



December 2, 2022

Assistant Secretary Monica Medina  
Bureau of Oceans and International Environmental and Scientific Affairs  
United States Department of State  
2201 C St NW  
Washington, DC 20520

**Re: Request for Stakeholder Input on Options for Combating International Deforestation Associated With Commodities [State Department Docket [2022-22541](#)]**

Dear Ms. Medina:

The Sustainable Food Policy Alliance (SFPA) seeks to accelerate the pace of change in the food industry through individual company leadership and collective support for public policies that raise the bar and inspire further action. Since its inception, SFPA – which is comprised of Danone North America, Mars, Incorporated, Nestlé USA, and Unilever United States – has advocated for innovative, science-based solutions to take action against the costly impacts of climate change, develop more resilient communities, increase the adoption of renewable energy, and cultivate sustainable agriculture systems. Our commitment to these policy goals is described in our [Climate Policy Principles and Priorities](#), which outlines our high level aims that we are working to meet.

While the Alliance's focus is on U.S. policy and advocacy, we are acutely aware that our work has worldwide impacts and our companies are engaged in international policy discussions. SFPA applauds the Department of State's Request for Stakeholder Input on Options for Combating International Deforestation Associated With Commodities as it allows for important public feedback on this global issue.

SFPA member companies are committed to addressing deforestation risks in their respective agricultural supply chains. We recognize that forest conservation is an essential part of our overall efforts to meet science-based targets and create business pathways to achieve net zero emissions. We believe public policy is necessary to holistically build upon the contribution put forth by individual companies. Over the past year, we put together the following [Principles on Forest and Natural Ecosystem Conservation](#), which we hope may help guide policy solutions aimed at addressing deforestation risks in agricultural supply chains in developed and developing markets.

Our principles include:

1. Coordination across international governments, especially as the European Union moves forward its policy proposal to combat deforestation.
2. Clarity and consistency in definitions – including covered products, deforestation and conversion of natural ecosystems, point of origin, etc. – within U.S. and European law, in lieu of depending on country-of-origin definitions.

3. Clear incentive and penalty structure for importers and all producer countries bolstered by mandatory due diligence (i.e., traceability requirements, verification systems, etc.) on both legal and illegal deforestation and the conversion of natural ecosystems.
4. Adequate government resources, realistic implementation timelines and regular instances of policy review to ensure that regulations are put in place and kept up to date via consistent assessment.
5. Prioritization of credible requirements to help further supply chain due diligence, transparency, and reporting – including adequate due process provisions and a verifiable framework for addressing complaints, concerns, and other issues as the legislation is developed and installed.
6. Strong support for the development of and investment in institutional frameworks to advance appropriate policy environments in all producer countries.
  - a. These frameworks should avoid penalizing the livelihoods of smallholder producers and farmers who depend on these crops as well as the displacement of unsustainable production and sale within the same country or to other importing countries.
  - b. Bilateral agreements and/or other forms of capacity support and sharing of best practices can ensure robust cooperation between importing and producing countries.
7. Appropriate U.S. verification and enforcement capacity to ensure compliance across the supply chain.

Underlying all of these principles, we reiterate that it is essential that any activity undertaken by the U.S. government to address commodity driven deforestation attempt to harmonize with other approaches around the globe, especially in the European Union. We hope that the U.S. government will work toward a program with consistent common data sources, definitions, and documentation requirements, which will facilitate higher levels of compliance and reduced transaction costs. Failure to acknowledge the work underway in the EU would not only drastically increase the cost of compliance for companies but also fragment market access. For example, we believe our principles are consistent with similar efforts underway in the EU and align with a 2021 [position paper](#) advocating for a “smart mix” of measures to protect and restore the world’s forests put together by The Tropical Forest Alliance and more than 50 organizations, including SFPA member companies alongside some of the world’s largest retailers, brands, traders and producers of forest-risk commodities, as well as industry associations and international civil society organizations.

In addition, and more broadly, SFPA member companies also hope that the State Department will consider the wider implications of addressing commodity driven deforestation, including community impacts and other ecosystem protections. In order to be successful, these solutions must take into account community impacts, especially for smallholder farmers, and require compliance with international human rights law standards. We also support protections of other larger ecosystems, such as marsh areas, grasslands, and other high value environments. While addressing deforestation is important, we all will fall short of our bigger goals if we do not also consider local communities and protect other sensitive ecosystems as well.

Last, we urge the U.S. government to ensure this program includes adequate government resources, both domestically and internationally, and appropriate implementation timelines. A comprehensive approach to this solution will expedite the global transition of the supply base to more responsibly sourced forest-derived commodities and facilitate accountability and trust from all stakeholders.



We believe that our shared principles can serve as a guide to more specific policy proposals to combat commodity driven deforestation and conserve forests and natural ecosystems. While each company is pursuing solutions to this issue in our respective global supply chains, we also are working as an Alliance and with partners to develop more sophisticated, U.S.-focused approaches. SFPA is working closely with Ceres, the We Mean Business Coalition and the Tropical Forest Alliance to develop a proposed legislative blueprint for addressing commodity driven deforestation in the U.S. This process is ongoing and has not been finalized in time for this RFI submittal, but we would be pleased to share the results with the State Department when completed in the first quarter of 2023. We hope that this framework will provide a pathway to prevent forest loss in view of the realities of global supply chains and the nuances of trade law jurisdiction and enforcement.

SFPA is eager to assist you further as an Alliance and in partnership with other stakeholders. Please do not hesitate to reach out with any questions.

Sincerely,

Sustainable Food Policy Alliance

