

# MLA Producer Checklist

## Environmental Claims

### Considerations for MLA's producers when making carbon neutral claims

MLA understands that producers may wish to make claims regarding their carbon impact to their customers and other stakeholders. When making carbon claims, producers should be aware that those claims may be subject to scrutiny from federal and state regulators, as well as relevant consumer and environmental organisations. It is unlawful for any claim made by producers about their products (including claims about their environmental and/or carbon impact) to be misleading or deceptive.

This means, when making representations regarding their carbon impact (eg, claiming that products are carbon neutral), producers must have a reasonable evidentiary basis for making that claim to avoid breaching the law. Things you may need to consider, include (but are not limited to):

- what will constitute sufficient evidence for a carbon claim will depend on the nature of the claim.
- if you are not sure if you have sufficient evidence to support their claims, you should consider retaining independent expert advice to consider if the claims are sufficiently substantiated.
- you should note that the federal competition and consumer regulator, the Australian Competition and Consumer Commission (**ACCC**) has the power to issue a 'substantiation notice'. The ACCC's substantiation notice may require producers making claims regarding their products (including environmental and carbon claims) to give information and/or produce documents to the ACCC to substantiate their claims.
- you should be clear about the scope of any carbon claim which they are making: for example, if making a 'carbon neutral' claim producers should specify whether products are carbon neutral from 'paddock to gate', or whether the carbon neutrality claims are inclusive of downstream emissions such as livestock transportation.



Although standards for carbon calculation are emerging, carbon accounting continues to be challenging. This means that there is a risk that well-meaning producers may inaccurately communicate their carbon impact. Therefore, whilst carbon neutral certification is not necessary to make a carbon neutral claim, producers may consider certification against a reputable standard to give themselves, and their stakeholders, peace of mind that the relevant products are carbon neutral according to accepted carbon accounting standards. For instance, Climate Active, an Australian Government program, publishes reputable carbon neutral standards (Climate Active is the only government-accredited carbon neutral certification scheme in Australia) which producers can seek certification against.

Additionally, producers who sell carbon credit units to the Emissions Reductions Fund or other carbon credit schemes should take care to not include carbon units they have sold when calculating, and making claims regarding, net carbon emissions.



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### Carbon neutral and other 'green' claims checklist for producers

The below table provides a checklist of questions to ask yourself prior to making carbon neutral claims.

Requirement	Questions to ask yourself
<b>Accurate and truthful</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Carbon claims and other green claims made in my packaging, website, marketing materials or other communications to consumers are accurate and truthful</li> <li><input type="checkbox"/> I have considered whether the overall impression of claims made in my packaging, website, marketing materials or other communications to consumers is potentially misleading or deceptive, even if all my claims are technically factually true</li> <li><input type="checkbox"/> I have considered whether directing my customers to further information which gives context to my carbon or other green claims, could help ensure my customers are not misled or deceived about my carbon or wider environment impact</li> <li><input type="checkbox"/> I have considered how I can make sure that my claims remain accurate over time (for example, changes in producer supply chains can affect calculations of a producer's carbon impact)</li> </ul>
<b>Substantiating evidence</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> I have evidence to substantiate my claims, and have taken reasonable steps to verify any third-party information I have relied upon in making my claims</li> <li><input type="checkbox"/> The evidence I am relying upon to substantiate my claim is accurate, reliable and applicable to my circumstances</li> <li><input type="checkbox"/> I am keeping a record of the evidence which substantiates my claims</li> <li><input type="checkbox"/> My carbon claims are supported by calculations conducted against reputable carbon accounting standards, such as the Climate Active Standards</li> <li><input type="checkbox"/> I have reasonable grounds for making any claims about the future (for example, a producer claiming their farm will be carbon neutral by 2030 should be able to point to realistic and verifiable steps through which they expect to meet their carbon neutral target)</li> <li><input type="checkbox"/> My claims clearly communicate the scope of their application (for example, claims about carbon neutrality clearly state which components of the product lifecycle have been included in carbon calculations)</li> </ul>
<b>Does not hide or omit information</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> I have not included any information in the fine print which contradicts the overall impression of my claims</li> </ul>
<b>Not broad and unqualified</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> I have avoided using broad and unqualified terms to describe my carbon position, for example terms such as 'green', 'environmentally friendly', or 'sustainable' without further explanation</li> <li><input type="checkbox"/> I have considered whether attaining certification from a reputable third-party, prior to making carbon neutral claims about my products, could be right for me and my business</li> </ul>
<b>Clear and easy-to-understand language</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> To the extent possible, my claims avoid using technical language and are easy for my customers to understand</li> </ul>
<b>Accurate reporting of carbon offsets</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> If using offsets, I have considered how the carbon offsets have been generated, and whether they have been calculated against a reputable standard</li> <li><input type="checkbox"/> I have not included carbon units that I have sold to the Emissions Reductions Fund or another carbon credit scheme when calculating, and making claims regarding, net carbon emissions.</li> </ul>

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## Environmental Claims

MLA has a carbon calculator which enables you to calculate greenhouse gases produced from sheep and beef at your property which you can access from our website [MLA Carbon Calculator](#).

For more information on environmental claims, see the following links:

- [The ACCC's greenwashing guide](#)
- [Climate Active Website](#) and [Climate Active Tools and Resources](#)
- [Guidance on undertaking a Life Cycle Assessment for the Livestock Export Trade and update](#)

