

27th of May, 2022.

Multi-stakeholder Consultation on “Corporate Influence in the Political and Regulatory Sphere”

Organization: Brazilian Institute for Consumer Defense (Idec)

Website: <https://idec.org.br/>

1. What is your understanding of undue corporate influence in policy and regulatory matters? What challenges have you observed? Could you think of any concrete examples in activities or operations of your organization?

The Brazilian Institute for Consumer Defense (Idec) is a non-profit consumers’ association, independent of corporations, political parties or governments. Pioneer in consumers’ rights defense in Brazil, it was founded in 1987 by a group of volunteers, with the mission to guide, raise awareness, defend ethics in the consumer relationship and, above all, fight for the consumer-citizens rights.

Our main areas of expertise are: Urban Mobility, Telecommunications and Digital Rights, Financial Services, Health, Energy and Sustainability, and Healthy and Sustainable Diets.

The main objectives of the Healthy and Sustainable Diets program are:

- *To promote and defend the human right to adequate and healthy foods;*
- *To encourage consumers to adopt healthy and sustainable dietary patterns;*
- *To pressure the regulatory role of the State; and*
- *To induce public policies that promote adequate and healthy diets.*

We defend that for the full realization of the human right to adequate and healthy diets, a basic human right, it is key to guarantee a permanent and regular access to foods which are adequate to the biological and social aspects of individuals and grounded to territorial and cultural contexts. Also, foods must meet the principles of variety, balance, moderation and pleasure, gender and ethnicity dimensions, and environmentally sustainable forms of production, free from physical, chemical and biological contaminants and genetically modified organisms.

Idec, as recommended by the Dietary Guidelines for the Brazilian Population, the golden rule for a healthy diet is to consume fresh and minimally processed products and avoid the consumption of ultra-processed products, high in sugars, fats and sodium. As a matter of fact, these products are not exactly food but rather formulations of substances or fractions of food for industrial purposes such as protein isolates, esterified oils, hydrogenated fat, modified starches, cosmetic food additives (flavors, emulsifiers etc.) and other items for exclusively industrial use. According to several meta-analysis and cohort studies developed in different contexts and populations, the consumption of ultra-processed products is related to weight gain, obesity, diabetes, hypertension, and other cardiovascular diseases, depression, cancers in general, breast cancer, childhood asthma, kidney dysfunctions, and premature deaths.

Therefore, it seems reasonable to us that the food and beverage industries, which have commercial interests as huge as their extraordinary profits and dividends, should be kept away from decision-making processes and from the definition and formulation of public policies

focused on health and nutrition. The industry's strategies are numerous and well documented, from massive marketing media campaigns, research and congresses funding, to social and health washing, moving beyond disrespect for the human right to food.

We have concrete examples of recent cases, both in Brazil and in the multilateral/international environment, of clear evidence that the industries producing ultra-processed products and beverages, or infant formula, ingredients, pesticides and genetically manipulated foods, as well as associated actors, have tried to delay, weaken, distort and/or impede the development of food and nutrition policies and programs that can effectively contribute to healthier and more sustainable food systems.

As an example, Idec actively participated in all stages of the regulatory process for the update of the nutrition food labeling of packaged foods regulation carried out by the Brazilian Health Surveillance Agency (Agência Nacional de Vigilância Sanitária - Anvisa), with the definition of a front-of-package nutrition labeling model for Brazil. During the process, there were various attempts to delay, delegitimize scientific evidence and influence the process. Recently, Idec also released the mini documentary "Big Food: the power of the ultra-processed food industries"¹, precisely to alert to the immense power that corporations in the ultra-processed food and beverage industry concentrate, nationally and internationally, and about their dangerous relationships with public authorities and decision-makers.

Finally, at the multilateral level, Idec joined hundreds of civil society organizations from around the world to criticize² the lack of clear and transparent mechanisms for the prevention and management of conflicts of interest throughout the process of organization, implementation and continuity of the UN Food Systems Summit. An opportunity has been wasted to advance real and concrete proposals for the transformation of current food systems to, once again, lose energy, focus and resources in false solutions dominated by the commercial interests of large corporations. Part of the price we are seeing is the worsening situation of hunger, malnutrition and multiple forms of malnutrition that are increasingly alarming in most parts of the world.

3. What measures could States take to prevent and address corporate political activities that may undermine the State's ability to protect human rights and businesses' responsibility to respect human rights?

There are some initiatives in various segments regarding the prevention and management of conflicts of interest. We can cite examples, even within the universe of the United Nations (UN), which seeks to regulate the participation of non-state organizations and parties, such as the "WHO Framework of Engagement with Non-State Actors (FENSA)".

Another key practice in the field of food and nutrition is the Committee on Food Security (CFS) and the Civil Society and Indigenous Peoples' Mechanism (CSM) for relations with CFS, after its reform in 2009, it has become an effective multi-stakeholder platform. Indeed, unlike many other "multi-stakeholder" initiatives, with clear rules of engagement and participation. The CFS

¹ <https://alimentandopoliticas.org.br/big-food/>

² <https://alimentandopoliticas.org.br/en/2021/06/why-idec-the-brazilian-institute-of-consumer-protection-will-not-formally-participate-in-the-2021-food-systems-summit/>

and its participation mechanisms, precisely, should have been a protagonist in the conception of the UN Food Systems Summit.

There are other practices that we can mention that seek to reduce the possibility of interference by private interests and the publicization of transparent decision-making processes with objective rules. For example, Idec is part of the Colansa³ Steering Committee (Comunidad de Práctica Latinoamérica y Caribe Nutrición y Salud), which is a group of professionals and organizations of civil society and academia whose objective is to contribute to the development of food systems. healthy, sustainable, equitable. In COLANSA's governance document there are clear rules for the non-participation of professionals who have relationships with certain industries.

These experiences can be reflected in the scope of government decision-making and spaces for social participation. In fact, Idec fights for the defense and participation of private interests in decisions aimed at public health or the promotion of healthy diets must be strictly prohibited.

It is imperative that States regulate spaces for participation, so that at all levels of decision-making in the public sphere there are clear rules of engagement.

³ <http://colansa.org/en/about/>