30 November 2009 on the Conservation of Wild Birds and species among member states).

65 body of law over their citizens and themselves).


69 Id. at art. 2

70 Id. at art. 3.


74 Sean M. Gibbons et al., Invasive Plants Rapidly Reshape Soil Properties in a Grassland Ecosystem, 2 AM. SOC. MICROBIOLOGY, ECOLOGY & EVOLUTIONARY SCI., Apr. 2017, at 1, 1.


76 Aaron S. David et al., Invasive Congeners Differ in Successional Impacts Across Space and Time. 10 PLOS ONE, Feb. 6, 2015, at 1–2.


78 Id.


81 Jessica Bell Rizzolo et al., Cultural Influences on Attitudes About the Causes and Consequences of Wildlife Poaching, 67 CRIME L. SOC. CHANGE 415, 416 (2017)


83 Case 66/64, Costa v. ENEL, 1964 E.C.R. 585, 592–94 (holding member states limited their sovereign rights in certain fields and created a binding body of law over their citizens and themselves).

84 Id. at 594.


87 Id. at art. 2

88 Id. at art. 3.


90 Id.


94 Commission Regulation 1320/2014, O.J. (L 361) 60.


98 Id.


113 Animal Improvement Act (Act No. 62 of 1998): Regulations Relating to Amendment of tabletabletable/Tablet 7 of the Regulations,
96 Supra Convention, Note 95
98 Id.
102 16 U.S.C. § 1533(a—1)—(b) (stating that species of fish, wildlife, and plants have been so depleted in numbers that they are in danger of or threatened with extinction).
103 See; 16 U.S.C. § 1538(e) (1973) (making it “unlawful for any person subject to the jurisdiction of the United States to engage in any trade in any specimens contrary to the provisions of the Convention”).
106 See 50 C.F.R. § 424.20(a) (1984) (affirming that “the Secretary may at any time issue a regulation implementing any action described in § 424.10 in regard to any emergency posing a significant risk to the well-being of a species of fish, wildlife, or plant”).
107 See 50 C.F.R. § 424.14(a), (b) (1984) (detailing who may file such a petition).
114 Species +, Canis simiensis https://speciesplus.net/species/#/taxon_concepts/10871/legal See also Prionailurus bengalensis iriomotensis https://speciesplus.net/species/#/taxon_concepts?taxononomy=cites_eu&taxon_concept_query=Prionailurus%20%20bengalensis&geo_entities_ids=&geo_entity_scope=cites&page=1 (last visited May 18, 2021)
119 See 16 U.S.C. § 3372(a)-(b) (providing a detailed overview of what sort of actions are prohibited under the Act, particularly in relation to the Convention).
120 See generally United States v. Bengis, 783 F.3d 407 (2d Cir. 2015) (serving as a contemporary case in which the Act is applied).
122 See Id. (establishing that offense(s) also “shall be deemed to have been committed not only in the district where the violation first occurred, but also in any district in which the defendant may have taken or been in possession” of the contraband as well) (“?”)
125 See Recuing Animals with Rewards Act of 2019, H.R. 97, 116th Cong. § 3 (2019). (adding wildlife trafficking to the statute?).
135 16 U.S.C. § 1540(b)(1) (1973). (stating criminal penalties may be applied in addition to civil penalties).
narrow-tusk-and (stating the penalties for importing and trafficking narwhal tusks).


139 See Nature Conservation Amendment Act, 2017. (Namibia) Sec 26 (3) (a) (explaining penalties for violations of the Nature Conservation Amendment Act in Namibia).

AN OPPORTUNITY THAT SHOULD NOT BE MISSED: APPLYING CHINESE POLICY THAT PROMOTES EFFICIENT AIR CONDITIONING TO COUNTRIES THAT NEED IT

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the current situation of overseas development of Chinese enterprises, we must clarify a point of view: export products are not equal to export brands. In overseas markets, ACs exported by China are divided into two categories: “branded” and “unbranded.” This difference represents two very different globalization paths for Chinese companies of “creating their own brands” or “selling under other brands.”


22 See Implementation Opinions on Supporting the Sale of Export Products on Domestic Market [关于支持出口产品转内销的实施意见 (promulgated by China General Office of the State Council, June 17, 2020), http://www.gov.cn/zhengce/content/2020-06/22/content_5521078.htm; see also Recovery of Work and Production! How Household Appliance Companies Can Resist the Impact of the Pandemic? [回复复工! 家电企业如何抵御疫情冲击], XIAOXING MORNING POST (May 5, 2020), http://ac.chinaio.com/u/0522/56223178.html ("Unlike the scale-focused competition on the domestic market, when it comes to the export markets, the key for competitiveness embeds in the strength of its own brand.").]


24 See id. HACCP management system certification, one of the Same-Line Policy requirements for food-related exports, is a management system for addressing food-safety related hazards from food production processes. While we included this for a complete understanding of the Same-Line Policy requirements, this requirement is not central to this article’s analysis.


26 See Implementation Opinions on Supporting the Sale of Export Products on Domestic Market, supra note 2.

27 See Certification and Accreditation Administration, supra note 23.


29 Id. ("It is a product standard that meets the higher standard or standard of the country, and the Chinese national standard of implementation.").

30 Minimum Allowable Values of the Energy Efficiency and Energy Efficiency Grades for Room Air Conditioners, supra note 11.


32 Id.

33 Minimum Allowable Values of the Energy Efficiency and Energy Efficiency Grades for Multi-Connected Air-Conditioning (Heat Pump) Units (Draft for Comments) [多联式空调（热泵）机组能效限定值及能效等级征求意见稿 (draft sent for WTO notification on Nov. 13, 2020), http://english.tbmps.com/page/evo/Notificationcontent.action?id=4761&columnid=017001 (the issuing agency listed on the draft is the State Administration for Market Regulation and the National Standardization Administration).


35 CLASP, supra note 8 at 5.

36 Biao zhun hua fa (标准化法) [China Standardization Law] (promulgated by the Standing Comm. Nat’l People’s Cong., Nov. 4, 2017, effective Jan. 1, 2018), art. 26, http://www.npc.gov.cn/zgwd/npc/xinwen/2017-11/04/content_2031446.htm (providing that the “technical requirements for exported products and services shall be implemented in accordance with the contract”). Under Article 26, both import and export parties can agree to adopt, international standards, importing country standards, exporting country standards, or third country standards, to define the technical requirements for their contracts. Import and export parties can directly negotiate their own technical specifications. Goods or services exported must be in line with the local laws and regulations of the importing country; such as the importing country’s mandatory standards. If the importing country lacks minimum standards for the imported products, the language of Article 26 does not stipulate that the exported product must at least meet China’s minimum standards. Article 26 of China’s Standardization Law stands in somewhat stark contrast with Article 25, which specifies “products and services that do not meet compulsory standards shall not be produced, sold, imported or supplied.”

37 Id.

38 Room ACs, DEPARTMENT OF ENERGY, https://www.energy.gov/energysaver/room-air-conditioners (last visited Apr. 23, 2021). The energy efficiency ratio (EER) is a metric that is used to measure a room AC’s efficiency. The EER is calculated as the ratio of the cooling capacity to the power input. Therefore, the higher the EER rates, the more efficient the AC is.


40 Id. at 22.

41 See Id. at 5.

42 See IEA & UN Environment Programme, supra note 3 at 41.
Limitations of an Ecological Regression Analysis may be one of the most important contributors to COVID-19 mortality… [Hazardous air pollutant] respiratory hazard index (HI) and respiratory hazard quotient (HQ) values [for the study] were obtained from EPA National Air Toxics Assessment (NATA) for the year 2014 (EPA 2018). …

The HI (for single pollutants) and HQ (for multiple pollutants) represent the [Hazardous air pollutant] respiratory hazard index (HI) and respiratory hazard quotient (HQ) values [for the study] were obtained from EPA National Air Toxics Assessment (NATA) for the year 2014 (EPA 2018). …

The degree to which exposure to fine particulates based on satellite data, and calculated the anthropogenic fraction with an atmospheric chemistry model. The degree to which air pollution influences COVID-19 mortality was derived from epidemiological data in the USA and China. We estimate that particulate air pollution contributed ~15% (95% confidence interval 7–33%) to COVID-19 mortality worldwide, 27% (13 – 46%) in East Asia, 19% (8 – 41%) in Europe, and 17% (6 – 39%) in North America. Globally, ~50–60% of the attributable, anthropogenic fraction is related to fossil fuel use, up to 70–80% in Europe, West Asia, and North America.”. Michael Petroni et al., Hazardous Air Pollutant Exposure as a Contributing Factor to COVID-19 Mortality in the United States, Environ. Sci. Lett., 1 – 3 (Sept. 11, 2020), https://iopscience.iop.org/article/10.1088/1748-9326/abaf86/pdf (“We find that an increase in the respiratory hazard index is associated with a 9% increase in COVID-19 mortality… [Hazardous air pollutant] respiratory hazard index (HI) and respiratory hazard quotient (HQ) values [for the study] were obtained from EPA National Air Toxics Assessment (NATA) for the year 2014 (EPA 2018). …

The HQ (for single pollutants) and HI (for multiple pollutants) represent the ratio of modeled yearly average ambient concentration to the concentration…”

See generally CLASP, supra note 39 (examining trading practices in African countries to determine where environmental dumping of inefficient, high-GWP room ACs is occurring and to identify the factors creating a favorable environment for such practices)

Andrea Pozzet et al., Regional and Global Contributions of Air Pollution to Risk of Death from COVID-19, 116(14) CARDIOVASCULAR RESEARCH, 2247–2253 (2020), https://doi.org/10.1093/cvr/cvaa288 (“We characterized global exposure to fine particulates based on satellite data, and calculated the anthropogenic fraction with an atmospheric chemistry model. The degree to which air pollution influences COVID-19 mortality was derived from epidemiological data in the USA and China. We estimate that particulate air pollution contributed ~15% (95% confidence interval 7–33%) to COVID-19 mortality worldwide, 27% (13 – 46%) in East Asia, 19% (8 – 41%) in Europe, and 17% (6 – 39%) in North America. Globally, ~50–60% of the attributable, anthropogenic fraction is related to fossil fuel use, up to 70–80% in Europe, West Asia, and North America.”). Michael Petroni et al., Hazardous Air Pollutant Exposure as a Contributing Factor to COVID-19 Mortality in the United States, Environ. Sci. Lett., 1 – 3 (Sept. 11, 2020), https://iopscience.iop.org/article/10.1088/1748-9326/abaf86/pdf (“We find that an increase in the respiratory hazard index is associated with a 9% increase in COVID-19 mortality… [Hazardous air pollutant] respiratory hazard index (HI) and respiratory hazard quotient (HQ) values [for the study] were obtained from EPA National Air Toxics Assessment (NATA) for the year 2014 (EPA 2018). …

The HQ (for single pollutants) and HI (for multiple pollutants) represent the ratio of modeled yearly average ambient concentration to the concentration…”

At which a negative respiratory health outcome is expected to be observed.”; Yaren Ogen, Assessing Nitrogen Dioxide (NO2) Levels as a Contributing Factor to Coronavirus (COVID-19) Mortality, 726 SCL. OF THE TOTAL ENV'T, 1–5, (July 1, 2020), https://doi.org/10.1016/j.scitotenv.2020.138605 (“The objective of this study is to examine the relationship between long-term exposure to NO2 and coronavirus fatality. … These results indicate that the long-term exposure to this pollutant may be one of the most important contributors to fatality caused by the COVID-19 virus in these regions and maybe across the whole world.”); Edoardo Conticini, Bruno Frediani & Dario Caro, Can Atmospheric Pollution Be Considered a Co-Factor in Extremely High Level of SARS-CoV-2 Lethality in Northern Italy?, Envir. Pollut., 261 (June 2020), https://doi.org/10.1016/j.envpol.2020.114465 (“We conclude that the high level of pollution in Northern Italy should be considered an additional co-factor of the high level of lethality recorded in that area.”); see also SCIENTIFIC ADVISORY PANEL OF THE CLIMATE & CLEAN AIR COALITION (CCAC), SHORT LIVED CLIMATE POLLUTANTS SPECIAL RESEARCH DIGEST – COVID-19 AND AIR POLLUTION, 2020, https://www.ccaccoalition.org/en/resources/sclp-research-digest-special-edition-covid-19 (discussing these and related Covid-19 studies); Xiao Wu et al., Air Pollution and COVID-19 Mortality in the United States: Strengths and Limitations of an Ecological Regression Analysis, Scl. Adv., 1 (2020) https://doi.org/10.1126/sciadv.8c054502 (“We found that an increase of only 1 µg/m3 in PM2.5 is associated with an 8% increase in the COVID-19 death rate (95% confidence interval [CI]: 2%, 15%)”).


Promote the Building of A Community with A Shared Future for Mankind should adhere to the green and low-carbon development path while pursuing the economic recovery”).


Marc J. Schniederjans et al., Consumer Perceptions of Product Quality Revised: Made in China, 18(3) QUALITY MANAGEMENT JOURNAL (2011) (“An earlier consumer perception study of manufactured products revealed through value metrics that China had quality management problems. This paper revisits and expands the application of the same quality metrics into a longitudinal study. The authors measure the current state of product quality improvement in Chinese manufactured goods by U.S. customer perceptions and compare them to the previous state of quality from the prior study. The results reveal a continued, substantial, and consistent need for Chinese manufacturers to focus additional efforts toward improving product quality in almost all product lines.”)


China Ministry of Industry and Information Technology, Interpretation of “Made in China 2025”: Fully Promote Green Manufacturing and Accelerate the Construction of Ecological Civilization [《中国制造2025》解读: 全面推行
The Chinese AC industry has also demonstrated its technical capacity for the industry transition to high quality products. For example, Gree, the world’s largest residential AC manufacturer, in partnership with Tsinghua University, was selected as one of the winners in the Global Cooling Prize, an international innovation competition to develop a super-efficient, more climate friendly, and affordable cooling solution. See Global Cooling Prize, https://globalcoolingprize.org/ (last visited May 18, 2021).


Togar M. Simatupang et al., The Emergence of Value Chain Thinking, INT. J. VALUE CHAIN MANAGEMENT, 8(1):40 (2017) (“A Value Chain shows how a product moves from the stage of raw materials to the end consumer. This includes a wide range of activities required to handle a product or service from the conception, through various phases of production (involving a combination of physical transformation and input from various services producers, delivery to the final consumers, and final disposal after use.”).

Implementation Opinions on Supporting the Sale of Export Products on Domestic Market, supra note 2.


See Silk Road Fund, Overview, http://www.silkroadfund.com.cn/enweb/23775/23767/index.html (describing President Xi Jinping’s announcement in 2014 of a total of forty billion USD to establish the Silk Road Fund. The Silk Road Fund is “dedicated to supporting infrastructure, resources, and energy development, industrial capacity cooperation and financial cooperation in countries and regions involved in the Belt and Road Initiative.”).


See generally the INST. FOR GOVERNANCE AND SUSTAINABLE DEV. & OZON/ACTION/UNITED NATIONS ENVIRONMENT, BUYERS CLUB HANDBOOK, 1, 16 (Jan. 2020), http://www.igsd.org/wp-content/uploads/2020/07/Buyers-Club-Handbook-Jan2020.pdf (“A ‘buyers club’ is any organization or team working to enhance the benefits to the buyer through, inter alia, lowering the price and increasing the quality of a standardized product by buying in bulk and managing distribution and installation... Any organization seeking to lower the price and improve the quality of a standardized product can work to pool the collective purchasing power of its members by buying in bulk and streamlining distribution and installation. The non-government buyers club pools the collective power of private companies and citizens for bulk purchases or for lower prices through normal supply chains.”).


Biaozhunhua Fa (标准化法) [China Standardization Law, supra note 36 (showing a somewhat stark contrast between Article 26 of China’s Standardization Law with Article 25 of the same law, which specifies “products and services that do not meet compulsory standards shall not be produced, sold, imported or supplied.” Essentially, if the products that don’t meet compulsory standards cannot be produced, they would not be available for exports, either).


Id.


Central Government of China, Ministry of Finance: “energy conservation product consumer benefit project” has achieved significant outcomes [财政部:“节能产品惠民工程”取得显著成效] (July 12, 2013), http://www.gov.cn/gzdt/2013-07-12/content_2445769.htm (“2009 to May 2011, energy-efficient fixed-speed ACs with energy efficiency levels of II and above were included in the scope of promotion subsidies... In two years, the central financial administration has arranged a total of 14.643 billion yuan in subsidies.”).
THE TRUTH IS ALWAYS IN STYLE: TARGETING GREENWASHED ADVERTISING IN THE FASHION INDUSTRY

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34 See 16 C.F.R. § 260.4 (looking at what an average consumer would infer about the advertised product); see also Fed. Trade Comm’n v. Trudeau, 579 F.3d 754, 765–66 (looking at the infomercial as a whole, rather than individual statements made by the infomercial). See Wicker, supra note 10.


37 See id. at 1367 (stating that the FTC’s phases of dormancy and enforcement leaves businesses uncertain about the validity of new environmental claims); see also Fed. Trade Comm’n v. Trudeau, 579 F.3d 754, 767–768 (7th Cir. 2009) (finding that the FTC could fail to object to an infomercial of the same nature and still pursue a claim against the infomercial at hand).

38 See generally Wicker, supra note 7 (analyzing the potential effects of European Union wide regulations on fashion brands).

39 See Joseph DeQuarto, Strengthening Eco-Labeling Regulation, THE REGULATORY REV. (Jan. 30, 2019) (explaining that reliance on state regulations subjects brands to inconsistent and even conflicting regulations, and that creating consistency in federal advertising and eco-labeling standards will increase the accuracy of claims made by marketers); see also Whelan, supra note 4 (analyzing the growth of sustainability-marketed products in the consumer sector).
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