

Written Views of the Latin American Alliance of the Food and Beverage Industry (ALAIAB)

The Latin American Alliance of the Food and Beverage Industry (ALAIAB) welcomes the opportunity to present its written views ahead of the second informal in-person meeting of Heads of Delegation to the INC and commends the Chair for promoting structured observer engagement throughout this process. ALAIAB brings together 28 sectoral food and beverage associations from 16 countries across Latin America and the Caribbean, representing an industry that plays a central economic and social role in the region. The sector generates more than 7 million direct jobs and over 28 million indirect jobs along the value chain, and includes more than 435,000 food and beverage companies, 96% of which are micro, small and medium-sized enterprises. Because our sector depends on packaging that safeguards food safety, our contribution is offered in a constructive and evidence-based spirit, guided by three core principles: preserving food safety alongside circularity; ensuring that measures are based on risk assessment rather than hazard classification alone; and promoting coherence between the future instrument and existing international frameworks, so that it complements rather than duplicates them.

ALAIAB sees value in an instrument that is concise and clear at the time of adoption, with technical detail developed subsequently through the Conference of the Parties. From the perspective of our sector, such an approach supports legal clarity, predictability and the broad participation that effective implementation requires. In this regard, we note with interest the multi-stakeholder action agenda foreseen in the draft resolutions for the Diplomatic Conference, which we see as a valuable channel for the structured contribution of non-State actors, including the technical knowledge and voluntary practices developed by industry.

Cluster A — National plans; reporting; implementation and compliance; information exchange; effectiveness evaluation

National plans can serve as the flexible, nationally determined vehicle through which Parties implement the instrument according to their circumstances and capabilities. We support their consultative development with relevant national stakeholders, which allows the productive sector to contribute practical knowledge to implementation.

On information exchange, we consider it a central enabler of effectiveness. It should expressly draw on existing processes, initiatives and networks (including voluntary guidelines and best practices developed by non-State actors, such as those for the sustainable design of plastic packaging) so that proven solutions can be replicated and scaled. Reporting, compliance and effectiveness evaluation should remain facilitative, non-punitive and expert-based, and should rely on the best available scientific and socio-economic information.

Cluster B — Releases and leakages; existing and legacy pollution; waste management; product design; plastic products

Article 4 — Plastic products

This cluster is of particular relevance to our sector. ALAIAB therefore wishes to emphasize that any determination concerning plastic products should be grounded in a structured risk-assessment process that considers exposure, intended use and the best available science, rather than relying on intrinsic hazard classification alone. The safeguards already reflected in the Aid to Negotiations (Article 4.2) provide a sound basis for such an assessment. From our sector's standpoint, two issues would benefit from further clarity:

- First, the concept of “unacceptable risk” (Article 4.1(b)) is not defined, leaving open how, and on what evidentiary basis, such risk would be established.
- Second, the reference to products that “disrupt or inhibit the circular economy on a large scale” (Article 4.1(d)) requires objective and measurable criteria, including clear thresholds and baselines. Without such criteria, application could depend on the level of waste-management infrastructure in each country, resulting in divergent classifications of the same product across jurisdictions. ALAIAB respectfully cautions against criteria that could capture food-contact packaging without a demonstrated, risk-based justification.

Article 8 — Existing and legacy pollution

With respect to existing and legacy pollution, remediation should primarily be enabled through national and cooperative action. It should not be translated into direct obligations on food and beverage manufacturers that use plastic materials but are not producers of those materials.

Articles 5 and 7 — Waste management and product design

Cooperation on waste management should be tailored to national circumstances and capabilities. In this regard, ALAIAB underscores the importance of extended producer responsibility (Article 7.4), or other economic instruments serving the same purpose, as clear mechanisms to ensure that materials are managed across their life cycle, without constituting a disguised restriction on international trade and taking into account the different roles of relevant stakeholders across the value chain. Product design obligations should likewise be aligned with the waste hierarchy and with the actual capacity of local management systems, so that products that are technically reusable, recyclable or compostable are not penalized for shortcomings of the collection and recycling system rather than of the product itself.

In line with Article 5.3, ALAIAB sees value in Parties taking into account, where appropriate, relevant international standards and guidelines, including those developed by non-State actors. Much of the practical, proven and scalable knowledge on sustainable packaging design and recyclability already resides in voluntary standards and guidelines developed by industry and other non-State actors; recognizing them explicitly avoids duplicating existing tools, accelerates implementation and helps ensure that design obligations translate into real environmental benefits consistent with the capacities of each country.

Cluster C — Capacity-building, technical assistance and technology transfer; financial resources and mechanism

Article 10 — Financial Resources and Mechanism

On the role of the private sector, ALAIAB sees value in it being recognized as a partner in implementation, and not solely as a source of funds (Article 10.1). Beyond financial contributions, our sector contributes to technology, innovation and technical capacity (including in sustainable packaging design) and a public-private coordination interface within the financial mechanism (Article 10.4(c)) can help channel that contribution. On the mobilization of resources, we support arrangements that respect national competences and that direct support to industrial adaptation and reconversion (Article 10).

Article 11: Capacity-building, Technical Assistance and Technology Transfer, including International Cooperation

On technology transfer, the encouragement of cooperation with the private sector and other relevant stakeholders, while avoiding duplication of efforts with existing bodies, is a welcome approach (Articles 11.3 and 11.4).

Cluster D — Preamble; objective; principles; definitions; just transition; secretariat; final provisions

Article 1: Objective

ALAIAB sees value in an approach that addresses the full life cycle of plastics in protecting the environment from plastic pollution. Where human health is referred to across the instrument, we would encourage that it be addressed on a risk basis supported by evidence, in a way that complements the mandates and technical competences of specialized health bodies.

Article 2: Principles and approaches

We consider the use of the best available science and scientific information (Article 2(e)) to be a guiding principle that should be retained, as it underpins evidence-based decision-making throughout the instrument; and we value the recognition that measures should not constitute a disguised restriction on international trade (Article 2(c)). Principles should reaffirm the decision-making autonomy of States and coherence with existing international frameworks, without creating a hierarchy among them, consistent with the recitals to that effect in the Preamble.

Scope

We support a limited and well-defined scope that provides clarity and predictability, without prejudging the specific drafting option through which it is reflected (as currently set out in the scope placeholder).

Article 3: Definitions

We support keeping definitions to the minimum necessary for the instrument's functioning, drawing where appropriate on established international definitions, and deferring definitions of technical scope to the annexes or to the Conference of the Parties, where they can be reviewed on a scientific basis. Fixing technical definitions in the body of the instrument risks crystallizing scopes that are difficult to adjust as knowledge evolves.

Article 17: Public information, awareness, education and research

Related actions should be grounded in the best available science and framed around risk supported by evidence, avoiding generic associations that are not substantiated.

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ALAIAB reiterates its commitment to a science-based, implementable instrument that ends plastic pollution while safeguarding food safety and the sound management of the materials on which our sector depends. We remain available to provide technical input throughout the process and value the opportunity to contribute these views.

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