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# BEUC recommendations

to better align EU trade  
policy with the Green Deal



## Why it matters to consumers

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Trade is part of consumers' lives: many of their clothes, TVs, smartphones, food and the services they use to book their holidays would be unthinkable without it.

But consumers are becoming more conscious of the impact of their shopping choices on the environment. To stop the continuing depletion of natural resources, we urgently need to change how we produce and consume.

That is why the consumer movement fully supports a European Green Deal that works for consumers. Yet, research shows that trade policy is insufficiently coherent with the [Green Deal](#). To better align both policies, the EU should adapt its laws, make sure they are enforced and improve the content of its trade agreements.



The problem:

## Trade policy is not coherent enough with the Green Deal

A [report](#) commissioned by BEUC to researchers from the Vrije Universiteit Brussel demonstrates that trade policy is not sufficiently coherent with the Green Deal and should be improved. In some cases, trade policy is even incoherent with the Green Deal. This is notably the case when EU trade agreements promote trade in meat while the Green Deal promotes a shift towards more plant-based diets to protect the environment. On the other hand, new chapters in trade agreements on sustainable development (TSD chapters) are a positive evolution, but they would require further improvements to be more coherent with the Green Deal.

Moreover, the report shows that international trade rules from the World Trade Organization (WTO), that the EU must comply with, can be problematic. These rules were designed in the 1990s to prevent countries from being protectionist and let products and services flow easily between them. The interpretation of these rules lacks clarity, especially when it comes to laws aiming to protect the environment, promote sustainability and the circular economy. This opens the door to trade disputes with partners (third countries) who disagree with EU environmental policies. This can create a chilling effect on ambitious sustainability policies.

### Degrees of coherence of EU trade agreements with the Green Deal

Elimination/reduction of tariffs for more sustainable products like heat pumps and smart thermostats	Strongly coherent
Sustainable Food Systems and Trade and Sustainable Development Chapters	Weakly coherent
International standards that limit EU's environmental ambitions	Weakly incoherent
Elimination/reduction of tariffs for meat and dairy products	Strongly incoherent

## The solution:

## Four steps to better align trade policy with the Green Deal

## 1

### Step 1: Adapt EU legislation to apply the same rules to imports as to domestic products

Many products consumers buy in Europe come from abroad. This is especially the case for textiles, with more than half of the clothes in the Single Market being imported from third countries.<sup>1</sup> Four in five consumers are concerned about the presence of hazardous chemicals in everyday products.<sup>2</sup> And indeed, consumer organisations find many harmful chemicals in clothes in their product tests.<sup>3</sup> This requires EU action to regulate the use of hazardous chemicals for both domestic and imported textiles.

Consumers also expect the same level of protection irrespective of whether the product they buy is made in the EU or imported. They expect that foreign producers will comply with the same rules as EU producers. But this is not always the case. For instance, EU consumers can today buy, without knowing it, imported meat from animals raised with antimicrobial growth promoters, while the use of antimicrobials to promote growth or increase the yield of farmed animals is prohibited for EU farmers, as it fuels antimicrobial resistance. Moreover, animal welfare rules do not apply to imports. 62% of Europeans consider that this situation should change and believe that EU animal welfare rules should apply to imported food.<sup>4</sup>

The EU must therefore update its legal framework and improve enforcement to treat consumers fairly. This is something farmers have also called for during the 2024 protests. This can be done through **import requirements**, to make sure that imported products comply with the same rules as EU products. This is not a solution designed to protect the EU market from foreign competition, but to create fairer market conditions for consumers and producers.

Chemicals in textiles: Rules preventing the presence of toxic substances in textiles are not systematic and apply only to few substances, often with many exemptions. To ensure that clothes will no longer contain hazardous chemicals whether imported or made in the EU, specific requirements for textiles should be implemented through the Ecodesign Regulation. In addition, REACH should be revised to set 2030 as a binding target for the phase-out of hazardous substances from textiles. This phase-out should apply to imported textiles as well.

1 <https://ec.europa.eu/eurostat/web/products-eurostat-news/-/edn-20200424-1>

2 Eurobarometer 2020: [https://ec.europa.eu/commission/presscorner/detail/es/qanda\\_20\\_330](https://ec.europa.eu/commission/presscorner/detail/es/qanda_20_330)

3 Examples of tests carried out by BEUC members can be found in ANEC and BEUC paper "Protecting consumers from hazardous chemicals in textiles"

4 [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_23\\_4951](https://ec.europa.eu/commission/presscorner/detail/en/IP_23_4951)

- **Chemicals in textiles:** Rules preventing the presence of toxic substances in textiles are not systematic and apply only to few substances, often with many exemptions. To ensure that clothes will no longer contain hazardous chemicals, whether imported or made in the EU, specific requirements for textiles should be implemented through the [Ecodesign Regulation](#). In addition, [REACH](#) should be revised to set 2030 as a binding target for the phase-out of hazardous substances from textiles. This phase-out should apply to imported textiles as well.
- **Animal welfare:** Animal welfare rules do not cover all animal species and do not apply to imports. The EU should update its legislation on animal welfare to reflect science and European citizens' expectation that farmed animals should live a good life. The EU must ensure that newly introduced requirements (such as a prohibition on cages) cover all animal species and equally apply to animals and products of animal origin exported from third countries into the EU.
- **Antimicrobial resistance:** The Commission must swiftly deliver the implementing acts that are still necessary to enforce the ban on using certain antimicrobials in animals or products of animal origin imported from third countries into the EU.<sup>5</sup> This ban should have been applied since January 2022, but its effective application is still pending, subject to the adoption of two additional acts. One act concerns the list of third countries having a system of controls able to guarantee compliance with the EU's rules, and another sets the requirements for the official certificates accompanying the exported animals/animal products to confirm compliance with the EU's rules.

## 2

### Step 2: Mainstream sustainability throughout EU trade agreements

- **Negotiate “sustainability and trade” agreements instead of purely trade agreements.** Such agreements would put sustainability first, while using trade flows as a vehicle to facilitate the green transition.
- **Use the sustainability impact assessments** conducted before, during and after the negotiations to identify options to fully align sustainability and trade agreements with the Green Deal.
- **Make the sustainable choice the easy choice for consumers:** Focus the reduction and elimination of tariffs on more sustainable products. These can be final products that can help consumers in the green transition, such as heat pumps and smart thermostats.

<sup>5</sup> This ban is foreseen in the EU veterinary medicinal products regulation (article 118): [https://health.ec.europa.eu/publications/regulation-eu-20196-veterinary-medicinal-products\\_en](https://health.ec.europa.eu/publications/regulation-eu-20196-veterinary-medicinal-products_en)

- **Refrain from promoting trade in less sustainable products:** The EU needs to practice in its sustainability and trade agreements what it preaches in the Green Deal, including the Farm to Fork Strategy. Trade agreements should no longer focus on facilitating trade in less sustainable products that are proven to harm the environment. For example, the EU's partners (third countries) tend to ask in trade negotiations for greater access to the EU market for their meat and dairy exports. The livestock sector's contribution to agricultural GHG emissions and environmental degradation should be considered in final market access arrangements. Beyond trade policy, the EU should ensure that its promotion policy for agricultural products is finally reviewed. It should exclusively promote agri-food products which are both sustainably produced and align with the national healthy eating recommendations in the target third country.
- **Include stronger safeguards to avoid trade disputes related to environmental and sustainable measures:** The EU should make clear that nothing in its sustainability and trade agreements prevents the adoption of environmental and sustainability laws, and that these can apply to imported products (extraterritoriality of measures). Inspiration can be drawn from safeguards related to data protection and privacy in EU trade agreements.
- **Promote cooperation to remove products infringing environmental law from the market:** Recent EU trade agreements have allowed regulators to cooperate on issues such as product safety. This type of cooperation, which exists for instance with Canadian authorities,<sup>6</sup> has helped remove dangerous products from the market. The same logic should apply to enable authorities to cooperate to remove products that are not complying with sustainability and environmental rules such as Ecodesign, REACH, due diligence, deforestation and forced labour. This requires setting up an enforcement system. Such a system can benefit from data exchange about products and joint investigations to clear the market from non-compliant and therefore environmentally harmful products.
- **Provide financial and technical assistance to third countries** to help them comply with new EU requirements.

## 3

### Step 3: Prevent trade disputes over sustainability measures in the WTO

- **Propose to add an interpretative protocol to WTO agreements** to provide enough policy space to the EU and its partners to tackle climate change and achieve the UN Sustainable Development Goals. Such protocol should provide the clarity that is missing today in the dispute settlement system of the WTO. Concretely, this protocol should clarify that environmental and sustainability laws which pursue multiple objectives, apply extraterritorially, and take consumer preferences into consideration, actually comply with WTO provisions. This would not be an invitation to adopt protectionist measures, but a tool to prevent countries from attacking each other's environmental and sustainability laws in the WTO.

<sup>6</sup> [https://commission.europa.eu/business-economy-euro/product-safety-and-requirements/product-safety/international-cooperation-product-safety/bilateral-cooperation\\_en?prefLang=da](https://commission.europa.eu/business-economy-euro/product-safety-and-requirements/product-safety/international-cooperation-product-safety/bilateral-cooperation_en?prefLang=da)

## 4 Step 4: Make sure imports comply with EU law

The European Chemical Agency conducted an EU-wide enforcement project in 2023 which found illegal levels of hazardous chemicals, such as lead and phthalates, in products that are sold to consumers. Non-compliance rates were higher with imported products.<sup>7</sup> This is something BEUC members are finding too in their product tests, for instance on cosmetics sold online.<sup>8</sup> They find many products infringing EU product safety and chemicals laws such as toys, electricals, clothes and shoes.<sup>9</sup>

Consumer organisations have not yet tested systematically and at large scale to what extent imported products comply with Ecodesign requirements. These are rules that compel manufacturers to design more sustainable and less energy-intensive consumer products. However, given the high-level of non-compliance with product safety law found among imported products sold online, we are concerned about a similar trend in the field of Ecodesign. It is therefore paramount for the EU to ensure a better compliance of imported products with EU law.

- **Deliver an ambitious customs reform:** EU institutions are negotiating a reform of the Union Customs Code. If the reform includes stronger responsibilities for importers to comply with EU law and sanctions in case of non-compliance, it could help stem the flow of illegal imports in the EU and protect consumers.
- **Better equip authorities and step up the frequency of controls:** Customs and market surveillance authorities need more human, financial and IT resources to stop illegal imports. It is paramount to ensure close cooperation between market surveillance and customs authorities.<sup>10</sup> Moreover, authorities should control more product batches and prioritise controls on products with a higher risk of non-compliance. The outcomes of customs and market surveillance controls should be published regularly. To help them better identify high-risk products, the EU should explore the possibility of expanding the Digital Product Passport to further product categories.

<sup>7</sup> <https://echa.europa.eu/-/hazardous-chemicals-found-in-many-consumer-products>

<sup>8</sup> 2023 test conducted by the Danish Consumer Council on chemicals in imported cosmetics: <https://taenk.dk/kemi/english/cosmetics-outside-eu-potentially-harmful>

<sup>9</sup> [https://www.beuc.eu/sites/default/files/publications/beuc-x-2021-004\\_is\\_it\\_safe\\_to\\_shop\\_on\\_online\\_marketplaces.pdf](https://www.beuc.eu/sites/default/files/publications/beuc-x-2021-004_is_it_safe_to_shop_on_online_marketplaces.pdf)  
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<sup>10</sup> See for instance the 2020 ECHA project on strengthening cooperation with customs authorities for better enforcement of the REACH and other regulations: [https://echa.europa.eu/documents/10162/13555/customs2\\_project\\_report\\_en.pdf/5a2c3795-7ed9-5900-fe28-540228abc7c1](https://echa.europa.eu/documents/10162/13555/customs2_project_report_en.pdf/5a2c3795-7ed9-5900-fe28-540228abc7c1)



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