer and Gereffi (2010) contend.

Although many studies distinguish between social and environmental certifications, we find that over half of the regulatory programmes in our study address both domains. We argue that this programmatic breadth reflects the power of social responsibility and environmental sustainability norms in US society and the recognition that social and ecological issues are so entwined that it may be difficult to bring improvements in one domain without addressing the other. The higher incidence of single domain programmes in environmental rather than social realms lends support to Mayer and Gereffi's (2010) hypothesis that businesses are more supportive of environmental than social regulations, since the former often lead to greater cost savings. Yet we find no statistical difference between industry-led and multi-stakeholder initiatives in the breadth of their programmatic focus. We identify five environmental priorities and seven key social concerns addressed by certifications. While certifications tend to adopt a standard repertoire of programmatic concerns, this does not necessarily mean that these issues are pursued with equal vigour or that there is a commonality in programme outcomes.

Our analysis identifies important similarities in certification standards and oversight procedures among programmes operating in the US market. The vast majority of regulatory initiatives in our study have formal standards and require external auditing. There is a continuum of programme bureaucratization, from those that rely on membership commitments and internal oversight, to those that have formal standards and internal oversight, to programmes that have formal standards and external auditing. Surprisingly we find no significant differences between industry-led and multi-stakeholder initiatives in their oversight mechanisms. While formal bureaucratic certifications dominate the field, it is not clear that reliance on these technical procedures ensures objective oversight, enhances transparency or guarantees significant on the ground changes. Certifications may provide little more than 'rituals of verification' in our audit-based society (Power, 1997) unless they effectively engage social groups in overseeing firm behaviour and reward businesses that improve their ethical and environmental practices.

Acknowledgements

Notes

[1] We do not include local- or state-level initiatives.

[2] We classify as *international*, programmes that specify standards for items produced abroad for the US market (e.g. Utz Kapeh) and programmes that cover US and foreign production (e.g. Sustainable Forestry Initiative).

[3] We avoid the term NGO-led since even NGO-initiated certifications (e.g. Forest Stewardship Council) typically engage business in programme governance and are best seen as *multi-stakeholder*. *Industry-led* programmes have no visible NGO involvement.

[4] Binary logistic regression with certification age as the independent variable and sponsorship as the dependent variable (multi-stakeholder versus industry-led) found that the relationship was significant at the $p < 0.05$ level (coefficient (b) = -0.072, standard error (SE) = 0.034).

[5] Binary logistic regression (adjusted with robust standard errors to account for dependence within sector) with number of certifications in a sector as the independent variable and sponsorship (multi-stakeholder versus industry-led) as the dependent variable found that the relationship was significant at the $p < 0.05$ level (b = 0.067, robust SE = 0.033).

[6] Cross-tabulation and multinomial logistic regression analysis with sponsorship as the independent variable and type of standards (environmental only, social only, both environmental and social) as the dependent variable found that the relationships were not significant (environmental only versus both, p = 0.121; social only versus both, p = 0.890).

[7] We found no significant relationships between programme focus and either start date or number of certifications in a sector. Multinomial logistic regression with scope as the independent variable and type of standards as the dependent variable found that international certifications were significantly more likely to have both environmental and social standards compared with environmental only (b = -2.09, SE = 0.495, $p < 0.001$) and social only (b = -1.53, SE = 0.762, $p < 0.05$). The relationships remain significant after controlling for year started, type of standards (formal or informal) and type of monitoring (internal or external).

[8] The popularity of issues like conserving natural resources could encourage 'green washing' since no company wants to be identified as *not* conserving natural resources.

[9] ILO Convention 87 refers to freedom of association and rights to organize; Convention 98 bars anti-union discrimination.

[10] We distinguish between *membership commitment* and *formal standards* based on our website review of programme requirements. Although participants in any programme might be considered members, the distinction we make is in the bureaucratic specification of performance standards. *Formal standards* and their measurement may be either process- or outcome-based.

[11] LEED awards Silver, Gold and Platinum building certifications. Food Alliance specifies annual improvement requirements.

[12] Binary logistic regression with type of sponsorship (multi-stakeholder versus industry-led) as the independent variable and participation requirements (membership versus formal standard) as the dependent variable found that the relationship is not significant (p=0.519).

[13] Binary logistic regression (adjusted with robust standard errors to account for dependence within sector) with number of certifications as the independent variable and participation requirements (membership versus formal standard) as the dependent variable found that the relationship is not significant (p = 0.386).

[14] Binary logistic regression with certification age as the independent variable and participation requirements (membership versus formal standard) as the dependent variable found that the relationship is not significant (p = 0.527).

[15] Typically, industry association programmes that rely on internal oversight are called second-party certifications, while NGO programmes relying on internal oversight are called third-party certifications. We distinguish between internal and external oversight (whether by an NGO or industry group) to address the issue of organizational independence.

[16] Binary logistic regression with sponsorship (multi-stakeholder versus industry led) as the independent variable and monitoring (internal versus external) as the dependent variable found that the relationship is not significant (p = 0.204).

[17] Binary logistic regression (adjusted with robust standard errors to account for dependence within sector) with number of certifications in a sector as the independent variable and monitoring type (internal versus external) as the dependent variable found that the relationship was not significant (p = 0.549). Binary logistic regression with certification age as the independent variable and monitoring type as the dependent variable found that the relationship is not significant (p = 0.926).

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