

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 12

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ORIGINAL LANGUAGE ONLY

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD LABELLING

Forty-eighth Session

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SUSTAINABILITY LABELLING CLAIMS

(Comments from Brazil, European Union, Kenya, the United Republic of Tanzania)

Brazil

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 appropriate technical forums, such as FAO technical committees, the WTO Committee on Trade and Environment, and, when relevant, in 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 food label claims directly relate to consumer health protection and fair-trade practices.

Additionally, we should consider the OECD study¹, 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.

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.

European Union

Mixed Competence European Union Vote

The European Union and its Member States (EUMS) would like to thank New-Zealand for the preparation of the Discussion paper on the sustainability labelling claims (CX/FL 24/48/12).

The EUMS support new work providing guidance within the General guidelines on claims (CXG 1-1979) to ensure that environmental claims and claims that include an environmental aspect are meaningful and not misleading.

The EUMS consider that environmental claims on foods that are not about the food itself but about the packaging of the food or the company producing the food should be included in the scope of the new work.

Kenya

Comment: Kenya supports the initiation of work as proposed in the discussion papers except the discussion paper on Labelling of alcoholic beverages. Further, we agree with the proposal to withdrawal discussion paper on TFAs.

Rationale: Kenya recognizes the need to have appropriate labelling of alcoholic beverages, but we seek guidance whether the ToRs for CCFL includes labelling provisions of alcoholic beverages. We also note that there is no corresponding Codex commodity Committee on alcoholic beverages hence seeking clarification from Codex on its role, if any, in alcoholic beverages.

United Republic of Tanzania

COMMENT

- a. The URT supports that guidance on sustainability-related labelling claims provided by CCFL be limited to environmental claims with a focus on ensuring these are meaningful and not misleading
- b. The URT supports the initiating new work on environmental claims as presented in the project document in Appendix II

¹ 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>.

Justification:

The work should be limited to high-level guidance and principles for developing sustainability-related labeling on food. to prevent misuse of sustainable labeling