



## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX COMMITTEE ON FOOD LABELLING

Forty-eighth Session

Quebec City, Canada

27 October – 1 November 2024

### DISCUSSION PAPER ON SUSTAINABILITY LABELLING CLAIMS

*(Report prepared by Brazil and supported by Argentina, Chile, Paraguay and Uruguay)*

Brazil would like to express its gratitude to New Zealand, the European Union, the United States of America, and Costa Rica for developing the discussion paper on sustainability labelling claims, CX/FL 24/48/12.

Brazil does not support the initiation of new work to amend the General Guidelines on Claims (CXG 1-1979) to establish high-level principles for the use of environmental claims.

We believe that undertaking specific work on environmental claims falls outside the scope of Codex Alimentarius, as defined in the General Principles of the Codex Alimentarius of the Procedural Manual. This initiative neither aims to protect consumers' health nor ensures fair practices in food trade.

Discussions on sustainability and environmental aspects related to the food production chain should occur in relevant technical forums, such as FAO technical committees, pertinent WTO Committees, and, when appropriate, in international environmental conventions like the CBD and the UNFCCC.

Evaluating sustainability and environmental criteria in these forums has proven complex, as defining a sustainable product or production is not straightforward. Even when limited to environmental aspects, there are no established parameters or criteria for classifying products and production chains. This assessment depends on local factors, such as climate and soil conditions, and must consider regional development levels, which vary significantly and require different actions from countries. Therefore, discussions on classification criteria remain shallow and lack multilateral consensus. Additionally, Brazil believes this work would unnecessarily duplicate efforts already undertaken by other international organizations, as outlined in the stocktaking provided in CX/FL 24/48/12. Spreading the discussion across multiple forums will not achieve this objective, especially in spaces like Codex Alimentarius that have historically not addressed these issues.

We believe that the Codex General Guidelines on Claims provide high-level guidance that could assist international organizations with a clear mandate on sustainability and environmental issues in developing criteria and guidance, as well as governments in implementing and regulating related labeling initiatives.

These Guidelines are based on the principle that no food should be described or presented in a manner that is false, misleading, or deceptive, or is likely to create an erroneous impression regarding its character in any respect. It is also required that the person marketing the food should be able to justify the claims made, and that any unsubstantiated claims are prohibited. Furthermore, claims deemed meaningless are considered misleading.

It is also important to highlight that it is unclear why environmental claims should be prioritized and treated as a separate issue, given that many other foods label claims directly relate to consumer health protection and fair-trade practices.

Additionally, we should consider the OECD study<sup>1</sup>, which concluded that while consumers often claim sustainability is important, factors like taste, health, and price are typically more relevant in their decisions, indicating a lack of consumer awareness regarding choice patterns in these aspects. This is a particularly relevant point as including sustainability labelling claims could have the potential effect of creating arbitrary or unjustifiable discrimination or a disguised restriction on international trade.

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<sup>1</sup> Deconinck, K. et M. Hobeika (2023), Understanding the impact of consumer-oriented assurance schemes: A review of voluntary standards and labels for the environmental sustainability of agri-food products, OECD Food, Agriculture and Fisheries Papers, n. 200, Éditions OCDE, Paris, <https://doi.org/10.1787/af917674-en>.

Finally, environmental claims are inherently complex and must be supported by robust, comparable sustainability systems and standards. Without such frameworks, establishing general principles risks being inefficient, potentially creating confusion rather than clarity. Instead of addressing concerns about environmental claims, introducing general principles could inadvertently increase technical barriers to trade based on sustainability standards and encourage broader, potentially less regulated, unilateral use of such claims.