

BIG FOOD DOSSIER

2.0

INTERFERENCE
IN **FOOD AND**
NUTRITION POLICIES

2024

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“*Big Food Dossier 2.0: how the industry interferes in food and nutrition policies*” is the second document produced by ACT Health Promotion and the Brazilian Institute for Consumer Defense (Idec) with the aim of exemplifying corporate political activities (CPA) and situations of conflict of interest (CoI) systematically used to interfere with public agendas for the promotion of adequate and healthy eating. It presents eight case studies that demonstrate arguments, tactics, and strategies used by representatives of Big Food, Big Soda, and Big Agro to block or delay regulations that promote healthier diets. By systematizing information about CPAs, it is possible to understand their mechanisms of action and, from there, formulate proposals to face the challenges posed to public health and the sustainability of the planet. In this Dossier, in addition to the classic cases of interference in food policies, through lobbying and other strategies that prioritize profit over the health of the population and the environment, cases that show how transnational companies adapt corporate strategies according to the concerns and demands of society are also highlighted.

METHODOLOGY

The *Big Food Dossier 2.0* was based on a multimethod approach consisting of consulting secondary data, such as public data from official government documents, official websites and reports of associations and industries, scientific articles, and journalistic materials. Additionally, semi-structured interviews were conducted with experts from civil society and the academia. In all cases, the identification of CPAs and situations of industry interference and CoI are substantiated by public documents. An adaptation of the categorization proposed by Ulucanlar and colleagues (2023) was used for the CPA classification. Based on an interpretative synthesis of 24 articles, they developed two taxonomies: one for framing strategies, based on arguments used by the industry, and another for the strategic actions, such as accessing and influencing policymaking, using the law to hinder policies, creating public support for corporate positions, shaping evidence to create doubt, displacing and usurping public health, and managing reputations for corporate benefit.



1. Ulucanlar S, Lauber K, Fabbri A et al. Corporate political activity: taxonomies and model of corporate influence on public policy. *International Journal of Health Policy and Management*, 2023; 12(Issue 1): 1-22. Available at: <https://www.ijhpm.com/article_4440.html>.



CASE 1 • **ESG: A STRATEGY TO CLEAN UP THE INDUSTRY'S IMAGE FROM THE SOCIOENVIRONMENTAL IMPACTS CAUSED BY ITS OPERATIONS**

Since 2004, the concept of ESG (Environment, Social, and Governance) has gained prominence in the corporate world and encouraged companies to adjust their practices to meet the requirements of the financial market with a more responsible, transparent governance model and socioenvironmental goals. However, over the years, the implementation of these practices has been criticized for not generating substantial changes in corporate responsibility. In Brazil, despite many companies adopting ESG principles, especially representatives of Big Food such as Nestlé, Ambev, BRF, and JBS, there is a huge gap between their rhetoric and the reality. The main criticisms directed at corporations are due to greenwashing and socialwashing practices, as well as socioenvironmental violations that contradict the entire narrative represented by ESG.





CASE 2 • GLOBAL TREATY ON PLASTIC POLLUTION FACES THE CHALLENGE OF CO-OPTATION BY CORPORATE INTERESTS

Plastic is considered one of the main environmental villains, threatening biodiversity and future generations. Major food and beverage corporations produce thousands of tons of plastic packaging annually, but at the same time promote actions on recycling and voluntary sustainability commitments insufficient to address this crisis. The United Nations (UN) highlights that the plastic crisis jeopardizes basic human rights like living in a healthy and sustainable environment, as it represents a risk to health, food, water access, sanitation, equality, and housing. At the 2022 United Nations Environment Assembly, several countries approved a resolution to establish a global treaty on plastic pollution. Negotiations involve countries, civil society organizations, and industry representatives including the petroleum, food, beverage, and packaging sectors. However, strong lobbying from the plastic and petroleum industries has hindered progress. The industry emphasizes recycling and reuse of plastic while downplaying arguments for reducing plastic production, which would be the more effective solution to plastic pollution.





CASE 3 • THE INDUSTRY OF PLANT-BASED FOOD PRODUCTS AND THE FALLACY OF HEALTH AND SUSTAINABILITY

There is an urgent need for changes in eating patterns in Western society, especially due to the health and environmental problems associated with the consumption and production of ultraprocessed products and animal-based foods. One of the alternatives, the plant-based diet, was adopted as a strategy by Big Food to gain access to a new consumer niche that is particularly concerned with environmental and health issues involving food. However, many plant-based products can be classified as ultraprocessed and are created through the same production logic and by the same actors that dominate the food sector. There is still no regulation in Brazil that can guarantee safety and clear communication about these products. Although this plant-based market is still expanding and products such as cultured meat are still in the research and development phase, the production sector has already organized itself through representative entities to lobby public managers. Its focus is to highlight the positive aspects of this market, especially the use of technological innovation and lower environmental impacts, overshadowing concerns about the quality of the products and the consequences of their consumption for public health, in addition to not leading to significant changes in the food system as a whole.





CASE 4 • FOOD REGULATION AND INDUSTRY LOBBY IN BRAZIL

The Resolution of the Collegiate Board of Directors (RDC) of the Brazilian Health Regulatory Agency (Anvisa) No. 24, of 2010, aims at refraining industry practices that lead the public to consumption patterns that are incompatible with health. The resolution establishes minimum requirements for the offering, advertising, publicity, information, and other marketing and commercial promotion practices of foods such as soft drinks, artificial refreshments, drinks containing caffeine and taurine, among others, and obliges manufacturing industries to disclose, alongside their advertisements, warning information about the association of consumption with an increased risk of various diseases, such as diabetes, heart disease and tooth decay. Ever since it was proposed, the regulation has faced resistance from Big Food, which mobilized lobbying efforts to challenge it, including in court. This case details articulations and strategies used by the industry in an attempt to prevent Anvisa from creating and implementing the resolution. It was only after more than 13 years of its publication, mobilization from the businesses and the civil society, lobbying and legal actions questioning its validity and Anvisa's competence to enforce it (that made its implementation impossible), that finally, on July 23, 2023, a legal opinion from the General Consultancy Office (CGU) recognized its legality. However, the legal conflicts and corporate lobbying prevent its implementation to this day.





CASE 5 • THE CAFETERIA BILL AND THE FOOD INDUSTRY LOBBY IN THE SCHOOL ENVIRONMENT

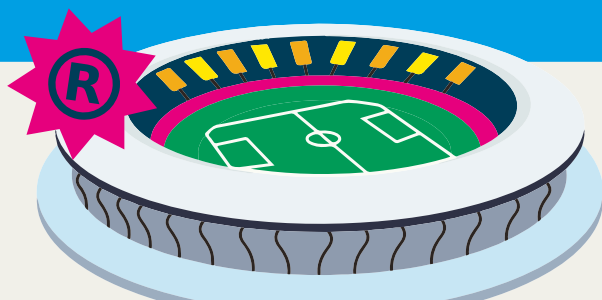
One of the goals of bill No. 1,662 of 2019, known as Cafeteria Bill, was to combat childhood obesity in Rio de Janeiro by preventing the offer of ultraprocessed foods to children in public and private schools in the city. It began to be discussed in January 2020, was unanimously approved in June 2023, and sanctioned less than a month later by Mayor Eduardo Paes (PSD-RJ). Even in this short period, however (and part of it taking place during the Covid-19 pandemic), the approval of the bill was preceded by CoI of the food and beverage industry, conciliation between politicians and the regulated sectors, and incidence from civil society, who monitored the bill, created a mobilization, and obtained its approval. Other similar initiatives took place in different Brazilian cities and states, demonstrating a growing awareness about the importance of regulating the school environment and promoting healthy eating habits since childhood.





CASE 6 • NAMING RIGHTS: THE CORPORATE OFFENSIVE TO TAKE OVER CITIES

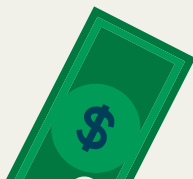
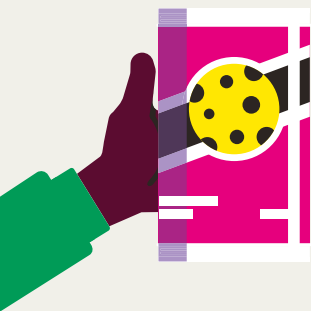
The phenomenon of naming rights is a contemporary expression of the commodification of urban spaces. Large corporations seek to associate their brands with public spaces in exchange for financial sponsorship. This model, which emerged in the United States in the 1970s, arrived in Brazil in the 1990s, driven by partnerships between companies and public spaces such as stadiums and subway stations. This practice, however, raises concerns about the loss of the cultural and historical identity, besides generating conflicts between commercial interests and the public well-being, especially when it involves products that are harmful to health, such as ultraprocessed food products. In 2021, for example, Botafogo subway station in Rio de Janeiro was renamed Botafogo/Coca-Cola after granting naming rights to the corporation. The partnership evoked reactions among civil society, and over 50 organizations signed a document against the cession of the station's naming rights to the soft drinks industry. With the pressure, the naming rights contract was ended in November 2022 and the station returned to its original name, Botafogo. Although it offers some financial benefit (often minimal), the practice of naming rights can make the city become more focused on consumption and less on social needs, which reinforces the importance of protecting and preserving urban spaces as a collective and cultural heritage.





CASE 7 • TAX REFORM BECAME A BATTLEFIELD FOR FOOD LOBBYISTS IN BRAZIL

After 35 years of attempts at a tax reform in Brazil, in December 2023, Constitutional Amendment No. 132 was enacted by the National Congress, which included new rules for consumption taxation and was aimed at simplifying the system. The new tax policy can play an important role in building a country that prioritizes health promotion, but it is a cause of dispute between the interests of the food industry and public health. Although international experiences demonstrate the effectiveness of taxing unhealthy foods for health and the economy, Brazil still lacks specific taxation for ultraprocessed foods, due to industry interference. Lobbying and pressure on legislators are intense and aim to maintain benefits and avoid taxation of these products. Meanwhile, civil society, health organizations, and academia advocate for a selective tax on ultraprocessed products and tax reliefs for healthy foods, to reduce the impacts of non-communicable diseases (NCDs). The tax reform is an important opportunity to promote adequate and healthy eating in Brazil, but it faces the challenge of reconciling the private interests of the industry with the well-being of the population.





CASE 8 • SCALING UP NUTRITION: CONFLICTS OF INTEREST OF PUBLIC-PRIVATE PARTNERSHIPS IN THE FIGHT AGAINST MALNUTRITION

Among the global initiatives to combat malnutrition is the Scaling Up Nutrition (SUN) movement, launched in 2010 by the UN with the aim of ending all forms of malnutrition. SUN adopts a multisectoral approach involving various stakeholders, including transnational food companies and foundations such as the Bill and Melinda Gates Foundation. However, there are concerns about the influence of commercial interests and lack of transparency regarding funding and implementation of its strategies. There are also criticisms that SUN does not give enough importance to structural issues related to malnutrition, such as social justice, access to food, and income distribution, opting instead for quick technical solutions focused only on easily monitored indicators.



CONCLUSION

The Dossier demonstrates through case examples the urgent need for changes in the dominant food system, given the adverse impact of economic activities by large food, beverage, and agribusiness corporations on public health and the environment. Effecting this change requires restructuring the food system to promote sustainable production practices and respect traditional community knowledge. It is necessary to adopt effective strategies to monitor CoI situations and minimize CPAs on public health, which includes influencing policymaking, distorting evidence, and managing reputations. The public sector is responsible for protecting and promoting public health, even in the face of corporate pressures.





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