

ENCA comment
Proposal for New Work on Sustainability related Labelling
CX/FL 23/47/12 Appendix 1 January 2023

“You meet at time of unprecedented challenges. Conflicts and climate change are exacerbating food insecurity and malnutrition. Most people around the world who have access to food cannot afford healthy diets. Deforestation and habitat loss are increasing the risk of zoonotic pathogens. Anti-Microbial Resistance, environmental contamination and degradation, occupational hazards, unsafe and adulterated foods – the list goes on. A transformation of the world’s food systems is needed urgently, based on a One Health approach that protects and promotes the health of humans, animals and the planet. The Codex Alimentarius has a critical role to play in guiding country regulations that promote health, while facilitating fair trade. WHO remains committed to working with FAO to develop and deliver high quality scientific advice and evidence-based global food safety guidelines and standards.”

Dr Tedros Adhanom Ghebreyesus, WHO Director-General welcome address: CAC45

“meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

UN World Commission on Environment and Development: Our Common Future, 1987

ENCA shares IBFAN’s view that it of great importance to address the global impact of food production on greenhouse gas emissions and its impact on climate change, biodiversity, labour practices, protection of agricultural land and animal welfare.^{1, 2} However, it is critically important that any efforts by Codex to improve or transform the Food System on the basis of a One Health Approach, as called for by Dr Tedros, must be: human rights based, must not mask problems that need to be addressed; must not undermine food security; must not further exacerbate an already broken, harmful food system and must not facilitate the trade of harmful ultra-processed products

The current practice of sustainability labelling as noted by the submissions of member States and Observers to the Circular letter CL2022/12FL in the stocktake summary shows that 82% of the already implemented labels were privately owned, 66% were verified by a third (non-government) party and only 12% by government and/or public institutions. Non-government-regulated labelling was often reported as misleading.

The lack of government regulation on sustainability labelling and the predominance of food industry and self-regulated certification labelling schemes leads to unsubstantiated claims

¹ (9) *COP27 – Can lessons be learned and the UPF trade controlled?* IBFAN Statement. November 2022.

² *Nature Climate Change*, Ivanovich et al. further confirm in their [Analysis article](#) that global food consumption can add nearly 1 °C to warming by the end of this century, driven by foods that are high sources of methane, such as beef, dairy and rice..*Modern food emissions. Nat. Clim. Chang.(2023). <https://doi.org/10.1038/s41558-023-01643-2>*

and “green washing” being used to promote product consumption and increase market share.

It is IBFAN and ENCA’s long experience that nutrition and health claims are rarely based on credible science and invariably misleading. When used to promote foods for infants and young children such labelling is especially deceptive and undermining of breastfeeding and WHO recommendations for optimal infant and young child feeding. Such claims put maternal, infant and young child health at risk and are forbidden by World Health Assembly Resolutions.³

If national Governments *are* to permit sustainability labelling, it is essential that warnings, rather than claims are prioritised, especially in relation to pre-packaged ultra-processed products.

Codex Guidelines should encourage governments to follow several key principles to encourage fair, comparable and truthful labelling:

- Adequate, effective, legally binding and independently monitored safeguards must first be in place to ensure that human and planetary health is not undermined by misleading claims.
- The onus for reducing the impact of food systems on climate change should not be placed on consumers.
- Governments primary aim must be to protect and restore biodiversity, prevent the degradation of ecosystems and the wider environment, reduce the risks from emerging and re-emerging zoonotic epidemics and pandemics and curb the silent pandemic of antimicrobial resistance.

The Independently verified impact of ALL the factors that contribute to food production and food consumption (“from farm to fork”) should be used as criteria and they must include as a minimum:

- water consumption along the whole production chain
- source of ingredients - local or imported
- processing of ingredients and of the final product
- environmental cost of the global supply chain
- global, regional and national transportation

³ 2010 [WHA 63.23](#) urged Member States to: “end inappropriate promotion of food for infants and young children and to ensure that nutrition and health claims shall not be permitted for foods for infants and young children, except where specifically provided for, in relevant Codex Alimentarius standards or national legislation” WHA58.32: Urges Member States (3) to ensure that clinicians and other health-care personnel, community health workers and families, parents and other caregivers, particularly of infants at high risk, are provided with enough information and training by health-care providers, in a timely manner on the preparation, use and handling of powdered infant formula in order to minimize health hazards; are informed that powdered infant formula may contain pathogenic microorganisms and must be prepared and used appropriately; and, where applicable, that this information is conveyed through an explicit warning on packaging; WHA61.20 2008 Urges Member states. (3) to implement, through application and wide dissemination, the WHO/FAO guidelines on safe preparation, storage and handling of powdered infant formula in order to minimize the risk of bacterial infection and, in particular, ensure that the labelling of powdered formula conforms with the standards, guidelines and recommendations of the Codex Alimentarius Commission and taking into account resolution WHA58.32

- packaging - plastics – microplastics, chemicals such as PFAs that also cause soil pollution (cadmium and toxic heavy metals) ⁴
- labour practices
- animal health
- retailing, marketing and promotion

The need for Government regulation

IBFAN and ENCA are of the opinion that any sustainability labelling must be government regulated and that private/commercial/industry self-regulated and certified claims should not be permitted.

The resources needed to legislate, enforce, monitor and substantiate sustainability claims and warnings effectively will be costly. In many cases this will be a counter-productive, wasteful and will utilize critical public health resources to facilitate the needs of the processed food industry rather, than bring about the *“transformation of the world’s food systems [that] is needed urgently, based on a One Health approach that protects and promotes the health of humans, animals and the planet”*

In countries where effective regulation is not a viable option, sustainability labelling should not be permitted.

It is critically important that sustainability labelling must not be permitted for commercial milk formulas or foods for infants and young children to the age of 5 years. The risks of a sustainability claim being misleading are too great.

⁴ Waste disposal and the burning of rubbish increases methane emissions. *“Plastics do not fully decompose and instead just continually break down into smaller and smaller pieces called microplastics. These microplastics pose a huge risk to wildlife and are extremely difficult to clean up. ...The best way to reduce the impact of single-use plastics on climate change is to stop using this type of plastic.* <https://www.colorado.edu/ecenter/2021/02/25/climate-impact-single-use-plastics>

