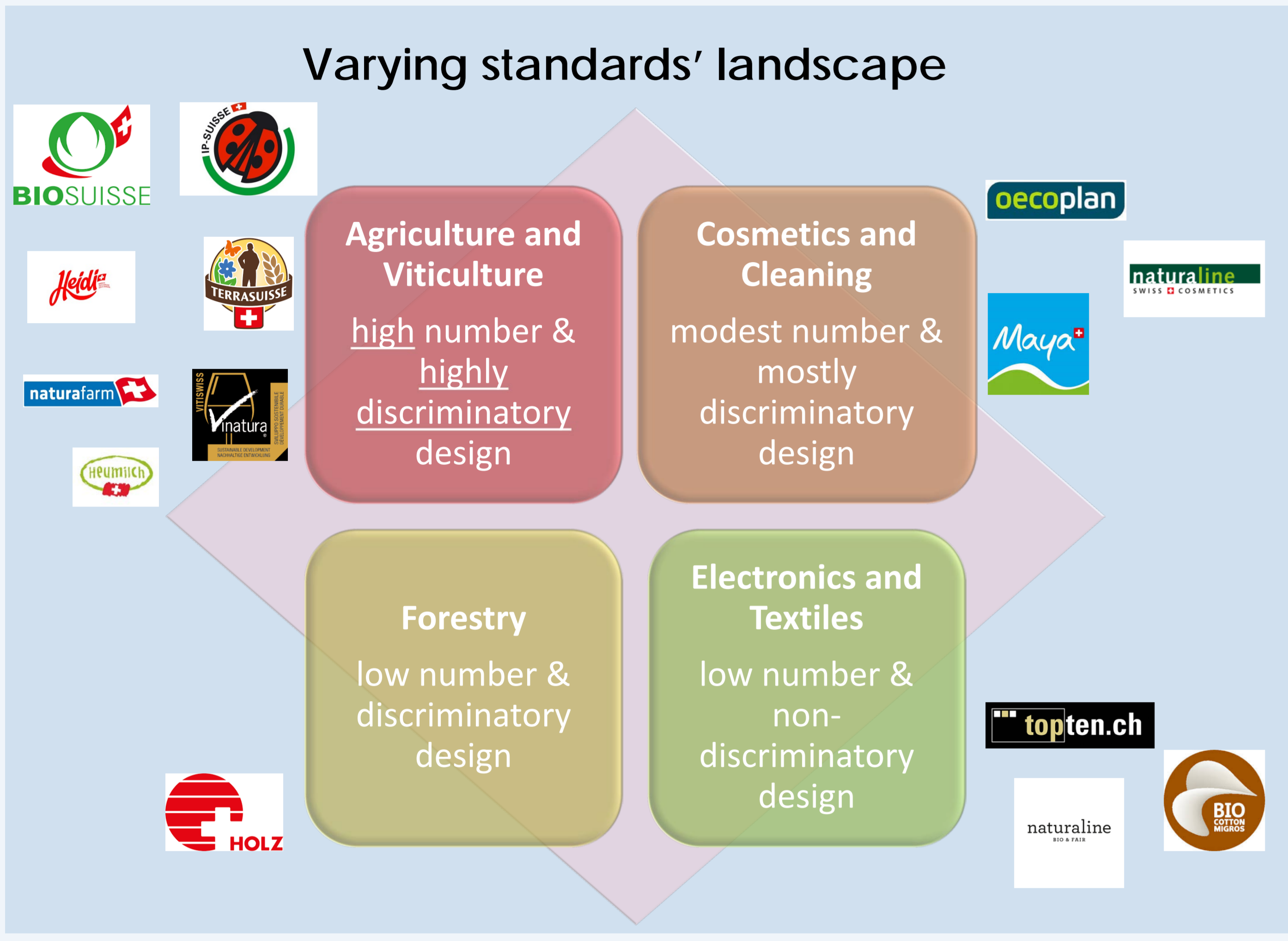
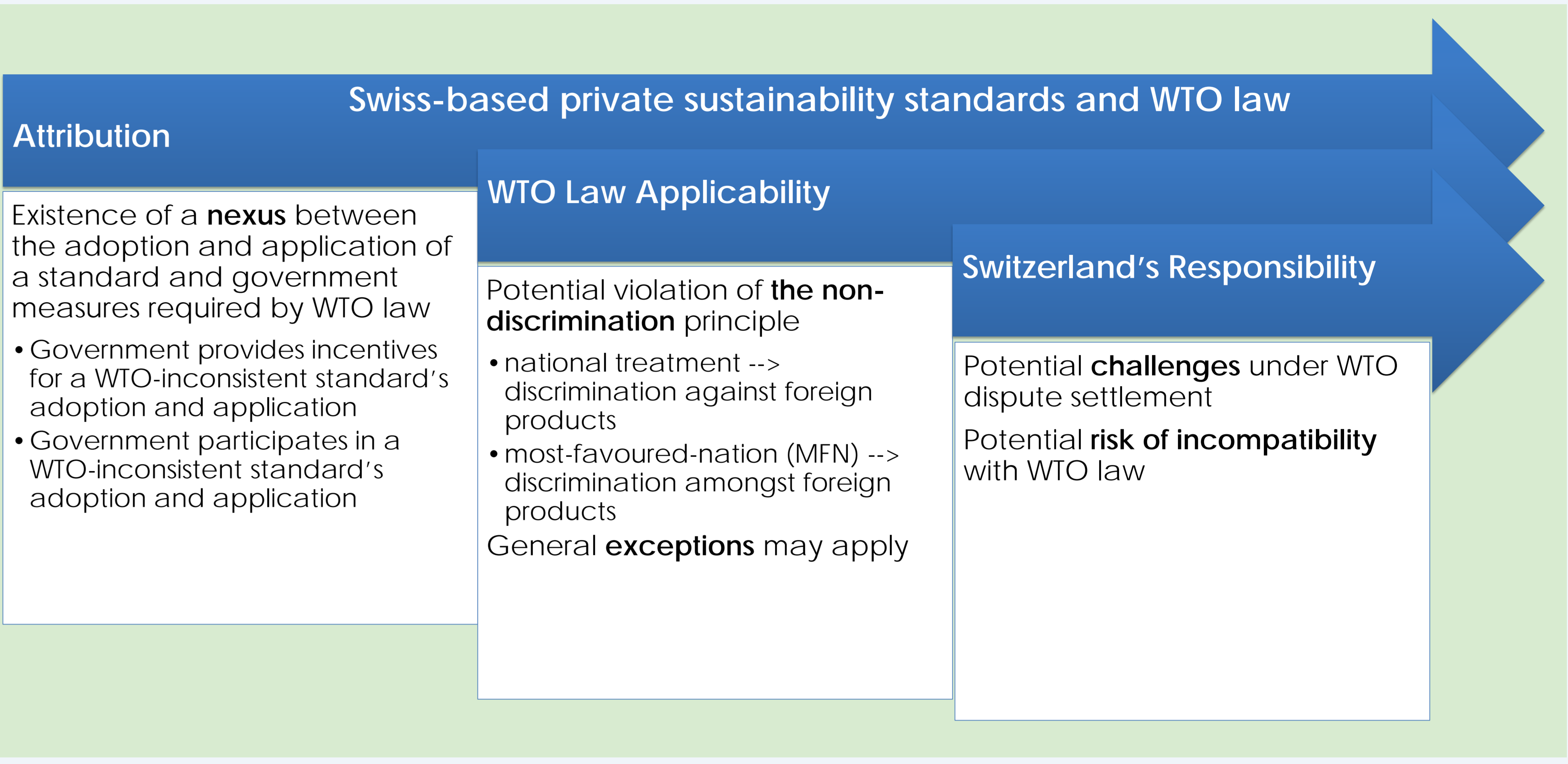


## Swiss-based private sustainability standards: Questions of WTO law compatibility



### Nexus for attribution

- **Explicit reference by Bio Suisse to limited in-quota tariff contingents & discrimination against imports along the border protection's lines; incentives for distributors to establish long-term domestic supply contracts to the detriment of imports.**
- **Government participation in the development and implementation of the discriminating IP-SUISSE and Vinatura standards.**
- **Explicit reference to the "Swissness legislation" in various discriminating private standards.**



### Zoom-in on selected state measures

- **"Border Protection" for agricultural products:** Import quotas for fresh vegetables and meat products **with a lower "in-quota" rate** are opened up to the extent **domestic supply cannot cover the estimated demand** → Importation feasible only to the extent domestic products are not available.
- The **Environmental Performance Criteria (EPC)** is a minimum standard for eco-friendly agricultural production in Switzerland & a **prerequisite for direct payments**. IP-SUISSE and Vinatura are based on the EPC and were mandated by / cooperate with the government in developing the standards.
- The **"Swissness legislation"** defines criteria for labeling a product as "Swiss". It requires that essential processing takes place in Switzerland (connected to Bio Suisse's ban on processed products) and **sets minimum domestic raw material/production cost thresholds**. But from these thresholds it **exempts foreign inputs i.e. if those products are not sufficiently available in Switzerland**. This **questions the consistency of information (required for justification under the general exceptions)** delivered to consumers.

