

## Op-ed: Seafood sustainability claims fall under legal scrutiny

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In an op-ed for *SeafoodSource*, Christopher Cole, partner and chair, Advertising, Marketing and Promotions, highlighted legal developments regarding the term "sustainable" as it is used to market farmed and wild-caught seafood.

Chris evaluated recent litigation over consumer confusion, challenges to sustainability claims, and allegations of forced labor within fishing fleets in the context of current law and industry certifications. At the same time, ESG is a hot trend, and marketers are under pressure to amplify the sustainable features of seafood products.

Because industry certifications aren't shielding suppliers from litigation, Chris provided five recommendations for marketers. Among his recommendations: when using the term "sustainable," marketers should qualify the term to focus on the claimed sustainable attributes. He also suggested using QR codes and websites to honestly explain sustainability practices. And he noted the importance of keeping up to date on developing laws, regulatory guidance and cases. "This is a rapidly evolving area and new court opinions or regulatory guidance can have an immediate impact on the risk calculus," he wrote.

["Op-ed: Seafood sustainability claims fall under legal scrutiny,"](#) *SeafoodSource*, November 22, 2022

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