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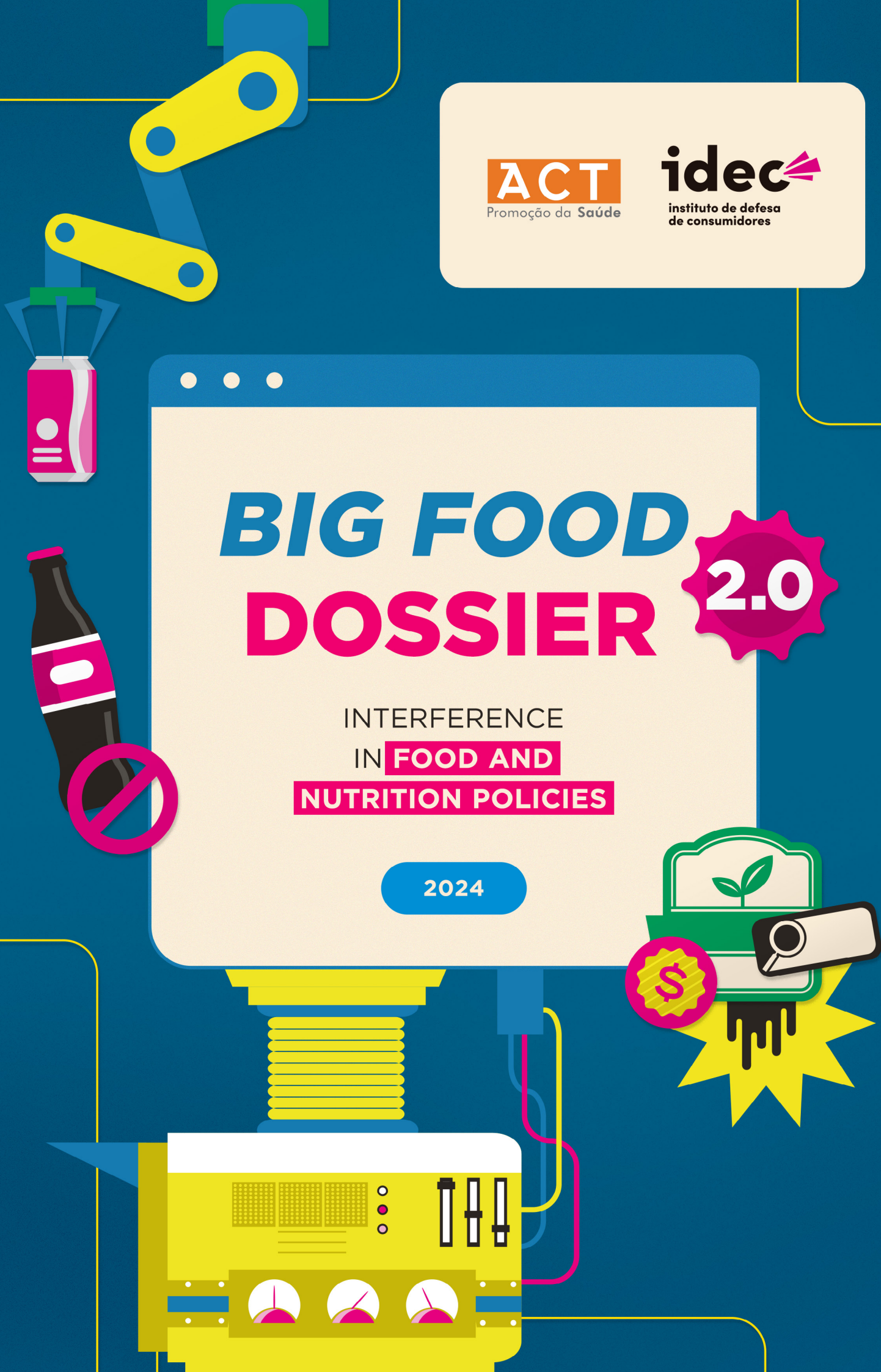
**idec**  
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# **BIG FOOD DOSSIER**

**2.0**

INTERFERENCE  
IN **FOOD AND**  
**NUTRITION POLICIES**

2024



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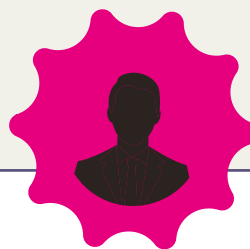
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# ABBREVIATIONS AND ACRONYMS

- **ABBI:** Brazilian Association of Bioinnovation
- **Abima:** Brazilian Association of Financial and Capital Market Entities
- **ABIA:** Brazilian Association of Food Industries
- **ABIAD:** Brazilian Association of Food for Special Purposes and Related Industries
- **ABICAB:** Brazilian Association of the Chocolate, Peanut, and Candy Industry
- **ABIAM:** Brazilian Association of Food Ingredients and Additives Industry and Trade
- **ABIMAPI:** Brazilian Association of Biscuit, Pasta and Industrialized Bread & Cake Industries
- **ABIMAQ:** Brazilian Machinery and Equipment Industry Association
- **ABIR:** Brazilian Association of Soft Drinks and Non-Alcoholic Beverages Industries
- **ABIEC:** Brazilian Association of Meat Exporting Industries
- **ABIPESCA:** Brazilian Association of the Fish Industry
- **ABIQ:** Brazilian Association of Cheese Industries
- **ABF:** Brazilian Franchising Association
- **ABPA:** Brazilian Association of Animal Protein
- **Abras:** Brazilian Association of Supermarkets
- **Abrasel:** Brazilian Association of Bars and Restaurants
- **ABRESI:** Brazilian Association of Gastronomy, Hospitality, and Tourism
- **ACP:** Public Civil Action

- **AFEBRAS:** Association of Brazilian Soft Drink Manufacturers
- **Agenda 2030:** A global action plan adopted by all UN member states in 2015. It comprises 17 Sustainable Development Goals (SDGs) and 169 interconnected targets designed to tackle global challenges such as poverty, inequality, climate change, environmental degradation, wars, and injustice.
- **ANIB:** National Association of Biscuit Industries
- **ANR:** National Association of Restaurants
- **Anvisa:** Brazilian Health Regulatory Agency
- **Agetransp:** Regulatory Agency for Public Transport Services in Rio de Janeiro State
- **AGU:** Attorney General's Office
- **Alerj:** Legislative Assembly of the State of Rio de Janeiro
- **APC:** Corporate Political Activity
- **ASBRAN:** Brazilian Nutrition Association
- **ASSERJ:** Association of Supermarkets of the State of Rio de Janeiro
- **B3:** Stock Market
- **BNDES:** Brazilian Development Bank
- **Caeb:** Commercialization of Food in Brazilian Schools
- **CIDI:** Contribution of Intervention in the Economic Domain
- **CFN:** Federal Council of Nutrition
- **CFP:** Federal Council of Psychology
- **CFS:** Committee on World Food Security
- **CGPAN:** General Coordination of Food and Nutrition Policies
- **CGU:** Comptroller General of the Union
- **CNA:** Brazilian Agriculture and Livestock Confederation
- **CNI:** National Confederation of Industry

- **CNTUR:** National Confederation of Tourism
- **Col:** Conflict of Interest
- **Colansa:** Community of Practice for Nutrition and Health in Latin America and the Caribbean
- **CONAR:** Brazilian Advertising Self-Regulation Council
- **COP 28:** Conference of the Parties to the United Nations Framework Convention on Climate Change
- **CP:** Public Consultation
- **CSN:** Civil Society Network
- **CNSAN:** National Conference on Food and Nutrition Security
- **CQCT:** Framework Convention on Tobacco Control
- **CVM:** Brazilian Securities and Exchange Commission
- **EUA:** United States of America
- **DHAA:** Human Right to Adequate Food
- **DPDC:** Department of Consumer Protection and Defense
- **Double Materiality:** A concept analyzing both the impact organizations have on the world (externalities) and the impact of the world on organizations in terms of risks and opportunities for business.
- **EIA:** Environmental Investigation Agency
- **Embrapa:** Brazilian Agricultural Research Corporation
- **ESG:** Environmental, Social, and Governance
- **FAU/USP:** School of Architecture and Urbanism at the University of São Paulo
- **Fiagro:** Funds in Agro-Industrial Production Chains
- **FIPE:** Institute of Economic Research Foundation
- **Fiocruz:** Oswaldo Cruz Foundation
- **FBSSAN:** Brazilian Forum of Sovereignty and Food Security



- **Fecomércio-RJ:** Federation of Commerce of Goods, Services, and Tourism of the State of Rio de Janeiro
- **FGV:** Getúlio Vargas Foundation
- **FPA:** Parliamentary Agricultural Front
- **FNDE:** National Fund for Educational Development
- **FNN:** National Federation of Nutritionists
- **FSN:** Food Security and Nutrition
- **FSP/USP:** School of Public Health at the University of São Paulo
- **GDP:** Gross Domestic Product
- **GFI:** The Good Food Institute
- **GGALI:** General Food Management
- **GHG:** Greenhouse Gases
- **GPROP:** Department of Monitoring and Inspection of Advertising, Publicity, Promotion, and Information of Products Subject to Health Surveillance
- **Greenwashing:** Practices by companies that create a deceptive or exaggerated image of environmental responsibility.
- **GRI:** Global Reporting Initiative
- **GSS:** Global Support System
- **IBGE:** Brazilian Institute of Geography and Statistics
- **ICMS:** Tax on the Circulation of Goods and Services
- **Idec:** Institute for Consumer Defense
- **Imazon:** Institute of Man and Environment of the Amazon
- **IN:** Normative Instruction
- **INC:** Intergovernmental Negotiating Committee
- **Inspere:** Institute of Education and Research

- **IPCA:** Extended National Consumer Price Index
- **IPI:** Tax on Industrialized Products
- **ISE:** Corporate Sustainability Index
- **ISSB:** International Sustainability Standards Board
- **ITAL:** Food Technology Institute
- **Nupens/USP:** Center for Epidemiological Research in Nutrition and Health from the University of São Paulo
- **NY:** New York
- **MAPA:** Ministry of Agriculture and Livestock
- **MCTI:** Ministry of Science, Technology, and Innovation
- **MDS:** Ministry of Social Development, Family Assistance, and Fight Against Hunger
- **MPF:** Federal Public Ministry
- **MPMT:** Mato Grosso State Public Prosecutor's Office
- **MPSP:** Public Ministry of São Paulo State
- **MPT:** Public Labour Prosecution Office
- **NCD:** Non-Communicable Chronic Diseases
- **NGO:** Non-Governmental Organization
- **ObservaCol:** Brazilian Observatory on Conflicts of Interest in Food and Nutrition
- **ODS:** Sustainable Development Goals included in the Agenda 2030
- **OMS:** World Health Organization
- **ONU:** United Nations
- **OPAS:** Pan American Health Organization
- **Opep:** Organization of the Petroleum Exporting Countries
- **OPSAN/UnB:** Observatory of Food and Nutrition Security Policies at the University of Brasília

- **PLANSAN:** National Plan for Food Security and Nutrition
- **PLP:** Complementary Bill of Law
- **PNAE:** National School Feeding Program
- **RDC:** Collegiate Board Resolution
- **Rio Indústria:** Association of Industries in the State of Rio de Janeiro
- **RJ:** Rio de Janeiro
- **SBN:** SUN Business Network
- **SBP:** Brazilian Society of Pediatrics
- **Setrans:** State Transport Secretariat
- **SDN:** SUN Donor Network
- **SindRio:** Bars and Restaurants Union of Rio de Janeiro
- **SindiNutri-SP:** Nutritionists Union of São Paulo State
- **SMS:** SUN Movement Secretariat
- **Socialwashing:** Deceptive corporate practices creating a false image of social responsibility.
- **SP:** São Paulo
- **STF:** Supreme Federal Court
- **SUN:** Scaling Up Nutrition
- **SUS:** Unified Health System
- **TJSP:** São Paulo State Court of Justice
- **TPS:** Public Subsidy Consultation
- **UFBA:** Federal University of Bahia
- **UFMG:** Federal University of Minas Gerais
- **UFMT:** Federal University of Mato Grosso
- **UFPA:** Federal University of Pará
- **UFPE:** Federal University of Pernambuco

- **UFRJ:** Federal University of Rio de Janeiro
- **UFRGS:** Federal University of Rio Grande do Sul
- **UFS:** Federal University of Ceará
- **UFSC:** Federal University of Santa Catarina
- **UnB:** University of Brasília
- **UNEP:** United Nations Environment Program
- **UNFCCC:** United Nations Framework Convention on Climate Change
- **UNICAMP:** University of Campinas
- **UNN:** United Nations Nutrition
- **USP:** University of São Paulo
- **Vigitel:** Surveillance System of Risk and Protective Factors for Chronic Diseases by Telephone Survey
- **Washing:** Practices that conceal or misrepresent a company's actual practices to create a positive image.
- **WG:** Working Group
- **WWF:** World Wide Fund for Nature
- **ZFM:** Manaus Free Trade Zone

# 1. FOREWORD

**W**e live in a time marked by great global interconnection and the omnipresent influence of transnational corporations that produce and market agro-industrial inputs, food products, and beverages. These corporations have transformed the food system, causing a shift from healthy and sustainably produced foods to ultraprocessed food products (referred in this document as ultraprocessed), which negatively affected diet quality and several planetary boundaries, including the destruction of forests, intensive agricultural practices, expansion of monocultures, abusive use of water resources, and other activities that not only destroy vital ecosystems but also increase greenhouse gas (GHG) emissions, exacerbating the global climate crisis. Added to this is the indiscriminate use of plastics with which they package their products, making these corporations global leaders in the pollution crisis because of these compounds.

These companies not only aggressively market their products, but also use their political and economic power, along with a series of sophisticated public relations and corporate communication strategies, to interfere with local, regional, and global efforts to regulate and reverse the negative effects they cause.

This Dossier is the second version presented by the Brazilian Institute for Consumer Defense (IDEC) and ACT Health Promotion and includes case studies that meticulously and objectively document the strategies used by the industry to hinder efforts to implement food and health policies. This document is organized into eight chapters that describe how these corporations invest in improving their public image with voluntary initiatives that promise to contribute to the environment and society, including commitments to reducing plastic use. It also details how they have wielded a powerful corporate lobby, a communication structure, and

other mechanisms to reject, modify, or delay policies, bills, and reforms that are not favorable to their interests. Other aspects analyzed include the participation of corporations in international public nutrition initiatives and the use of naming rights in public spaces to improve their image, infiltrating urban life and commodifying the collective space to the detriment of the memory and identity of the community.

In summary, this Dossier offers deep and critical insights into the sophisticated strategies used by food, beverage, and agribusiness corporations to avoid regulations, defend their interests, and improve their image while interfering with social policy efforts. Thus, it is an invaluable work for academic groups, civil society organizations, policymakers, and other social actors interested in political influences on public health. The authors not only register corporate practices and their impacts, but also call for action, advocating for stricter regulation, greater transparency, and active resistance against lobbying and deceptive marketing tactics.

It is only through a coordinated effort, free from CoI and in which the right to healthy and sustainable foods prevails over commercial interests, that we will be able to mitigate the harmful effects of these industries and move towards a healthier and more equitable future.



**Simón Barquera,**

Director of the Center for Nutrition and Health Research  
National Institute of Public Health  
President Elect of the World Obesity Federation

## 2. PREFACE

**T**he greatest health problems that affect the population nowadays are directly related to the food system, from food production and distribution to the quality of foods offered and consumed. A study published in the journal *The Lancet* estimated that over one billion people worldwide were living with obesity in 2022. Since 1990, the condition has more than doubled among adults and quadrupled among children and adolescents aged five to 19. At the same time, underweight remains a serious issue in the poorest countries, though the proportion of affected children and adolescents has decreased by about one fifth in girls and over one third in boys. In adults, it has dropped by more than half<sup>1,2</sup>.

Two years after the release of the first version of the Big Food Dossier, nothing has changed in the hegemonic food system, which continues to favor profit and the concentration of power among a small group of corporations representing Big Food, Big Soda, and Big Agro, which are responsible for ultraprocessed food, pesticides, and genetically modified seeds. While these corporations increase their revenue and political power, expanding their presence across five continents, their businesses contribute to the perpetuation of hunger and malnutrition worldwide and reinforce structural issues related to social and income inequalities. In this deeply concentrated and unequal food system, a few corporations wield significant political influence and prioritize their economic interests over the interests and needs of population groups which are larger in number, but marginalized<sup>3</sup>.

Recently, *The Lancet* published a series of articles that defined what were named commercial determinants of health, which include strategies and practices used by corporations to maximize their profits, most times at the expense of public health<sup>4</sup>. This concept considers actions such as the aggressive promotion of products that are harmful for health (such as tobacco, alcohol, and ultraprocessed foods), influence over public policies and regulations through lobbying and political campaign financing, and the dissemination of misleading information to manipulate public and scientific opinion<sup>5</sup>. In this Dossier, there are examples that illustrate and exemplify how such actions can negatively impact population health, contributing to the increase of NCD and to the aggravation of health inequalities. Bringing these cases to light allows us to identify

the strategies used and contributes to the formulation of public policies that prioritize population health over commercial interests by promoting healthier and more sustainable diets.

Besides the disastrous consequences for public health, the current food system also causes significant environmental and social damage. The intensive production of commodities and industrial livestock farming contribute significantly to deforestation, GHG emissions, and biodiversity loss. In the social aspect, it exacerbates inequalities by removing small farmers from their lands and creating precarious working conditions. Achieving a socially just and environmentally sustainable food system requires deep changes in the way food is produced and distributed, in addition to policies that promote adequate and healthy diets by strengthening family farming, increasing the availability of unprocessed foods, and restricting access to ultraprocessed products.

The aim of this report, which was produced by expert researchers and consultants, is to illustrate Corporate Political Activities (CPA) and Col situations systematically used to hinder public agendas that promote adequate and healthy foods. As in the first version of this report, we present eight cases that show the many arguments, tactics, and strategies employed by representatives of Big Food, Big Soda, and Big Agro to block or delay regulations that promote healthier diets. We hope that this Dossier enables a better understanding of these practices and thus allows the demand for greater transparency from decision-makers and the implementation of evidence-based policies free from Col, which contribute to promoting a food system that prioritizes the health and well-being of the population.



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# 3. INTRODUCTION

The practices and policies of food, beverage, and agribusiness transnational corporations (identified in this Dossier as Big Food, Big Soda, and Big Agro, respectively) are in most part detrimental to human and planetary health, as they increase the number of preventable diseases and social and health inequalities<sup>6</sup>. Furthermore, they contribute to deforestation and GHG emissions, use chemical fertilizers and pesticides that contaminate the soil and water and cause illnesses, and are responsible for excessive waste production, particularly due to the indiscriminate use of plastic in their product packaging.

This scenario is caused by the political and economic models in which we live, which are subject to CPAs from Big Food, Big Soda, and Big Agro, which are powerful groups that can influence political actors in decision-making processes and harm the population to serve their economic interests. Private interests are put above the well-being of so-

ciety, which demonstrates the Col that diverts the public duty to ensure health for the population, promote social justice, and preserve the environment, and consequently, the planet.

Just to give an idea, a small number of transnational corporations dominate most business sectors and have more money available than many national governments<sup>7</sup>. Together, these corporations are responsible for ultraprocessed food, which are associated with an increased risk of NCD such as obesity, cardiovascular diseases, cancer, diabetes, and overall mortality<sup>8,9,10</sup>. In

2022, a study calculated the annual amount of premature deaths in Brazil attributable to the consumption of these products among individuals aged 30 to 69 years. The result was staggering: 57,000 deaths, exceeding the total number of deaths caused by homicides (45,500) or traffic accidents (30,000) during the same period (2019)<sup>11</sup>.

**Ultraprocessed food products are responsible for 57,000 premature deaths every year in Brazil**

This Dossier includes cases that go beyond the classic CPAs used by Big Food, Big Soda, and Big Agro to interfere in food policies through lobbying and other strategies used to directly and indirectly influence policies that prioritize profit over public health and the environment. Examples that show how these transnational corporations adapt corporate strategies to meet societal concerns and demands are also highlighted. Greenwashing practices, for example, have been used by corporations since the 1970s<sup>12</sup>, but have become more relevant as concerns about climate change and environmental sustainability become more prominent, so they get incorporated into new strategies as well. These strategies do not really result in any practical effect, but contribute to improving the corporate image among the public and investors. In this regard, it's important to highlight the arrival of new actors that directly influence the food and nutrition sector: the financial market, which values corporate practices not necessarily related to the people's and the planet's well-being and health, but rather to profit and productivity; and foodtechs and startups, which develop food products based on new technologies and create increasingly profitable business models by seizing market opportunities and emerging niches with no commitment to health



and sustainability.

An example can be found further in this document in the analysis of ESG (Environmental, Social, and Corporate Governance) practices, which are linked to stakeholder capitalism and aim to establish initiatives that add value to corporations, not necessarily resulting in long-term effectiveness. There are no defined parameters or criteria for establishing what ESG is or how it can be measured, nor its real impacts on society and the environment. In the absence of specific regulations, corporations themselves define how this is done, which allows them to implement parameters that favor their business and legitimize their practices.

The consequences of many social and environmental problems caused by the business practices of Big Food and Big Soda, however, can be

measured, and some are irreversible. Plastic pollution, for example, is a global issue that threatens biodiversity and the future of the next generations by impacting climate, biodiversity, human health, and social justice. A report from the international organization Break Free from Plastic lists corporations responsible for plastic pollution, and from the top ten polluters in the 2023 ranking, seven are part of Big Food and Big Soda: Coca-Cola leads the list, followed by Nestlé, Unilever, PepsiCo, Mondelez International, Mars, and Danone<sup>13</sup>. In recognition of the magnitude of this problem, during the United Nations Environment Assembly held in 2022 in Kenya, participating countries decided to create a global treaty on plastic pollution. Negotiations, however, are complex. Interested sectors, such as civil society organizations with public or private interests, and the oil, food, beverage, and packaging industries, must come together to create an international instrument that all countries will follow and that addresses the entire plastic lifecycle, from production to disposal. Negotiations are ongoing, but it appears that they will exceed the initial deadline, which was set for the end of 2024.

Even though corporations claim to be concerned about society and the environment, their activities are driven by profit. Many representatives

of Big Food have invested in developing plant-based product lines, driven by the growth of this market niche. According to a report from IPES-Food<sup>14</sup>, these corporations are projected to generate \$28 billion globally by 2025, which is seven times more than they did in 2020. This sector is so profitable that it has even attracted Big Agro, which is represented by companies like JBS, BRF, and Tyson Foods, that have acquired foodtechs or developed strategies for plant-based product lines. However, there is still no specific regulation in Brazil for this new class of products, which can lead to misinformation and affect “the fundamental right of consumers to adequate and clear information about different products and services, including their characteristics, composition, and risks”<sup>15</sup>. The composition of many of these products is inadequate, often containing an excessive amount of sodium and fats, as well as additives such as flavorings, colorants, and emulsifiers, which classify them as ultraprocessed foods. Despite the fact that corporations use health claims on packaging and promotional materials, these products can indeed cause negative impacts on the health of the consumers.

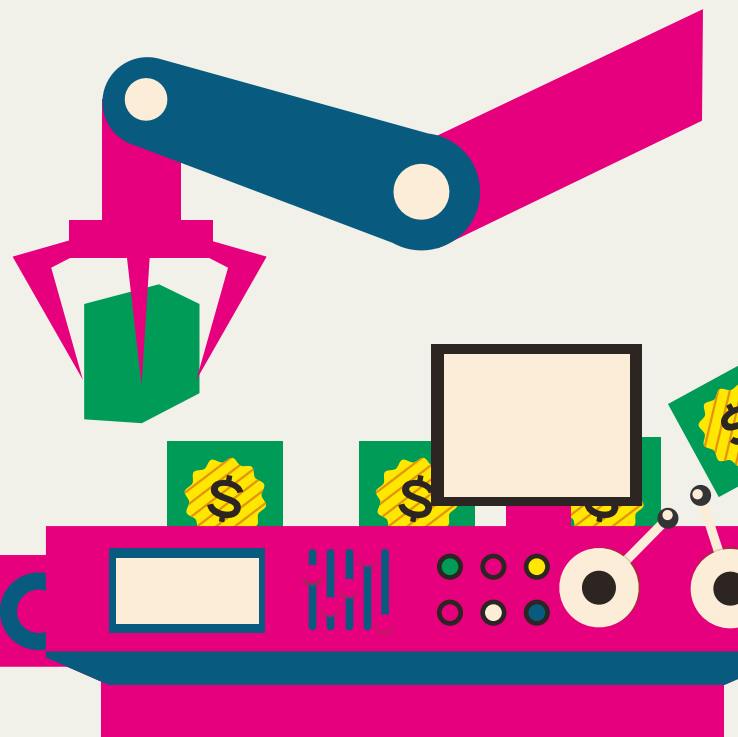
Thus, it becomes evident that, beyond regulating the products themselves, regulating food advertising in Brazil is also crucial. However,

this agenda faces strong opposition from corporations. In 2010, the Brazilian Health Regulatory Agency (Anvisa) actually published a regulation, the Resolution of the Collegiate Board of Directors (RDC) No. 24, which addressed food advertising in the country. Regulating this activity, however, means dealing with highly profitable and politically influential sectors. Through representative associations, Big Food and Big Soda, along with the Brazilian Advertising Self-Regulation Council (CONAR), used all their political and economic influence through CPAs to prevent the implementation of regulations that could affect their profits. Since the beginning of the process, in 2005, Anvisa faced numerous challenges against the RDC. After its publication, the regulation even faced legal challenges that led it to be suspended for nearly 10 years. It was only on July 23, 2023, that the Attorney General of the Union, Jorge Messias, approved a legal opinion that acknowledged that it was a lawful resolution. After so many years, however, RDC No. 24 is now weakened, and the final legal opinion of the Attorney General's Office went almost unnoticed.

Another regulatory measure related to UPF is bill No. 1,662 of 2019, which was successful and aimed to fight childhood and adolescent obesity by

banning the offer of these products in public and private schools in the city of Rio de Janeiro (RJ). Known as the "Cafeteria Bill", the project underwent a short processing period, but its approval took place amid situations of Col from the food and beverage industry, and required reconciliation between the interests of civil society and the regulated sector. As a result, important measures proposed in the bill that could have directly affected how products would be displayed and accessed near schools ended up being removed.

The presence of corporations in the cities, which occurs mainly through marketing strategies, also contributes to brand recognition and to increase sales. In this context, the promotion of disguised advertising through naming rights is a growing strategy of corporations in Brazil. From the MorumBis stadium in São Paulo (SP) to the Botafogo/Coca-Cola subway station in Rio de Janeiro (RJ), this marketing strate-



gy is based on renaming high-traffic public spaces and is linked to their privatization and economic exploitation. Besides the numerous issues that this topic raises, such as being a form of disguised and abusive advertising, often for food products whose consumption is incompatible with the promotion of food security and nutrition (FSN), it can also result in conflicts related to the memory and landmarks of cities.

As discussed in previous cases, reconciling the interests of Big Food, Big Soda, Big Agro, and civil society is also a part of the text about the Brazilian tax reform. It was enacted by the National Congress in December 2023, but even after 35 years of debates, discussions are still in progress. One of the most controversial topics concerns the selective tax on products that are harmful to health and the environment. On one hand, corporations try to persuade the government through CPAs that taxation should be the same for all types of foods (unprocessed or minimally processed foods, processed culinary ingredients, processed foods, and UPF), claiming that this would be necessary to ensure FSN for the population. However, this argument is not aligned with the recommendations of the Dietary Guidelines for the Brazilian Population, a document published 10 years ago that already advocated that UPF should be avoid-

ed due to their association with the incidence of NCDs. This has actually been considered by the federal government when the new basic food basket was defined, including only fresh or minimally processed foods and processed culinary ingredients. UPF could not be included. However, the government faces a long negotiation battle between Col from Big Food, Big Soda, and Big Agro, that are only committed to profit, and the public interest in ensuring that healthy foods are more accessible and can reach Brazilian tables.

Access to healthy food is a global concern and is hindered by issues such as poverty, social inequality, and inadequate food distribution. One of its main consequences is malnutrition, which remains one of the most serious health problems worldwide. There are several initiatives that address this issue, such as the Scaling Up Nutrition (SUN) movement, which was launched in 2010 by Ban Ki-moon, then Secretary-General of



the United Nations, with the goal of ending all forms of malnutrition. The program takes a multisectoral approach and receives funding from transnational corporations and foundations that also finance research on new seeds, pesticides, and agricultural inputs. Thus, the autonomy of countries to develop strategies and policies that can structurally combat malnutrition, considering their own specificities and potentials, can be directly influenced and weakened. There is a lack of information on how SUN addresses the CoI among its funders and member countries, as well as the mechanisms used for evaluation, monitoring, and accountability within the program. The strength of such initiatives should be more appropriately addressed by the United Nations through the establishment of clear rules of engagement that enable the creation and strengthening of governance spaces in member countries through technical cooperation and the ethical and transparent use of financial resources.

The creation of healthy food environments includes ensuring that unprocessed or minimally processed foods are available and easily accessible, as well as recognizing and identifying brands and products. Advertising is a fundamental strategy for large corporations to engage and acquire consumers, but given the health damage caused by these products, governments should intervene by creating policies capable of reducing their consumption. This requires resisting the strategies and CPAs used by Big Food, Big Soda, and Big Agro, which prioritize profit over human and planetary health.

As in the first version of the Dossier, actors and strategies driven by commercial interests repeat themselves. Therefore, by systematizing information about CPAs used by corporations, it is possible to understand their mechanisms and, from there, formulate proposals to address the challenges posed to public health and the sustainability of the planet.



## 4. METHODS

**A**s in the first version of this Dossier, the eight cases described here present CPA in instances of interference by Big Food, Big Soda, and Big Agro, during both the development and the implementation of public health policies. In addition to classic cases of conflicts of interest and interference by these corporations in public policies, this document also includes examples where CPAs are less evident, but still cause significant impacts on society. All the topics addressed are part of the agenda of the Alliance for Adequate and Healthy Food, which includes among its members the Idec and ACT Health Promotion.

The Big Food Dossier 2.0, like its first version, was based on a multimethod approach consisting of consulting secondary data, such as public data from official government documents, official websites of associations and industries, scientific articles, and journalistic materials. Additionally, semi-structured interviews were conducted in each case with at least two experts from civil society and/or the academia who experienced and/or studied the topics in question. In all cases, the identification of CPAs and situations of industry interference and conflicts of interest are substan-

tiated by public documents.

This time, an adaptation of the categorization proposed by Ulucanlar and colleagues (2023)<sup>16</sup> was used for the CPA classification. Based on an interpretative synthesis of 24 articles (including the one by Mialon and colleagues (2018)<sup>17</sup> used in the first version of the Dossier), they developed two taxonomies: one for framing strategies and another for the strategic actions. They are presented in Tables 1 and 2. In the first one, the strategies are classified through a simplistic dichotomy: the intentions, values, and actions of the corporations are “good,” while those of the advocates of public policies that regulate the industry’s products and services are questionable or “bad.” The second, on the other hand, regards strategic actions and mechanisms used by the industry to interfere in policymaking and align these conceptions with their corporate interests.

More than one type of CPA was identified in each case, although not all were present in every case. The CPAs that were identified are listed at the end of each case, with the appropriate classification and examples and the respective sources indicated in the references.

## Framing Strategies Taxonomy



### THE 'GOOD' ACTORS: CORPORATIONS



### Framing Strategy

**Businesses are legal entities.**

**The industry is a key economic actor.**

**The industry is part of the social fabric.**

**The industry is a legitimate policy actor.**

- › The industry has the right to conduct its business in accordance with laws and regulations;
- › Corporations are engines of economic growth and future prosperity;
- › Corporations are socially integrated into the country/region and are part of their history;
- › Corporations understand the need to address health issues, are reasonable, and are willing to partner with the government; they have expertise and information that the government needs to develop policies; they need to have access to policymaking spaces and decision-makers because they are part of the solution.

**The industry is a legitimate scientific actor.**

**Industry is champion of public health.**

**Industry is socially responsible.**

**The industry is a victim.**

- › Corporations support evidence-based policies; they are legitimate scientific actors and have expertise in the science of the harms that the products cause to health and the solutions; they are valuable educational resources for the public health community;
- › Corporations are responsible, committed to preventing NCDs, and work to reduce health harms. Corporations support proposed policies;
- › The industry promotes well-being by investing in social and economic development, and cares about social justice; it is committed and essential for sustainable development;
- › Corporations are demonized unfairly.





## THE 'BAD' ACTORS: PROPONENTS OF WHOLE-POPULATION, STATUTORY POLICIES



### Framing Strategy

Policy-makers who support unfavourable policies have questionable skills and motives.

Public health community have questionable skills and motives.

- > They may have good intentions but are incompetent or misguided, offering policies that contradict existing policies, are ineffective, illegal, or do not comply with international norms and standards; they are dishonest, for example, aiming to generate revenue rather than protect public health, or have a hidden agenda, such as imposing restrictions on other products or industries; they are authoritarian and want to control people's lives;
- > Scientists are incompetent or untrustworthy, engaging in scientific malpractices and promoting false or misleading findings; they are ideologically motivated and have an anti-industry/anti-free market agenda; they are fanatics and want to control the lives of the reasonable/responsible majority.



## THE 'TRIVIAL' AND 'INDIVIDUAL' PROBLEM: CREATED BY A MINORITY OF CONSUMERS



### Framing Strategy

Health harms are not caused by the industry's products/services.

Health harms are caused by consumption patterns of atypical minorities.

Health harms are exaggerated.

- > The products or services provided by the industry are harmless or cause minimal problems. They were classified/confused with other genuinely harmful products/ingredients; health problems have complex causes that cannot be attributed exclusively to industry's products or services, which contribute to health, well-being and enjoyment of life, are aligned with cultural norms and practices, and are used in a responsible way by most people.
- > Health problems are caused by wrong or uninformed choices and irresponsible behaviors of individuals or subpopulations. Health problems result from cognitive issues or physical/mental health conditions.
- > Health problems affect only a minority of people and are exaggerated by the public health community. There are much more serious and urgent health problems that the government should prioritize.



**THE ACCEPTABLE, 'GOOD'  
SOLUTION: INDIVIDUAL-FOCUSED,  
CORPORATE SUPPORTED**



**Framing Strategy**

**Solutions should target individuals, not whole populations..**

**Solutions should be self-regulatory & not disrupt business.**

- > The solution is to help “problematic” individuals or subpopulations change their consumption behaviors through information, health education and promotion; “treat” harmful consumption by using targeted interventions and “harm reduction” strategies;
- > Self-regulatory and voluntary actions taken by corporations (in advertising, marketing, labeling etc.) are more effective and more compatible with business operations



**THE UNACCEPTABLE, 'BAD'  
SOLUTION: WHOLE POPULATION,  
STATUTORY**



**Framing Strategy**

**Policies are unnecessary and unacceptable.**

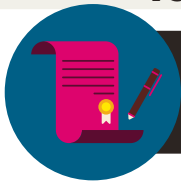
**Policies/policy formulation contravene norms, rules and laws.**

**Policies will lead to losses for businesses, economy & society.**

**Policy will fail & have perverse consequences.**

- > The policy is unnecessary because corporations can successfully self-regulate themselves and carry out public health interventions. Existing regulations are sufficient and must be better enforced before new measures are introduced. The policy is disproportionate to the problem; it does not comply with global standards and policies of other countries; it is regressive and discriminatory or not evidence-based.
- > The government did not sufficiently discuss the policy with the industry or other groups and failed to conduct a comprehensive social and economic impact assessment. The regulatory body responsible for the policy does not have the legal authority to do so. The policy is unconstitutional, goes against basic rights (for example, the right to freedom of expression) and limits the basic freedoms of a legal business; it is illegal (for example, it violates the terms of international trade and investment agreements)
- > Policy implementation cannot be carried out effectively and will increase the administrative cost for governments; it will reduce competitiveness, innovation and investment and lead to business closures and job losses; negative impacts on companies will affect the economy and reduce the GDP. The policy will discourage foreign investments in the country. In low- and middle-income countries, the policy will hinder economic development and make these countries less competitive. Corporations will not be able to support or invest in social justice projects.
- > The policy will not work or has not worked elsewhere; it is a simplistic instrument and will not promote important changes; it will cause confusion or fear; it will increase illicit trade and smuggling or encourage purchases from other countries.

# Taxonomy of strategies and mechanisms used by the food and beverage industry<sup>18</sup>



## ACCESS AND INFLUENCE POLICYMAKING



### Strategies and mechanisms

Access and influence decision-makers and policy spaces

Attempt to influence policy processes and outcomes

Manage policy venues

- > Provide financial incentives; pursue regulatory capture; lobby the Executive and/or Legislative branches; ensure that legislation occurs in more industry-friendly regulatory jurisdictions; among others



## USING THE LAW TO OBSTRUCT POLICIES



### Strategies and mechanisms

Use legal challenges to policy pre- and post-adoption

Use the law to undermine policymaking/public health community

- > Threaten to/take legal actions; interfere in institutions; undermine public health activists; among others.



## SHAPE EVIDENCE TO MANUFACTURE DOUBT



### Strategies and mechanisms

Undermine and marginalise unfavorable researches/information

Produce or sponsor favourable research/information

Amplify and blend corporate favourable evidence into public record and discourse

- > Produce pseudoscientific criticism; misrepresent evidence; marginalize unfavorable evidence; hide evidence; misrepresent scientific standards; create parallel scientific literature; among others.



## MANUFACTURE PUBLIC SUPPORT FOR CORPORATE POSITIONS



### Strategies and mechanisms

Coordinate and manage industry strategies

Form business alliances

Secure support beyond business

Fabricate allies

Operate through third parties

Maximize corporate-favourable content in the media

- › Promote professionally managed campaigns; join forces with directly affected companies; create front groups; access the media through financial ties and relationships and by providing content, among others.



## MANAGE REPUTATIONS TO CORPORATE ADVANTAGE



### Strategies and mechanisms

Repair and nurture corporate reputations

Discredit the public health community

- › Replace fragile governments by using their resources to offer products and services to the population; try to look respectable by associating with respectable individuals and organizations; attack and defame public health researchers, advocates, and organizations.



## **DISPLACE AND USURP PUBLIC HEALTH**

**Undermine the rationale for statutory policies on corporate practices**

**Deliver individual-level interventions**

**Promote “harm reduction” as a public health goal**

**Provide education and training for public health professionals**

**Weaken the public health community**



## **Strategies and mechanisms**

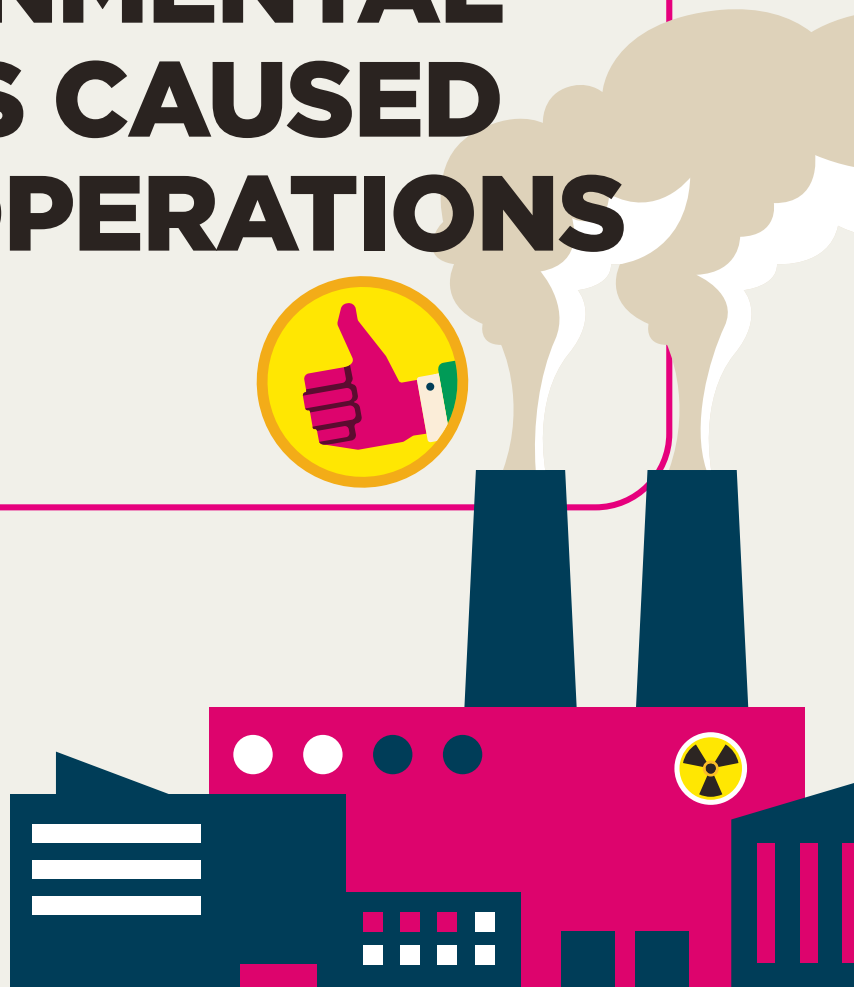
- › Try to replace policies; normalize less effective interventions; divert attention to secondary issues; develop “less harmful” products; fragment the public health community; monitor and intimidate opponents; among others.

# 5. CASES

...



# 5.1 ESG: A STRATEGY TO CLEAN UP THE INDUSTRY'S IMAGE FROM THE SOCIO-ENVIRONMENTAL IMPACTS CAUSED BY ITS OPERATIONS



In 2004, a new acronym emerged in the business world: ESG. These three letters triggered a frenzied race among companies, that began to adapt their corporate practices to this new term coined by the financial market. According to PwC, investments in ESG practices are expected to increase by 84% between 2022 and 2026<sup>19</sup>.

ESG is often considered a replacement for the term “sustainability,” which has become worn out and outdated over the past decade. Despite having some similarities, however, they are not synonyms. ESG goes beyond sustainable corporate practices with a broader approach known as ‘double materiality’ [more information can be found in the Glossary], which considers the corporation’s impact on the world and the world’s impact on the corporation<sup>20</sup>. The goal is to show that corporations are committed not only to profit and competitiveness, which are part of the market rules, but also to a more responsible and

transparent governance model that also includes socioenvironmental objectives.

The ESG wave comes from the pressures stemming from global issues, such as climate change and social inequalities — problems created by corporations themselves — that demand changes in the business environment. Thus, corporations

began to be evaluated according to their practices and incorporated ESG actions to manage their reputation and gain legitimacy and credibility. The objectives include the reduction of financial risks and the improvement of the corporation’s image. It is expected that companies with a poor ESG performance will lose ground, while those that stand out positively will be increasingly valued in the financial market<sup>21</sup>.

The announcement of ambitious goals has driven up stock prices and improved corporate reputations. Over the years, however, ESG has not resulted in substantial changes, which

**The ESG wave comes from the pressures stemming from global issues, such as climate change and social inequalities — problems created by corporations themselves — that demand changes in the business environment**



led to accusations of greenwashing and made corporate failures more evident. Aron Belinky, an expert in Social Responsibility and Environmental Sustainability, attributes this to the lack of evaluation criteria, which can increase the risk of ineffective actions and misleading results<sup>22</sup>.

The environmental (E) sphere involves managing environmental impacts, such as greenhouse gas (GHG) emissions and natural resource conservation. The social (S) sphere includes fair treatment of employees, respect for human rights,

and contributions to the well-being of local communities. Governance (G) refers to the company's management structure, including transparency, business ethics, diversity in the board of directors, and compliance policies<sup>23</sup>.

Despite their efforts to show that they are committed to this agenda, however, corporations continue to appear in the media and be held accountable for environmental crimes, human rights violations, labor analogous to slavery, indigenous land invasions, land grabbing, and deforestation. Negative impacts are hid-

**ESG refers to three main criteria used to assess the sustainability and social impact of corporations and investments:**

ENVIRONMENTAL



It considers the impact of a company's activities on the environment, including greenhouse gas emissions, waste management, water consumption, biodiversity conservation, and energy efficiency, among others.

SOCIAL



It refers to a company's practices and policies regarding human rights, fair labor practices, diversity and inclusion, and the health and safety of employees and the local community, among other social aspects.

GOVERNANCE



It addresses a company's corporate governance structure, including transparency, accountability, equity, business ethics, and compliance with laws and regulations. For this, corporations need to be managed in accordance with the interests of shareholders and other stakeholders.



den from investors and the general population through marketing actions that use keywords from the financial market in an attempt to convince that companies are attentive and committed to sustainable development. Meanwhile, these same corporations use lobbying actions to block, delay, and weaken regulatory measures that affect their operations.

The role of companies and investors in promoting a fairer and more equitable society has been discussed internationally since the 1970s in multiple processes of stakeholders dialogue and negotiation, especially during the 1990s and 2000s<sup>24</sup>. The report “Who Cares Wins”, produced 20 years ago by the United Nations Global Compact<sup>25</sup>, an initiative that includes companies and organizations from 160 countries and the World Bank, represented a milestone for ESG. Members of the UN Global Compact take responsibility for contributing to the SDGs, which have targets related to human rights, poverty eradication, facing inequality and injustice, gender equality and empowerment of women and girls, and actions against climate change, among other topics.

When implementing ESG, corporations should also adopt practices re-

lated to the SDGs, but their actions often do not significantly contribute to mitigating social, environmental, and governance problems. They are just isolated initiatives, such as food donation campaigns, actions to face hunger, and recycling. The text ‘Donations during the Covid-19 pandemic’ from the first version of the Big Food Dossier shows examples of how Big Food uses these actions as a marketing strategy<sup>26</sup>.

Despite their common objectives, the difference between ESG and the 2030 Agenda is that, while the former aims to ensure the perpetuity of the corporation as a value-generating instrument for its shareholders and investors or owners, the 2030 Agenda has a broader approach, considering that the wealth produced by economic activities should be generated sustainably and adequately distributed throughout society to reduce inequalities and increase social inclusion<sup>27</sup>.

On social media, the search for ESG and the discussions on the topic grew sixfold from 2019 to 2020<sup>28</sup>. In 2019, the acronym had 4,000 mentions on the internet, but in the first

few months of 2023 the amount increased to 109,000, with a 2,600% growth on social media. According to the report “The Evolution of ESG in Brazil”, published by the UN Global Compact and Stilingue, more than 78.4% of companies in Brazil have already adopted ESG practices. This number, however, is not a reflection of the impact of the ESG agenda on the country. In the survey, ‘Food and Beverages, Agribusiness, and Retail’ are included among the sectors that are most engaged in ESG practices, especially Nestlé, Ambev, and BRF.

### **ESG AND THE 2030 AGENDA - WHAT IS THE DIFFERENCE?**

**While ESG aims to ensure the perpetuity of the corporation as a tool for generating value for its shareholders, investors, and owners, the 2030 Agenda has a broader purpose: to ensure that the wealth generated by economic activity is produced in a sustainable way and distributed within society to reduce inequalities and improve social inclusion.**

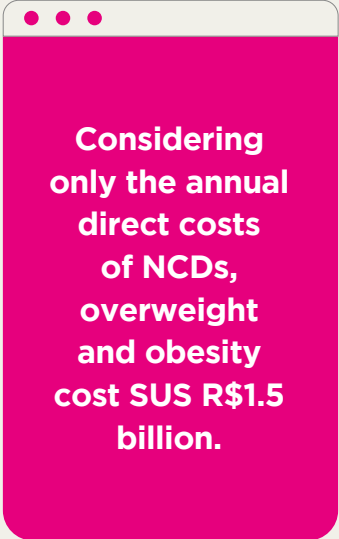


## 5.1.1 ESG AND FOOD AND BEVERAGE CORPORATIONS

A survey conducted by Sodexo found that 89% of Brazilians consider sustainability in the food sector an urgent issue<sup>29</sup>. However, the study 'ESG in the Food and Beverage Sector', produced by KPMG, analyzed 28 companies operating in Brazil and found that less than half achieved an ESG score (45.9%).

74.95% of them have governance issues, and 69.24% cause negative environmental impacts. Incident performance fluctuates around 80% for national companies and 60% for international corporations. The survey shows that two companies have been fined recently for acquiring inputs from embargoed areas, and it also found fines and lawsuits related to illegal deforestation, child labor, and labor analogous to slavery.

These surveys demonstrate that, despite the fact that transnationals from Big Food and Big Soda have started to implement ESG practices in their global agendas, there is still a discrepancy between the projects announced and the practices of these companies<sup>30</sup>. In the food sector, Nestlé, despite mentioning



**Considering only the annual direct costs of NCDs, overweight and obesity cost SUS R\$1.5 billion.**

that Brazil is essential for their ESG environmental actions<sup>31</sup>, has been criticized for its environmental practices, especially deforestation. One of the most notorious cases involves the purchase of meat from suppliers associated with illegal deforestation. In 2019, an investigation revealed that Marfrig,

a Nestlé supplier, purchased cattle from farms located on indigenous lands not yet officially recognized, such as those of the Myky people in Mato Grosso<sup>32</sup>. Despite its public commitments to avoid deforestation in its supply chain, Nestlé is still accused of monitoring flaws and poor implementation of these policies, which shows a discrepancy between the company's ESG goals and its practices. Ambev was listed as an ESG investment trend on the Brazilian stock market (B3), but was also fined for slave labor and is under suspicion of tax fraud<sup>33,34</sup>. BRF, on its turn, invested R\$231.8 million in ESG actions in 2022<sup>35</sup>, but received many complaints about spoiled and poor-quality meat in 2020 and 2021. The company, which owns the Sadia

and Perdigão brands, also accumulated the payment of 171 infractions during this period<sup>36</sup>.

Even companies that have progressed in the implementation of ESG actions have contradictory practices. The operations and products of transnational food companies cause public health problems, such as NCD, and aggravate social inequalities and environmental issues<sup>37</sup>. The global hegemonic food system, in which Brazil plays a leading role, is based on the production of commodities (wheat, soy, and corn) used by the ultraprocessed food industry and to produce animal feed, that cause impacts throughout their entire production chain—from the field to the consumer’s table—, promote environmental devastation, and cause over 57,000 deaths per year in Brazil due to the consumption of ultraprocessed foods<sup>38</sup>. The consumption of sugary drinks also represents a financial burden: the Brazilian health system (SUS) spends nearly R\$3 billion per year to treat patients with diseases caused by these drinks, which represents 0.44% of all health investments. Almost R\$140 million is spent on treating people living with obesity and overweight, and R\$2.86 billion on patients with other associated diseases (type 2 diabetes, heart

diseases, cerebrovascular diseases, kidney diseases, asthma, musculoskeletal diseases, and cancer). Considering only the annual direct costs of NCDs, overweight and obesity cost SUS R\$1.5 billion<sup>39</sup>.

Company reports do not include social costs, which are mostly borne by the state and individuals whose lives are affected by the damage caused by their products. Meanwhile, corporations maximize their profits and increase the power imbalance concerning states, civil society organizations, and individuals. Because of that, ESG has been considered a “washing” (defined as “disclosure of partial, incorrect, or incomplete information, or information capable of diverting attention from irregular practices related to corporate socioenvironmental responsibility”<sup>40</sup>) practiced by corporations that use reputation management strategies in the environmental, social, and governance areas. One of the challenges in corporate governance is the lack of transparency and accountability through independent reports and audits. The 2023 Global Investor Survey conducted by PwC interviewed over 340 investors and analysts and pointed out that companies are failing to incorporate ESG principles. In 2022, 91% of Brazilian investors suspected that corporate

sustainability reports contained greenwashing. In the following year, the rate reached 98%, which shows that confidence in corporations is reduced<sup>35</sup>. Worldwide, the rate is 94%<sup>41</sup>.

An example of a greenwashing strategy is investing in products with sustainable labels and packaging including keywords like “biodegradable”, “eco-friendly”, “green”, and “natural” to attract consumers. A report published by Market Analysis verified the relation between products with an ecological appeal and misleading information on packaging and found that 34% of them have unproven claims, while only 20% of the advertisement content actually reflect results obtained with actions and investments<sup>42</sup>.

In addition to greenwashing, corporations also use socialwashing strategies. Companies monitor social concerns in the public debate for advertising purposes rather than for actually contributing to facing issues. Actions to promote diversity, inclusion, and gender and racial equity to establish goals to make corporate environments more equitable are examples of socialwashing, as over 70% of organizations do not disclose whether they have diversity programs and around 80% of them do not have gender represen-

tation equal to or greater than 20% in senior management positions<sup>43,44</sup>.

There has been a surge in the number of social actions related to projects on racism, gender, and homophobia in Brazil, but they do not solve the problem. The UN Compact aims to have 50% of corporate leadership positions occupied by black individuals. According to the Brazilian Institute of Geography and Statistics (IBGE), black people represent 56.1% of the population, but they only hold 4.7% of the leading positions in the 500 largest companies in the country<sup>45</sup>. For black women, the obstacles are even greater: they occupy only 0.4% of these positions. Moreover, no black professional, man or woman, holds the position of chief executive officer (CEO) in any of the 423 companies listed on B3<sup>46</sup>.

In countries like Brazil, industry interference can be found in many spheres. Corporations take advantage of regulatory weaknesses and their own role in the economies of middle- and low-income countries, which makes their governments act in favor of these transnationals. Coca-Cola and Ambev, for example, take advantage of the Brazilian tax system to receive subsidies of around five to ten US cents for each soda can consumed in Brazil. The

Brazilian government and the citizens of the country are paying for the health damages caused by the sweetened beverages produced by these corporations. Different governments and extensive judicial efforts have not been able to reverse this policy, which is making Brazil one of the most profitable markets for these companies. According to the Central Bank, the beverage sector is the one that sends the largest volume of profits and dividends abroad, totalling 13.4 billion dollars between 2013 and 2017<sup>47</sup>. Taxing products harmful to health is a way of balancing and reducing the risks and inequalities caused by corporate interests.

Coca-Cola encompasses 500 brands and purchases 14% of the sugar produced globally, a significant portion of which comes from Brazil, the main producer of this commodity. Throughout its entire production chain, from the sugarcane field to the supermarket, there are severe human rights violations, as well as environmental crimes and tax fraud, and there is no transparency regarding its Brazilian suppliers. The company discloses the names of the bottling plants but deliberately hides the names of the mills that supply the sugar for its beverages. As this information can have a negative effect and not favor

its image, the world's largest soft drink company hides from its customers where the sugar used in its drinks comes from<sup>48</sup>.

Some of the strategies used by companies to disseminate ESG practices are events<sup>49</sup>, media articles<sup>50,51</sup>, and courses<sup>52</sup>. One example was a project by the newspaper *Valor Econômico* that showcases companies' views about ESG<sup>53</sup>.

Companies that adhere to the ESG agenda annually present sustainability reports that follow guidelines of the GRI<sup>54</sup>, available on the companies' websites and communication channels for investors, customers, and suppliers. The document aims to provide a diagnosis in the areas covered by ESG to mobilize investments. However, what is shown by the media are advertising tactics to increase credibility with the public opinion.

ESG awards are mentioned in sustainability reports as if they represented the companies' progress. One of these awards is the seal "Mais Integridade", created in 2017 by the Ministry of Agriculture and Livestock (MAPA), agribusiness associations and other public and private entities. According to its rules, the aim of the award is to recognize companies that "develop good practices of integrity, ethics,

social responsibility, and environmental sustainability.”<sup>55</sup> The best companies and cooperatives are chosen by a committee interested in benefiting agribusiness that includes the Brazilian Agriculture and Livestock Confederation (CNA) and the National Confederation of Industry (CNI). The winners of the seal include companies suspected of human rights violations, such as Agrícola Xingu, and of poor labor and environmental practices, such as Marfrig, Bunge, and Amaggi. The latter has the former Minister of Agriculture, Blairo Maggi, who signed the decree creating the award, as one of its partners<sup>56</sup>.

Are corporations with a history of human rights violations and environmental crimes considered dependable and sustainable? How can we not question the poor track record of these corporations and their credibility to discuss issues such as environmental sustainability and human rights?

### 5.1.2 THE CASE OF JBS

**M**eat is another commodity that negatively impacts ESG. In the environmental sphere, the meat industry is responsible for a significant part of the deforestation in the Amazon and the Brazilian Cerrado and contributes to the climate cri-

sis by increasing air and water pollution, loss of local biodiversity, and soil degradation, according to the report “What’s Cooking?” released by the UN at the COP 28. Food systems are responsible for about 30% of current GHG emissions, and animal-based products account for nearly 60% of these emissions<sup>57</sup>.

JBS is the world’s largest animal protein company and has a vast history of socioenvironmental violations in Brazil<sup>58</sup>. Such practices do not agree with ESG objectives, yet the company states in texts on its official page and in sustainability reports that its mission is “to feed the world in balance with the planet and that it is committed to building the future, claiming to maintain responsible environmental practices and continuously improve and increase efficiency of its operations.”<sup>59</sup>

The global dimension of JBS is a result of a Brazilian development policy, by which the Brazilian Development Bank (BNDES) granted credits and direct investments amounting to more than R\$ 12 billion to the company. It currently holds 24.6% of its shares, to transform Brazilian transnationals exporters<sup>60</sup>. Within the country, the resources were largely used for mergers and acquisitions of other companies.

Among the twenty meatpacking companies that emit the most GHGs



in the world, four are Brazilian. JBS ranks first on the list and is responsible for about 30% of emissions<sup>61</sup>. Even so, the financial system grants loans to deforesters in the meat supply chain. According to the report “Banking on Biodiversity Collapse”, public and private banks in Brazil are the largest agribusiness investors, having granted \$127 billion in national credit between 2016 and 2023. 54% of this credit went to livestock and 0.36% to soy. Banco do Brasil is, by far, the bank that provides the most credit to companies at risk of deforestation<sup>62</sup>. The study ranks meatpacking companies and their relationship with threats of forest destruction. JBS leads the ranking with nearly 10 million hectares deforested, embargoed, or at risk in its purchasing zones<sup>63</sup>. Another financial instrument that drives this type of business is the Investment Funds in Agro-Industrial Production Chains (Fiagro), which was created

by legislators linked to agribusiness to facilitate credit access for small farmers, but ended up boosting large companies involved in crimes and tax frauds<sup>64</sup>.

JBS was also involved in several corruption scandals that raised questions about its transparency and corporate governance. One of the most notorious cases was the Weak Meat (“Carne Fraca”) operation, launched in 2017 by the Brazilian Federal Police, which revealed a scheme of product adulteration and bribery of agricultural inspectors by some companies in the sector, including JBS<sup>65</sup>. Besides that, the company was also investigated by Car Wash (“Lava Jato”)<sup>66</sup>, another operation on corruption schemes involving politicians and large companies in Brazil. These scandals undermined the trust of investors and the general public in the company and highlighted the importance of



transparency and corporate responsibility in the business environment.

The agricultural sector, including JBS, could contribute to the response to the climate crisis by changing its predatory system. Instead, the corporation launched the 'JBS Fund for the Amazon', created to finance sustainable livestock projects, focusing on reducing deforestation and combating labor analogous to slavery in the Amazon region. However, there is a contradiction: JBS has a troubled history of environmental problems, including accusations of illegal deforestation in the Amazon and labor violations in its operations. This raises questions about the credibility of the JBS Fund in promoting sustainability, considering the company's past practices.<sup>67</sup>

The JBS Fund was included as an ESG practice in the company's sustainability report, but it is a fragile action, given the scale of the damage caused to the Amazon biome by the company. A study conducted by the Institute of Man and Environment of the Amazon (Imazon), published in November 2023<sup>68</sup>, showed

that cattle farming alone could be responsible for three million hectares of deforestation in the Amazon biome by 2025. This means that it is questionable whether the JBS Fund is truly making a significant difference in promoting sustainability or if it is merely an attempt made by the company to improve its image for the public and the financial investors<sup>69</sup>.

Starting in 2020, B3 included beef meatpacking companies such as Marfrig, Minerva, and BRF in the Corporate Sustainability Index (ISE). These corporations, whose supply chains are intertwined with deforestation, were included in the ISE, which includes the companies that are best evaluated in their governance and socioenvironmental sustainability practices<sup>70</sup>. JBS is also trying to have its shares listed on the New York Stock Exchange, but the corruption scandals and environmental damage have prevented this from happening. In February 2024, the Attorney General of New York mentioned greenwashing practices by JBS and filed a lawsuit against the company<sup>71</sup>.

# DIVERGENCE BETWEEN CORPORATIVE PRACTICES AND NARRATIVES<sup>72,73</sup>



## NARRATIVE

“ Brazil is essential for ESG environmental actions.

## PRACTICE



The company is criticized for its environmental practices, especially deforestation.

### Example: Purchase of beef from suppliers associated with illegal deforestation

In 2019, an investigation revealed that Marfrig, a Nestlé supplier, purchased cattle from farms located on indigenous lands not yet officially recognized, such as those of the M'by people in Mato Grosso. Despite its public commitments to avoid deforestation in its supply chain, Nestlé is still accused of monitoring flaws and poor implementation of these policies, which shows a discrepancy between the company's ESG goals and its practices.



## NARRATIVE

“ The company was listed as an ESG investment trend on the Brazilian stock market (B3).

## PRACTICE



The company was fined for slave labor and is under suspicion of tax fraud.



## NARRATIVE

“ The company invested R\$231.8 million in ESG actions in 2022.

## PRACTICE



BRF received many complaints about spoiled and poor-quality meat in 2020 and 2021. The company, which owns the Sadia and Perdigão brands, also accumulated the payment of 171 infractions during this period.



### NARRATIVE

“Coca-Cola encompasses 500 brands and purchases 14% of the sugar produced globally, a significant portion of which comes from Brazil, the main producer of this commodity.

### PRACTICE



Throughout its entire production chain, from the sugarcane field to the supermarket, there are severe human rights violations, as well as environmental crimes and tax fraud, and there is no transparency regarding its Brazilian suppliers. The company discloses the names of the bottling plants but deliberately hides the names of the mills that supply the sugar for its beverages.

## 5.1.3 REGULAMENTATION

**B**razil does not have comprehensive and specific regulations for ESG. However, there are ongoing discussions and initiatives related to the financial market.

In recent years, there has been an increase of about 50% in the amount of investment funds with sustainability seals and of nearly 300% in their assets under management, according to the Brazilian Financial and Capital Markets Association (Anbima). Meanwhile, Anbima and the Brazilian Securities and Exchange Commission (CVM) have been organizing discussions that may contribute to building a regulatory framework.

With the proliferation of investment funds and the abuse of banking

products marked as ESG, Anbima has implemented self-regulation measures and imposed rules for investment funds to encourage and ensure more transparency to these funds<sup>74</sup>.

In October 2023, CVM, which is an autarchy linked to the Ministry of Finance, issued a resolution<sup>75</sup> that determined the adoption of sustainability disclosure standards for publicly traded companies. Two standards were issued by the International Sustainability Standards Board (ISSB): S1, related to sustainability-related financial disclosures, and IFRS S2, which addresses climate-related information. Thus, Brazil became the first country in the world to adopt global standards for financial information disclosure

associated with the ESG agenda<sup>76</sup>. Publicly traded companies, investment funds, and securitization companies will be required to voluntarily disclose sustainability and climate-related information starting January 1, 2024, and mandatorily from January 1, 2026. Starting in the second year after the adoption, the report must be published on the same date as their financial statements. The goal is to standardize the disclosure of sustainability risks and opportunities, enabling the comparison of data and indicators from different companies operating in the same sector. The resolution will still undergo a process of public consultation.

In December 2023, during COP 28 in the United Arab Emirates, the Ministry of Finance presented an action plan for the construction of the Brazilian Sustainable Taxonomy, that will establish a classification system for different economic activities, financial assets, and investment projects, indicating whether they are sustainable or not, with nationwide standards and validity<sup>77</sup>.

The National Congress is discussing two bills with the aim of instituting an ESG seal granted by the federal government that will allow certified companies to receive benefits, such as easier access to credit.

In the Senate, bill No. 4363/2021<sup>78</sup>, proposed by Senator Mecias de Jesus (Republicanos-RR), has been analyzed and is scheduled to be discussed and voted on by the Environment Commission. In the Chamber of Deputies, bill No. 735/2022<sup>79</sup>, proposed by Federal Deputy Carlos Henrique Gaguim (União Brasil-TO) establishes the Green Investment seal, to be granted to capital market institutions that receive a sustainability certification from a national or international entity. The bill awaits the rapporteur's report in the Environment and Sustainable Development Commission. Besides being approved, the bills would still require subsequent regulation.

The lack of a clear definition of the concept, the risks of greenwashing, the absence of parameters for all types of businesses, the standardization of information and reports, the variety of calculations and methodologies used by different institutions to measure the impact of actions adopted by companies from various sectors, and the adaptation of international references to our local reality are some of the challenges for ESG regulation in Brazil.

ESG discussions are progressing, but still at a slow pace. There is a risk that favorable parameters for companies might be implement-

ed in a potential regulation policy, so that their current practices are merely legitimized. Currently, the Legislative Power does not indicate

any shift in forces, and the Executive would need to be willing to confront the business sector.

## ■ Framing Strategies Taxonomy



### THE 'GOOD' ACTORS: CORPORATIONS



#### Framing strategy

**The industry is a key economic actor.**

Corporations began to be evaluated for their commercial practices and incorporated ESG actions to manage their reputation and obtain legitimacy and credibility in business.

**The industry is part of the social fabric.**

Seal “Mais Integridade”, created in 2017 by the MAPA, agribusiness associations, and other public and private entities. According to its rules, the aim of the award is to recognize companies that “develop good practices of integrity, ethics, social responsibility, and environmental sustainability.”

**Industry is socially responsible.**

ESG practices are used by corporations to demonstrate that they are committed not only to profit and competitiveness, but also to a more responsible and transparent governance model with socio-environmental goals.

## Some strategies that were identified<sup>80</sup>



### ACCESS AND INFLUENCE POLICYMAKING



#### Strategies and mechanisms

JBS acquired a global dimension after a BNDES policy that injected capital, provided loans and granted subsidies to turn Brazilian exporters into large transnationals.

Legislators linked to agribusiness created a mechanism to grant investment funds for the agribusiness to facilitate credit access for small farmers, but that ended up boosting large companies involved in crimes and tax frauds.



### MANAGE REPUTATIONS TO CORPORATE ADVANTAGE



#### Strategies and mechanisms

ESG has been considered a corporate “washing” practice that use brand cleaning strategies in the environmental, social and governance areas.

The JBS Fund was included as an ESG practice in the company’s sustainability report, but it is a fragile action, given the scale of the damage caused to the Amazon biome by the company.



## MANUFACTURE PUBLIC SUPPORT FOR CORPORATE POSITIONS



### Strategies and mechanisms

Most audits that validate ESG results published in sustainability reports present conflicts of interest, which makes transparency in accountability difficult.

Some companies are awarded the Mais Integridade seal, created by MAPA and public and private entities. But the committee that chooses the winners includes CNI and CNA, which resulted in the seal being granted to companies suspected of human rights violations, such as Agrícola Xingu, and of poor labor and environmental practices, such as Marfrig, Bunge and Amaggi. The latter has among its partners the former Minister of Agriculture Blairo Maggi, who signed the decree creating the award<sup>81</sup>.

Newspapers Valor Econômico and O Globo have sections dedicated to publicizing ESG practices of corporations from different sectors, and end up reproducing press releases from these companies or praising actions without analyzing their real impact on society and the environment, largely because there is no specific regulation on the subject in Brazil.

Along with the Brazilian Association of Bars and Restaurants (Abrasel), Coca-Cola developed an ESG training course, offered to small entrepreneurs who wanted to adopt more sustainable practices in their businesses. Again, the production sector is responsible for defining the strategies considered sustainable that best suit their business, without external supervision or regulation.





## 5.2 GLOBAL TREATY ON PLASTIC POLLUTION FACES THE CHALLENGE OF CO-OPTATION BY CORPORATE INTERESTS



**P**lastics were a trend in the late 1950s, but in 2024 it is considered one of the greatest environmental villains. The pollution generated by this type of material has become a global problem that threatens biodiversity and the future of next generations. In 2019 alone, approximately 460 million tons of plastic were produced worldwide<sup>82</sup>. Large-scale production and slow decomposition, which takes about 400 years, led the United Nations Environment Programme (UNEP) to issue a warning: if no urgent measures are taken, this number could triple by 2060. Plastic was incorporated into daily life due to its practicality and convenience. From plastic bags to packaging, it has become an indispensable item in modernity, and it goes to waste as quickly as it reaches the consumer. In recent decades, disposable products have become a lifestyle symbol in a capitalist economy that is both a cause and a consequence of the density and speed of modern life<sup>83</sup>.

In 1980, it was thought that the major problem of plastic pollution would be solved with waste management,

that is, collection and recycling<sup>84</sup>. According to UNEP, however, 46% of the world's plastic waste is deposited in landfills, 22% becomes litter, and less than 10% is recycled<sup>85</sup>. Management alone was not enough to help the planet. It was soon realized that recycling could not keep up with the production, which has increased tenfold since 1980<sup>86</sup>. But who is responsible for the pollution that threatens populations and ecosystems?

**It was soon realized that recycling could not keep up with the plastic production, which has increased tenfold since 1980.**

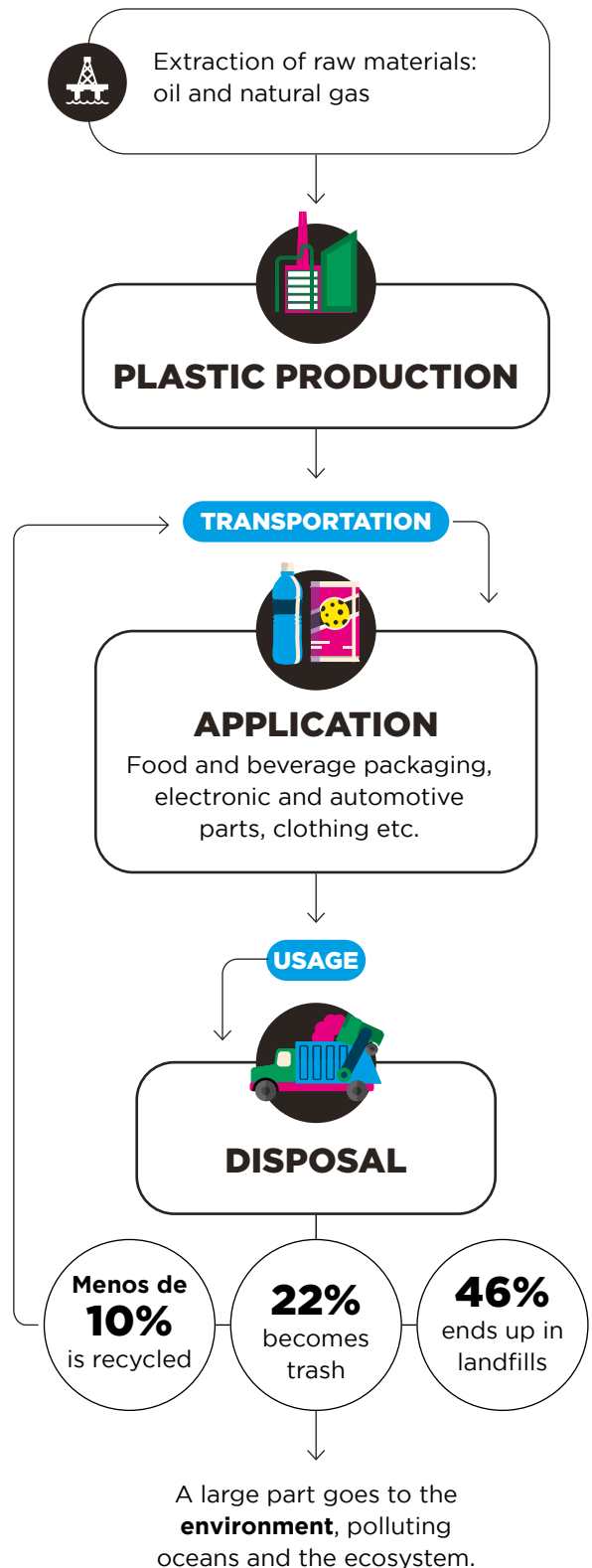
The Heinrich Böll Foundation and the international organization Break Free from Plastic published the 'Plastic Atlas: Facts and Figures about the World of Synthetic Polymers'<sup>87</sup> in 2019, presenting a history of the material and the problems caused by it and compiling plas-

tic production numbers published by the corporations themselves in 2018. Coca-Cola leads the ranking, being the largest producer of plastics in the world, with 3 millions tons of plastic packaging per year and a total of 88 billion disposable plastic bottles. Other major food and beverage corporations that also appear on the list are, respectively, Nestlé (with 1.7 million tons), Danone (with

750 thousand tons), and Unilever (with 610 thousand tons). Coca-Cola's leadership is not by chance: in 1978, the corporation was a pioneer in introducing disposable PET bottles to replace glass bottles<sup>88</sup>. This change represented the beginning of a new era for mass-consumption beverages. The report confirms that the massive scale of products with plastic packaging is significantly driven by the food and beverage industries. Disposable packaging multiplied until the late 1970s. Moreover, it is not just the environment that these corporations harm: there is also an impact on human health, as the consumption of these products can be considered a risk factor for NCD<sup>89</sup>.

One of the growing environmental concerns related to the material is the threats posed by microplastics to human and planetary health. Microplastic particles are released during the decomposition of PET bottles, food packaging, plastic bags, and other products made from the material, and are absorbed by the air, water, and soil. In 2022, the Office of the United Nations High Commissioner for Human Rights highlighted the severity of the problem by noting that plastic particles have been found in human organs, such as lungs<sup>90</sup> and heart<sup>91</sup>, and that constant exposure poses a threat to future generations, potentially contributing to infertility,

## THE LIFE CYCLE OF PLASTICS<sup>92,93</sup>





shortened gestation, and low birth weight<sup>95</sup>.

The UN states that the plastic crisis affects the basic right to live in a healthy and sustainable environment, as it poses risks to health, food, access to water and sanitation, equality, and housing. It is also emphasized that the socioenvironmental impacts are greater for groups already in vulnerable situations, such as children, women, indigenous peoples, coastal communities, communities affected by plastic production facilities, and workers at risk of occupational exposure, as well as communities living in extreme poverty, including waste pickers. All these groups are more impacted by the consequences of plastic pollution due to their lack of adequate access to healthcare, information, opportunities to protect themselves from the impacts of the plastic cycle, and potential solutions<sup>96</sup>.

In light of the impacts of plastic on the climate, biodiversity, human health, and social justice, during the United Nations Environment Assembly held in 2022 in Kenya, several countries approved a historic resolution to create a Global Treaty on Plastic Pollution. This initiative is important for addressing the climate crisis because, despite corporations adopting voluntary sustainability goals, they continue to rank annually as the biggest polluters, demonstrating that voluntary commitments have been largely ineffective and other efforts are necessary to reduce the amount of plastic waste generated by these corporations.

Similar to the Framework Convention on Tobacco Control (FCTC), the first international public health treaty negotiated under the auspices of the World Health Organization (WHO), which succeeded due to a global effort to reduce the harms

caused by smoking and promote public health, the Global Treaty on Plastic Pollution also represents a milestone in the fight against plastic pollution, being the most important proposal since the Paris Agreement on Climate Change<sup>97</sup>. For this to be effective, business interests in the Treaty will need to be faced. A letter from Greenpeace to the UN, signed by more than 170 civil society organizations and researchers, highlighted that conflicts of interest from the sector and countries that produce fossil fuels could hinder negotiations<sup>98</sup>.

The Treaty resolution “Ending Plastic Pollution: Towards a Legally Binding International Instrument”<sup>99</sup> was approved by representatives of 175 countries. It considers the lifecycle of plastic from its manufacture to the disposal in oceans and the final text is expected to be approved by the end of 2024. Since 2022, five rounds of the Intergovernmental Negotiating Committee (INC) have been scheduled to draft a global treaty with goals to fight the problem, considering the entire lifecycle of plastic, including the extraction of raw materials, production, transportation, use, disposal, and remediation.

Representatives from countries, civil society organizations and the oil, food, beverage and packaging indus-

tries are participating in the negotiations. The first two sessions of the INC took place in Uruguay at the end of 2022 and at the United Nations Educational, Scientific and Cultural Organization (UNESCO) headquarters in Paris, France, in June 2023<sup>100</sup>. The third negotiation meeting was held in Nairobi, Kenya, in November 2023.

The main controversy in the Global Treaty concerns reducing plastic production. The European Union and more than 61 countries, such as Japan, Canada, and Kenya, from the High Ambition Coalition to End Plastic Pollution<sup>101</sup>, have reaffirmed their commitment to ending plastic waste by 2040 and reducing the production of plastics with toxic ingredients, such as PVC.

On the opposite side are representatives of the plastics sector and oil and petrochemical exporting countries, such as Saudi Arabia, China, and Russia, who defend the continued use of plastic. Their arguments focus on recycling, circular economy, and material reuse.<sup>102</sup> At the third negotiating session, the Gulf Cooperation Council requested that factors demonstrating the importance of plastics for human life, economies, the implementation of the SDGs, and other international instruments were taken into account. As a suggestion, they pointed out that it is necessary

to manage plastic waste and ensure a just transition that allows countries access to technologies and innovations to make plastics more recyclable.<sup>103</sup> At the same meeting, representatives from countries in Asia-Pacific highlighted to the INC that it is important that the instrument adopts an approach to plastic pollution that encompasses the science and traditional knowledge of indigenous peoples and local communities. Additionally, they emphasized that the Treaty should allow for country-led waste management actions.<sup>104</sup>

Greenpeace and 174 other organizations and scientists sent a letter to the UN pointing out the numerous impacts of virgin plastic production, which increase every year, along with the sector's investments. They called for measures regarding the participation of industries in the Treaty negotiations, arguing that they are interested in perpetuating the plastic crisis and that their proposals are incompatible with the public interest.<sup>105</sup>

The Brazilian government, which was represented by the Ministry of the Environment, on its turn, is one of the major producers of plastic and has low recycling rates, but it has not taken a stance on the controversy in the latest negotiation rounds. The country is not part of the aforementioned groups and does not appear on the list of countries that have implemented legislation for disposable plastics (such as Kenya, Chile, India, and Canada), but some facts suggest that it is aligned with major oil exporters, such as when it requested the inclusion of a paragraph in the Global Treaty on the importance of plastic to society.<sup>106</sup>

The first version of the text, called the The Zero Draft<sup>107</sup> of the Plastics Treaty, was discussed at the third round of UN negotiations and presents progress, but, according to environmentalists, it is still insufficient to tackle the plastic pollution crisis<sup>108</sup>. The lack of consensus among member countries is also one of the obstacles to the Treaty.

## 5.2.1 INTERFERENCE

According to the Environmental Investigation Agency (EIA), the strong influence of the petrochemical and consumer goods industries, such as food and beverages, as well as the countries that produce the material, has compromised the progress of the Treaty negotiations. A total of 143 lobbyists from the petrochemical and fossil fuel industries were registered for the negotiations<sup>109</sup>, which could represent Col on the part of the industry that prevents this issue from advancing in international negotiations and delay the development of a global strategy.

Environmental non-governmental organizations (NGOs such as Greenpeace, the Center for International Environmental Law, Break Free From Plastic, and The Global Alliance for Incinerator Alternatives also participated in the discussions. The industry, on its turn, created the Business Coalition for a Global Plastics Treaty<sup>110</sup>, bringing together more than 200 companies connected to the plastics chain, including representatives of consumer goods, financial

**Oil-producing countries and corporations such as PepsiCo, Unilever, Mars, Coca-Cola, and Nestlé promote narratives of commitment to the Treaty discussion. However, they actually pose a threat to environmental conservation.<sup>111</sup>**

institutions, and NGOs that support the circular economy. The business coalition is led by the Ellen MacArthur Foundation<sup>112</sup> and WWF, and includes the food and packaging corporations PepsiCo, Unilever, Mars, Coca-Cola, and Nestlé. These corporations claim that they are involved and committed to the Treaty discussion process, but in reality they continue to pose a threat to environmental conservation<sup>113</sup>.

None of the industry actors have shown interest in reducing plastic production, but they use strategies to weaken arguments focused on this and minimize the environmental impacts caused by plastics. Coca-Cola, for example, sells about 100 billion single-use disposable plastic bottles every year<sup>114</sup>. To be profitable, all companies in the supply chain depend on being able to produce plastic or being somehow involved in its manufacture. Therefore, the extensive participation of the food and beverage industry in the Treaty and the involvement of these polluters make the conflict of interest evident

and compromise the advancement of more ambitious commitments.

In a press release, Nestlé highlighted the importance of recycling with the launch of a movement, “Together for Recycling”, which focuses mainly on raising consumer awareness about the proper disposal of waste. Companies such as Cargill, iFood, PepsiCo, and Unilever are participating in Nestlé’s initiative. The corporations bet on changing individual habits, showing that plastic waste can be used as a raw material for production systems and be a source of income for waste pickers. “We believe in the power of this campaign to raise awareness about the role each person has in structuring the recycling agenda, while giving visibility to the work of different actors linked to the chain,” said Bárbara Sapunar, Executive Director of Business Transformation at Nestlé Brazil.<sup>115</sup>

A brand audit report from Instituto Pólis examined non-recyclable waste that reached cooperatives of waste

pickers and found that 33% of the waste was composed of plastics, particularly single-use packaging. These non-recyclable wastes highlight the lack of systems for collecting and reusing these materials, which are used as product packaging by corporations. The brands that were most found were Nestlé, followed by Mondelez and PepsiCo, which together are responsible for one-third of all plastic waste from the two cooperatives analyzed, with all the packaging being food-related.<sup>116</sup>

According to a study by Instituto Pólis, in Brazil these corporations should be held accountable for the lack of reverse logistics for their packaging, as established by Article 33 of the National Policy on Solid Waste (Law No. 12.305/2010), which stipulates that companies must bear the costs related to the infrastructure for waste collection, sorting, and sending for recycling, as well as rethink their practices by opting for packaging that causes less environmental impacts<sup>117</sup>. The study emphasizes that plastic pol-

**Large food and beverage corporations and oil-producing countries**



**Countries and organizations committed to ending plastic pollution**





lution is attributed to failures in the waste management system, going from consumers that do not separate their waste correctly to cities that fail to carry out selective collection or do not invest in recycling. However, the fact that only 9% of plastic is recycled worldwide shows that recycling has not been sufficient to handle the volume of disposable plastic produced, which primarily ends up in landfills and the environment<sup>118</sup>.

Unilever, which is responsible for brands such as Hellmann's, Knorr, and Kibon, discusses material circularity and its participation in discussions on the Treaty on the "Together for Recycling" page. Suelma Rosa, Head of Corporate Affairs, Government Relations, and Sustainability at Unilever, states that the company contributes to the Treaty with an innovative vision to boost the consumption of recycled plastic and promote material circularity in the economy.<sup>119</sup>

One of the UN's concerns is to discuss effective solutions to address the plastic crisis while ensuring broad participation and transparency among the stakeholders involved in the discussion. However, the conflicts of interest among some groups

in the negotiations require that the INC develops mechanisms to prevent and mitigate conflicts of interest to ensure effective participation by all parties and avoid power imbalances among corporations, governments, and civil society, which could result in influence imbalances in the Global Treaty.

**Nestlé, Mondelez, and PepsiCo together are responsible for one-third of all plastic waste from the two cooperatives analyzed by Pólis Institute, with all the packaging being used for food products.**

Corporations have significant resources and lobbying power to influence political decisions. They may seek to protect their business interests and resist regulations that could impact their profits, even if it means ignoring environmental or social concerns<sup>120</sup>. The world's largest polluters participate as observers in the negotiations of the Global Treaty in an

attempt to prevent the process from advancing in a way that could affect their businesses. During negotiations, corporations try to influence discussions and seek credentials even without the right to speak. The industry often does not make formal interventions because it has direct access to the government and its representatives, which reflects a power imbalance and unequal participation. To prevent that economic interests influence policies, it is necessary to recognize conflicts of interest among the

Treaty's goals and the companies in the plastics value chain, such as petrochemical companies and food and beverage manufacturers (e.g., Coca-Cola, Unilever, Nestlé, and Mars)<sup>121</sup>.

For the discussions on the Global Treaty to be successful, it is essential to protect it from Col. This means isolating the negotiations from business actors with Col, managing interactions with the plastics industry to avoid disproportionate political influence, selecting delegates with declarations of interests, creating a public record of governmental interactions with fossil fuel and petrochemical industries, and establishing guidelines to identify and manage interactions with companies, including norms on Col and the practice of revolving doors between regulators and industry<sup>122</sup>.

The Business Coalition works with member state delegations. Members of the Business Coalition are active in the negotiations, holding closed-door meetings where the industry adopts a strategy of advocating for a circular economy (a model based on the principles of reduction, reuse, recovery, and recycling of materials and energy). Industry actors have managed to support this agenda to favor their interests and have some NGOs as allies, such as WWF. The narrative is structured to frame the circular economy as one of the solutions to plastic pollution, as it involves reuse, recovery, and recycling after use, instead of

proposing a reduction in production. The Business Coalition advocates for reusable packaging and recycling so that the material returns to the consumption chain, thereby preventing plastic from becoming waste or pollution and retaining the value of products and materials in the economy.

The Business Coalition has advocated for the Treaty to consider plastic production and use through the circular economy approach. For the group, the best strategy would be to reduce plastics by keeping them in circulation and eliminating unnecessary ones<sup>123</sup>. The circular economy can be framed in corporate social responsibility activities, which is a comfortable way for companies to promote sustainability narratives to consumers. Thus, compared to the position of the fossil fuel or petrochemical industry, the coalition presents a more reasonable discourse, but it still engages in lobbying during the negotiations. An example of this was the organization of side events on circular economy with the participation of employees from PepsiCo and Mars. The incidences occurred during official speeches in plenaries or in contact groups during the negotiations.<sup>124</sup>

PepsiCo and Nestlé signed the Global Plastics Pact in 2019, a document from UNEP and the Ellen MacArthur Foundation aimed at promoting a circular economy. Corporations that joined the Pact produce about 20% of the world's packaging support-

ed by this alternative, yet only 2% of production is considered for reuse. Although the circular economy can offer significant environmental and economic benefits, its effective implementation requires cooperation among governments, corporations, and civil society, as well as appropriate policies and regulations to promote the paradigm shift.

Researchers and environmentalists argue that, to prevent plastic pollution, the solution should include a progressive phase-out of plastic production. An article by the Scientists' Coalition for an Effective Plastics Treaty, published in the scientific journal *Science*, emphasizes that even with the application of plastic circularity, annual emissions to the environment can only be reduced by 79% over 20 years. By 2040, it is estimated that 17.3 million tons of plastic waste will be dumped into the environment annually.<sup>125</sup>

In recent years, Coca-Cola has sought to create an environmentally friendly corporate image. Their proposal was to recycle disposable bottles through a program launched in 2020, 'World Without Waste'<sup>126</sup>. This action is an example of greenwashing, because the company is worried about promoting its green goals to improve its reputation with consumers, thereby reducing the importance of being a major contributor to global plastic waste pollution in its institutional image. Coca-Cola has also committed

to using at least 50% recycled material in its packaging by 2030. Currently, recycled material represents 10% of its total plastic packaging volume. However, Coca-Cola set goals for minimum recycled content in bottles as early as 1990 and has yet to meet them.<sup>127</sup> One of the inconsistencies in Coca-Cola's campaigns is that it was actually the first in the country using PET bottles, one of the most common bottles in the population's daily life. The company alone is responsible for producing over 100 billion plastic bottles annually<sup>128</sup>, and about 99% are made from fossil fuels, contributing to climate change. Since 2018, the company's packaging has been reintroduced to the market with sustainability-focused campaigns<sup>129</sup>, claiming a "shift in consumer behavior towards valuing environmental factors".

Industries shift responsibility to consumers, arguing that investment in waste management is necessary. In other words, these companies create enormous social and environmental problems but do not take responsibility for the impacts. For many years, they have committed voluntarily and continued to place the burden of recycling or changing habits to purchase more eco-friendly products on consumers, yet they have never met the targets they set for themselves. In the Treaty negotiations, lobbying by food and beverage corporations causes delays or even makes

discussions unfeasible. According to one interviewee that talked about this case, it was possible to observe other forms of responsibility-shifting

games played by the food and beverage industry during the negotiations, transferring the pollution problem to the petrochemical industry.

## EXAMPLES OF GREENWASHING BY COCA-COLA

1

### 'World Without Waste'

Program created in 2020

#### Proposal

Recycle disposable bottles.

#### Goal behind the program

Improve the company's reputation with consumers, overshadowing the fact that it is the largest contributor to global plastic waste pollution.

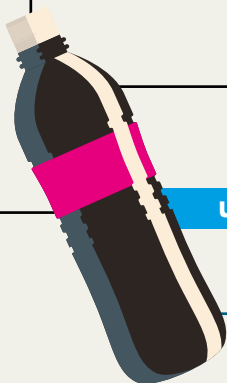
2

### Commitment

Coca-Cola has committed to using at least 50% recycled material in its packaging by 2030.

Currently, recycled material represents **only 10%** of its total plastic packaging volume.

However, Coca-Cola set goals for minimum recycled content in bottles as early as 1990 and **has yet to meet them.**



**Incoherence:** It was actually the first in the country using PET bottles, one of the most common bottles in the population's daily life.



Over  
**100 billion**  
plastic bottles  
annually



**99% are made**  
**from fossil fuels**  
contributing to climate  
change

## 5.2.2 BRAZIL'S STANCE

**B**razil is the largest plastic producer in Latin America, according to UNEP.<sup>130</sup> The country's annual production is 6.67 million tons, of which 325,000 tons contribute to marine pollution - 70% of the waste collected on the country's beaches and contributing to the deaths of millions of marine animals<sup>131</sup>. During Lula's administration, the dialogue in the Treaty negotiations has changed, becoming more open to discussions and rekindling the hopes of civil society organizations. Brazil's participation in the meetings, however, has been problematic: despite not being part of any formed group, it is evident that the country is aligning itself with countries that produce petroleum<sup>132</sup>. One example occurred during COP 28 in 2023, when the Brazilian government negotiated joining a group allied with the Organization of the Petroleum Exporting Countries (OPEC), thus positioning the country alongside groups that threaten the Treaty.

Researchers and civil society organizations denounced plastic pollution

during a seminar of the Environment and Sustainable Development Commission of the Chamber of Deputies in August 2023.<sup>133</sup> According to them, the legislative chamber can contribute by approving proposals for plastic reuse and recycling (PL 2524/22)<sup>134</sup>, which is being debated in the Senate, and rational use of the product (PL 612/07<sup>135</sup> and 63 attached projects), under discussion in the Chamber.

Plastic recycling in Brazil is minimal: only 1.28%, in face of a global average of 9%. A study conducted by the Senate found that between 1995 and

2019, 135 bills addressing plastic use limitations were introduced in the National Congress but were always blocked by lobbying from the sectors involved.<sup>136</sup>

In April 2024, 106 organizations from several countries signed a letter addressed to the INC Secretariat, highlighting the significant participation of the petroleum and plastics industries in the third round of negotiations (143 lobbyists) and requesting measures to prevent Col in future negotiations and ensure equal



**Plastic recycling in Brazil is minimal: only 1.28%, in face of a global average of 9%.**

participation for groups impacted by the plastic crisis, especially indigenous peoples, allowing them to participate significantly in the INC as technical experts and not just as observers, alongside independent scientists and young people.<sup>137</sup> Nevertheless, the latest round of negotiations, INC-4, which took place from April 23 to 29, 2024, in Ottawa, Canada, was not much different. The presence of fossil fuel industry lobbyists increased significantly, which has been reflected in the diminishing ambitions of the Treaty. After a plenary full of impasses, the countries decided to focus on financial mechanisms, plastic products, chemicals used in plastics, product design, reuse, and recyclability. Measures aimed at the reduction of production, for example, face the greatest resistance, even though they are essential to achieving an effective treaty that can actually respond to the climate, biodiversity, and pollu-

tion crises. The text still has many non-consensual sections that need to be discussed in the final round, which will happen in Busan, South Korea, in November. The industry's economic activities are directly related to the increase in plastic production, so the corporations are interested in participating in the negotiations and influencing the Treaty, showcasing their own corporate interests rather than collective ones. Similarly to what happened at the Food Systems Summit, the Global Treaty on Plastic Pollution, which is also a part of the UN's efforts to address urgent and global issues, is facing similar challenges related to industry interference, as highlighted in the first version of the Big Food Dossier.

Significant interference from the food industry was observed in the Food Systems Summit, with large corporations often dominating dis-

### INC-3 SIDE EVENTS WITH INDUSTRY INTERFERENCE:

**INC-3 Side Event 1: “Promoting Sustainable Consumption and Production of Plastics” - Presentation 4:** “Circular Economy Approaches for Packaging” - Carolyn Panzarella, Senior Manager of Global Environmental Policy at PepsiCo, on behalf of the International Council of Beverage Associations.



**Theme 6: Means of implementation, including resource mobilization and financial mechanism** - presence of the Global Plastic Action Partnership, funded by Coca-Cola and Nestlé.<sup>128</sup>



cussions and shaping policies to their commercial interests.<sup>138</sup> This corporate influence can undermine the Summit's objectives and result in policies that favor profits over public health and environmental sustainability. Similarly, the Global Treaty on Plastic Pollution faces the challenge of co-optation of the debate by corporate interests, as different corporations seek to influence negotiations and weaken measures that could affect their profits. This interference can compromise the Treaty's effectiveness to adequately address the plastic pollution crisis and protect the environment and human health. Both cases highlight the urgent need to ensure transparency, accountability, and independence in decision-making processes within the UN to prevent corporate interests from prevailing over collective well-being.

The Global Treaty on Plastic Pollution should be an instrument to advance the fulfillment of human

rights, ensuring the right to a clean, healthy, and sustainable environment. According to the Office of the United Nations High Commissioner for Human Rights (OHCHR), it is essential that the treaty safeguards the rights of those most impacted by plastic production and pollution, especially vulnerable groups. Furthermore, the treaty must establish effective mechanisms to hold corporations accountable for the entire lifecycle of their products, prevent conflicts of interest, and ensure that implementation is not compromised by corporate influences, following the example set by Article 5.3 of the FCTC. Another crucial point is that the treaty should aim to halt the contribution of plastic pollution to the planetary crisis by adopting concrete measures to reduce the use of disposable plastics, promote the circular economy, and encourage sustainable practices throughout the plastic production and consumption chain.

## ■ Framing Strategies Taxonomy



### THE 'GOOD' ACTORS: CORPORATIONS



### Framing strategy

#### **Businesses are legal entities.**

Representatives of the plastics sector and countries that export oil and petrochemicals, such as Saudi Arabia, China and Russia, want to maintain the use of plastic. Their arguments focus on recycling, circular economy and the reuse of the material. They use tactics to undermine the argument with this focus and reduce the environmental impacts caused by plastics.

#### **The industry is a key economic actor.**

The industry's economic activities are directly related to the increase in plastic production, and for this reason these corporations are interested in participating in the negotiations and interfering in the Treaty, showcasing their own corporate interests rather than collective ones.

#### **Industry is legitimate policy actor.**

Corporations claim that they are involved and committed to the Treaty discussions, but they continue to pose a threat to environmental conservation.

#### **Industry is socially responsible.**

At the third session of negotiations on the Treaty, the Gulf Cooperation Council requested that the importance of plastics for human life and economies was taken into account. It suggested managing plastic waste and transitioning to technologies that would make waste more recyclable.

#### **Industry is champion of public health.**

The Business Coalition advocates for reusable packaging and recycling so that the material returns to the consumption chain. Thus, plastic would never become waste or pollution and the value of products and materials would be retained in the economy.





## THE ACCEPTABLE, 'GOOD' SOLUTION: INDIVIDUAL-FOCUSED, CORPORATE SUPPORTED



Framing strategy

Solutions should target individuals, not whole populations.

In a press release, Nestlé highlighted the importance of recycling with the launch of a movement, “Together for Recycling”, which focuses mainly on raising consumer awareness about the proper disposal of waste. Companies such as Cargill, iFood, PepsiCo, and Unilever are participating in Nestlé’s initiative. The corporations bet on changing individual habits, showing that plastic waste can be used as a raw material for production systems and be a source of income for waste pickers.



## THE UNACCEPTABLE, 'BAD' SOLUTION: WHOLE POPULATION, STATUTORY



Framing strategy

Policies will lead to losses for businesses, economy & society.

The Gulf Cooperation Council defends the importance of plastics for human life, for economies, for the implementation of the SDGs and other international instruments.

## Some strategies that were identified<sup>139</sup>



### ACCESS AND INFLUENCE POLICYMAKING



#### Strategies and mechanisms

Presence of representatives from the petrochemical industry and ultraprocessed food products in the delegations of the States in the rounds of negotiations of the Intergovernmental Negotiating Committee for the elaboration of a global treaty on Plastics.<sup>140,141</sup>

During INC-3, side events (workshops) were held with speakers from PepsiCo and Mars.<sup>142,143</sup>



### MANUFACTURE PUBLIC SUPPORT FOR CORPORATE POSITIONS



#### Strategies and mechanisms

Creation of the Business Coalition for a Global Plastics Treaty, an alliance between corporations from different industrial sectors to address negotiations regarding the Plastics Treaty.<sup>144</sup>

The speech is structured to frame the circular economy as one of the solutions, focusing on reuse, recovery and recycling after use instead of proposing the reduction of production. The Business Coalition defends “that plastic never becomes waste or pollution, and the value of products and materials is retained in the economy”.<sup>145</sup>

PepsiCo and Nestlé signed the Global Plastics Pact in 2019, a document from UNEP and the Ellen MacArthur Foundation to promote the circular economy. The corporations that joined the Pact produce around 20% of the packaging in the world that is supported by this alternative, but only 2% of the production is considered for reuse.



## DISPLACE AND USURP PUBLIC HEALTH



## Strategies and mechanisms

Corporations have voluntary actions for waste management and plastic recycling.

Nestlé launched the “Together for Recycling” campaign, with materials aimed at the general population and encouraging individual recycling. However, most of its packaging is single-use and made of non-recyclable material. Most of the non-recyclable material that reaches cooperatives comes from Nestlé.<sup>146</sup>

## 5.3 THE INDUSTRY OF PLANT-BASED FOOD PRODUCTS AND THE FALLACY OF HEALTH AND SUSTAINABILITY



Lifestyle and dietary changes are becoming increasingly urgent in urbanized Western society, both for health and environmental reasons. Many studies link eating patterns with an excessive consumption of ultraprocessed, which are rich in sugar, fats, and sodium, to obesity and NCD such as diabetes, hypertension, and some types of cancer.<sup>147,148,149,150</sup> There is also an important relationship between agrifood systems and the environment: in 2017 alone, they were responsible for 23% of total GHG emissions, especially methane (CH<sub>4</sub>), largely formed by the enteric fermentation of ruminant animals, and nitrous oxide, released by the waste of these animals.<sup>151</sup> In this context, livestock accounts for 14.5% of GHG emissions<sup>152</sup> and is also related to biodiversity loss and outbreaks of zoonotic diseases.

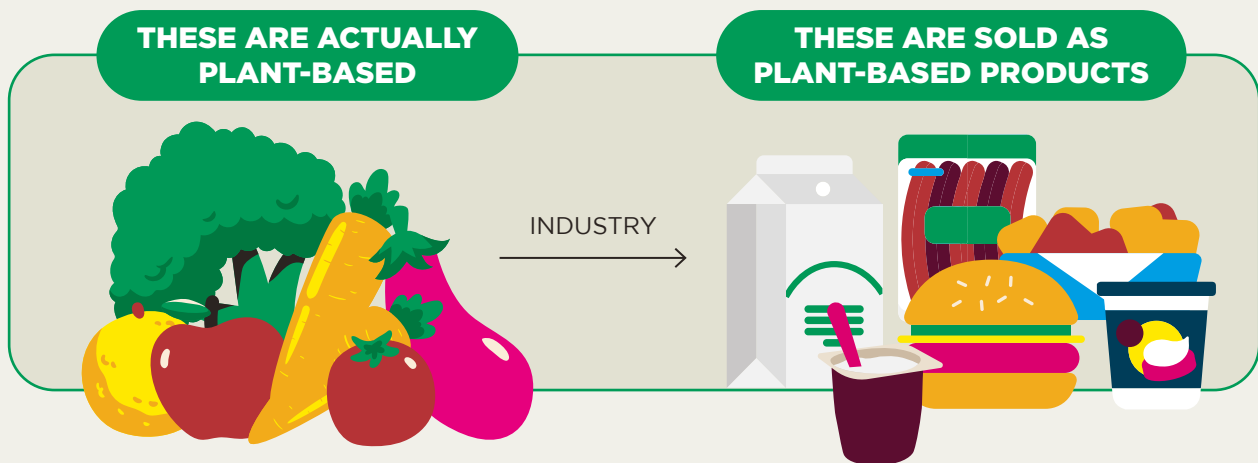
One of the alternatives proposed by researchers and experts to contribute to the health of the population, the reduction of GHG emissions, and the preservation of biodiversity is to increase the consumption of plant-based foods and reduce the consumption of animal-based foods. The term “plant-based” has been used by science to identify and describe a diet based on plant foods, which may or may not include small portions of foods of animal origin, such as some types of meat and

Livestock accounts for  
**14,5% of GHG emissions**

and is also related to biodiversity loss and outbreaks of zoonotic diseases.



dairy products. By becoming associated with positive health outcomes, the term became popular and began to be used by the food industry to identify food products based on plant-based ingredients that mimic foods of animal origin in terms of appearance and sensory experience. There is still no legal definition for plant-based products in Brazil, but most of them are ultraprocessed. They are usually based on plant-based ingredients such as soy, peas, and wheat gluten, and their objective is to “simulate the appearance, texture, flavor, and other attributes of products of ani-



mal origin, such as meat and meat products (burgers, sausages, hot dogs), fish, eggs, milk, and dairy products”.<sup>153</sup>

This market is already established in other countries, but it is still growing in Brazil. It is represented by startups that work with food technology, known as foodtechs, to create and develop plant-based food products that are increasingly similar to foods of animal origin. One of the first companies in the sector was the American company Impossible Foods, founded in 2011.<sup>154</sup> In Brazil, the pioneer was Fazenda Futuro, in 2019.<sup>155</sup> Since then, brands and products have multiplied. They present themselves as innovations and are associated with healthy labels reinforced by brand advertising, which is always aimed at the middle and upper classes in Brazil. According to the IPES-Food report “Proteins and politics: myths and facts about meat, fish, ‘alternative proteins’ and sustainability”, these corporations are expected to move

US\$ 28 billion worldwide by 2025, seven times more than they did in 2020.<sup>156</sup>

The use of high technology and the sector’s growth projections have attracted investments from big names in technology, such as Jeff Bezos, founder of Amazon, one of the investors in Chile’s NotCo, and Bill Gates, from Microsoft, one of the investors in the American company Impossible Foods. The financialization of the economy that structured innovation in the IT area is now migrating to the development of food technology. With the help of the financial capital system, new companies are able to become global in record time.

The growth of this market niche, which appears to go against agribusiness, ended up attracting large meatpacking companies such as JBS, BRF and Tyson Foods, which acquired foodtechs or created strategies to develop plant-based product lines. Market logic allows

corporations to absorb criticism and assign different values to their products,<sup>157</sup> which are not only aimed at vegetarians, but also at so-called “flexitarians”, who are interested in reducing their meat consumption for health or environmental reasons. The industry seeks this public because they reduce, but not abandon, meat consumption and seek new alternatives like plant-based products. At the same time, they are less worried about the origin (whether the product comes from large meatpacking companies or companies that produce only vegetarian products) than the vegan public (who cares not only about what they consume, but also about the production chain, and in all sectors, such as clothing, hygiene, and beauty products).

As this is a new class of products, Brazilian regulation for the plant-based sector is still incipient. In 2021, MAPA opened a social participation channel (“Tomada Pública de Subsídios”, TPS)<sup>158</sup> to establish minimum regulatory requirements for these products. The TPS included nomenclature, label information, strictly plant-based composition, and quality standards, with the aim of establishing a democratic market competition between plant-based foods, alternative proteins, and

proteins of animal origin. The TPS received 332 contributions from representatives from all Brazilian regions and six countries.<sup>159</sup> After the consultation and workshops with 12 representatives from Big Agro and Big Food and only two representatives from civil society (Põe no Rótulo and Idec)<sup>160</sup>, Anvisa identified the asymmetry of information in the plant-based food market as a regulatory problem that affects “the fundamental consumer right to adequate and clear information about the different products and services, specifying their characteristics, composition and risks”.<sup>161</sup> This means that, as important as it is to advance research into the development of new products, it is essential that consumers are informed and understand exactly what is available for their consumption. In 2023, the TPS turned into a public consultation to establish minimum identity and quality requirements for plant-based products.<sup>162</sup> The topic is under discussion between MAPA, Anvisa, and entities representing the productive sector, such as associations and unions.

The food industry identifies new markets and uses different advertising strategies, including associating their products and brands with health and sustainability, to get clos-

er to consumers. Some companies partner with influencers, such as Fazenda Futuro, which invited singer Anitta to be a company partner and “participate in business management, work on innovation projects, and help the brand spread the consumption of plant-based meat in Brazil and abroad”<sup>163</sup>, and launched a line of products named after her.<sup>164</sup> More common strategies include the name used to identify plant-based lines, design strategies, such as clean label packaging (products with few ingredients, additives, and food preservatives), and the use of health claims (such as the absence of additives, hormones, and GMOs and the presence of organic ingredients, low carbon footprint etc.), even if there is an excessive amount of sodium and fats. A study showed that consumers are more likely to buy plant-based food products when the label includes information about carbon content, which indicates that they care about sustainability.<sup>165</sup>

The very way these products are named is a topic of debate in many countries, especially in the global North, as the agricultural sector does not accept that plant-based products that imitate those of animal origin have similar names (such as plant-based milk, which should be called a “plant-based drink”,

since milk is technically a secretion produced by mammary glands). On the one hand, there is an argument that presenting a plant-based product similarly to animal-based products (naming it milk, cheese, hamburger, sausage etc. or using images of animal-based foods on the packaging) and the placement of these products in stores can confuse consumers about their origin (animal or plant) or their nutritional composition, since the nutritional characteristics of plant-based products are not equivalent to those of animal origin in the same category (such as milk and cheese). On the other, some argue that the use of similar terms, formats, and packaging are important because they convey information about the sensory experiences that the consumer can expect from the product.<sup>166</sup> These different and conflicting claims make this battle far from over. Although many of these products need to comply with the new Brazilian nutritional labeling (Resolution of Anvisa’s Collegiate Board of Directors [RDC] 429/2020<sup>167</sup>), a specific regulation is necessary to ensure that the consumer is clearly informed about the particularities of these foods, including name, composition, nutritional equivalence, and labeling. The industry monitors the contro-



versies about the composition of these products, which are constantly updated to enhance texture and flavor and to try to improve the nutritional profile. Fazenda Futuro, for instance, reduced fat and sodium in its Futuro Burger 2030 in comparison to the previous version<sup>168</sup>, while The New changed its name (it was The New Butchers) and altered the composition of its products to reduce sodium and saturated fat and increase the protein content,<sup>169</sup> although it remains inadequate, as there is an excessive amount of sodium and total fats, for example, food additives and isolated vegetable proteins. The use of potentially misleading health and sustainability claims to sell plant-based products is actually one of the fundamental issues concerning the regulation of these products in Brazil.<sup>170</sup>

The use of technological adjuvants and new techniques, such as precision fermentation and cultured meat, are also topics of debate in Brazil and abroad. The latter, although not plant-based, falls into the category of new meat substitute technologies that seek to reduce costs and resources for its production. Industry research claims that the technique is capable of saving between 80% and 95% of water and reducing GHG emissions between 70% and 90%, besides avoiding an-

imal slaughter, making land available for other crops, and reducing the need for antibiotics.<sup>171</sup> Although estimates indicate that the environmental impacts of large-scale production of cultured meat would be “lower than those of beef, and possibly pork, but higher than those of chicken and ultraprocessed plant-based products”<sup>172</sup>, its production is currently economically unviable. Regulatory agencies in several countries, such as the United States of America (USA), Netherlands, Canada, and Israel, however, are already discussing regulation, especially sanitary control and consumer safety. Currently, Singapore is the only country where cultured meat is legally commercialized. In Israel, although they are not commercially available yet, it is possible to consume some cultivated products in restaurants.<sup>173</sup>

Large corporations from the food sector have invested millions of dollars to make the technology commercially viable. JBS, for example, announced an investment of approximately US\$ 62 million in the JBS Biotech Innovation Center, a research, development, and innovation center for cultivated protein.<sup>174</sup> The search for solutions for the food system led by corporations, which argue that this would have a positive impact on sustainability, is “severely

limited by the business model of a highly concentrated industrial agri-food sector, based on systematically abusive practices and generating hidden costs or ‘externalities’”.<sup>175</sup>

There is an evident tension between major agricultural actors, such as meatpacking companies JBS and BRF, and startups researching this technology. This resulted on bill No. 4616/2023<sup>176</sup>, which aims to prohibit private research and the production, reproduction, importation, exportation, and commercialization of cultivated meat in Brazil. The bill was proposed by Tião Medeiros (PP/PR), president of the Agriculture Commission of the Chamber of Deputies and a member of the Parliamentary Agricultural Front (FPA), which defends the interests of agribusiness. The arguments in favor of the bill include the protection of the “national livestock industry, which is one of the most important in the country, generating millions of jobs and being responsible for a significant portion of the gross domestic product”.<sup>177</sup>

Entities involved in research and development of alternative proteins in Brazil expressed dissatisfaction with the bill and published statements challenging its content and legality.<sup>178</sup> The Federal University of Santa Catarina (UFSC) and the JBS Biotech Innovation Center signed

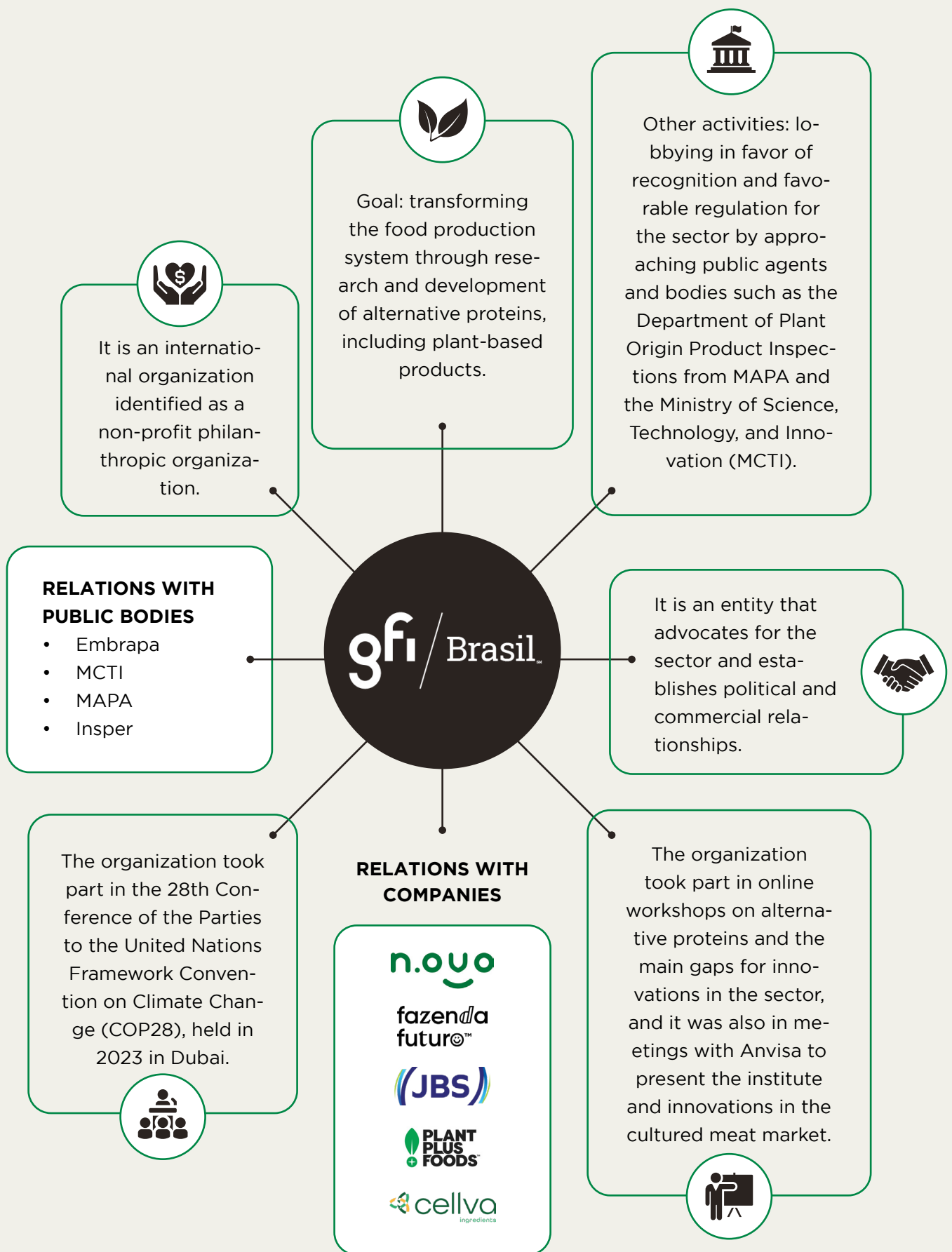
an agreement in November 2023 for the development of joint actions of research, development, and innovation in the area of food biotechnology, especially for the production of cultivated protein<sup>179</sup>, which received investments by large companies and foodtechs that hope to increase profits through low production costs in the future, compared to traditional agricultural production. The Good Food Institute (GFI), which is part of the sector, stated that the bill uses “unfounded arguments that contradict science itself” and prevent the growth of a sector (plant-based, cultivated, and obtained through fermentation) that is expected to represent 11% to 22% of the global meat market by 2035.<sup>180</sup>

GFI is an international organization identified as a non-profit philanthropic organization dedicated to transforming the food production system through research and development of alternative proteins, including plant-based products. In Brazil, it is financed by transnational food companies such as JBS, as well as other large corporations like Mantiqueira Brasil and Fazenda Futuro.<sup>181,182</sup> In addition to encouraging research in the sector, GFI also lobbies in favor of recognition and favorable regulation for the sector by approaching public agents and bodies such as the Department of Plant

Origin Product Inspections from MAPA<sup>183</sup> and the Ministry of Science, Technology, and Innovation (MCTI), participating in online workshops on alternative proteins, identifying gaps for innovations in the sector<sup>184</sup>, and meeting with ministry representatives<sup>185</sup> and Anvisa to present the institute<sup>186,187</sup> and innovations in the cultured meat market.<sup>188,189,190</sup> GFI advocates for the sector, establishes political and commercial relationships, and it even took part in the 28th Conference of the Parties to the United Nations Framework Convention on Climate Change (COP28), held in 2023 in Dubai. GFI works as a representative and advocate for the interests of the group so that corporations do not need to expose themselves to the public. It is important to note that, according to a study that investigated corporate political activities, subjective issues such as social relationships between politicians and industry representatives can influence policymaking processes and allow access to key decision-makers to exert political influence.<sup>191</sup> GFI Brazil appears as a representative of the sector in different moments besides bill No. 4616/2016, including in discussions for a tax legislation specific to plant-based products that would enable price reductions, as they are currently quite high. One of the goals is to allow these products to

better compete with animal-based foods, which are exempted from PIS and Cofins and pay a reduced ICMS rate.<sup>192</sup> High sales prices contributed to the plant-based market stagnation in 2022 in the USA, for example. According to Future of Fresh<sup>193</sup>, a research by Deloitte, these products are considered non-essential by a portion of the consumer market and therefore are the first to be removed from shopping lists in times of financial crisis.

The research also included another important point that is already a concern for the Brazilian industry: there was a decrease in the number of consumers interviewed who consider plant-based products generally healthier, and there is increasing concern about the nutritional composition of these products. Although there is no specific legislation for plant-based products in Brazil yet, the recommendations of the Dietary Guidelines for the Brazilian Population<sup>194</sup> from the Ministry of Health can help consumers make better choices among these products. The Guidelines uses the Nova food classification, which considers the extent and purpose of food processing rather than just their nutrients to define those that are classified as ultraprocessed and should be avoided. Ultraprocessed foods usually have an excessive amount of



sodium, fats, sugars, and calories, as well as food additives and rarely used culinary ingredients. Another fundamental issue addressed in the Guidelines concerns the impacts caused by the consumption of new food products, especially ultraprocessed ones, on the local culture. In a country with such a diverse food culture as Brazil, which has a nutritionally adequate dietary base (legumes, cereals, and vegetables), discussions about ultraprocessed plant-based products and claims about the need of additional proteins are biased and based on a form of nutritionism<sup>195</sup> (which is the reduction of food to its nutrients, such as carbohydrates, proteins, and fats) that is co-opted by advertising to create needs and sell products.

Thus, it is important to reinforce the need for regulations that warn about the risks posed by ultraprocessed to the health and quality of life. Several studies associate their consumption with an increased risk of obesity and other NCD.<sup>196,197,198</sup> Regulating the production, compo-

sition, and marketing of these products, therefore, is not only related to technology development, but mainly to the impacts on public health and the food production system, to ensure consumer safety and clear communication.

Moreover, even with the shift in the niche market, the actors in the agri-

food market are still the same: Big Food and Big Agro. Supported by the development of high technology and billionaire investments, they form a highly concentrated market dominated by large corporations and tied to the financial system.<sup>199</sup> Besides, the chains of labor and natural resource exploitation are kept the same, with raw materials coming



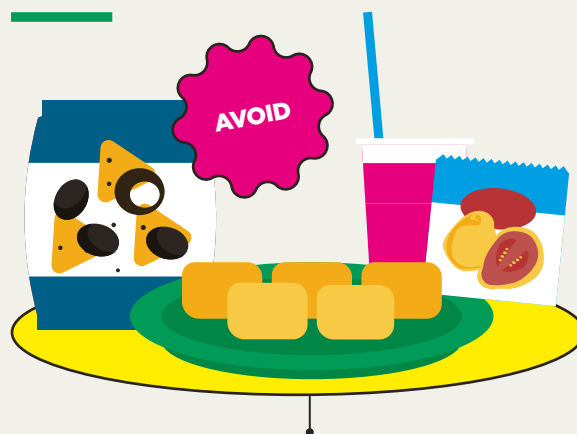
**Regulating the production, composition, and marketing of plant-based products is not only related to technology development, but mainly to the impacts on public health and the food production system.**

from monoculture (mainly genetically modified foods produced by large conglomerates using pesticides). Another point of concern is that, although the plant-based market is still expanding and products like cultivated meat are still in the research and development phase, the production sector is already organized through represen-

tative entities, such as the GFI, to lobby public managers. Their focus is to highlight the positive aspects of this market, especially regarding the use of technological innovation and the lower environmental impacts, hiding concerns about the quality of these products and their public health consequences while not leading to significant changes in the food system as a whole. What is actually necessary is promoting family farming, traditional communities, and a productive system that respects local biodiversity and food culture,<sup>200,201,202</sup> in accordance with directives for a healthy and sustainable diet like the Dietary Guidelines for the Brazilian Population.

## NUTRIENTS

### ULTRAPROCESSED PRODUCTS



#### **New** food classification

Dietary Guidelines for the Brazilian population: considers the extent and purpose of food processing

Ultraprocessed products should be avoided because they have an excessive amount of **sodium, fats, sugars, and calories**, as well as **food additives and rarely used culinary ingredients**.



## ■ Framing Strategies Taxonomy<sup>203</sup>



### THE 'GOOD' ACTORS: CORPORATIONS



Framing strategy

**Industry is champion of public health.**

GFI presents itself as an important actor in the development of products made from plants, cultivated from cells or obtained through fermentation to contribute to mitigating the environmental impact of the food system, reducing the risk of zoonotic diseases, feeding more people with fewer resources, and promoting a food production chain that does not depend on animals.

**The industry is a victim.**

GFI Brazil has spoken out against bill No. 4616/2023, proposed by the Big Agro group to prohibit research, production, reproduction, importations, exportations, and sale of cultivated meat in Brazil. It claims that the bill uses “unfounded arguments that contradict science itself” and hinder the growth of a sector (plant-based) that is expected to represent 11 to 22% of the global meat market by 2035.



### THE ACCEPTABLE, 'GOOD' SOLUTION: INDIVIDUAL-FOCUSED, CORPORATE SUPPORTED.



Framing strategy

**Solutions should be self-regulatory & not disrupt business.**

The industry monitors the controversies over the composition of these products, which are constantly updated to enhance the texture and flavor and to try to improve the nutritional profile, even though the nutritional composition remains inadequate, with an excess of sodium and total fats, for example, and the use of food additives and isolated vegetable proteins.

## Some strategies that were identified<sup>204</sup>



### ACCESS AND INFLUENCE POLICYMAKING



### Strategies and mechanisms

Representatives of Big Agro and Big Food created a coalition to participate in the TPS, which began in 2021, and defend market interests, which in many cases conflict with public health interests. The results of the TPS were presented exclusively at the 2nd Agricultural Defense Seminar (Sedagro), in São Paulo, in March 2023<sup>205</sup>. Among the items related to regulatory requirements in the TPS, the item “mandatory information on the labeling of plant-based products” received 285 contributions, the largest number, which demonstrates concern with the identification and presentation of these products at points of sale.

Participation of 12 representatives from Big Agro and Big Food (ABIA, ABIAD, ABIR, Viva Lácteos, ABIPESCA, ABIQ, ABIEC, ABPA, ABBI, ABIAM, ITAL and GFI) in Anvisa’s virtual workshops to identify the regulatory problem and the agents affected by the plant-based theme<sup>206</sup>, and only two representatives from civil society (Põe no Rótulo and Idec), demonstrating an asymmetry of forces.

Among GFI’s activities aimed at approaching government bodies are meetings with MCTI<sup>207</sup> and participation in an online workshop with the Ministry on studies on alternative proteins and main gaps for innovations in the sector;<sup>208</sup> and meeting with representatives of MAPA<sup>209</sup> and Anvisa to present the GFI and the cultivated meat sector<sup>210,211,212,213,214</sup>. This provides them access to key decision-makers to exert political influence, in addition to establishing social relations between politicians and industry representatives, which can influence policymaking<sup>215</sup>.

\* Associação Brasileira da Indústria de Alimentos (ABIA)

\* Associação Brasileira da Indústria de Alimentos para Fins Especiais e Congêneres (ABIAD)

\* Associação Brasileira das Indústrias de Refrigerantes e de Bebidas não Alcoólicas (ABIR)

\* Associação Brasileira das Indústrias de Pescados (ABIPESCA)

\* Associação Brasileira das Indústrias de Queijo (ABIQ)

\* Associação Brasileira das Indústrias Exportadoras de Carnes (ABIEC)

\* Associação Brasileira de Proteína Animal (ABPA)

\* Associação Brasileira de Bioinovação (ABBI)

\* Associação Brasileira da Indústria e Comércio de Ingredientes e Aditivos para Alimentos (ABIAM)

\* Instituto de Tecnologia de Alimentos (ITAL)



GFI participated in COP 28 in Dubai<sup>216</sup>, establishing contacts and associating its name with events and themes of international relevance. They attended the following panels:

UNFCCC, official side event - “Unlocking the Power of Alternative Proteins for Climate Resilience and Food Security” - moderated by Gustavo Guadagnini, President of GFI Brazil;

“Unlocking the transformation of the agri-food system: Aligning regenerative agriculture with sustainable food choices” - Speaker: Gus Guadagnini, president of GFI Brazil;

“Highlighting and Scaling Up Climate Solutions”  
- Speaker: Mariana Bernal, public policies analyst at GFI Brazil;

“Sustainable Snacks for Future Champions”.  
Speaker: Mariana Bernal, public policies analyst at GFI Brazil<sup>217</sup>.

“The transition of food systems and its implications for the environment, consumption, and public health” - event co-organized by GFI;



## MANUFACTURE PUBLIC SUPPORT FOR CORPORATE POSITIONS



### Strategies and mechanisms

Companies are partnering with influencers, such as Fazenda Futuro with singer Anitta, who became a business partner to “participate in business management, work on innovation projects, and help the brand spread the consumption of plant-based meat in Brazil and abroad.”<sup>218</sup> Together, they launched a line of products named after her.<sup>219</sup>

Formation of GFI, a non-profit philanthropic organization focused on transforming the food production system through research and development of new plant-based products that receives funding from agribusiness companies such as JBS, as well as other large corporations such as Mantiqueira Brasil and Fazenda Futuro. Through GFI, companies ensure the defense of their interests without necessarily exposing their corporate image to the public, and the institution acts as a representative to establish partnerships with ministries such as MAPA, MCTI, and Anvisa itself. This provides access to key decision-makers to exert political influence, in addition to establishing social relationships between politicians and industry representatives, which can influence policymaking.



## SHAPE EVIDENCE TO MANUFACTURE DOUBT

GFI produces and provides material on plant-based products: graphs, research etc. The material provided is produced by GFI to showcase the growth potential of the alternative protein market in Brazil, nutritional comparisons, and acceptability of these products by consumers. Since GFI focuses on this sector, receives investment from companies, and lobbies in the area, it is clear that there is a conflict of interest in the production of this material.



## Strategies and mechanisms

GFI established a partnership with State University of Campinas (Unicamp) to do a study focusing on national plant-based proteins to evaluate the potential of raw materials grown in Brazil for analogous plant-based foods.<sup>220,\*</sup>

Alt Protein Project<sup>221</sup>- Created in 2020 by GFI, it promotes education, research, and innovation in alternative proteins. It has more than 450 active members in several countries such as Switzerland, Turkey, Portugal, Brazil, Malaysia, and Japan.

In November 2023, the UFSC and JBS Biotech Innovation Center signed an agreement to develop joint actions of research, development, and innovation in the area of food biotechnology, especially for the production of cultivated protein.<sup>222</sup>

*\*In both cases, attention must be paid to the management of conflicts of interest (COI) and transparency, since the research will be developed with industry funding.*



## DISPLACE AND USURP PUBLIC HEALTH



## Strategies and mechanisms

Brands are constantly reformulating their plant-based products, claiming to want to enhance flavor, texture, and nutritional profile. But the main issue is that, since there is no specific regulation, it is not possible for the consumer to know whether this will bring health benefits or whether these claims are just potentially misleading sales strategies for the products.



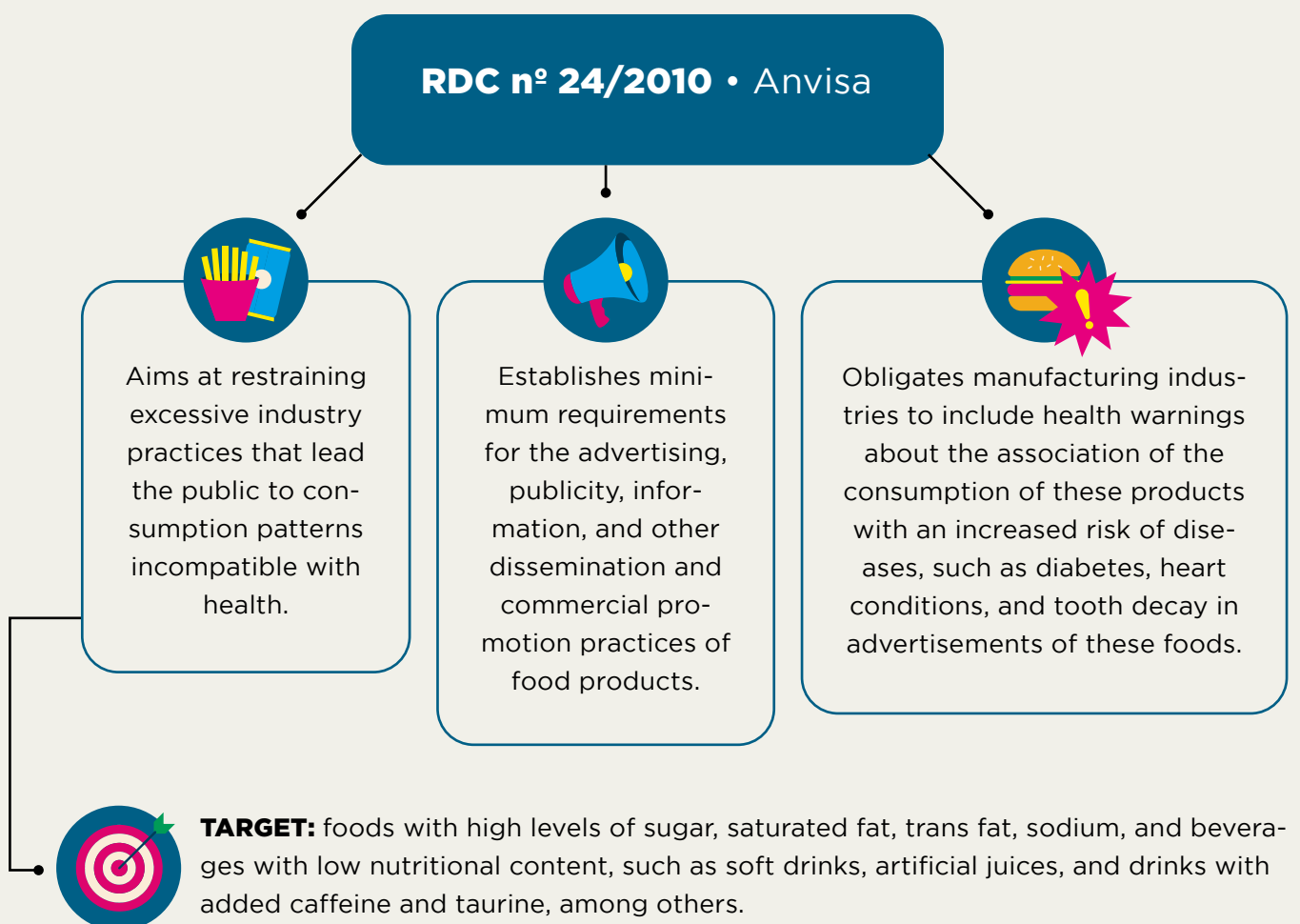
# 5.4 **FOOD REGULATION AND INDUSTRY LOBBY IN BRAZIL**



**P**reventable deaths caused in Brazil by the consumption of ultraprocessed could be much lower if a regulation created 14 years ago by Anvisa had been implemented. The RDC No. 24 of 2010 aimed to restrain excessive industry practices that lead the public to consumption patterns incompatible with health. Establishing minimum requirements for the offering, advertising, publicity, information, and other dissemination and commercial promotion practices of these products, the RDC obliges manufacturing industries to include health warnings in advertisements of these foods (such as soft

drinks, artificial refreshments, drinks with added caffeine and taurine, among others) about the association of their consumption with an increased risk of diseases, such as diabetes and heart diseases, and also tooth decay.

Long before the Dietary Guidelines for the Brazilian Population<sup>223</sup>, published in 2014 by the Ministry of Health, advised against the consumption of ultraprocessed based on robust scientific evidence and the new front-of-package nutritional labeling<sup>224</sup> began to be discussed, Anvisa already recognized that foods



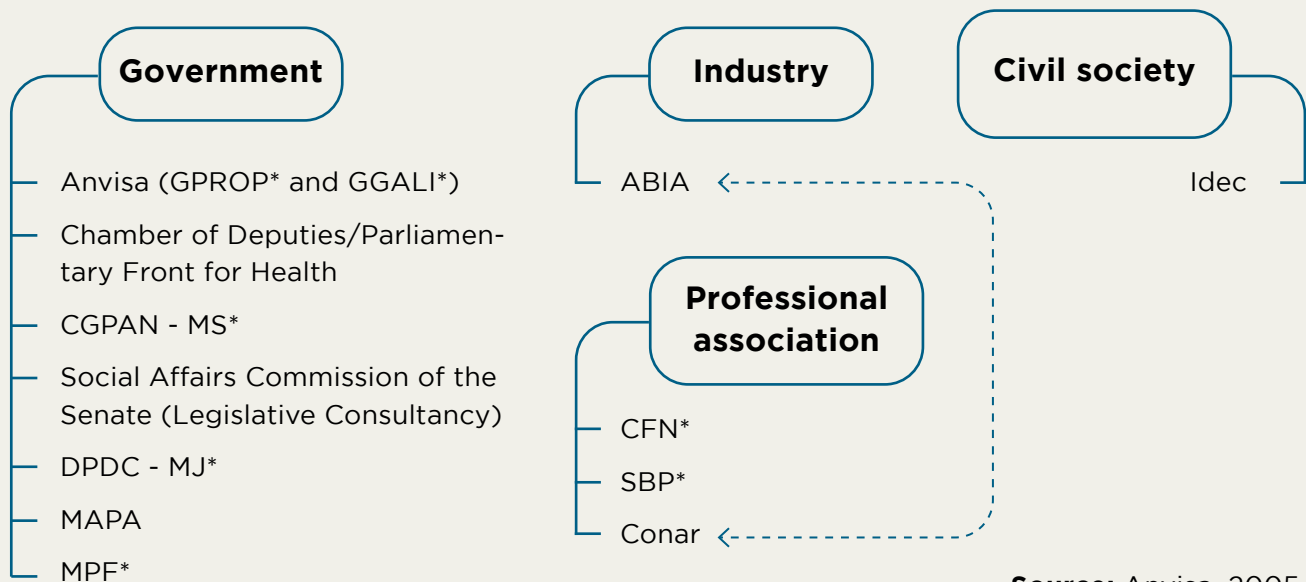
with an excess of critical nutrients should have their harmful effects indicated to warn consumers and possibly reduce their consumption and, consequently, associated health problems. According to the study previously mentioned<sup>225</sup>, progressive reductions in the consumption of ultraprocessed by 10% to 50% could potentially prevent 5,900 to 29,300 deaths per year, respectively.

The process that led to RDC No 24/2010 began in March 2005, when Anvisa published RDC No. 73, which

established a working group that brought 12 organizations together to discuss the issue and present a regulatory proposal for the sector<sup>226</sup> (Table 1). The group was active until July 2006 and drafted a regulation<sup>227</sup>, which was submitted for public consultation in November of the same year. The economic sector always actively participated in this process, including as a part of the mentioned working group.

That same year, Anvisa was attempting to regulate advertising of two

## PARTICIPANTS OF THE WORKING GROUP ESTABLISHED BY ANVISA'S RDC NO. 73/2005



Source: Anvisa, 2005.

\*Department of Monitoring and Inspection of Advertising, Publicity, Promotion, and Information of Products Subject to Health Surveillance (GPROP)

\*General Food Management (GGALI)

\*General Coordination of Food and Nutrition Policies (CGPAN - MS)

\*Department of Consumer Protection and Defense (DPDC) - Ministry of Justice

\*Federal Prosecution Office (MPF)

\*Federal Council of Nutrition (CFN)

\*Brazilian Society of Pediatrics (SBP)

other important sectors: medications and alcoholic beverages.<sup>228</sup> In 2005, the agency organized two public consultations, No. 83, regarding alcoholic beverages with an alcohol content below 13 degrees Gay-Lussac, and No. 84, regarding medication advertising. In both cases, the sectors organized mobilizations, as

did CONAR, which obtained legal opinions contrary to Anvisa's regulations from AGU that ultimately led the regulatory processes to fail (Table 2). The decision on public consultation 84 was supported by the precedent set by the industry with the legal opinion regarding consultation 83.

## ANVISA'S ATTEMPTS AT REGULATING ALCOHOL AND MEDICATIONS ADVERTISING.

### Public consultation nº 83 (2005)

regarding advertising regulations for alcoholic beverages with an alcohol content below 13 degrees Gay-Lussac.



In 2007, Anvisa and CONAR consulted AGU about the legality of the possible regulation of alcoholic beverage advertising, which concluded that the resolution would only have legal support through a change in federal law (by bill or provisional measure). Then, Anvisa decided to step back and did not propose the regulation.<sup>229</sup>



### Public consultation nº 84 (2005)

It resulted in the publication of **RDC No. 96<sup>230</sup> of December 17, 2008** on advertising, publicity, information and other practices whose objective is the dissemination or commercial promotion of medications.



CONAR consulted AGU once again and, in June 2009, obtained a new legal opinion favorable to the advertising industry. AGU understood that Anvisa had exceeded constitutional and legal limits, entering an area for which the Union was responsible, and recommended the suspension or revocation of the resolution.<sup>231</sup>

The pharmaceutical industry used this document to obtain several legal decisions against the regulation, what ultimately made its implementation unfeasible.



## 5.4.1 THE LOBBY AGAINST THE REGULATION

**G**iven the resistance faced by Anvisa in regulating medications and alcoholic beverages, it was no surprise to see the same happen with food products. CONAR, which had been involved in the previous cases, created a coalition with the business sector to implement lobbying strategies in an attempt to prevent the regulation of advertising for foods with high amounts of sugar, saturated fats, trans fats, sodium, and beverages with low nutritional value. This time, ABIA and the Brazilian Association of Soft Drinks and Non-Alcoholic Beverages (ABIR) also participated actively.

At first, CONAR and ABIA hired a renowned jurist and law professor from the University of São Paulo (USP) to write a legal opinion on the constitutionality of Anvisa's regulation<sup>232</sup>. In addition to the arguments used in the opinion, the jurist's authority and reputation contributed to giving credibility to his argument in favor of the invalidity of the health regulation. As in the cases of medication and alcoholic beverages, the legal opinion was used as a strategy to weaken the regulatory process.

Since this opinion was not enough to stop Anvisa, in September 2006,

two months before the draft regulation in public consultation No. 71 was issued, CONAR, who knew that the regulation would hinder its economic interests, updated the Brazilian Advertising Self-Regulation Code to strengthen the regulation of food and beverage advertising and advertising aimed at children and adolescents.<sup>233</sup> This was an attempt to show society that CONAR was concerned and serious about the issue and perhaps convince social movements that monitored Anvisa's process that self-regulation would be enough. However, self-regulation by CONAR is absolutely insufficient for effective consumer protection, as it cannot oblige companies to comply with the rules.

There were also many lobbying actions with the Legislative and Executive branches to try to prevent Anvisa from proceeding with the regulation. CONAR, ABIA, and ABIR met with José Gomes Temporão, then Minister of Health, approached the Civil House, and tried to mobilize deputies and senators to pressure Anvisa's directors to give up on the regulation. None of this, however, had any effect, and Anvisa carried on with the process.<sup>234</sup>



## 5.4.2 TENSION INCREASES WITH RDC NO. 24/2010

In November 2006, the technical regulation proposal was wrapped up and public consultation No. 71 began on November 13, 2006, to address the following matters:

“offering, advertising, publicity, information, and other related practices whose object is the dissemination or promotion of foods with high amounts of sugar, saturated fats, trans fats, sodium, and beverages with low nutritional value, regardless of the forms and means of their dissemination”<sup>235</sup>.

The proposal presented in the consultation was extremely strict and split into four themes, named ‘titles’. The first title established health warnings rules for foods considered high in sugar, sodium, saturated fat, and trans fat, as well as non-alcoholic beverages with low nutritional value. It also detailed broadcasting rules for different media (print and radio, for example) and defined the type of content that could be included in advertisements or not. ‘Title II’, the strictest of the document, exclusively discussed matters related to children. It stipulated times when commercials for children would be allowed on radio and television and prohibited the use of children’s char-

acters and advertising in educational establishments.<sup>236</sup> The third ‘title’ established rules for the distribution of free samples, discount coupons, sponsorships, and other promotional activities. The fourth and last title dealt with general issues.

The public consultation initially had a 60-day deadline, but it was extended to 140 days and ended on April 1, 2007. It received 254 submissions from 248 contributors, 71 of which were from individuals, 62 from organized civil society, government institutions, and educational institutions, 35 from cancer-fighting institutions, and 80 from representatives of the regulated sector.<sup>237</sup>

The pressure from the economic sector and the large amount of contributions ended up extending the regulatory process. The following stage, a public hearing, only took place in 2009, almost two and a half years later. The tension between the productive sector and public interest groups was noticeable even in their distribution in the room: the first group was on the right, and the second on the left, which showcased the polarization on the issue.<sup>238,239</sup> During the hearing, the business sector took a step back from the discussion about the reg-

ulation and focused on challenging Anvisa's legal competence to regulate the matter and its willingness to take the issue to court, as stated by Edmundo Klotz, then ABIA's president.<sup>240</sup>

Concerns about future legal challenges could be seen in an internal hearing at Anvisa. The agency's legal department, linked to AGU, al-

though reaffirming Anvisa's legal competence to regulate the matter, recommended significant changes to the original text of the resolution. This adaptation shifted the focus to consumer health and considerably reduced advertising restrictions, including for children's advertising and matters related to free samples, sponsorships, and campaigns.

### 5.4.3 THE PUBLICATION OF THE RESOLUTION AND ITS CONSEQUENCES

On June 15, 2010, Anvisa published the new version of RDC No. 24, "which addresses the dissemination and commercial promotion of foods considered to have high amounts of sugar, saturated fats, trans fats, sodium, and beverages with low nutritional value."<sup>2341</sup> However, this resolution, which led Brazil to be considered the Latin American leader on government regulation of advertising by the Pan American Health Organization (PAHO)<sup>242</sup>, was never effectively enforced. The industry's reaction to the publication of RDC No. 24 was swift and organized. On one hand, the business sector expressed its dissatisfaction in a document signed by 13 representatives of the food industry shortly after the resolution's publication, on July 7 of

the same year.<sup>243,244,245</sup> At the same time, on July 5, CONAR once again consulted AGU, requesting an opinion on the resolution's legality. Two days later, the body recommended suspending Anvisa's regulatory act until a final decision was issued by the Comptroller General of the Union (CGU). Anvisa, however, did not follow the recommendation and maintained the resolution.

This led ABIA to appeal to the Judiciary branch, and the 16th Civil Court of the Federal District, supported by the opinion issued by the AGU, granted the injunction request and suspended the effects of the resolution for its associates until the case was judged. Based on interpretations of the Federal Constitution, ABIA argued that Anvisa did not

have the competence to regulate advertising of food and non-alcoholic beverages. “Anvisa has the power to enforce existing legislation, but it does not have the competence to innovate in the legal system by creating new norms”<sup>246</sup>, ABIA stated at the time. According to the decision of Judge Gilda Seixas of the 16th Court, the RDC exceeded Anvisa’s legal competence and violated “the principles of legality and reasonableness, the right to publicity, and unduly interferes in the economic activity of ABIA’s associates.”<sup>247</sup>

This decision alone would be enough to prevent the norm from being applied, since ABIA had more than 1,500 direct and affiliated members in Brazil.<sup>248</sup> However, the business sector went further, and 11 associations representing its interests filed similar lawsuits (the Brazilian Association of Biscuit, Pasta and Industrialized Bread & Cake Industries (ABIMAPI) and ABIR, for instance).<sup>249</sup> The mobilization was so organized that even associations that would not be directly affected by RDC No. 24 filed lawsuits against it, such as the Brazilian Association of Gastronomy, Hospitality, and Tourism (ABRESI) and the National Confederation of Tourism (CNTUR).

Five of the 11 lawsuits have already been judged, with the final decisions being favorable to Anvisa.<sup>250</sup> Of the six that are still ongoing, five are so far favorable to the industry<sup>251</sup> and only one to Anvisa<sup>252</sup> as of May 2024.

Anvisa has not implemented RDC No. 24/2010 yet. ABIA’s lawsuit, which encompasses 80% of the sector, has ensured that its associates are not obliged to comply with the norm. It currently awaits judgment in the Supreme Federal Court (STF). At the end of May 2024, however, the rapporteur, Minister Cristiano Zanin, accepted an extraordinary appeal for analysis of the topic and anticipated the merits analysis, considering that Anvisa was in fact within its duties. ABIA has already stated that it will appeal this decision.<sup>253</sup>

The economic sector distorted the public debate by claiming that RDC No. 24 regulated advertising, which is not true. The resolution protects the consumer by providing essential information about the products’ composition to promote better eating habits and ensure the constitutional right to health and healthy eating. The mobilization organized by civil society to defend the reg-

\* Actions judged and considered unfounded: *SindMilho&Soja*, *ABIMAPI*, *ANR*, *ABF*, and *AFREBRAS*.

\*\* Actions from the following entities: *ABIA*, *ABICAB*, *CNTUR*, *ANIB*, and *ABRESI*.

\*\*\* *ABIR* action against *Anvisa* has so far been considered unfounded.

ulation was memorable. Idec was part of Anvisa's working group and continued to defend the resolution even after the text was dwindled before publication. The Alana Institute, a child advocacy organization, considered that removing 'Title II', which concerned children's advertising, was a setback, but still supported the resolution.<sup>254</sup> Other groups also defended the resolution, such as CFN, the Brazilian Forum of Sovereignty and Food Security

(FBSSAN), the Brazilian Nutrition Association (ASBRAN), the Federal Council of Psychology (CFP), the National Federation of Nutritionists (FNN), the Observatory of Food Security and Nutrition Policies from the University of Brasília (OPSAN/UnB), and the São Paulo State Nutritionists Union (SindiNutri-SP), which sent a letter to AGU supporting Anvisa's resolution after AGU's recommendation to suspend the regulatory act.<sup>255</sup>

#### 5.4.4 THE OUTCOME AND ITS CONSEQUENCES

**1**3 years after the publication of RDC No. 24/2010, all the mobilization by the business sector and society, lobbying efforts, and legal challenges questioning its validity and Anvisa's competence that prevented its implementation, finally, on July 23, 2023, Jorge Messias, Attorney-General of the Union, approved the legal opinion of CGU that acknowledged its legality.<sup>256</sup> In it, CGU, which is part of AGU, clarifies that the resolution falls within Anvisa's scope of responsibilities, which "aims to regulate, control, and inspect products and services that pose a risk to public health, including food, beverages, inputs, packages, and additives, as deter-

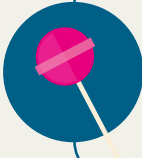



mined by Law No. 9.782/99 - the regulation that created the regulatory agency".<sup>257</sup>

Even though AGU has belatedly concluded this process, the approval of the opinion that recognizes Anvisa's competence/duty to issue RDC No. 24/2010 is undoubtedly a victory for the public interest that strengthens the agency's institutional mission defined in Law 9.782/1999 and may positively impact ongoing judicial processes.

However, the fact remains that after so many years of challenges promoted by the regulated sector and CONAR, RDC No. 24 has not been implemented, and Anvisa's struc-

ture itself is no longer the same: in 2012, the Department of Monitoring and Inspection of Advertising, Publicity, Promotion, and Information of Products Subject to Health Surveillance (GPROP) was terminated.<sup>258</sup>

On the other hand, scientific evidence on the excessive consumption of critical nutrients such as sugars, sodium, trans fats, and saturated fats has grown and turned increasingly consistent, supporting the Di-

CRITICAL NUTRIENT	RDC NO. 24/2010	RDC NO. 429/2020
 <b>Sugar</b>	Quantity equal to or greater than 15 g of sugar per 100 g or 7.5 g per 100 ml	15 g or more per 100 g or 7.5 g or more per 100 ml
 <b>Saturated fats</b>	Quantity equal to or greater than 5 g of saturated fats per 100 g or 2.5 g per 100 ml	6 g or more per 100 g or 3 g or more per 100 ml
 <b>Trans fats*</b>	Quantity equal to or greater than 0.6 g per 100 g or ml	Not included in the regulation
 <b>Sodium</b>	Quantity equal to or greater than 400 mg of sodium per 100 g or ml.	600 mg or more per 100 g or 300 mg or more per 100 ml

\* In December 2019, with the publication of Collegiate Board Resolution (RDC) No. 332, industrial trans fats were banned by the Brazilian Health Regulatory Agency (Anvisa). Following the unification of RDC No. 332/2019 and RDC No. 514/2021, Anvisa published RDC No. 632 in 2022, marking the end of the industry's compliance period with the regulation. This resolution prohibited the production, importation, use, and offering of partially hydrogenated oils and fats for use in food products and foods formulated with these ingredients.

etary Guidelines for the Brazilian Population published in 2014 by the Ministry of Health, as well as other regulations by Anvisa itself, such as the nutritional labeling norms for packaged foods (RDC No. 429 and Normative Instruction No. 75 of 2020). When comparing RDC No. 24/2010 with front-of-package nutritional labeling (Table 3), it is possible to see that the criteria adopted for limiting critical nutrients was similar. This proves Anvisa's technical knowledge and seriousness and shows that the agency has been aware of the importance of warning

the population about the possible harms caused by an excessive consumption of these nutrients since 2005. Therefore, the food industry's actions once again interfered with a resolution that could contribute to the prevention of NCDs related to consumption, such as diabetes, cancer, and cardiovascular diseases, as well as premature deaths caused by excessive consumption of ultraprocessed foods, resulting in health issues for the Brazilian population and burdens on the public health system for treating consumption-related diseases.

## ■ Framing Strategies Taxonomy



### THE 'GOOD' ACTORS: CORPORATIONS



Framing strategy

**Businesses are legal entities.**

The industry has the right to conduct its business within the law and following regulations, and Anvisa had no competence to regulate food and non-alcoholic beverages advertising, based on interpretations of the Federal Constitution.

**The industry is a victim.**

Arguing that Anvisa could not regulate the matter, there was a mobilization of the business community and 11 associations that represent the interests of the sector, and even some that would not be directly affected by the RDC, filed similar lawsuits.



### THE ACCEPTABLE, 'GOOD' SOLUTION: INDIVIDUAL-FOCUSED, CORPORATE SUPPORTED.



Framing strategy

**Solutions should be self-regulatory & not disrupt business.**

CONAR updated the Brazilian Advertising Self-Regulation Code to strengthen the regulation of food and beverage advertising and advertising aimed at children and adolescents.



## THE UNACCEPTABLE, 'BAD' SOLUTION: WHOLE POPULATION, STATUTORY.



### Framing strategy

Policies/policy formulation contravene norms, rules and laws.

The business sector focused on challenging Anvisa's legal competence to regulate the matter.

## Some strategies that were identified<sup>259</sup>



## ACCESS AND INFLUENCE POLICYMAKING



### Strategies and mechanisms

CONAR, ABIA, and ABIR met with José Gomes Temporão, then Minister of Health, and approached the Civil House to try to prevent Anvisa from proceeding with the regulation of food advertising.

CONAR, ABIA e ABIR tried to mobilize deputies and senators to pressure Anvisa's directors to give up on the regulation

CONAR consulted AGU on Anvisa's competence to regulate food advertising.

CONAR and ABIA hired a renowned jurist and law professor from USP to write a legal opinion to question the constitutionality of Anvisa's regulation. In addition to the arguments used in the opinion, the jurist's authority and reputation contributed to giving credibility to his argument.

The business sector used AGU's initial recommendation against RDC No. 24/2010 to support the lawsuits that questioned the legality of Anvisa regulating food advertising.





## USE THE LAW TO OBSTRUCT POLICIES



### Strategies and mechanisms

At a public hearing held on August 20, 2009, ABIA president Eduardo Klotz threatened: “If it does not meet our interests, we will seek out the state that meets our interests, there is no doubt about it. If it is the Judiciary, perfectly fine; if not, no. It is not a threat, it is just the natural course of things within a democracy. If it is within what we want, we all agree, if not, no.”<sup>260</sup>

The business sector and CONAR lobby AGU to prevent Anvisa from continuing to regulate advertising for food, alcoholic beverages and medicines.



## MANUFACTURE PUBLIC SUPPORT FOR CORPORATE POSITIONS



### Strategies and mechanisms

Coalition building among CONAR and food and beverages industries associations, such as ABIA, ABIR, ABICAB, ABIMAQ, ANIB, AFREBRAS.

Associations that would not be directly affected by the regulation were also part of the coalition, such as Abresi\*, ANR\*, CNTUR\*, ABF\*.<sup>261</sup>

CONAR, which had acted in previous cases, created a coalition with the business community to implement lobbying strategies in an attempt to prevent food advertising regulation.<sup>262</sup>

The business sector expressed its dissatisfaction in a document signed by 13 representatives of the food industry shortly after the resolution’s publication, on July 7, 2010.<sup>263</sup>

\* Associação Brasileira das Entidades e Empresas de Gastronomia, Hospedagem e Turismo (Abresi)

\* Associação Nacional de Restaurantes (ANR)

\* Confederação Nacional do Turismo (CNTUR)

\* Associação Brasileira de Franchising (ABF)



## SHAPE EVIDENCE TO MANUFACTURE DOUBT



## Strategies and mechanisms

The economic sector distorted the public debate by claiming that RDC No. 24 regulated advertising, which is not true.

In a lawsuit against Anvisa, ABIA questioned the scientific criteria based on which the agency prepared RDC n° 24/2010. Example: “Anvisa considers saltine crackers as potentially harmful to health, but excluded cheese and red meats”.<sup>264</sup>

CONAR and ABIA hired a renowned jurist and law professor from the University of São Paulo (USP) to write a legal opinion to question the constitutionality of Anvisa’s regulation. In addition to the arguments used in the opinion, the jurist’s authority and reputation contributed to giving credibility to his argument.<sup>265</sup>



## DISPLACE AND USURP PUBLIC HEALTH



## Strategies and mechanisms

CONAR updated the Brazilian Advertising Self-Regulation Code in September, 2016 to strengthen the regulation of food and beverage advertising and advertising aimed at children and adolescents.<sup>267</sup>

Edmundo Klotz, president of ABIA in 2010, stated that “the best way to fight obesity is through dialogue between the public and private sectors to develop effective measures, such as the partnership between ABIA and the Ministry of Health”. In force since 2007, one of the objectives of the agreement was to find joint solutions for the gradual reduction of sodium, sugar and fat in processed foods.<sup>266</sup>

On August 25, 2009, 5 days after the public hearing, 24 large food companies signed a public commitment with the presidents of ABIA and the Brazilian Association of Advertisers (ABA) to limit food and beverage advertising to children under 12 years of age. In this agreement, each company would be responsible for its own regulation.<sup>268</sup>

UA statement from ABIA about obtaining an injunction against RDC No. 24/2010, signed by Edmundo Klotz, then president of ABIA, said that “it understands that RDC No. 24 is ineffective for its intended purpose, as it does not consider the set of foods ingested daily by an individual, in addition to not educating the consumer on how to eat properly”. In addition, it blames the consumer and their eating habits for health problems. “ABIA believes that the excessive consumption of nutrients that can pose health risks is much more a reflection of the population’s eating habits than of the composition of industrialized products”.<sup>269</sup>

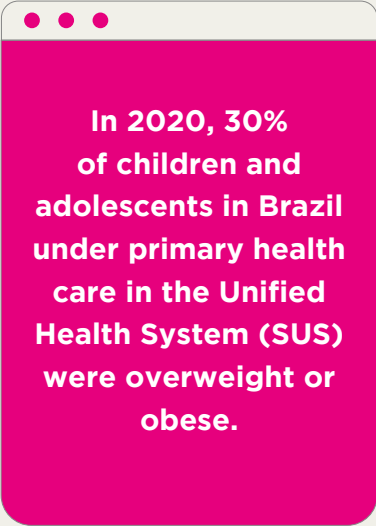
According to Luís Roberto Barroso, then ABIA’s lawyer in the case (and current Minister of the Federal Supreme Court (STF)), advertising should be understood within the scope of freedom of expression and restrictions can only occur by law and with proportionality.<sup>270</sup>

Luís Roberto Barroso also argued that “people must make their own choices and the government should not try to live people’s lives to spare them from risks”.<sup>271</sup>

# 5.5 THE CAFETERIA BILL AND THE FOOD INDUSTRY LOBBY IN THE SCHOOL ENVIRONMENT



**E**stablishing healthy eating habits during childhood is essential to contribute to the physical and cognitive development of the child and build a foundation for eating habits and practices that can last throughout adult life. In 2020, 30% of children and adolescents in Brazil under primary health care in the Unified Health System (SUS) were overweight or obese.<sup>272</sup> The link between the consumption of ultraprocessed and the development of NCD<sup>273,274,275</sup> is increasingly evident, so it is essential to limit the access of children and adolescents to these products. In the city of Rio de Janeiro alone, more than 100,000 children and adolescents were overweight in 2020.<sup>276</sup>



**In 2020, 30% of children and adolescents in Brazil under primary health care in the Unified Health System (SUS) were overweight or obese.**

Considering the importance of adequate and healthy eating during childhood and the impact of the consumption of ultraprocessed foods on health, legislators in different Brazilian cities and states are trying to push for bills to limit or prevent access to these products in schools. This is an environment that plays a fundamental role in the upbringing of children and adolescents

not only by contributing to formal education but mainly by being the space where the first social interactions occur and some life habits are formed. Thus, it is strategic for the promotion of food and nutritional education, as it is where children and adolescents have a large part of their meals and consume 30 to 50% of their daily caloric intake.<sup>277</sup>

A notable case occurred between 2020 and 2023 in the city of Rio de Janeiro (RJ). Bill No. 1,662 of 2019 aimed to fight childhood obesity by preventing the offer of ultraprocessed foods to children in public and private municipal schools in RJ. Known as the “Cafeteria Bill,” 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). However, even during this short period (part of which took place amid the Covid-19 pandemic), the approval of this bill was preceded by CoI from the food and beverage industry, conciliation between councilors and the regulated sectors, and the involvement of civil society, which monitored the

bill, exerted pressure, and succeeded in securing its approval.<sup>278</sup>

The industry's mobilization involved sector associations and also local trade and tourism organizations that would not be directly affected by the bill. They used typical arguments that blamed individuals for obesity, emphasized physical activity as the main solution to the problem, and questioned scientific evidence linking the consumption of ultraprocessed foods with NCDs. Civil society, on its turn, supported the bill and provided technical and scientific support on the harms of consuming ultraprocessed foods in childhood and on the financial feasibility of replacing these products with fresh and minimally processed foods in schools.

The bill was approved in the first round of discussions in January 2020, but remained without any extra progress in the plenary until August 2021. Then, new discussions ended up excluding important points that were part of the initial bill. The only point that remained in City Law No. 7,987<sup>279</sup> was the prohibition of the sale and offering of ultraprocessed foods in cafeterias of public and private elementary schools in the city of RJ. The original bill included other matters, such as regulations on the display

of ultraprocessed foods in points of sale, the mandatory posting of informational posters about these products near payment counters, and the implementation of breastfeeding rooms in private companies in the city.<sup>280</sup> After meetings with interested sectors (industry, trade, and civil society), the bill received modifications, such as the removal of the article related to the creation of breastfeeding rooms, changes in the designation of foods and beverages that would be prohibited (even attempting to protect the dairy industry from the prohibitions), the definition of 'ultraprocessed foods,' and the making of the sale and distribution of organic or non-ultraprocessed foods in schools a priority, among others. Therefore, it is possible to see that there was an attempt to divert the main objective of the bill and protect the economic interests of the industries and companies that would be affected by it.

In August 2021, a coalition formed by representatives of the food and beverage industry (such as ABIA, ABIR, and the Brazilian Association of the Chocolate, Peanut and Candy Industry (Abicab)) and businesses and trade (such as the Association of Supermarkets of the State of Rio de Janeiro (ASSERJ), the Federation of Commerce of Goods, Services, and

Tourism of the State of Rio de Janeiro (Fecomércio-RJ), the Association of Industries of the State of Rio de Janeiro (Rio Indústria), and the Union of Bars and Restaurants of Rio de Janeiro (SindRio)) began to act publicly to prevent the approval of bill No. 1,662/2019.<sup>281</sup> In a letter addressed to the President of the City Council<sup>7</sup>, Carlo Caiado (Democratas-RJ), the authors used several tactics to distort scientific information and create a narrative to justify their opposition to the bill. The eight-page text ignores the robust body of scientific evidence linking the consumption of ultraprocessed foods to an increased incidence of NCDs, uses data from the 2019 Surveillance System of Risk and Protective Factors for Chronic Diseases by Telephone Survey (Vigitel)<sup>282</sup> on the reduction of soft drink consumption to make an association that is not evidence-based (reduction of soft drink consumption and increase in overweight and obesity, therefore, soft drink consumption is not related to overweight and obesity), distorts WHO guidelines on reducing the consumption of sodium, added sugars, and fats, takes advantage of the multifactorial origin of obesity to diminish the importance of the consumption of ultraprocessed foods and focus on physical inactivity and lack of food and nutritional

education as the main causes of the problem, blaming individuals, declares that the bill is unconstitutional as it is a “clear state intervention in the economy”, argues that the “food security” provided by industrialization is a great health benefit, and confuses concepts of food processing (minimally processed and ultraprocessed) when mentioning examples. These arguments are not new. Many of them are frequently used by the industry and even appear in the first version of the Big Food Dossier, in the texts about the Packaged Food Nutritional Labeling and the Dietary Guidelines for the Brazilian Population.<sup>283</sup>

The letter also suggests an alternative draft for the bill, completely distorting its character and purpose and turning it into a broad allegory to promote nutritional education and physical activity while presenting companies as co-responsible for assisting the state in these goals. The most outrageous part is that it even “authorizes” the Executive branch to “grant tax benefits to entities and companies that have internal workplace exercise policies associated with health and occupational medicine programs, with a focus on conscious food consumption”.<sup>284</sup> In other words, the letter shifts the discussion to topics more

comfortable for the industry and also attempts to secure tax benefits for practices that have no impact on reducing childhood obesity, the main goal of the bill.

Meetings between representatives of the Legislative branch and of the industry and trade took place with and without the presence of civil society. One of these moments was published<sup>285</sup> on the Instagram profile of City Councilor Rafael Aloisio de Freitas (Cidadania-RJ). The caption of the photo informs about the topic and the attendees:

“Childhood obesity: meeting with councilors @carlo\_caiado, @cesar-maia, @drgilberto.rio, @rogeriopiresamorim, and @atilanunesrj and representatives from various industrial and food sectors - @sindrio\_oficial, @rioindustriaoficial, @abiaindustriadealimentos, @abirbrasil, @abimapi, @fecomercio.rj, and ABICAB - regarding the bill that is under discussion in the Council”<sup>286</sup>.

Although excluded from this meeting, civil society actively participated in the process, especially the Desiderata Institute, a public interest civil society organization that works to improve public health of children and adolescents in Rio de Janeiro. The Institute participated in negotiations among councilors and

industry representatives and provided legislators with scientific information on the importance of the bill. This was recognized by Councilwoman Rosa Fernandes (PSC-RJ), one of the authors of the text, who publicly stated in interviews after the project’s approval that the Desiderata Institute contributed to the construction of the bill’s text and also in negotiations with the industry, thus achieving “a streamlined substitute that meets everyone’s needs”<sup>287</sup>.

While civil society built technical arguments based on scientific evidence, such as data sheets<sup>288,289</sup> and technical notes<sup>290</sup>, documents contrary to the bill circulated in the City Council. In addition to the letter signed by industry and trade representatives sent by email to legislators, an anonymous letter circulated through the Council and caught the attention of civil society representatives. It had arguments based on conspiracy theories typical of fake news from WhatsApp. The document called the bill “Food Tyranny,” complained that it would take “a chunk of parental authority” regarding the children’s nutritional education, implied that the UN 2030 Agenda for the Sustainable Development would strip Brazil of its sovereignty, and criticized NGOs that



support it. It even compared the Alliance for Adequate and Healthy Food, a coalition formed by civil society organizations, associations, collectives, social movements, professional entities, and individuals that defend the human right to adequate food, to the Soviets, “a group that exercised both executive and legislative power, imposing a parallel way of governing”.<sup>291</sup> Clearly, this document was created to incite panic, promote insecurity about the bill, and attempt to pressure councilors to reject it.

Nevertheless, despite the industry’s lobbying and the use of local orga-

nizations (such as Fecomércio and SindRio)<sup>292</sup> to pressure the councilors, when the final version of the bill was put to a vote on June 20, 2023, it was unanimously approved and sanctioned as Law No. 7,987 on July 11 of the same year by Mayor Eduardo Paes. Despite all the industry pressure to modify the bill and the removal of points such as the regulation of ultraprocessed food display in points of sale and the mandatory installation of breastfeeding rooms, the prohibition of the sale and offering of ultraprocessed foods in schools in the city of Rio de Janeiro was maintained.

# THE CAFETERIA BILL - BILL NO. 1,662/2019, IN THE CITY OF RIO DE JANEIRO

January 2020

The discussions about the bill started

June 2023

The bill was unanimously approved

July 2023

The bill was sanctioned on July 11 by Mayor Eduardo Paes (PSD-RJ) and became Law No. 7987.



## CONFLICTS AND NEGOTIATIONS

### Industry

The industry's mobilization against the bill involved not only sector associations, but also local trade and tourism organizations that would not be directly affected by the bill. They used typical arguments that blamed individuals for obesity, emphasized physical activity as the main solution to the problem, and questioned scientific evidence linking the consumption of ultraprocessed foods with NCDs.

### VS

### Civil Society

Civil society, in its turn, supported the bill and provided technical and scientific support on the harms of consuming ultraprocessed foods in childhood and on the financial feasibility of replacing these products with fresh and minimally processed foods in schools.



## DISCUSSION

After meetings with interested sectors (industry, trade, and civil society), the bill received modifications, such as the remotion of the article related to the creation of breastfeeding rooms, changes in the designation of foods and beverages that would be prohibited (even attempting to protect the dairy industry from the prohibitions), the definition of 'ultraprocessed foods', and the making of the sale and distribution of organic or non-ultraprocessed foods in schools a priority, among others. Therefore, it is possible to see that there was an attempt to divert the main objective of the bill and protect the economic interests of the industries and companies that would be affected by it.

## CONCILIATION

Important points that were part of the initial bill were excluded:



Standards for **displaying ultraprocessed products** at points of sale



Implementation of **breastfeeding rooms** in private companies in the city



Mandatory **placement of informative posters** about these products near payment counters

**From Bill No. 1,662/2019, the only point that remained in Law No. 7,987 was the prohibition of the sale and offering of ultraprocessed foods in the cafeterias of public and private elementary schools in the city of RJ.**

### 5.5.1 OTHER SIMILAR INITIATIVES IN BRAZIL

While councilors in the city of RJ discussed bill No. 1,662/2019 and negotiated with representatives of the food and beverage industry, councilors in the neighboring city of Niterói proposed and approved a bill inspired by the one in Rio. Bill No. 095/2022, authored by councilors Verônica Lima (PT-RJ) and Daniel Marques (DEM-RJ), amends Law No. 2659/2009 and prohibits the commercialization, acquisition, manufacture, distribution, and advertising of products that contribute to childhood obesity in cafeterias, snack bars, and similar establishments located in schools.<sup>293</sup> It was sanctioned as Law No. 3,766 on January 5, 2023, six months before the law in RJ.

At higher levels of the state of RJ, however, similar bills did not advance. The Legislative Assembly of Rio de Janeiro (Alerj) discussed bill No. 4,198 of 2021, regarding the prohibition of the use and commercialization of ultraprocessed foods in cafeterias and other points of sale in public and private schools in the state of RJ.<sup>294</sup> However, the bill was rejected in June 2023, with 38 votes against it and 23 in favor, just eight days after the approval of the similar bill in the city of RJ.

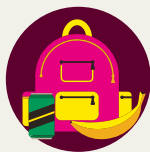
But it seems that the discussion has taken proportions that the food and

beverage industry may not be able to control. The Legislative Assemblies of Espírito Santo<sup>295</sup> and São Paulo<sup>296</sup> are also discussing the prohibition of ultraprocessed foods in schools, and a bill in the Federal Senate<sup>297</sup>, authored by Senator Jaques Wagner (PT-BA), goes further, proposing not only the prohibition of the commercialization and offering of these products in schools but also of advertising, publicity, and commercial promotion at national level.

To evaluate the food environment in private elementary and high schools in major Brazilian cities, research institutions<sup>298</sup> conducted the study ‘Commercialization of Food and Beverages in Brazilian Schools’ (Caeb)<sup>299</sup> from May 2022 to June 2024. The study evaluates the commercialization of food in cafeterias and snack bars within schools and also in their surroundings.

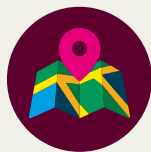
Preliminary results of the research, which was conducted from June 2022 to June 2024, show that the type of food offered is related to whether or not there is legislation on the subject. An evaluation of 138 schools in the city of RJ before the implementation of Law No. 7,987/2023, for example, showed that snacks were offered in 80.5% of schools, fruits in 7.0%, and natural

## 'MARKETING OF FOOD AND BEVERAGES IN BRAZILIAN SCHOOLS' (CAEB)



### WHAT

Study that evaluated the food environment in private elementary and high schools in major Brazilian cities.



### GOAL

Evaluate not only the foods sold in canteens and cafeterias inside schools, but also those sold by street vendors in the surrounding areas.



### PERIOD

May 2022 to June 2024

## RESULTS

(June 2022 - June 2024)

The type of food offered is related to whether or not there is legislation on the subject.

### Rio de Janeiro

An evaluation of schools in the city of RJ (before the implementation of Law No. 7,987/2023) showed that:



Snacks were offered in **80,5%** of schools



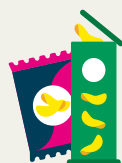
Fruits were offered in **7,0%**



Natural juices were offered in **35%**

### Porto Alegre

In Porto Alegre, where there is a legislation on the subject, on the other hand, the evaluation showed that:



Snacks were offered in **5%** of schools



Fruits were offered in **85%**



Natural juices were offered in **80%**

The following educational institutions were part of the project: Oswaldo Cruz Foundation (Fiocruz), University of Brasilia (UnB), University of São Paulo (USP), Federal University of Bahia (UFBA), Federal University of Mato Grosso (UFMT), Federal University of Minas Gerais (UFMG), Federal University of Pernambuco (UFPE), Federal University of Sergipe (UFS), Federal University of Ceará (UFC), Federal University of Pará (UFPA), Federal University of Rio de Janeiro (UFRJ), and Federal University of Rio Grande do Sul (UFRGS).

**Source:** Oswaldo Cruz Foundation (Fiocruz); Federal University of Rio de Janeiro (UFRJ). Marketing of Food and Beverages in Brazilian Cities (Caeb). Available at: <<https://estudocaeb.nutricao.ufrj.br/index.html>>.

juice in 35%. In Porto Alegre, where there is a legislation<sup>300</sup> on the subject, 85% of schools sell fruits and 85% sell natural juices, while snacks are offered in only 5% of the schools analyzed<sup>301</sup>.

As a result, the cafeteria indicators show a healthiness index of only 45.2%. This is a score ranging from zero to 100 used in the research to indicate the healthiness of the establishment based on the availability of natural and minimally processed foods and the non-availability of subgroups of ultraprocessed foods. The closer the score is to 100, the healthier the establishment is.<sup>301</sup> Studies like this contribute to understanding the food environment in schools in Brazil, identify initiatives to promote adequate and healthy food, and help

support the discussion and development of public policies on the subject, protecting the school environment from industry interference and market interests.

Besides having a negative impact on the health of children and adolescents, the presence of Big Food and Big Soda products in schools influences the formation of eating habits that can be reflected in the family and perpetuated throughout life. Schools, which are an environment for socialization and human development, must protect students from exposure to abusive advertising and marketing that violate child and adolescent protection laws<sup>302</sup>, as well as ensure their health by offering adequate food and contributing to nutritional education.

## ■ Framing Strategies Taxonomy



### THE 'GOOD' ACTORS: CORPORATIONS



#### Framing strategy

**The industry is a key economic actor.**

The industry suggests that the Executive branch may “grant tax benefits to entities and companies that have internal workplace exercise policies associated with health and occupational medicine programs, with a focus on conscious food consumption”

Associations that represent the industry say that the bill is unconstitutional as it is a “clear state intervention in the economy”

**Industry is legitimate policy actor.**

The industry suggests an alternative draft for the bill, turning it into a broad allegory to promote nutritional education and physical activity while presenting companies as co-responsible for assisting the state in these goals.

**Industry is champion of public health.**

Industry representatives argue that the “food security” provided by industrialization is a great health benefit and confuse concepts of food processing (minimally processed and ultraprocessed) when mentioning examples.



## THE 'BAD' ACTORS: PROPONENTS OF WHOLE-POPULATION, STATUTORY POLICIES



### Framing strategy

**Policy-makers who support unfavourable policies have questionable skills and motives.**

An anonymous document circulated through the Council with arguments based on conspiracy theories typical of fake news from WhatsApp. The document called the bill “Food Tyranny,” complained that it would take “a chunk of parental authority” regarding the children’s nutritional education, implied that the UN 2030 Agenda for the Sustainable Development would strip Brazil of its sovereignty, and criticized NGOs that support it. It even compared the Alliance for Adequate and Healthy Food, a coalition formed by civil society organizations, associations, collectives, social movements, professional entities, and individuals that defend the human right to adequate food, to the Soviets, “a group that exercised both executive and legislative power, imposing a parallel way of governing”.

**Public health community have questionable skills and motives.**

Even with civil society supporting the bill and providing technical and scientific support on the harmful effects of ultraprocessed foods in childhood, the industry still counter-argued, especially by blaming individuals and attacking the Nova classification.



## THE 'TRIVIAL' AND 'INDIVIDUAL' PROBLEM: CREATED BY A MINORITY OF CONSUMERS



### Framing strategy

Health harms are not caused by the industry's products/services.

Health harms are caused by consumption patterns of atypical minorities.

In a letter addressed to the President of the City Council, industry representatives used data from Vigitel 2019 on the reduction of soft drink consumption to make an association that is not evidence-based (reduction of soft drink consumption and increase in overweight and obesity, therefore, soft drink consumption is not related to overweight and obesity) and distorted WHO guidelines on reducing the consumption of sodium, added sugars, and fats.

Industry representatives take advantage of the multifactorial origin of obesity to diminish the importance of the consumption of ultraprocessed foods and focus on physical inactivity and lack of food and nutritional education as the main causes of the problem, blaming individuals.



## THE ACCEPTABLE, 'GOOD' SOLUTION: INDIVIDUAL-FOCUSED, CORPORATE SUPPORTED



### Framing strategy

Solutions should target individuals, not whole populations.

The industry's mobilization used the common argument of blaming individuals for obesity and emphasizing physical activity as the main solution to the problem.



## Some strategies that were identified<sup>304</sup>



### ACCESS AND INFLUENCE POLICYMAKING



#### Strategies and mechanisms

ABIA, Abicab, ABIR, Asserj, Fecomércio-RJ, Rio Indústria, and SindRio signed a letter sent by email to the city councilors of Rio de Janeiro and proposed a new draft for bill No. 1,662/2019 in a way that would benefit industries, including authorizing the Executive branch to “grant tax benefits to entities and companies that have internal workplace exercise policies associated with health and occupational medicine programs, with a focus on conscious food consumption”<sup>305</sup>. They also use arguments against the Nova food classification adopted by the Ministry of Health in the Dietary Guidelines for the Brazilian Population to criticize the basis of bill No. 1,662/2019.<sup>306</sup>

Councilors Rafael Aloisio Freitas (Cidadania), Carlo Caiado (PSD), Cesar Maia (PSDB), Dr. Gilberto (Solidariedade), Dr. Rogerio Amorim (PL), and Átila Nunes (PSD), from the city of Rio de Janeiro, received industry representatives from SindRio, Rio Indústria, ABIA, ABIR, Abimapi, and Fecomércio-RJ to talk about the PL.<sup>307</sup>



### MANUFACTURE PUBLIC SUPPORT FOR CORPORATE POSITIONS



#### Strategies and mechanisms

Coalition formed by industry associations ABIA, ABICAB e ABIR to try to hinder the discussions on the bill.

Industry associations joined other entities that would not be directly affected by the bill, such as Asserj, Fecomércio-RJ, Rio Indústria, and SindRio.



## SHAPE EVIDENCE TO MANUFACTURE DOUBT



### Strategies and mechanisms

In the same document, the authors used a study published by Itai to criticize the classification of ultraprocessed foods on which the bill is based. They also use unscientific arguments, like there is no such thing as good or bad food; they defend the consumption of all foods in moderation; they argue that obesity is multifactorial and has no direct relationship with the diet; they blame the individual for the increase in obesity and relate the problem to the lack of nutritional education and a sedentary lifestyle. Besides that, they distort WHO guidelines on reducing the intake of critical nutrients such as sodium, added sugar, and fats and criticize the classification of ultraprocessed foods.



## DISPLACE AND USURP PUBLIC HEALTH



### Strategies and mechanisms

The industry proposed replacing the bill that prohibits the sale of ultraprocessed foods and beverages in schools, which at that time regulated the height of the display of these products at points of sale and instituted breastfeeding rooms in private companies in the city of RJ, with a completely irrelevant bill to “encourages healthy lifestyle habits” and “nutritional education”, in addition to providing tax incentives to companies that adhere to it.

The proposed replacement text for bill No. 1,662/2019 is based on encouraging physical activity and nutritional education, ignoring the relation between the consumption of certain products, such as ultraprocessed foods, and NCDs.

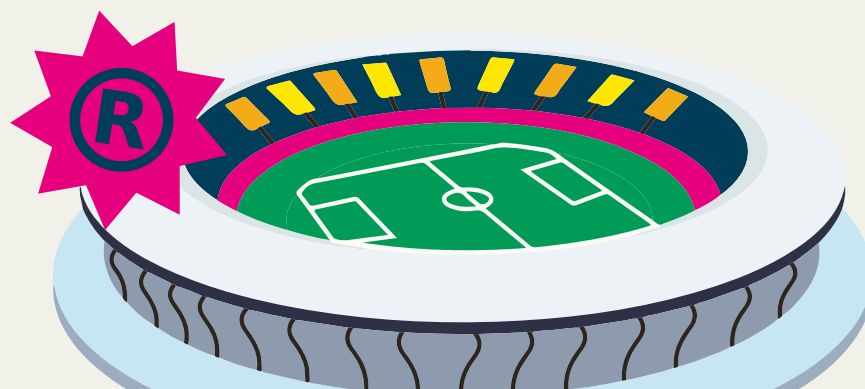


## MANAGE REPUTATIONS TO CORPORATE ADVANTAGE



Strategies and mechanisms

The industry attacks the Nova classification of foods and questions the concepts on food processing used in the Dietary Guidelines for the Brazilian Population of the Ministry of Health, on which the bill is based.



## 5.6 NAMING RIGHTS: THE CORPORATE OFFENSIVE TO TAKE OVER CITIES



**Naming rights** | a corporate practice of buying the name of a public place.

The most recent name change case concerns São Paulo's stadium, Morumbi, which was renamed **Morum-Bis** after its naming rights were sold to **Mondelez Brazil**, a transnational food company that includes in its portfolio the Bis chocolate, from the Lacta brand.



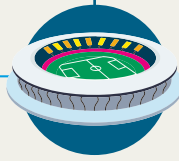
Mondelez  
International

In recent decades, the privatist logic has enabled economic exploitation through naming rights to reach public spaces, such as subway stations and parks.

According to Fabíola Menezes, Mondelez Brazil's marketing director for chocolates, *"this will allow us, over the next three years, to perform actions that will generate awareness, create a connection with the consumers, and also gain new buyers"*



The contract formed by São Paulo and Mondelez is worth **R\$ 75 million for three years** - an average of **R\$ 25 million per year.**



The purchase came into effect in 2024 and is **the largest communication investment ever made by the corporation.**



The marketing strategy includes **product sales and the renaming of internal sections of the stadium** with the names of other products, such as Oreo and Diamante Negro chocolates.

Cities have turned into arenas for advertising competitions among large corporations. Naming rights, a term that refers to a sponsorship paid by a company to obtain the right to have its brand name associated with urban spaces for a determined period, emerged in the 1970s in the United States through major sports clubs. In Brazil, the American business practice arrived in the 1990s, when partnerships with concert halls and sports arenas were used as means of raising funds.<sup>308</sup> The purchase of naming rights is a strategy used by corporations to promote covert advertising, which can result in conflicts related to the cities' memory and landmarks. From Morumbi stadium in São Paulo to Botafogo/Coca-Cola subway station in Rio de Janeiro, the privatist logic has enabled economic exploitation to reach public spaces, such as subway stations and parks, in recent decades. As a result, the private sector's strategy of buying the name of a public place has grown in Brazil.

In the 1990s, the large amount of ad-

vertisements, signs, and billboards scattered across cities caused a "visual pollution" that led to the approval of the "Clean City" law (No. 14.223) in 2006<sup>309</sup> in São Paulo. It was the first legislation aimed at regulating advertising in public spaces and showing the supremacy of the common good over any corporate interest.<sup>310</sup> However, the prohibition was not enough to free São

Paulo from commodification. Corporations reinvented themselves and sought other marketing strategies to occupy urban spaces.

Brazilian football has been betting on naming rights for almost 20 years. In 2005, the stadium of Club Atlético Paranaense, in the city of Curitiba, was the first to adopt

this type of sponsorship, granting its naming rights to Kyocera Mita America, a Japanese electronics and technology company, for three years. Since then, the stadium has changed its name multiple times.<sup>311</sup> The name Kyocera Arena was only used for three years, when the partnership ended due to frustrated expectations of raising more money through the name sale. Still, nam-

**The purchase of naming rights is a strategy used by corporations to promote covert advertising that can result in conflicts related to the cities' memory and landmarks.**

ing rights contracts have grown and multiplied in Brazilian football since then. In 2013, the insurance company Allianz purchased naming rights of Palmeiras' stadium, which was renamed Allianz Parque<sup>312</sup>. Later, the pharmaceutical company Neo Química paid for the naming rights of Corinthians' stadium, renamed Neo Química Arena, and Pacaembu Stadium was renamed Mercado Livre Arena Pacaembu<sup>313</sup>. In the case of Allianz Parque, team supporters expressed opposition to the name change<sup>314</sup> through a public consultation, but they only managed to have the word "Parque" included as a reference to Parque Antarctica, the first name of the stadium in 1902.

According to data released by the teams, the largest naming rights contracts in Brazil belong to Palmeiras and São Paulo, which receive annually R\$ 27.5 million and between R\$ 25 and R\$ 30 million, respectively. Following that is the amount paid by Neo Química to Corinthians, which is around R\$ 20 million.<sup>315</sup> A report by KPMG Football Benchmark shows that, despite the bet on naming rights, the revenue generated from them is only surpassed by the income obtained from uniform sponsorships and contracts for sports equipment supply.<sup>316</sup>

The most recent case concerns São

Paulo's stadium, Morumbi, which was renamed MorumBis after its naming rights were sold to Mondelez Brazil, a transnational food company that includes in its portfolio the Bis chocolate, from the Lacta brand. The contract formed by São Paulo and Mondelez is worth R\$ 75 million for three years, an average of R\$ 25 million per year. The purchase came into effect in 2024 and is the largest communication investment ever made by the corporation.

The concessions, however, disregard a history of socio-environmental and labor violations by these corporations. In 2020, Repórter Brasil reported the use of slave labor in the cocoa industry. Mondelez is included among the giants of ultraprocessed foods and publicly acknowledged the difficulty of establishing good working conditions on the plantations.<sup>317</sup> In 2021, in a lawsuit in the US, Mondelez appeared on another list of companies accused of maintaining connections with farms in the Ivory Coast, in Africa, that had child labor in the supply chain.<sup>318</sup> In Brazil, research conducted by journalist Marques Casara and the Public Labour Prosecution Office (MPT) accused six corporations for child labor and labor analogous to slavery in cocoa plantations in Bahia and Pará: Nestlé, Mondelez, Garoto, Cargill, Barry Callebaut, and Olam.

Some of these companies are being sued by the MPT.<sup>319</sup>

Some of these companies, represented by ABIA, indirectly took part in a recent movement organized by the ultraprocessed food industries that tried to undermine the new front-of-package nutritional labeling of packaged foods, a corporate strategy that goes directly against collective health interests. Since 2020, the new Brazilian front-of-package labeling has required the inclusion of a magnifying glass to indicate an excess of harmful nutrients (added sugar, saturated fat, and sodium) associated with NCDs such as obesity, diabetes, and hypertension.<sup>320</sup> The new labeling rules only came into effect in October 2022, but industry interference was able to make Anvisa grant an extra year before corporations had to comply with the new rules, so that old packages could still be used.

This change in the health regulation occurred after ABIA pressured Anvisa to modify its technical understanding of added sugar to avoid

deleterious impacts on the implementation of the new labeling. In the following months, food companies submitted 57 requests for deadline extensions and depletion of outdated packaging just before the end of the original deadline. Because of that, Idec filed a public civil action in the Federal Court of São Paulo against Anvisa and the extension of the original deadlines. Idec

argued that this modification was based solely on the commercial interests of the industry, which acted to delay the new labeling without any public consultation. A provisional decision by Judge Marcelo Guerra Martins of the 13th Civil Federal Court of São Paulo immediately suspended the effects of Resolution of

the RDC No. 819/2023 and ordered Anvisa not to take any further measures that, directly or indirectly, would authorize non-compliance with the implementation deadlines of RDC No. 429/2020 and IN No. 75/2020.<sup>321</sup> As a result, these lobbying strategies, which are known as corporate capture, were neutralized, preventing future regulatory decisions on food labeling from

**The concessions disregard a history of socio-environmental and labor violations by these corporations.**



being controlled by the regulated economic agents themselves, thus ensuring the protection of public health against the interference of economic agents.

Meanwhile, Mondelez Brazil has bet on a marketing strategy that goes beyond the naming rights of São Paulo's stadium to promote the brand and the corporation's image, including product sales and the re-naming of internal sections of the stadium with the names of other products, such as Oreo and Diamante Negro chocolates. According to Fabíola Menezes, Mondelez Brazil's marketing director for chocolates, "this will allow us, over the next three years, to perform actions that will generate awareness, create a connection with the consumers, and also gain new buyers".<sup>322</sup>

Gradually, naming rights reached public spaces, risking a wiping out of references of the city's memory and historical heritage, which are part of the process by which different social groups identify as residents.<sup>323</sup> This practice increased amid the rise of neoliberal urban management actions, as shown by the sale of subway station names in São Paulo and Rio de Janeiro.

In 2021, Botafogo subway station, located in the southern portion of Rio de Janeiro, was renamed Bota-

fogo/Coca-Cola, the giant soft drink company. The corporation, headquartered in the same neighborhood, had already tried to purchase the station's name in 2013, when former governor Sérgio Cabral vetoed the proposal.<sup>324</sup> This time, claiming a financial crisis due to the Covid-19 pandemic, MetrôRio stated that the sale of the station's name to Coca-Cola was an attempt to increase revenue, which was affected by the passenger reduction caused by the health crisis. However, the contract with the transnational was signed on February 19, 2020, while the pandemic was only declared by WHO in March, which raised questions about the motive for the concession and the lack of transparency in the negotiations.

The contract between MetrôRio and Coca-Cola was expected to end in December 2022, lasting around 34 months. The agreed monthly amount was just over R\$ 282,000, which is considered low for a company of Coca-Cola's magnitude, a billionaire multinational. The contract guaranteed the corporation exclusivity in advertising in exchange for a monthly payment of less than R\$ 300,000, of which only a part went to the concessionaire. This amount was split into three installments of R\$ 3.2 million, with R\$ 2.2 million allocated for nam-

ing rights, and taxes being deducted afterwards. Eletromídia passed on only 55% of the net amount to MetrôRio, which states that the first installment was received throughout 2021, according to the State Transport Secretariat (Setrans).<sup>325</sup> That means that, besides the low total amount, the actual amount received by the concessionaire was significantly reduced. This raises doubts about the claim of revenue loss due to the pandemic, as the concessionaire reported a loss of over R\$ 550 million in 2020. Meanwhile, Coca-Cola's revenue reached \$11.9 billion between August and September of 2022. In Latin America, Coca-Cola's revenue grew by 24% in 2022.<sup>326</sup> The amount paid by the company did not even have an impact on the subway fare, as it went from R\$ 5.00 to R\$ 5.80 in 2021 and reached R\$ 6.90 in 2023.<sup>327</sup>

The partnership evoked reactions among civil society. At the time, ACT Health Promotion organized street mobilizations, such as one performed in front of the station, with the motto "Xô Coca" ("Coca, go away"). The action included a vending machine, similar to the ones found in food courts and fast-food

restaurants, that showed the consequences of soda consumption, such as NCDs. Over 50 organizations signed a document<sup>328</sup> against the grant of the station's naming rights to the soft drinks industry. With this pressure, the contract was ended in November 2022 and the station returned to its original name, Botafogo.

ACT Health Promotion also submitted to the regulatory agency for public transport in the state of Rio de Janeiro (Agetransp) and the Transport Secretariat a statement against the concession of naming rights for Coca-Cola, along with a legal opinion to support their claims. The legal opinion highlighted ethical and legal issues, including the disrespect for the intangible cultural heritage represented by a traditional toponym, covert and abusive advertising, advertising of a product incompatible with the promotion of food security and nutrition (FSN) and adequate and healthy eating, the lack of legal competence of the public service concessionaire to grant naming rights to a public place, and the lack of bidding and revenue forecast in the law and in the concession notice.

## BOTAFOGO/COCA-COLA SUBWAY STATION



In 2021, after the concession of its naming rights, Botafogo subway station, located in the southern portion of Rio de Janeiro, was renamed **Botafogo/Coca-Cola**, the giant soft drink company.



**Justification:** MetrôRio stated at the time that the sale of the station's name to Coca-Cola was **an attempt to increase revenue**, which was affected by the passenger reduction caused by the health crisis during the Covid-19 pandemic.



**Facts:** MetrôRio's contract with Coca-Cola was signed on **February 19, 2020**, while the pandemic was only declared by WHO in March, which raised questions about the motive for the concession and the lack of transparency in the negotiations.



**Time frame:** The contract was expected to **end in December 2022**, therefore lasting around 34 months.



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The contract guaranteed Coca-Cola **exclusivity in advertising** in exchange for a monthly payment of less than **R\$ 300,000**, of which only a part went to the concessionaire. This amount was split into **three installments of R\$ 3.2 million**, with **R\$ 2.2 million allocated for naming rights**, and taxes being deducted afterwards. **Eletromídia passed on only 55% of the net amount to MetrôRio.**



**Monthly amount:** just over R\$ 282,000, which is considered low for a company of Coca-Cola's magnitude, a billionaire multinational.



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The amount did not even have an impact on the subway fare, as **it went from R\$ 5.00 to R\$ 5.80 in 2021 and reached R\$ 6.90 in 2023.**

**2021**

MetrôRio states that the first installment was received throughout 2021, according to the State Transport Secretariat (Setrans).

## Civil society's response

**ACT Health Promotion** organized street mobilizations, such as one performed in front of the station, with the motto "**Xô Coca**" ("**Coca, go away**"). The action included a vending machine, similar to the ones found in food courts and fast-food restaurants, that showed the consequences of soda consumption, such as NCDs.



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With this pressure, the contract was ended in **November 2022 and the station returned to its original name, Botafogo.**

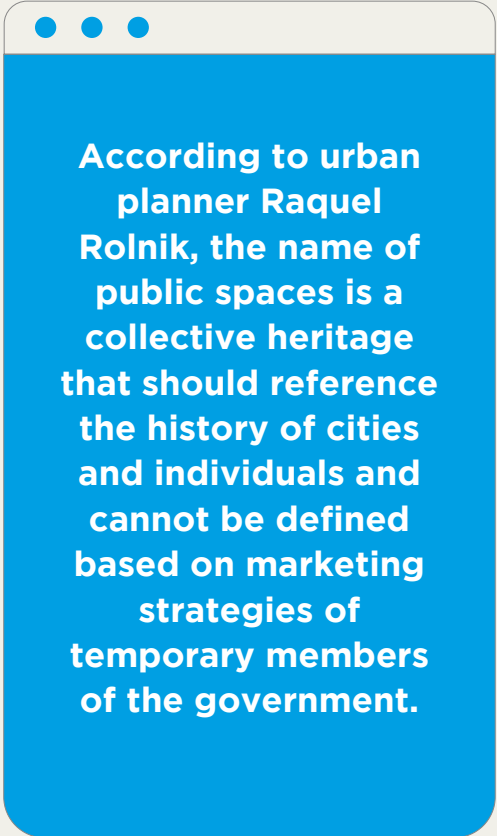
- ▶▶ ACT Health Promotion also submitted to the regulatory agency for public transport in the state of Rio de Janeiro (Agetransp) and the Transport Secretariat a statement against the concession of naming rights for Coca-Cola, along with a legal opinion to support their claims, which highlighted the disrespect for the intangible cultural heritage represented by a traditional toponym and covert and abusive advertising.

## 5.6.1 THE RIGHT TO MEMORY AND IDENTITY

In 1970, when Line 1 of the São Paulo subway was inaugurated, a study was conducted by architect Nestor Goulart. He established four naming criteria: station names should be simple, have popular appeal, be relevant to the region to promote awareness of the metropolitan condition and reference the city's history or another matter meaningful to the population, and be easy to read and pronounce.

According to urban planner Raquel Rolnik, the name of public spaces is a collective heritage that should reference the history of cities and individuals and cannot be defined based on marketing strategies of temporary members of the government. According to her, with the sale of naming rights, the names of things get determined by profitability and commodification rather than historical significance.<sup>329</sup>

Rolnik also explains that toponyms are intangible heritages that cannot be sold for any commercial interest, as they have a public meaning. When Rio de Janeiro's subway station was named after Coca-Cola, it represented an even greater problem, because it became a public health issue. The government cho-



**According to urban planner Raquel Rolnik, the name of public spaces is a collective heritage that should reference the history of cities and individuals and cannot be defined based on marketing strategies of temporary members of the government.**

se to associate a public asset with a soda brand, an ultraprocessed product with high sugar concentrations whose consumption is associated with NCDs<sup>330</sup>. Thus, one of the problems with naming rights is the advertising aspect that attempts to make the product desirable and socially accepted.

Nevertheless, since 2021 granting naming rights to the private sector has become a common practi-

ce in São Paulo's subways. The city approved a law to allow the state to concede naming rights to six subway stations. The Urban Landscape Protection Commission of the São Paulo City Hall, which analyzes proposals for the use of names and brands in public spaces, authorized the subway to grant naming rights for the city's stations for at least 20 years<sup>331</sup>. Since then, passengers have had to deal with the privatization of public transportation space. The "Paulista" and "Saúde" subway stations were renamed "Pernambucanas" and "Ultrafarma," respectively. The same happened in the eastern zone stations, which were renamed "Penha/Lojas Besni" and "Carrão/Assaí Atacadista."

The right to use names can impact schools, bus terminals, subway stations, and others, as it interferes with geographical location and urban mobility. In an article published by G1, Idec expressed concern about naming rights: "the station name is a reference for users; the station name becomes the region's name, both for the subway and trains, so openly changing this reference is a quite worrying thing that can confuse many citizens who use the transport system on a daily basis."<sup>332</sup>

The bidding notices mention the subway's code of integrity, which stipulates that ethical principles must be observed. Even so, evidence suggests that the widely publicized history of illicit acts performed by the corporations is not taken into account.<sup>333</sup> For instance, Assaí Atacadista, a supermarket chain with over 280 stores nationwide, after which Carrão station was renamed, was denounced by the black movement the same year of the naming rights grant, after the metallurgist Luiz Carlos da Silva was forced to take off his clothes to show that he hadn't stolen products in a store in Limeira, São Paulo. After an investigation, the Public Prosecutor's Office (MPSP) charged two people with racism.<sup>334</sup> In 2017, the Mato Grosso State Public Prosecutor's Office (MPMT) also sued the corporation for humiliating and persecuting employees, demanding a compensation of R\$ 3 million.<sup>335</sup>

In the last decades, 'critical toponymy', a study area regarding the naming of places as objects of political and power disputes, has emerged. According to it, place names are threatened by corporations that incorporate the toponymic landscape, which is public, for their financial or symbolic benefit.

The article 'Toponymic Commodification and the Neoliberal City: The Sale of Naming Rights of São Paulo Subway Stations' concludes that São Paulo's subway company has not given enough importance to station names, a collective heritage, nor to conflicts of identity and memory and consequences that can be triggered by renaming stations. The names of places associated with corporations involved in corruption scandals, environmental crimes, human rights violations, or lobbying can threaten the image and reputation of governments, residents, and public spaces.<sup>336</sup>

In São Paulo, a single advertising agency acquired the naming rights of all subway stations. It was the winner of the bidding and subcontracted the naming rights to other companies. In Rio, no authorization request was made to Agetransp. On January 1, 2020, the station opened with a different name. The deal was also undone without any prior notice, not even to the city Transportation Secretariat or Agetransp, which demonstrates the fragility of appropriating public assets for commercial purposes. Selling subway station names is an example of a larger movement to privatize public spaces that includes parks in São Paulo

- for example, the concession of Ibirapuera Park to the private sector.<sup>337</sup>

Researchers from the School of Architecture and Urbanism at the University of São Paulo (FAU/USP) found that there were no public consultations or hearings to discuss bills and guidelines to organize management and transparency in bidding notices, concessions, and contracts with private companies in naming rights concession processes.<sup>338</sup>

After granting name rights in subways, the mayor of São Paulo, Ricardo Nunes (MDB-SP), sanctioned the naming rights law in December 2023. It allows schools, hospitals, plazas, and other public facilities to have their names changed. The São Paulo Court of Justice (TJSP), however, suspended the law, which had not yet been regulated. The decision was made by judge Nuevo Campos, based on a lawsuit filed by PSOL-SP arguing that the City Hall is commodifying public spaces by allowing name sales.<sup>339</sup>

Naming rights can spark discussions about the role of cities. Renaming public places after corporate brands can lead to a loss of these places' cultural and historical identities and increase the influence of

corporate culture over public space, which may create a disconnection among community members. Places might frequently change names as different sponsorship contracts are negotiated, confusing the public and complicating the identification and memorization of the current names. Moreover, relying on corporate funding for public spaces can limit the autonomy of public authorities and increase corporations' influence over local policies and practices. Furthermore, contracts with ultraprocessed food companies promote unhealthy food products, which represents a conflict of interest between public health goals and corporate commercial interests, making it harder to implement effective regulatory measures to promote healthy diets and reduce the harm caused by unhealthy foods.

Public spaces play important social roles, including social gatherings, meetings, culture, leisure, and sports. Privatization, however, can turn them into commercial areas aimed at profit, making them lose their social function. This includes

the reduction of free-access spaces, making the city more consumption-oriented and less focused on social needs. It can also increase social exclusion, excessive commercialization, and the loss of cultural identity, hindering the possibility of a fair and equitable city. Another example of problems arising after concessions made to the private sector is São Paulo's cemeteries. After one year, they face security and infrastructure issues and increased service costs, which are now ten times higher<sup>340</sup>.

To address the problems created by the advancement of corporations over urban spaces, it is necessary to understand that cities are common places of memory and coexistence. According to historian Luiz Antônio Simas, city spaces cannot be limited to their constructions, as they embody memories, aspirations, dreams, and inventions of various generations. For the city to be alive and a place of encounters, the flow of knowledge should prevail over goods aimed at capital accumulation.<sup>341</sup>



## Some strategies that were identified<sup>342</sup>



### MANUFACTURE PUBLIC SUPPORT FOR CORPORATE POSITIONS



Strategies and mechanisms

Mondelez made the largest marketing investment of its history to buy naming rights for Morumbi, the stadium of the sports team São Paulo Futebol Clube, for R\$ 25 million/year, for three years. The stadium was renamed “MorumBis”, a chocolate brand from Mondelez. Besides, inner sectors of the stadium will be renamed after other brands of the corporation, Oreo and Diamante Negro<sup>343</sup>.



## ACCESS AND INFLUENCE POLICYMAKING



## Strategies and mechanisms

Researchers from the School of Architecture and Urbanism at FAU/USP<sup>344</sup> found that there were no public consultations or hearings to discuss bills and guidelines to organize management and transparency in bidding notices, concessions, and contracts with private companies in naming rights concession processes.

The Urban Landscape Protection Commission of the São Paulo City Hall, which analyzes proposals for the use of names and brands in public spaces, authorized the subway to grant naming rights for the city's stations for at least 20 years.<sup>345</sup>

After granting naming rights in subways, the mayor of São Paulo, Ricardo Nunes (MDB-SP), sanctioned the naming rights law in December 2023. It allows schools, hospitals, plazas, and other public facilities to have their names changed.<sup>346</sup>

Coca-Cola bought the naming rights of Botafogo subway station, which is located in the same neighborhood as the company's headquarters in Rio de Janeiro. The deal was made with MetrôRio, which operates subway transportation in Rio de Janeiro. The legal opinion presented by ACT Health Promotion highlighted the lack of legal competence of the concessionaire to grant naming rights to a public place. The company did not make any request to Agetransp. The agency and the Transportation Secretariat also did not receive any notice when the deal was undone<sup>347,348</sup>.

# 5.7 TAX REFORM BECAME A BATTLEFIELD FOR FOOD LOBBYISTS IN BRAZIL



**A**n increased taxation for products that are harmful to health has already been implemented in 60 territories, such as Mexico, Colombia, the United Kingdom, the USA, and South Africa. Most of them adopted a selective tax. With the approval of a tax reform in 2022, Colombia was the first country to raise taxes on ultraprocessed foods.<sup>349</sup> International experiences have proven the effectiveness of taxing unhealthy foods for health and the economy.<sup>350</sup> Tax policies impact prices and modify consumption. In Berkeley, California, USA, for example, three years after the adoption of a selective tax on sugary drinks, consumption dropped by 44%.<sup>351</sup> Even though it is still

too early to evaluate all the effects on public health, estimates indicate that if all countries increased taxes on sugary drinks over 50 years, 800,000 to 2.2 million premature deaths would be avoided, and between \$700 billion and \$1.4 trillion could be raised<sup>352</sup>. Contrary to what economic reports financed by the industry suggest, there is no evidence of negative impacts of taxation on tax revenue nor on job cre-

ation, GDP, or revenues, factors that could interfere with the economy.

In Brazil, ultraprocessed food products do not have a specific taxation. Worse than that, the production chain of sweetened beverages receives excessive tax benefits in the Manaus Free Trade Zone (ZFM), which benefit companies located both inside and outside the free trade area, in addition to other tax benefits existing in the legislation. The subsidies include exemptions from federal taxes such as IPI and PIS/Cofins, as well as tariff benefits for the importation of inputs and raw materials. These measures intend to reduce production costs for companies and increase their compet-

itiveness in the national market<sup>353</sup>, but they have been criticized for representing significant revenue loss without resulting in regional development and job creation, generating socio-environmental impacts, not stimulating more diversified and sustainable economic activities in the Amazon<sup>354</sup>, and increasing healthcare costs due to diseases caused by the consumption of these products.

**Estimates indicate that if all countries increased taxes on sugary drinks over 50 years, 800,000 to 2.2 million premature deaths would be avoided.**

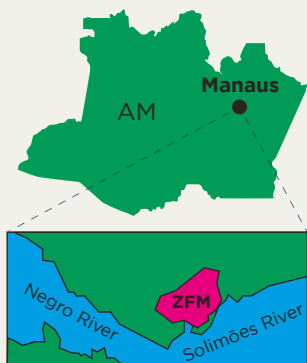
## TAXES ON SUGARY DRINKS IN BRAZIL



It is one of the regulatory measures most affected by industry lobbying, as it is the most cost-effective policy to reduce consumption.

Currently: numerous tax benefits

### Manaus Free Trade Zone (ZFM)



- Tariff benefits for the importation of inputs and raw materials;

- Exemptions from federal taxes (such as IPI and PIS/Cofins).

WHO recommends increasing the taxation of sugary drinks by at least **20%**, which would increase the final price and, as a consequence, **reduce consumption**.

### CRITICISM REGARDING TAX EXEMPTIONS AND BENEFITS



They represent significant revenue loss for the government without resulting in regional development and job creation.



They increase healthcare costs due to diseases caused by the consumption of these products.



They cause socio-environmental impacts and do not encourage more diversified and sustainable economic activities in the Amazon.

In December 2023, after 35 years of attempts,<sup>355</sup> Constitutional Amendment No. 132, the tax reform, was enacted by the National Congress, introducing new rules related to consumption taxation with the aim of simplifying the system. The new tax policy can play an important role in building a country that prioritizes health promotion. The approved rule includes three changes that can promote adequate and healthy eating: the institution of a selective tax for products that are harmful to health and the environment; the creation of a national basic food basket exempt from taxes<sup>356</sup>; and tax relief for food intended for human consumption. The list of products subject to these rules will be defined during the regulation phase of the tax reform, scheduled for the first half of 2024.

The interference of the industry in the taxation of sugary drinks was analyzed in the first version of the Big Food Dossier. This is one of the regulatory measures most affected by industry lobbying<sup>357</sup>, as it is the most cost-effective policy to reduce consumption. For the new Brazilian tax system to fulfill its function, the government must ensure that the private interests of Big Food, Big Soda, and Big Agro, which are committed only to maximizing profit at the expense of public health, do not

overshadow the public interest of making healthy foods more accessible and available to Brazilians.

During the tax reform negotiations in the National Congress, civil society organizations, medical and health associations, and academia demonstrated, through data and scientific evidence obtained without conflicts of interest, that ultraprocessed should be subject to a selective tax, as their consumption is a risk factor for NCDs. Additionally, these products should not be included in the national basic food basket, nor should they benefit from the tax relief.

The industry, in its turn, exerted pressure and lobbied the government and the National Congress, using biased arguments and studies with results that favor their own interests. Among them is a study published by the Getulio Vargas Foundation (FGV)<sup>358</sup> that concluded that age, income, and physical activity are the main factors related to the increase in obesity rates in Brazil, unlike robust studies that demonstrate the relation between diet and NCDs, including obesity. João Dornellas, the CEO of the Brazilian Association of Food Industries (ABIA), took the study to a hearing in the Chamber of Deputies. The portal O Joio e o Trigo tried to verify the funding sources of this study with

FGV, but the answer was that “due to contractual reasons, FGV does not disclose information about the sponsorship and/or supporters of its research and studies.”<sup>359,360</sup>

João Galassi, president of the Brazilian Association of Supermarkets (ABRAS), met with Vice-President Geraldo Alckmin in April 2023 to request a differentiated taxation for foods included in the basic food basket. In July, ABRAS presented a report to Finance Minister Fernando Haddad, emphasizing that the basic food basket could face a tax increase of around 60%.<sup>361,362</sup>

The industry’s strategy to shield itself from tax changes has mainly involved ABIA, ABICAB, ABIMAPI and ABIR. In October 2023, they launched the campaign “Free Cart: for a tax reform that respects your freedom of choice”<sup>363</sup>. The sector sponsored a series of paid media articles to argue that there would be no difference between food groups, so they all should receive tax relief.<sup>364,365,366</sup> This argument goes against scientific evidence that associates the

consumption of ultraprocessed with an increased risk of NCD such as obesity, cardiovascular diseases, cancer, diabetes, and overall mortality.<sup>367,368,369</sup>

Discussions about the national basic food basket are controversial, and which foods will be exempt from taxes still needs to be defined. The problem is that, due to industry pressure, ultraprocessed food products may be included in the list of foods with zero or reduced tax rates. In March 2024, the Federal Government took an important step with Decree No. 11,936/2024, which addresses the set of foods in the national basic food basket. It will consist of fresh and minimally processed foods such as fruits, vegetables,

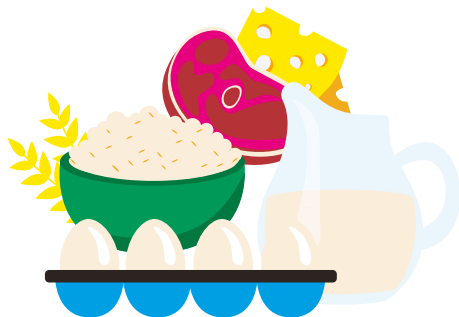
greens, and some types of cereals, cheeses, milk, meats, and eggs. The Decree is aligned with the recommendations of the Dietary Guidelines for the Brazilian Population, from the Ministry of Health. Although public health associations evaluate that the Decree is adequate<sup>370</sup>, the composition of the basic food basket will still be debated

**The industry exerted pressure and lobbied the government and the National Congress, using biased arguments and studies with results that favor their own interests.**

## FEDERAL GOVERNMENT DECREE NO. 11,936/2024, FROM MARCH 5, 2024

Addresses the set of foods in the **basic food basket** within the scope of the National Food and Nutrition Security Policy (PNSAN) and the National Food Supply Policy (PNAAB).

### Fresh and minimally processed foods



Fruits, vegetables, greens, and some types of cereals, cheeses, milk, meats, and eggs.

The Decree is aligned with the recommendations of the **Dietary Guidelines for the Brazilian Population**, from the Ministry of Health.

in the National Congress, and congresswoman Bia Kicis has presented a project to suspend the effects of this Decree.<sup>371</sup>

Despite the fact that many studies and experts point out the health impacts caused by ultraprocessed foods, ready meals, snacks, cookies, and soft drinks are increasingly present in the diet of Brazilians. This is due to a series of commercial advantages of these products that ranges from convenience and advertising to tax incentives, which influence the price. According to the study “Dynamics and differences in the prices of healthy and ultraprocessed foods in Brazil”<sup>372</sup>, published by the economist Valter Palmieri Júnior and ACT Health Promotion, since 2006 the price of fresh foods has increased in comparison to ultraprocessed foods. From June 2006 to March 2021, the inflation of fruits, for example, was 89% higher than the Extended National Consumer Price Index (IPCA), which serves as a reference for measuring inflation in the country, and 114% higher than sugars and derivatives. Soft drinks also showed a much lower price fluctuation compared to fruits, becoming 43% cheaper over the same period.



There are also significant differences in public investment for commodity production compared to investment in family farming, which is the main responsible for the production of fruits, vegetables, and greens. Between 2020 and 2021, the government allocated R\$ 251.2 billion, with R\$ 211.86 billion going to agribusiness and R\$ 39.34 billion to family farming. In other words, the study demonstrates that the Brazilian tax system favors commodity production and manufacturers of ultraprocessed foods.

The lobby of Big Food and Big Soda hinders the development of public policies that promote healthy eating, resulting in social, environmental, and public health costs generated by the production and commercialization of their products. An article published by *The Intercept Brasil*<sup>373</sup> revealed that, with the support of the Parliamentary Front for Entrepreneurship, corporations drafted a proposal to mitigate the effects of the selective tax, suggesting to the Federal Government that there should be specific laws for each type of ultraprocessed food. Two complementary bills were proposed in the Chamber of Deputies with the support of the Parliamentary Front for Entrepreneurship and the Parlia-

mentary Front for Agriculture: bill 29/2024,<sup>374</sup> regarding the selective tax and including favorable provisions to the economic sector, and bill 35/2024<sup>375,376</sup>, which proposes a basic food basket with zero taxation for all types of food, including ultraprocessed foods.

Constitutional Amendment No. 132 provides for differentiated tax regimes for certain goods and services in Article 9, with a 60% reduction in the rates of the Contribution on Goods and Services and the Tax on Goods and Services. Among them are “foods intended for human consumption” and “agricultural inputs.” A complementary law will regulate the matter, and depending on how it is interpreted, this could be a loophole for ultraprocessed foods and pesticides, for example, to pay fewer taxes instead of being included in the list of products subject to the selective tax.

The ultraprocessed food industry argues that taxation should be the same for all types of food (fresh, minimally processed, processed, and ultraprocessed), using food security and nutrition (FSN) as a justification. ABIA argues that increasing taxation on any type of food product could worsen the hunger issue

## INFLATION (JUNE 2006 - MARCH 2021)

The inflation of **fruits** was **89% higher** than the Extended National Consumer Price Index (IPCA).

The inflation of **fruits** was **114% higher** than sugars and derivatives.

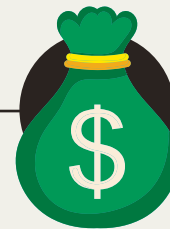
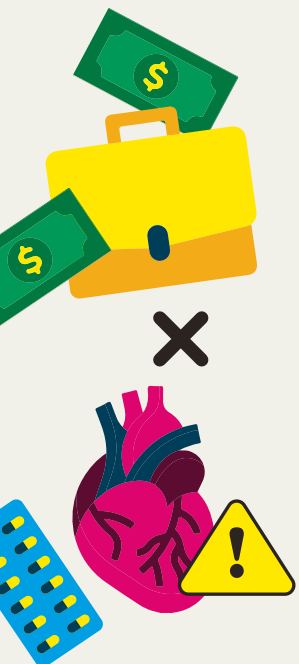


**Soft drinks** had a much lower price fluctuation compared to fruits, becoming **43% cheaper** over the same period.

**Source:** “Dynamics and differences in the prices of healthy and ultraprocessed foods in Brazil”, study published by the economist Valter Palmieri Júnior and ACT Health Promotion.

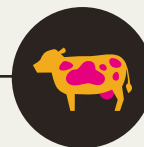
### Ultraprocessed food products

- ▶ They have a series of **commercial benefits**, that range from convenience and advertising to tax incentives, which influence the price.
- ▶ There is ample evidence of the **negative impacts** of these products on **health**.



Public investment in 2020-2021:

**R\$ 251,2 billion**



**R\$ 211,86 billion**  
allocated to  
**agribusiness**



**R\$ 39,34 billion**  
allocated to  
**family farming**

in Brazil, as it would further strain the poorest portion of the population. The Association states that “in a country where 33 million people live with hunger and food insecurity, the opportunity to simplify and reduce the cost of food and beverages cannot be wasted by lawmakers. All foods have value, are a right of

the Brazilian people, and are essential for human life”.<sup>377</sup>

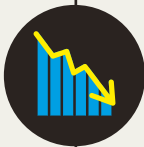
However, to fight hunger and food insecurity, it is important to emphasize that there is a link between inadequate diets and the significant and continuous growth of overweight and NCDs. It is essential,



## CONSTITUTIONAL AMENDMENT NO. 132 - ARTICLE 9



Provides for **differentiated tax regimes** for certain goods and services.



**60% reduction** in the rates of the Contribution on Goods and Services and the Tax on Goods and Services.



Among them are “**foods intended for human consumption**” and “**agricultural inputs.**”



A complementary law will regulate the matter, and depending on how it is interpreted, this could be **a loophole for ultraprocessed foods and pesticides**, for example, **to pay fewer taxes** instead of being included in the list of products subject to the selective tax for being harmful to health and the environment.

therefore, to promote access and consumption of healthier foods, while simultaneously discouraging the consumption of ultraprocessed foods through public policies, such as taxation.<sup>378</sup>


The very concept of ultraprocessed foods has been challenged by the industry. The term emerged in 2009 with the Nova food classification, developed by the Center for Epidemiological Research in Nutrition and Health from the University of São Paulo (Nupens/USP)<sup>379</sup>, which does not analyze foods based only on macro and micronutrients, but divides them into four groups according to their processing (natural or minimally processed foods, processed culinary ingredients, processed foods, and ultraprocessed foods). Carlos Monteiro, professor in the Department of Nutrition at the School of Public Health (FSP) at USP and scientific coordinator of Nupens/USP, began to be attacked by the industry because Nova exposed the harmful effects of ultraprocessed foods on health, contrary to the advertising discourse propagated by corporations over the past decades.<sup>380</sup> The industry then began investing in the production of evidence that criticized Nova. Even so, the classification received international support and, in 2014, provided the scientific foundation

for the Dietary Guidelines for the Brazilian Population, a document that was also targeted by industry attacks, as reported in the first version of the Big Food Dossier.<sup>381</sup> Big Food has made efforts to convince society and legislators that all food is equal (again, contrary to scientific evidence mentioned earlier in this text, which points to the health harms caused by ultraprocessed food). In May 2023, João Dornellas, president of ABIA, participated in a public hearing in the Chamber of Deputies to discuss food taxation. Dornellas attacked the Nova classification and public health research and presented false information regarding international taxation experiences.<sup>382</sup>

One of the challenges faced by Brazil is to monitor and curb the lobbying activities of these corporations and mitigate conflicts of interest to balance the power dynamics in the discussion of tax reform and drive changes in food systems. Senior government officials received representatives from the food, beverage, and supermarket industries in official agendas almost five times more than associations from organized civil society during the tax reform discussions. Food industry representatives had privileged access in 103 meetings in the offices of the country's main authorities - minis-

ters, the Presidency of the Republic, and parliamentary leaders, according to a report by the “Food Lobby” project published by the investigative journalism organization Fiquem Sabendo, released at the end of 2023.<sup>383</sup> The document provides a history of the agendas of federal authorities during the period when the tax reform was being discussed in Congress, including names of private agents and industry associations. João Dornellas, president of ABIA, appeared in 60 meeting records; João Galassi, president of ABRAS, and Fátima D’Elia, consultant for the Brazilian Association of Food Ingredients and Additives Industry and Commerce (ABIAM), appear in 17 records each.

This was not the first time that the industry interfered in tax policies. There is a history of lobbying by corporations of ultraprocessed foods and beverage, such as Big Soda’s movement against taxation in 2016, after media reports revealed the tax benefits granted to concentrated syrup producers in the Manaus Free Trade Zone (ZFM) due to the application of reduced or zero rates of various taxes. A 2016 report by the Federal Revenue estimated that the subsidies to the soft drink industry in the ZFM amounted to R\$ 3.8 billion.<sup>384</sup> Investigative journalism



**Big Food has made efforts to convince society and legislators that all food is equal and should receive a different treatment, contrary to scientific evidence that points to the health harms caused by ultraprocessed foods.**

websites The Intercept and O Joice o Trigo accessed internal Federal Revenue documents that included testimonies given by witnesses in 2017 and 2018. These documents revealed allegations of price overcharging in the Coca-Cola products and tax evasion.<sup>385</sup>

Currently, the government grants a series of subsidies and incentives that make products that pose a threat to public health more accessible to the population. To reduce the consumption of harmful products and prevent NCD, WHO rec-

ommends increasing the taxation of sugary drinks by at least 20%, which would result in an increase in the final price of these products.<sup>386</sup>

A study published by Institute of Economic Research Foundation (FIPE) Department of Economics (FEA) at USP<sup>387</sup> to understand the impacts of ultraprocessed beverages taxation in Brazil identified that an increase in tax leads to an increase in the final price, thereby promoting a shift in consumption to other beverage categories, such as water, milk, and natural juice. The study found that, due to the increased consumption of milk, which requires more intensive labor, the livestock sector and the Northeast region would benefit the most from the policy. The study also evaluated the impacts on the economy and on the consumption pattern of sugary drinks, with three different scenarios, corresponding to tax rates of 20%, 35%, and 50% of Contribution of Intervention in the Economic Domain (CIDE), which acts as a market regulation tool in specific areas and allows the allocation of resources to specific funds, programs, and actions, ensuring benefits to the population. In none of the scenarios is the revenue obtained from the specific tax less than R\$ 4.7 billion per year. An interactive tax impact sim-

ulator shows that with a 20% rate, there will be an increase in revenue of R\$ 2.43 billion, economic growth, reduced consumption, and job creation. Tax revenue increases with higher rates and reaches an optimal level of R\$ 7.10 billion per year with a rate of 47.6%.

ABIA intensified a campaign, “If it’s food, it has value”<sup>388</sup>, after the repercussion of a manifesto<sup>389</sup> led by civil society organizations<sup>390</sup> that called for a distinction between real food and ultraprocessed foods in the tax reform. This manifesto, published in March 2024, requested a selective tax<sup>391</sup> on ultraprocessed food products and was supported by specialists from many fields, such as doctor Drauzio Varella, former health ministers Arthur Chioro and José Gomes Temporão, professor and researcher Carlos Monteiro, personalities, researchers, economists, scientific entities, and civil society. The industry, on the other hand, has the support of an important actor, agribusiness, which managed to influence and benefit from the tax reform: agricultural inputs received a 60% reduction in new taxes and, like agricultural food and products, the entire chain is already exempt from taxes and prevented from being subject to the selective tax.

The Federal Government presented a proposal for the regulation of the tax reform in the National Congress to debate, negotiate, and approve a final version. The proposal includes tobacco products, alcoholic beverages, and soft drinks in the selective tax. Unfortunately, other ultraprocessed food products and beverages were not included in the list. However, there is still a possibility that this scenario may change, especially with the mobilization of civil society, which has clearly demonstrat-

ed, based on scientific evidence and experiences in other countries, that taxing these products is essential to reduce consumption and consequently, the impacts they cause on public health. Evidence shows that taxation is an efficient way to reduce the consumption of these products and promote healthy eating in accordance with the Dietary Guidelines for the Brazilian Population, a reference that celebrated its ten-year anniversary in 2024.

## Framing Strategies Taxonomy



### THE 'GOOD' ACTORS: CORPORATIONS



### Framing strategy

**The industry is a key economic actor.**

The key argument used by the industry regarding taxation is that there should be no differentiation between food groups and all should receive tax relief. If there were higher taxes on any type of food product, hunger could be aggravated in Brazil, as this would affect the income of the poor.

**Industry is legitimate scientific actor.**

Big Food has made efforts to show that all food is the same and therefore should be treated differently.

In a public hearing, João Dornellas, president of ABIA, questioned the scientific validity of the Nova classification, stating that processing does not alter the nutritional quality and allows the shelf life of these products to be extended, providing hygienic and sanitary safety.

**Industry is socially responsible.**

The ultraprocessed food industry argues that taxation should be the same for all types of food (fresh, minimally processed, processed and ultraprocessed), using food security and nutrition (FSN) as a justification.

ABIA claims that taxing ultraprocessed foods is an extreme measure that undermines the consumer's right to choose and that will take food off the plates of Brazilians who are already in a situation of food insecurity.





**THE 'TRIVIAL' AND 'INDIVIDUAL' PROBLEM: CREATED BY A MINORITY OF CONSUMERS.**

Framing strategy

Health harms are caused by consumption patterns of atypical minorities.

Industry lobby on the government and the National Congress is based on the argument that the diet does not influence obesity as much as a sedentary lifestyle and income, for example.



**THE ACCEPTABLE, 'GOOD' SOLUTION: INDIVIDUAL-FOCUSED, CORPORATE SUPPORTED.**

Framing strategy

Solutions should target individuals, not whole populations.

Based on the industry's argument that obesity is more related to individual factors such as genetics, physical exercise, and income, the focus should be on changing individual habits and nutritional education. People have the right to choose what they are going to eat and the government should not interfere with actions such as taxing certain foods.



**THE UNACCEPTABLE, 'BAD' SOLUTION: WHOLE POPULATION, STATUTORY.**

Framing strategy

Policies will lead to losses for businesses, economy & society.

João Galassi, president of ABRAS, met with Vice-President Geraldo Alckmin in April 2023 to request a differentiated treatment in the taxation of foods in the basic food basket. In July, he presented a report to the Minister of Finance, Fernando Haddad, highlighting that the basic food basket could suffer a tax increase of around 60%.

## Some strategies that were identified<sup>392</sup>



### ACCESS AND INFLUENCE POLICYMAKING



#### Strategies and mechanisms

Supported by the Parliamentary Front for Entrepreneurship, corporations made a draft on the effects of the selective tax, suggesting to the Federal Government that there should be a specific law for each type of ultraprocessed food.<sup>393</sup>

An investigation showed that the food industry was received by agencies and members of the Executive branch at least 103 times throughout the debate on the tax reform.<sup>394</sup>

João Galassi, president of ABRAS, met with Vice-President Geraldo Alckmin in April 2023 to request a differentiated treatment in the taxation of foods in the basic food basket. In June, ABRAS presented a report to the Minister of Finance, Fernando Haddad, highlighting that the basic food basket could suffer a tax increase of around 60%.



### SHAPE EVIDENCE TO MANUFACTURE DOUBT



#### Strategies and mechanisms

ABIA president João Dornellas used the FGV study in a public hearing, claiming that the results show that the taxation of sugary drinks is not an efficient policy.<sup>395</sup>



## MANUFACTURE PUBLIC SUPPORT FOR CORPORATE POSITIONS



### Strategies and mechanisms

ABIA, ABIR, ABICAB, and ABIMAPI joined forces and created the campaign “Free Cart: for a tax reform that respects your freedom of choice”, in October 2023.<sup>396</sup>

ABIA launched a website for the campaign “If it’s food, it has value”, where it argues against the taxation of ultraprocessed foods, stating that all food has value and that no type of food should be taxed.<sup>397</sup>

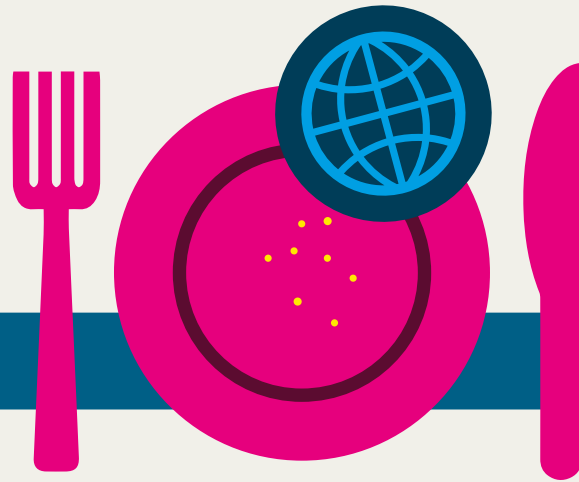


## DISPLACE AND USURP PUBLIC HEALTH



### Strategies and mechanisms

ABIA states that taxing ultraprocessed foods is an extreme measure that undermines the consumer’s right to choose and will take food off the plates of Brazilians who are already in a situation of food insecurity.<sup>398</sup>



## 5.8 SCALING UP NUTRITION: CONFLICTS OF INTEREST OF PUBLIC-PRIVATE PARTNERSHIPS IN THE FIGHT AGAINST MALNUTRITION

**M**alnutrition is one of the most serious health problems in the world and is related to issues such as poverty, social inequality, unequal access to resources, and inadequate food distribution. Many are the human health costs caused by malnutrition, especially for children, as the consequences can be observed into adulthood. The main public health problems

caused by malnutrition are stunting and wasting. Particularly in low-income countries, about 4.7% of children are simultaneously affected by both, which contributes to a 4.8-fold increase in mortality.<sup>399</sup> There is also a significant economic impact, as the consequence of a malnourished population is an estimated productivity loss of more than 10% of lifetime earnings for individuals, and the losses to the gross domestic product (GDP) can reach 2-3%.<sup>400</sup>

Several initiatives around the world address the issue of malnutrition,

**Malnutrition is a consequence of structural problems such as social inequality, poverty, and colonialism, and should be addressed as such, with the establishment of food and nutrition and income distribution public policies.**

many of which focus on humanitarian aid by providing food and supplements in an attempt to minimize immediate consequences. Malnutrition, however, is a consequence of structural problems such as social inequality, poverty, and colonialism, and should be addressed as such, with the establishment of public policies that facilitate access to foods that are nutritionally and culturally

adequate, distribute income, and incentive local production, among others.

Among the global initiatives to fight malnutrition is the Scaling Up Nutrition (SUN) movement, launched in 2010 by Ban Ki-moon, then Secretary-General of the United Nations, with the goal of ending all forms of malnutrition. SUN adopts a multisectoral approach that is based on the principle that malnutrition is a complex problem with multiple causes. Thus, different sectors, such as health, agriculture, educa-

tion, water, and sanitation, must be part of integrated strategies. More than 4,000 civil society associations, about 1,400 companies, five UN agencies, international donors and foundations, and 66 countries and four Indian states are currently part of the movement.<sup>401</sup> The SUN 3.0 strategy (2021-2025) highlights the importance of nutrition as a universal agenda that is essential to achieving the UN SDGs (Goal 2, Target 2.2: end all forms of malnutrition by 2030).<sup>402</sup>

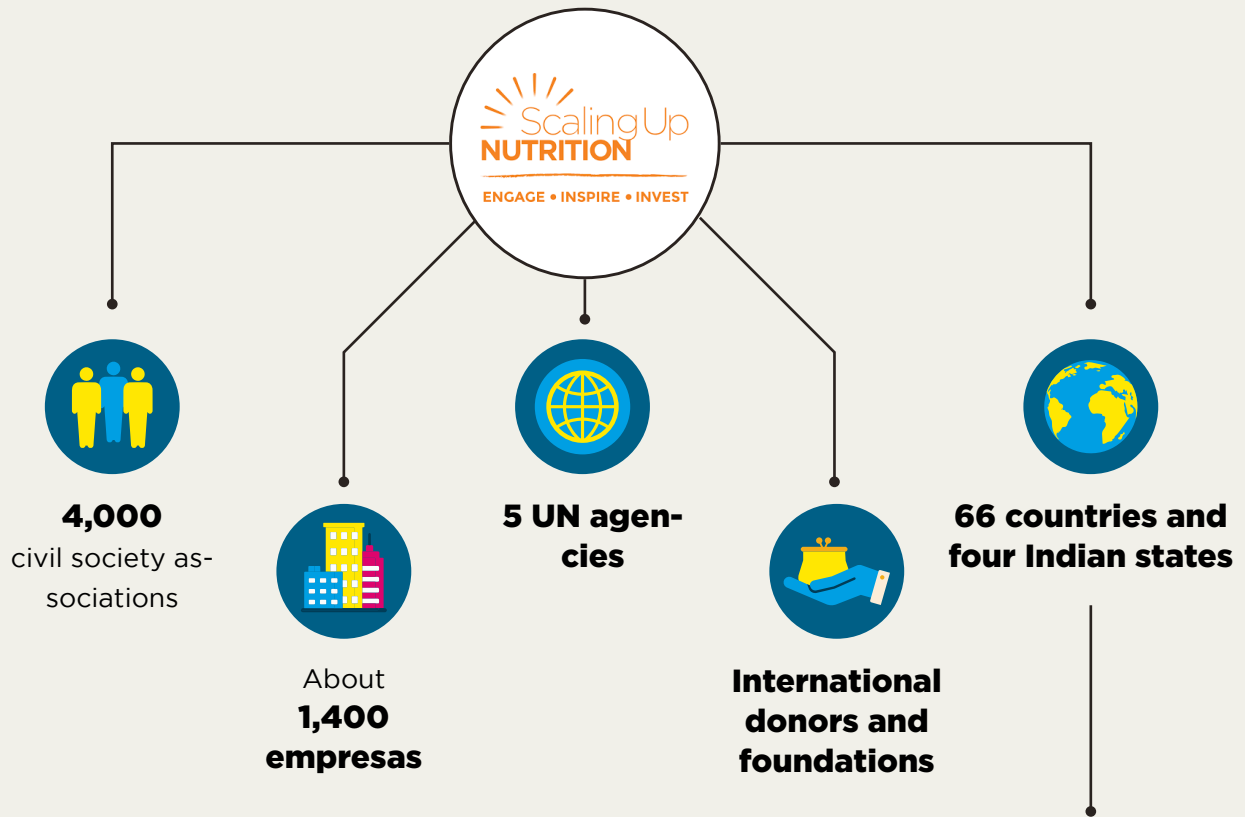
SUN was able to give a lot of visibility to the issue of malnutrition, but the movement faces many criticisms, especially for “granting too much power to the food industry, promoting market-based nutritional interventions, and poor accountability.”<sup>403</sup> The initiative includes many interest groups, especially public-private partnerships.

To understand the importance of this type of relationship within the movement, it is necessary to analyze the structure of SUN, which mobilizes resources from different sectors. There is a Global Support System (GSS) that consists of four networks and the SUN Movement Secretariat (SMS). These networks were created to support the different sectors that are part of the movement globally,

such as transnationals, non-governmental organizations (NGOs), research institutes, and other civil society organizations that contribute to SUN.

Member countries do not receive direct financial aid, although they may receive some financial assistance from non-state donors through a *Pooled Fund*<sup>404</sup>. It is not easy, however, to know how this Fund operates or how the transfers occur, which showcases a lack of transparency in the program. The official website states that the primary form of support is through the development of technical capacities in areas such as establishing a multisectoral network, developing a national nutrition plan, costing for nutrition plan development, creating a private sector network, fundraising, and developing monitoring and evaluation systems, among others. In 2020, the Pooled Fund raised about \$18.5 million, and according to the official website, 65 organizations in 44 countries received grants aimed at, among other things, “enabling these organizations to join forces, taking advantage of each other’s strengths to achieve common national goals and objectives, to ensure that no community is malnourished or left behind”<sup>405</sup>, but it does not explain how.

**THE SUN MOVEMENT IS COMPOSED OF:**



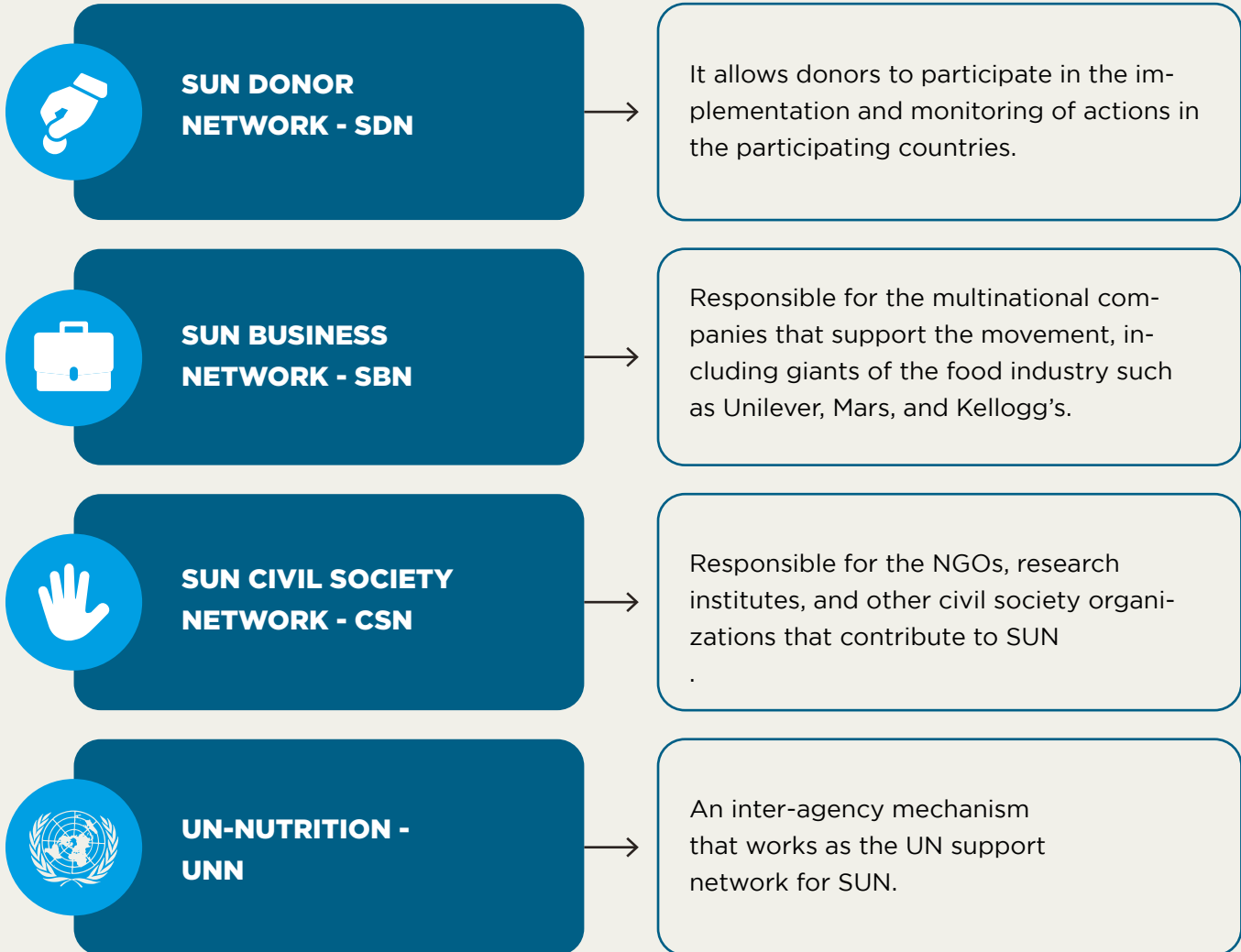
**Some of the countries that are part of SUN**

<b>Eastern and Southern Africa</b>	<b>West and Central Asia</b>	<b>Latin America and the Caribbean</b>
Botswana Lesotho Rwanda Somalia	Yemen Kyrgyzstan Tajikistan	Costa Rica El Salvador Guatemala Haiti
<b>South and Southeast Asia and the Pacific</b>	<b>West and Central Africa</b>	
Afghanistan Bangladesh Indonesia Nepal	Congo Guinea Mali Nigeria	



## GLOBAL SUPPORT SYSTEM - GSS

### SUN Movement Secretariat - SMS





Despite being endorsed by the UN, the movement has been criticized, especially for conflicts of interest, as it is funded by transnational corporations from the food industry, such as Pepsico, Cargill, and Nutriset, among others, and from foundations like the Bill and Melinda Gates Foundation, which also funds research on new seeds, pesticides, and agricultural inputs. This goes against the promotion of autonomy for countries to develop strategies and policies that can structurally fight the issue of malnutrition, considering their own specificities and potentialities. The significant influence of private donors and companies, especially from the food industry, can compromise food sovereignty and the interests of member countries. Furthermore, it is unclear how SUN's strategies and actions are implemented in participating countries and what is the role of the private sector in policy-making and how this impacts participating countries and states.

Public positions against SUN were taken in both Latin America and the Caribbean<sup>406</sup>, as well as in countries like India. In a document published online, civil society activists highlight conflicts of interest as the main reason for concern. Although SUN claims to be a country-led movement, it receives money from ma-

major transnational food companies. The text mentions potential reasons why Brazil does not join initiatives against hunger like SUN, including the participation of the business sector in decision-making processes and in the management and implementation of international and national strategies and policies.<sup>407</sup>

Conflicts of interest are indeed one of the most critical issues of SUN. Although there is, in theory, an internal guideline to address this issue, it is not updated on the movement's official website, which raises doubts about its transparency. There is an obvious conflict between the industry's goals, such as profit maximization, and public health, which aims to improve not only nutrition but also the health conditions of the population while maintaining the autonomy and sovereignty of countries.

Supported by scientific and technological development, the food industry has played a fundamental role in shaping the understanding of malnutrition in developing countries as a problem of nutrient deficiency, thereby requiring market-based solutions like the distribution of supplements and fortified foods.<sup>408</sup> This can shift the focus to technical solutions rather than addressing the underlying structural issues of

malnutrition, such as poverty and lack of access to food and land. It would therefore compromise SUN's ability to implement effective and equitable strategies to the detriment of the commercial interests of the movement's industries and donors. Many of the interventions recommended by SUN, for example, include fortified products and supplements of some kind, based on a Lancet publication on Maternal and Child Malnutrition, published in 2008<sup>409</sup> and revised in 2013, which was funded by the Bill and Melinda Gates Foundation,<sup>410</sup> one of SUN's funders.

Agriculture is another area that also receives funding from the Bill and Melinda Gates Foundation, especially for research into new seeds, pesticides, and agricultural inputs. At the same time, many of the SUN member countries, especially countries from Africa, have an agriculture-based economy<sup>411</sup>, which makes them potential markets for these new technologies. The Green Revolution, which began in the 1960s, "promoted a new technological model of

agricultural production that resulted in the creation and development of new activities for the production of inputs (chemical, mechanical and biological) linked to agriculture".<sup>412</sup> Productivity increases and the end of hunger in the world were some of the arguments used in favor of the model. However, by the end of the 1980s, it had already caused problems such as soil depletion

due to intensive production systems, and was also found to be dangerous to the environment and human health due to the use of fertilizers and pesticides. Thus, many countries, especially in the Global North, are limiting or even banning the use of these chemicals and investing in new farming models, especially organic and sustainable. As a result, large

corporations that produce these agricultural inputs (such as Cargill, another company that is a member of SUN) are led to invest in new markets, especially those that are based on intensive agriculture, such as countries in the Global South.

Other concerns regarding the pos-

**There is an obvious conflict between the industry's goals and public health, which aims to improve nutrition and the health conditions of the population while maintaining the autonomy and sovereignty of countries.**

Despite being endorsed by the UN, the movement has been criticized, **especially for conflicts of interest**, as it is funded by transnational corporations from the food industry:



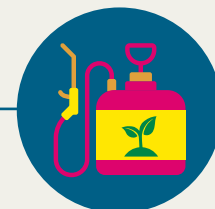
- ▶ The significant influence of **private donors and companies**, especially from the food industry, can compromise food sovereignty and the interests of member countries.



- ▶ **It is unclear** how SUN's strategies and actions are implemented in participating countries and what is the role of the private sector in policymaking and how this impacts participating countries and states.



It also funds research on new **seeds, pesticides, and agricultural inputs**. This goes against the promotion of autonomy for countries to develop strategies and policies that can structurally fight the issue of malnutrition, considering their own specificities and potentialities.



sible consequences of SUN are the opening of new markets and the promotion of ultraprocessed foods to vulnerable populations. The main transnational companies from the food industry are part of the member network, so they could take advantage of this to promote ultraprocessed food products, which fundamentally contradicts guiding principles of public health and, consequently, aggravates problems arising from malnutrition, especially in relation to the increased incidence of non-communicable diseases (NCDs).

It is also important to consider the limitation of the participation of civil society in the formulation and implementation of SUN strategies and how this would occur in the face of the economic interests of the donors and the industry. Due to the very structure of SUN, these groups have two support networks (SBN and SDN), while civil society only has one (CSN). Thus, it is logical to conclude that an organized network with similar interests and demands, as is the food industry, would be able to impose its agenda and priorities, especially considering the “weight” caused by them being donors and even participating in SUN’s governance councils. They would then be able to exert a disproportional

influence on strategic decisions in comparison to civil society, which encompasses dispersed groups that do not make any financial investment in the movement, such as NGOs, research institutes and activists, making it clear that there is a power asymmetry. Although SUN does not have the authority to impose compliance with policies or practices, the members of the leadership structures represent economically and politically powerful non-state actors on which member countries depend.

Discussions about these conflicts are associated with concerns that SUN is not giving enough importance to structural issues related to malnutrition, such as social justice, access to food, and income distribution, rather investing in fast technical solutions to address the problem, often focusing only on easily monitored indicators, such as child malnutrition rates, to measure the success of proposed interventions. The very existence of SUN is justified as an alternative way of organizing emergency responses to malnutrition, although it proposes to support participating countries in developing their technical capacities with financial resources from the Pooled Fund, as mentioned before.

Initiatives such as SUN can potentially increase awareness on the malnutrition agenda. This should be better exploited by the United Nations in legitimate multilateral spaces with clear rules of engagement and without threatening the sovereignty of countries that could benefit from technical cooperation and financial resources in an ethi-

cal and transparent manner. Even though SUN theoretically has internal guidelines for dealing with conflicts of interest,<sup>413</sup> they are confusing and outdated (the latest documents on the subject on the official website are from 2015), as well as clear mechanisms for evaluation, monitoring and accountability.

## ■ Framing Strategies Taxonomy



### THE 'GOOD' ACTORS: CORPORATIONS



Framing strategy

**Industry is legitimate scientific actor.**

The food industry has played a fundamental role in shaping the understanding of malnutrition in developing countries as a problem of nutrient deficiency, thereby requiring market-based solutions like the creation and distribution of supplements and fortified foods.

**Industry is legitimate policy actor.**

Food corporations such as Pepsico, Cargill and Nutriset, among others, and foundations such as the Bill and Melinda Gates Foundation participate in formulating SUN strategies and funding.

**Industry is socially responsible.**

Industries participating in SUN may be interested in opening new markets and promoting their products to member countries.

## Some strategies that were identified<sup>414</sup>



### ACCESS AND INFLUENCE POLICYMAKING



### Strategies and mechanisms

SUN was a part of important events<sup>415</sup>, such as:

SUN provides specific training, such as on the development of a national nutrition plan for member countries.<sup>416</sup>

The movement periodically holds the SUN Global Gathering to bring together government focal points and members of its platforms and promote interaction and knowledge exchange.

#### October/2023

*Committee on World Food Security (CFS): 51st Session*

#### November - december/2023

*United Nations Climate Change Conference (COP 28), Dubai*

#### January/2024

*Nutrition for Growth Workshop, with the government of Côte d'Ivoire*

#### January/2024

*The African Union Summit High-Level Nutrition Side Event*



## MANUFACTURE PUBLIC SUPPORT FOR CORPORATE POSITIONS



Strategies and mechanisms

SUN accepts the participation of multinational companies from different sectors, including food, and even receives funding from these companies. Philanthropic institutions such as the Bill and Melinda Gates Foundation, which also funds research into new seeds, pesticides and agricultural inputs, are also part of the movement.<sup>417</sup>



## DISPLACE AND USURP PUBLIC HEALTH



Strategies and mechanisms

SUN invests in quick technical solutions, often focusing only on easily monitored indicators, such as child malnutrition rates, to measure the success of proposed interventions<sup>418</sup>, rather than facing structural issues such as poverty and lack of access to food and land.

The movement uses the Pooled Fund to finance what it calls “technical capacity development” in member countries, helping to create a national nutrition plan, for example.<sup>419</sup> However, it is not easy to obtain information on how this fund works or how the transfers are made, which highlights the program’s lack of transparency.





## MANAGE REPUTATIONS TO CORPORATE ADVANTAGE



## Strategies and mechanisms

SUN works directly on the development of nutrition policies and programs in member countries through training, such as the development of technical capacities to the establishment of a multisectoral network, the development of a national nutrition plan, the costing of a nutrition plan, the creation of a private sector network (considering that food corporations are involved in the movement, it is questionable how this happens, since there is no transparency about the participation and financing of these corporations and how they operate in member countries), fundraising (once again, there is no detailed information on this and whether there is a relationship with the corporations that are members of SUN) and the development of monitoring and evaluation systems. The focus is on technical issues rather than in the strengthening of local food culture and other strategies that would help to change structural issues underlying malnutrition, such as poverty and lack of access to food and land.

The movement does not provide resources to countries, although it can provide financial assistance from non-state donors through a Pooled Fund.<sup>420</sup> However, it is not easy to obtain information about how this fund works or how the transfers are made, which highlights the lack of transparency in the program.

SUN is a program endorsed by the UN (it was launched by the Secretary-General of the United Nations in 2010), but it has partnerships with governments of participating countries, multinational companies, NGOs and philanthropic foundations.<sup>421</sup>



6.

# REFLECTIONS AND ANALYSIS

...

**T**his document presents emblematic cases that, despite their differences, unveil a common goal of large corporations: preventing the creation of regulations and control tools that could result in sanctions and hinder their financial gains. Although these transnationals have been using the same strategies for decades, it is notable how they become increasingly sophisticated and adapt to new demands from society. It is difficult to delineate Big Food, Big Soda, and Big Agro activities, as they are often diffuse and adapt to local needs, despite using global arguments and strategies.

These corporations take advantage of their political influence locally, as in the case of bill No. 1662/2019, with city councilors in Rio de Janeiro, and nationally, with senators and the Attorney General's Office (AGU) in the case of RDC No. 24/2010. But they reach even further: they can infiltrate global institutions, such as the UN. Thus, they strategically take part in the development of norms, treaties, and action plans with social, environmental, and economic impacts worldwide (such as the global treaty on plastic pollution and the SUN). It is ironic that Big Food, Big Soda, and Big Agro, who cause major environmental prob-

lems (such as plastic pollution, use of chemicals and pesticides, monoculture, deforestation etc.) and health issues (such as NCDs, obesity, and malnutrition), are part of the development of strategies aimed at solving these very problems.

Their preference for self-regulation becomes clear in the cases of ESG, RDC No. 24/2010, the Plastic Treaty, and bill No. 1.662/2019, where corporations attempt to define their own rules of operation, directly and indirectly interfering in the creation of norms and suggesting strategies that are more convenient for their businesses. In the case of ESG, for example, corporations establish implementation and evaluation criteria and metrics that are more suitable to give their business visibility, public acceptance, and market value, without, of course, any external regulation or proof that their actions have any practical effect for the benefit of society or the environment. It can be expected that, rather than providing solutions, these corporations will be more concerned with avoiding financial losses and advocating for their economic interests in the face of social and environmental issues that, if addressed, would inevitably negatively impact their businesses.

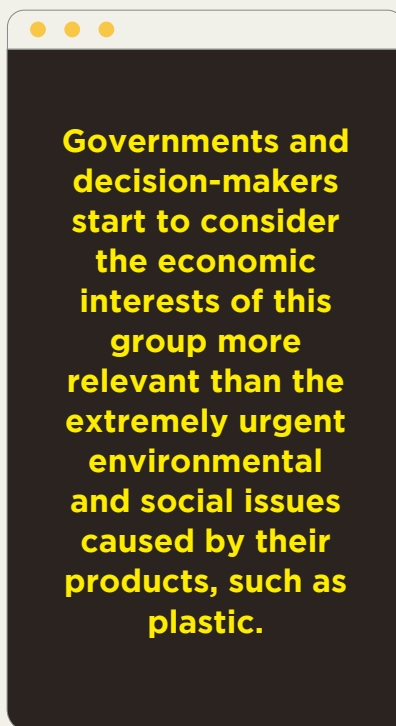
Similar to what was seen in the first version of the Dossier, in this document coalition actions stand out - that is, the union of representatives from Big Food, Big Soda, and Big Agro to defend common interests through representative associations. Once again, ABIA (the Brazilian Association of Food Industries), the largest food and beverage association in Brazil, acts to hinder food and nutrition public policies, in some cases joining representatives from other sectors, such as CONAR (the Brazilian Advertising Self-Regulation Council), to influence political actors. The case of RDC No. 24/2010 exemplifies how associations can act together, defining strategies in different areas, such as taking legal actions against the norm, referring to bodies such as AGU to question the validity of the norm, or lobbying government actors to try to prevent the regulation from being published.

Moreover, the coalitions are formed not only among associations within the same sector, but also among different sectors from the same pro-

duction and distribution chain. The union of economic forces can exert more influence on governments and decision-makers, who start to consider the economic interests of this group as more relevant than the extremely urgent environmental and social issues caused by their products, such as plastic, one of the greatest pollutants today. These groups are able to benefit

from these situations, either by creating products or by taking advantage of weak governments to expand their markets (as in the case of SUN). Thus, they manage to avoid taxes and sanctions, increase their reach, and, with the development of new products and new investment partners, they reach different niches and profit even more (in the cases of the tax reform and

plant-based products, for example). This proximity to governments and public actors gives corporations many advantages, including the possibility of using public spaces as advertising tools, creating familiarity, generating identification with products and brands, and appropri-



**Governments and decision-makers start to consider the economic interests of this group more relevant than the extremely urgent environmental and social issues caused by their products, such as plastic.**

ating spaces and memories, which results in increased sales and profits (as in the case of naming rights).

It is important to note, however, that corporations from different sectors do not agree in all matters. In the case of plant-based products, for instance, it is possible to see that Big Food and Big Agro disagree on many points, mainly because a consumer market for plant-based products and lab-grown meat can be a risk to the traditional animal-based product market. Some issues that cause disagreements between the sectors include the regulation of plant-based products analogous to animal-based products and their composition, nutritional information labeling, and nomenclature.

Another thing that stands out on the development of these products is the emergence of new players: actors from the financial and technology markets invest in products developed by foodtechs and startups. This enables a rapid emergence and expansion of new brands that, in a short time, are bought and incorporated by large transnational corporations from Big Food or Big Agro. Even though the latter disagrees on many aspects of the plant-based theme, it also invests in those products and new food technology research, as its ultimate goal

is to achieve financial gains.

Finally, we can also observe in this document a repetition of arguments listed in the first version of the Dossier to defend the interests of corporations. This shows that they are strategically used for creating a favorable environment for their businesses and supporting the development of research that can reinforce their arguments, so that they are exhaustively repeated and taken as granted by the public. In the case of tax reform, for example, Big Food, Big Soda, and Big Agro try to avoid the taxation of their products arguing that consumers should have freedom of choice and portraying individuals and sedentarism as the main causes of the obesity epidemic. They also disseminate researches with questionable methodologies and unknown funding to challenge evidence-based information, besides emphasizing that food industrialization would be necessary for ensuring sanitary and food and nutrition security for consumers, despite all the health harms caused by ultraprocessed foods already shown in numerous studies, many of which are referenced in this document.

The cases systematized and presented in this Dossier make it possible to identify the main strategic actions and mechanisms used by

transnational corporations to defend their political and economic interests. Many of them are repeated in different cases and adapted to local conditions and specific interests, but always occur through political influence and aim at shaping the public opinion and maintaining their economic goals.

“Manufacture public support for corporate positions” is an strategic action identified in all the cases of this Dossier, while “Access and influence policymaking” appears in seven out of the eight cases, which shows that Big Food, Big Soda, and Big Agro are really concerned with taking part in regulatory spaces that should set limits for their activities. Another frequently identified strategy, found in six out of the eight cases, is “Displace and usurp public health,” which is self-explanatory and relates to the objective of this

Dossier, that is, to show how corporations interfere in food and nutrition policies. “Shape evidence to manufacture doubt” appears in five out of the eight cases, meaning the creation and dissemination of information that benefits corporate interests through funded studies with clear CoI, for example, or based on scientifically incorrect information to justify their economic activities. Half the cases include the strategy “Manage reputations to corporate advantage”, which demonstrates how concerned these transnationals are with their public reputation. Lastly, the strategic action that appeared the least in this document, identified in only one of the cases, was “Use the law to obstruct policies,” as it is used in more urgent moments, when the other strategies have not achieved the desired effect.

6.1.

**ADVOCACY AND  
REGULATION:  
A LIGHT AT  
THE END OF  
THE TUNNEL**



**T**he cases presented in this document may elicit pessimistic feelings in light of the enormous public and planetary health challenges that result from corporate interference in the development of public policies and international treaties. However, it is important to highlight that the participation of public-interest civil society organizations is essential to the development of tools to identify Col and CPA and to assist governments and international bodies to adopt policies, norms, and treaties that prioritize population health and environmental sustainability in a transparent way. This is necessary due to the enormous political and economic reach of Big Food, Big Soda, and Big Agro, as seen in this document, which includes cases of local, national, and international actions through strategies used to directly and indirectly influence policies that prioritize profit over public health and the environment.

In an attempt to improve some of the existing tools, PAHO adapted a roadmap developed in 2022<sup>422</sup> to assist in the identification, prevention, and management of potential Col in interactions with non-state actors during the development of food and nutrition programs and policies. This document, which was mentioned in the first version of the Dossier, provides context on the


subject, offers a screening tool to assist public managers in the decision-making process, and highlights the importance of case studies for the identification of Col. The screening tool consists of an analysis of the external actor (goals related to public health and sustainable development; compatibility of products and services with public health nutrition recommendations; compatibility of policies and practices with public health objectives; funding of organizations whose activities are incompatible with public health objectives), interaction profile (who leads; compatibility with public health priorities; respect for the governance; whether it offers public health benefits; what measures are taken regarding transparency, monitoring, and accountability), and risk-benefit assessment (threat to reputation; independence and integrity of the body; and impacts on health and nutrition).

In Brazil, the technical note “Identification and Prevention of Conflicts of Interest in the National School Feeding Program (PNAE)”<sup>423</sup>, released by the National Fund for Educational Development (FNDE) in July 2023, is another important example of these initiatives. As shown in the first version of the Dossier, PNAE is one of the public policies that are most susceptible to the interests and lobbying of Big Food, Big Soda,



and Big Agro. Therefore, tools for preventing Col and CPA are essential and closely monitored by civil society. To ensure a qualified implementation of the Program, the technical note presents a series of specific definitions of situations that can be classified as Col, followed by recommendations to protect schools from actions and donations of unhealthy foods and from the influence of corporations that may gain undue advantages.

An ordinance from the Ministry of Development and Social Assistance, Family and Fight against Hunger (MDS) published in March 2024 “Defines the cities and the Federal District as priorities for the implementation of the National Strategy for Food Security and Nutrition in Cities - Alimenta Cidades.” The document establishes that cities can express interest and receive institutional and technical support for “the structuring, implementation, monitoring, and evaluation of actions.” This is an alternative to try to limit corporate actions that often take advantage of social problems, such



**Since decisions are made at a political level, the actions of academia and civil society are not always enough to prevent industry interference.**

as hunger, and disguise marketing strategies as philanthropic actions, as shown in the first Dossier in the case “Donations during the COVID-19 pandemic.”

In 2023, in addition to publications that guide the identification and prevention of Col, events were also held to discuss the topic and promote actions for the prevention, identification, management,

and mitigation of Col in public policies. In October, Idec and ACT Health Promotion, along with other civil society organizations, promoted the first “Free Conference on Conflicts of Interest in Food Security and Nutrition.” As described in the regulations of the 6th National FSN Conference (CNSAN), national free conferences have a deliberative character and are organized by civil society organizations that do not have Col related to the theme. These conferences are a strategy to increase social participation in debates and in the formulation of proposals, in addition to electing civil society delegates who will participate in the CNSAN. With four delegates elected, the Free Conference

on Col presented three proposals on the prevention, management, and mitigation of Col to be incorporated into the 6th CNSAN, which contributed to the construction of the 3rd National Plan for Food Security and Nutrition (PLANSAN).

In November of the same year, the “Listening Workshop for the Development of the Reference Framework on Conflicts of Interest in Public Policies on Food and Nutrition, Tobacco, and Alcohol in Brazil”<sup>424</sup> was held in Brasília. This initiative is the result of a partnership between PAHO, the Ministry of Health, and the Brazilian Observatory of Conflicts of Interest in Food and Nutrition (ObservaCol) and included the participation of representatives from the government, civil society organizations, and academic experts on Col, CPAs, and commercial determinants of health. The Reference Framework aims to make officials from different areas and positions in the Executive Branch aware about situations that constitute Col, in addition to providing guidelines and recommendations for public agents in their interactions with commercial entities.

National and international groups involved in the development of research, policies, and strategies on food and nutrition also recognize that Col and CPAs have disastrous consequences for public health and

the environment. Therefore, there is an urgent need to mitigate such influences. The return of the Interministerial Chamber of Food Security and Nutrition (Caisan)<sup>425</sup>, which includes 24 ministries, was marked by the formation of five working groups, including one exclusively dedicated to the issue of Col, with the aim of preventing such situations in programs and actions to face hunger. The National Council of Food Security and Nutrition (Consea), reinstated in January 2023, four years after its extinction, has also established a working group on the subject. One of Consea’s roles is to bridge the gap between organized civil society and the formulation and implementation of public policies<sup>426</sup>, so issues like Col, which directly or indirectly interfere with the implementation of these public policies, must be monitored. The Latin America and Caribbean Nutrition and Health Community of Practice (Colansa)<sup>427</sup>, in its turn, which is a network of professionals and organizations dedicated to the development of healthy, sustainable, equitable, and inclusive food systems with a focus on improving nutrition and health in Latin America and the Caribbean, is also creating a working group on industry interference in food and nutrition policies. This group will monitor and guide actions related to this issue in the region.

Recently published studies also suggest strategies that help identifying “whether, how, and to what extent a commercial agent can influence health outcomes”<sup>428</sup>, in addition to proposing a framework for the management, monitoring, and mitigation of Col, as presented in the series “Commercial Determinants of Health”, published by The Lancet in 2023. This work supports actors (such as policymakers, public health professionals, civil society, non-governmental organizations etc.) who interact with commercial entities, offering guiding questions that reveal the characteristics that need to be taken into account for the protection and promotion of health.

Thus, we see that identifying the immeasurable damage caused by Big Food, Big Soda, and Big Agro to the public health and the environment

contributes not only to understanding how they operate with public managers but, more importantly, to establishing mechanisms to face such activities. These mechanisms are fundamentally managed by civil society, professional entities, and researchers from the fields of public health and food and nutrition, which demonstrates a significant asymmetry of economic power and political influence between these groups and the productive sectors they monitor. While control mechanisms should indeed involve social participation, it is the responsibility of the government to establish policies that can prevent Col and CPA during the formulation, management, implementation, and monitoring of food and nutrition policies, prioritizing the public interest.

# WHO IS INTERFERING IN FOOD AND NUTRITION POLICIES IN BRAZIL AND AROUND THE WORLD?

## Industry and Agribusiness

STOCK EXCHANGE         Confederação da Agricultura e Pecuária do Brasil

## Civil society, private sector, and financial market

STOCK EXCHANGE   

## Private sector

## ESG



## NAMING RIGHTS



## Industry

## CAFETERIA BILL



## Industry and Agribusiness

   ASSOCIAÇÃO BRASILEIRA DAS INDÚSTRIAS DE QUEIJO   ASSOCIAÇÃO BRASILEIRA DE BIONÓTIOS  ASSOCIAÇÃO BRASILEIRA DE PROTEÍNA ANIMAL      ASSOCIAÇÃO BRASILEIRA DE LÁCTEOS

## PLANT-BASED



## Civil society and research institutes

  INSTITUTO DE TECNOLOGIA DE ALIMENTOS 

 Industry

 Civil society and private sector

 Industry



**PLASTICS TREATY**



**TAX REFORM**



**SUN**



 Industry



 Philanthropy



 Industry

**RDC 24**



 Professional association



# 7. STEPS FOR THE FUTURE

○ ○ ○

**T**he consequences of Big Food, Big Soda, and Big Agro economic activities to the public health and the environment are increasingly documented and highlight the need for urgent changes in the dominant food system, which harms people and pollutes the environment. Significant changes require a rethinking of the food system to promote sustainable and resilient food production practices that respect the knowledge of traditional communities. For that, it is also necessary to implement effective strategies to monitor CoI and minimize CPA, so as to prevent corporations from directly or indirectly influencing the formulation of public health policies.

The CPAs that were most identified in this document were “Manufacture public support for corporate positions”, “Access and influence policymaking”, “Displace and usurp public health”, “Shape evidence to manufacture doubt” and “Manage reputations to corporate advanta-

ge”. It is clear, therefore, that corporations manage information and policies to their favor, always trying to maintain a positive public image and using their political influence to get benefits, regardless of the consequences and the social or environmental impacts that they may cause.

Finally, as seen in the first version of the Dossier, commercial interests continue to drive political actions and strategies to the detriment of food and nutrition policies and the establishment of actions that would have real impacts on the sustainability of the planet. The actors are the same, but the strategies adapt to changes in society and in time and to different governments and entities around the world. Public authorities must prioritize health protection and promotion, establishing limits and sanctions on commercial practices that have caused irreversible damage to the population and the planet for decades.

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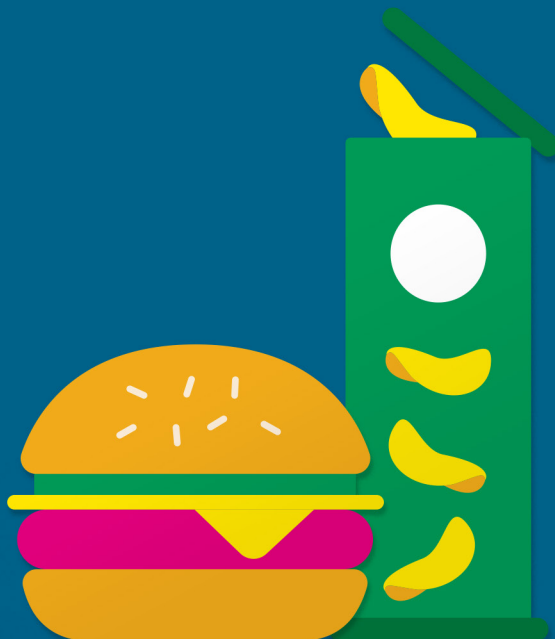
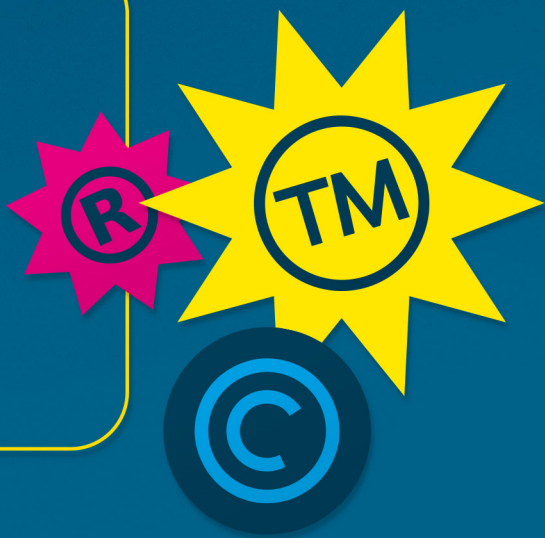
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