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## **A Study on the WTO/TBT Consistency of the Food Labelling Measures**

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### Abstract

Suffering from the continuous happenings of food scandals, consumers start to pay more attention to what they eat gradually. Through the national food labelling regulations, consumers' right to information about food could be protected in the domestic market. However, the implementation of any food labelling policy involves the direct costs of printing and placing labels on food products, as well as the indirect costs of verification and identity preservations. These costs posed on the exporters and producers have been referred to as trade barriers to the market access, even the food labelling were required for the purpose of consumer's protection. Recently, several WTO members affected by certain food labelling regulations claimed that those kind of domestic requirements were in violation of the Articles 2.1, 2.2 and 2.4 of TBT Agreement and the WTO Panel and the Appellate Body have made several important decisions. In these decisions, the WTO Panel and the Appellate Body sought to reconcile legitimate regulatory interests of the Members with various obligations to treat imported products in a non-discriminatory and not unnecessarily trade restrictive manner. Through a consideration of the WTO juris-

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prudence, this article explores these decisions and the extent to which they provide guidance for governments, stakeholders and the public on the outcome of future TBT cases.

**Keywords:** Rule of Origin, Food Labelling, Non-discrimination, Legitimate Regulatory Distinction, TBT Agreement