**QUESTIONNAIRE**

**Contact Details**

Please provide your contact details in case we need to contact you in connection with this questionnaire. Note that this is optional.

|  |  |
| --- | --- |
| Type of Stakeholder (please select one) | [ ]  Member State [ ]  Observer StateX Other (please specify) Civil Society Organizations |
| Name of StateName of Survey Respondent | Fundación Interamericana del Corazón ArgentinaFAGRANFUNDEPSConsciente ColectivoFundación SANAR |
| Email | institucional@ficargentina.orgberenice.cerra@ficargentina.org |
| Can we attribute responses to this questionnaire to your State publicly\*? \*On OHCHR website, under the section of SR health |  Yes NoComments (if any): |

# Report filed by:



**Fundación Interamericana del Corazón Argentina [Interamerican Heart Foundation- Argentina]**, whose mission is to promote public policies and social changes that guarantee the protection of the right to health, through the reduction of chronic non-communicable diseases (NCDs). FIC – Argentina is an affiliate of the Interamerican Heart Foundation, an organization with a trajectory of over 20 years. Within the field of the prevention of NCDs, FIC Argentina takes different action lines to promote the design and implementation of tobacco control, alcohol abuse control, food and nutrition policies and prevention of obesity and physical activity policies with a human rights perspective. Furthermore, it also develops a variety of activities and projects to raise awareness of the importance of these measures with the final objective of protecting the right to health. <http://www.ficargentina.org>



**FAGRAN** is a second degree organisation that has been working since 1973 in order to give hierarchy to the profession and to provide through its associations and colleges all over the country a healthy diet for the population of the Argentine Nation. The Federation works in the field of advice, research and permanent collaboration for decision making in the design of National, Regional or Local Food Policies. Its objective, today as always, is to encourage, organise and promote any undertaking aimed at Food and Nutrition Education, collaborating with the authorities and state or private organisations.



**The Foundation for the Development of Sustainable Policies (FUNDEPS)** is a non-profit organization based in Argentina, whose work is aimed towards the development of a fairer, more equitable and inclusive society, promoting a sustainable development, respectful of human rights, through advocacy in public policies at the local, national and international levels. To achieve these goals, FUNDEPS promotes the empowerment of community stakeholders in the development process through training, lobbying, policy research, strategic litigation and cooperation. http://fundeps.org/

**Conscious Collective** was launched in 2020 in the midst of the Covid-19 pandemic. The organisation is made up of young people from different backgrounds who share a common vision on the relevance of the environmental agenda for social justice and the need to engage in the public agenda and mobilise people for action. Consciente Colectivo emerges in the context of a global crisis, in which a pandemic zoonosis showed us that the more we alter ecosystems, the more we are at risk. We believe that a systemic vision is needed to transform this paradigm.

**SANAR** is a non-profit NGO based in the Autonomous City of Buenos Aires, Argentina, that works to promote sustainable food based on natural foods and to defend food security and sovereignty. It disseminates scientific evidence free of conflicts of interest and advocates for the promotion of public policies on health, food, gender and environment.

# Background

Within the framework of Human Rights Council resolution 51/21, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health has identified analyzing the progress and challenges to attaining the Sustainable Development Goals (SDGs) as one of the strategic priorities during her tenure, along with analysing the role of the underlying determinants of health, such as climate change and environment, water and sanitation, education and gender equality (See: [A/HRC/47/28 para. 108](https://www.ohchr.org/en/documents/thematic-reports/ahrc4728-strategic-priorities-work-report-special-rapporteur-right)). In compliance with her mandate and in line with these priorities, she has decided to devote her next thematic report to the General Assembly, to be held in October 2023, to the issue of “Food, nutrition and the right to health”.

# Objectives of the report

In the report, the Special Rapporteur will turn her attention to the underlying determinants of health, with a focus on how food and nutrition positively or negatively impact the right to health. In particular, she will rely on the frameworks of the social and commercial determinants of health to address how colonialism, racism, and other power asymmetries continue to build and maintain inequitable food systems and environments, influencing activities across the production, aggregation, processing, distribution, consumption, and disposal of food products,[[1]](#endnote-1) and ultimately shaping the context in which consumers acquire, prepare, and consume food.[[2]](#endnote-2) The Special Rapporteur’s analysis will consider the double impact of malnutrition,[[3]](#endnote-3) which refers to the co-existence of undernutrition with diet-related non-communicable diseases (NCDs) such as diabetes, cardiovascular diseases, and cancer. In this sense, she will emphasize that rights-based approaches to food and nutrition must reconcile and address both concerns, often misconstrued as competing. The Special Rapporteur will also report on new and emerging trends related to the impact of climate change, conflict, and COVID-19 on food and nutrition, as well as related responses.

Importantly, the Special Rapporteur will adopt an intersectional approach and consider the multiple forms of discrimination affecting persons in the context of food and nutrition. She will analyse the links between inequities in accessing adequate food and sex, gender, poverty, class, and the rural and urban divide, as well as related systems of oppression.

The Special Rapporteur intends to analyse the obligations and responsibilities of actors, such as States and corporations respectively, in relation to food and nutrition under the framework of the right to health. The Special Rapporteur would therefore like to identify specific challenges and opportunities related to food and nutrition in countries and within communities around the world. She would also like to identify good practices that affirm the right to health in this context, as well as seek examples of how to combat discrimination in accessing adequate food.

*Glossary of definitions for the purpose of this questionnaire:*

* **Double burden of malnutrition**:refers to “the coexistence of undernutrition along with overweight, obesity or diet-related NCDs, within individuals, households and populations, and across the life-course.”[[4]](#endnote-4)
* **Food environments**: refer to “the physical, economic, political and socio-cultural context in which consumers engage with the food system to make their decisions about acquiring, preparing and consuming food.”[[5]](#endnote-5)
* **Food systems**: refer to “the entire range of actors and their interlinked value-adding activities involved in the production, aggregation, processing, distribution, consumption and disposal of food products. Food systems comprise all food products that originate from crop and livestock production, forestry, fisheries and aquaculture, as well as the broader economic, societal and natural environments in which these diverse production systems are embedded.”[[6]](#endnote-6)

# Questionnaire

The questionnaire can be downloaded below in English (original language), French and Spanish (unofficial translations). Responses can address some of the questions or all of them, as feasible or preferred.

* Download the questionnaire (WORD): English | Français | Español

# How and where to submit inputs

Inputs may be sent by e-mail by 24 March 2023.

|  |  |
| --- | --- |
| **E-mail address** | ohchr-srhealth@un.org |
| **E-mail subject line** | Contribution to GA report - SR right to health |
| **Word limit** | 750 words per question |
| **File formats** | Word, PDF (Please note that only word docs will be posted online) |
| **Accepted languages** | English, French, Spanish |

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# Treatment of inputs/comments received

# Please note that all responses will be published on the official webpage of the Special Rapporteur.

# Key Questions

*You can choose to answer all or some of the questions below. (750 words limit per question).*

1. **What are the major factors that challenge quantitatively and qualitatively adequate access to food and nutrition in your country and/or community (including external to your country)? Taking into consideration the underlying determinants of health, in what ways do they contribute to health inequities?**

It has been widely demonstrated that childhoods suffer the consequences of living in an unhealthy environment. The World Health Organization (WHO) recommends exclusive **human breastfeeding** up to 6 months, and it has been shown to reduce the risk of overweight and obesity by 13%, contributing to the fight against non-communicable diseases (NCDs) caused by obesity.[[7]](#endnote-7) However, according to data from the Ministry of Health, while the prevalence of breastfeeding in Argentina at the time of birth is 96.9%, exclusive breastfeeding drops sharply to 43.7% at 6 months.[[8]](#endnote-8),[[9]](#endnote-9) In turn, with regard to the code of substitutes for breast milk, there is great non-compliance at points of sale (48.5% of pharmacies and 80% of surveyed supermarkets). The most frequent violations are: feeding bottles and nipple shield displays in pharmacies (44.3%), special formula milk displays (7.2%), direct discounts (5.7%), among others.[[10]](#endnote-10)

Regarding **malnutrition due to excess**, in the age group between 5 and 17 years old it reaches 41.1% and, among 0 to 5 year-olds, excess weight reaches 13.6%. A recent study conducted by FIC Argentina and UNICEF analysed the relationship between nutritional status and the socioeconomic situation in adolescents aged 13 to 17 and **found that the lower the educational level of the parents, the higher the prevalence of malnutrition due to excess reflected in obesity rates.** In adolescents whose parents have a low educational level (completed primary school), malnutrition due to excess was 9.5%, while in those with mothers/fathers with a high educational level (completed university studies or more) it was 6.5%. The difference between both extremes was statistically significant (p <0.05).[[11]](#endnote-11)

In the adult population, obesity was recorded in almost a quarter of the population in 2018, an indicator that increased by 22% compared to the 2013 figures and 74% over the numbers of 2005. In turn, the prevalence of obesity in the adult population shows significant differences by income level: in the population with lower income, the proportion was 36.9%, while in the population with higher income it was 29%.[[12]](#endnote-12)

Regarding the **dietary pattern** of children and adolescents (C&A), they consume 40% more sugary drinks and three times more sweets than adults. In this sense, one of the main shortcomings of food in Argentina is the low consumption of fruits and vegetables, while, on the contrary, the consumption of ultra-processed foods is high: of 10 people, only 3 have consumed fresh fruits at least once a day, and young people aged 13 to 17 have the lowest consumption: only 21.4% have managed to consume fresh fruit at least once a day.[[13]](#endnote-13)

Children and adolescents aged 2 to 17 are far from the daily consumption recommendations in most food groups of the Argentine Food Guides (GAPA, for the Spanish acronym), mainly fruits and vegetables, where only 22.21% comply with the recommendation. Meanwhile, when evaluating food consumption according to the degree of processing (NOVA), it was found that the highest caloric contribution of C&A aged 2 to 17 is given by the group of ultra-processed products, representing 39.7%.[[14]](#endnote-14)

One of the main factors in the food environment that explain all the situations described above is the marketing of unhealthy products, especially those aimed at C&A. A study on the packaging of breakfast cereals, desserts, and sweet cookies carried out in the country found that 3 out of 10 products of low nutritional value featured children's characters.[[15]](#endnote-15) In addition, on television, ads for processed and ultra-processed foods are more frequently advertised in children's programs (98.9%) vs. programs aimed at the general public (93.7%), showing the high exposure to the marketing of C&A.[[16]](#endnote-16)

 FIC Argentina characterized the **quality of the food offer and food and beverage advertising** in 34 school kiosks in 2022: all of them offered ultra-processed products (96.29% of the packaged product offer), and 42% presented advertising of processed and ultra-processed products.[[17]](#endnote-17) Another barrier identified in Argentina to the achievement of an adequate diet is **the price of food**. FIC Argentina compared the price of the current diet versus the healthy diet and found that the latter costs 32% more, with fruits and vegetables being the food group that contributes most to this cost. The study also showed that for more than 50% of the population the healthy diet is unaffordable.[[18]](#endnote-18)

1. **What legislative or regulatory measures (such as those related to nutrition standards, labeling, marketing, procurement in institutional settings including – but not limited to – schools and prisons, and fiscal measures) have been considered or adopted in your country and/or community to improve food and nutrition, especially for persons in vulnerable situations? Where relevant, how are those measures being enforced?**

In 2021, Argentina passed the Law for the Promotion of Healthy Eating[[19]](#endnote-19), which establishes the front labeling of food products and non-alcoholic beverages with an excess of critical nutrients (sodium, fats, sugars, and calories) and aims to "*Guarantee the right to health and adequate food through the promotion of healthy eating, providing simple and understandable nutritional information on packaged foods and soft drinks, to promote assertive and active decision making, and safeguard the rights of consumers; (...) [and p]romote the prevention of malnutrition in the population and the reduction of chronic non-communicable diseases."[[20]](#endnote-20)*

In turn, this regulation applies the nutrient profile of the Pan American Health Organization (PAHO) regarding the maximum values of critical nutrients, the obligation to declare total and added sugars in the nutritional information table of the products, the prohibition for industries that commercialize food with seals to include in the packaging complementary nutritional information, children's characters, cartoons, athletes, among others; and to include gifts or games that promote the consumption or purchase of these products.[[21]](#endnote-21)

In addition, this is a comprehensive regulation regarding the promotion of healthy eating since it includes a complete ban on advertising, promotion, and sponsorship of products aimed at C&A containing at least one seal; it prohibits the offering, sale, marketing, and advertising of products with seals in school environments; in addition, the law provides for an improvement in the nutritional quality of food assistance programs (lunchrooms, canteens, etc.), based on the fact that the State must prioritize the procurement of food without critical nutrients in excess, given the same convenience.

Given the worrying nutritional context described in the answer to the first question, front labeling is a priority food policy to protect children and lower socioeconomic groups, as it helps to combat inequality in access to adequate food. This labeling is an effective tool to improve the food choices of even the most vulnerable sectors in Argentina.[[22]](#endnote-22)[[23]](#endnote-23) In addition, a survey conducted by FIC Argentina (2021) showed that 87% of respondents from the lowest socioeconomic group support the law, which shows the broad support of the population, including the most vulnerable sectors.[[24]](#endnote-24)

Although the front labeling regulation is already in force, it is important to point out that both its enactment and implementation have been challenged by the actions of the unhealthy food and beverage industry. During the discussion in the National Congress, the industry lobbied and pressured legislators, disseminating false information.[[25]](#endnote-25)

For example, one of the main arguments used was to point out that the front labeling policy constitutes an obstacle to international trade as Argentina is a member of the MERCOSUR regional trade bloc, which has proven to be untrue.[[26]](#endnote-26) [[27]](#endnote-27)Arguments based on the violation of international trade commitments have been widely used in other countries to stop similar policies.[[28]](#endnote-28) However, there is no legal impediment to support the companies' arguments to avoid sanctioning the labeling measures. On the contrary, the international scientific evidence is clear as to the relevance of this measure for obesity prevention and health protection.[[29]](#endnote-29)

Moreover, the industry has consistently pointed out that such measures have negative repercussions for countries' economies. In 2021, food corporations claimed that labeling would have negative effects on the economy and lead to job losses and lower wages for all those employed in the food sector, which has also proven to be false.[[30]](#endnote-30)[[31]](#endnote-31)

Once the regulation was sanctioned, food corporations have carried out two main strategies: 1. To carry out actions that violate the regulation and take away its credibility, for example, through marketing actions aimed at children, especially in the framework of the Qatar 2022 Football World Cup and greenwashing actions;[[32]](#endnote-32) and 2. Just as the tobacco industry has acted in the past,[[33]](#endnote-33)[[34]](#endnote-34)[[35]](#endnote-35) and just as in other Latin American countries,[[36]](#endnote-36) the food industry has begun to file legal actions to stop the application of the Law for the Promotion of Healthy Eating and to pressure the government to relax its parameters.[[37]](#endnote-37)

1. **In your context, have any legislative or regulatory measures attempted to simultaneously address undernutrition, on the one hand, and diet-related non-communicable diseases such as diabetes, cardiovascular diseases, and cancer, on the other hand? In doing so, have they been successful? Please provide concrete examples.**

Although the law on front-of-package food labeling is an excellent policy to prevent malnutrition by excess and promote the right to health by enabling consumers to make healthier choices, it does not articulate any policy to address malnutrition.

Within this framework, different government initiatives aim to improve access to food with intervention policies on food prices. A study analyzed the process of selection, purchase, and consumption of food and beverages in households that receive the “Tarjeta Alimentar” (TA), which is part of the Argentina Against Hunger Plan and is a comprehensive policy promoted by the National Government in coordination with the provinces and municipalities.[[38]](#endnote-38) This program is aimed at guaranteeing family access to a basic food basket. The study showed that the TA was mainly used to buy dry food and dairy products in the chain or wholesale supermarkets, while income from sources other than the TA was used to buy especially fresh food such as fruits, vegetables, and meats in stores and small neighborhood supermarkets.

Regarding changes in the purchase of food and beverages since the TA, there was an increase in the purchase of dairy products (milk, yogurt, and cheese), followed by cereals, vegetables, fruits, meats, and legumes. Likewise, an increase in the purchase of bakery and pastry products was observed, followed by sugary drinks and cold cuts, and sausages. The results show that the preferences of girls and boys influenced purchasing decisions, especially concerning the purchase of ultra-processed products. Yogurt with sugary cereals or confectionery was one of the most valued product groups because they were given attributes such as nutritional value and "for liking". The study found that these attributes were generally exacerbated by advertising and marketing. The educational strategies linked to the Food and Nutrition Education (FNE) component of the TA were diverse, with a predominance of administrative information delivery and, to a lesser extent, concrete food and nutrition education actions. In part, these activities were hampered by the context of the COVID-19 pandemic.[[39]](#endnote-39)

At the same time, in 2020, the “Precios Cuidados” program, in force since 2013, was relaunched with new agreements with companies.[[40]](#endnote-40) On that occasion, the Argentine Federation of Graduates in Nutrition (FAGRAN) analyzed the selected products. The analysis showed that 40% of the products called "Essential Products" were foods of optional consumption (because they were not considered healthy), according to the classification of the GAPA (cookies, sugary drinks, dairy desserts, etc), and included alcoholic drinks.[[41]](#endnote-41)

On the other hand, the National Program "Precios Justos" (Resolutions 823 and 75), launched by the Ministry of Economy, is currently in force. Its objective is to guarantee the sale to the final consumer of food products at a fixed price or with a constant variation and previously agreed upon for a determined term that provides predictability using an agreement with certain companies. [[42]](#endnote-42)

According to a study also carried out by FAGRAN, the products included in this list, and from the sample of essential products published, it was observed that 64% (1144 products) are edible products such as rice, oils, candies, water, sugared beverages, alcoholic beverages, among others. However, 71.4% of these edible products would present one or more seals on their packaging according to the Law for the Promotion of Healthy Eating, because they contain an excess of critical nutrients (sugar, fat, sodium, and/or precautionary legends).[[43]](#endnote-43)

Thus, we are concerned that the National State has signed an agreement with companies to carry out a national pricing program, aimed at providing the population with access to food at a reasonable price, but most of them have unhealthy food according to the Law for the Promotion of Healthy Eating. In this sense, the lack of synergy between national policies could have a negative impact on the population's right to health.

1. Beyond diet-related non-communicable diseases, food and nutrition are also relevant concerning infectious diseases and other illnesses. For example, contaminated food can lead to foodborne illnesses, poor nutrition can make persons more susceptible to infectious diseases, and individuals living with infectious diseases and other chronic illnesses may have unique dietary requirements for health. Please describe any challenges and progress made in this regard in your country and/or within your community.

1. **Multi-stakeholder approaches to food and nutrition are often affected by power asymmetries that exclude persons and communities in situations of vulnerability.**
	1. **Please provide concrete examples of the barriers and opportunities for these persons or communities, such as Indigenous peoples, women, children, and migrants, to participate in national and/or international policymaking processes about food and nutrition, including the process of participation.**

In the case of healthy eating policies, there is no particular way for citizens and civil society to participate in their design. For example, in the case of the Law for the Promotion of Healthy Eating, which did represent a significant advance in the promotion of internationally recommended policies, no formal spaces have been established for organizations to monitor its implementation.[[44]](#endnote-44)

Although in the past there have been intersectoral roundtables convened by the Directorate of Noncommunicable Diseases and Health Promotion, under the Ministry of Health, with the participation of different actors from civil society, academia, and the private sector, these spaces have not been active since the beginning of the pandemic. Such formal spaces made possible the discussion of public health policies between civil society and political decision-makers. In this framework, it would be desirable that these spaces return, with a strong conflict of interest policy, with clear rules, and that a greater multiplicity of actors be included in these spaces to account for vulnerable groups.

In turn, the extrajudicial mechanisms for citizens to denounce non-compliance are not clear. First, there is no clear, simple, and accessible mechanism for citizens to report violations of the law. On the other hand, although the National Ministry of Health is the enforcement authority, other agencies are responsible for compliance with different parts of the law (for example, in the area of audiovisual advertising regulations, the National Administration of Medicines, Food and Medical Technology (ANMAT) are jointly responsible with ENACOM).[[45]](#endnote-45) This situation further complicates the possibilities of real citizen participation at the moment of supervising the law and denouncing non-compliance.

Furthermore, it is important to highlight the case of the National Food Commission (CONAL). During 2021 and 2022, civil society organizations working in health promoted a modification of the Argentine Food Code (CAA) regarding trans fats before the CONAL (the body in charge of making updates to the CAA). According to its regulations, the projects to modify the CAA are open to public consultation, although the opinions of the citizens are not binding and there is no obligation on the part of CONAL to issue an opinion on the received letters. In this context, although more than 30 regional organizations participated in the public consultation and more than 3,000 people expressed their opinions, CONAL did not mention any of these points in the resolution adopted.[[46]](#endnote-46)

Nor are there any mechanisms through which civil society can request their participation in the meetings or request to be summoned. CONAL meetings are not broadcast live, nor are their recordings accessible, nor are there any stenographic minutes. Only brief minutes are made available after each meeting.

* 1. **What proactive steps or good practices can you report on taken by the State to engage in activities to strengthen people's access to and utilization of resources for food security in this regard?**

In the case of human breastfeeding, although Argentina in 1997 incorporated the Code of Commercialization of Substitutes, albeit partially, through two articles of the Argentine Food Code (CAA)[[47]](#endnote-47) (it is also included in Law 26873 on Promotion and Public Awareness of Breastfeeding and its regulatory decree 22/2015)[[48]](#endnote-48), currently the industries producing infant formulas, foods for specific medical purposes for infants and modified milks for girls and boys, systematically violate the regulations, especially that related to aspects linked to labeling and advertising of such products.[[49]](#endnote-49)

The school environment is an ideal place to protect children and adolescents and to promote health. The Law for the Promotion of Healthy Eating is a step forward to improve the consumption pattern of C&A, especially taking into account that it imposes the restriction of all forms of advertising, promotion, and sponsorship of food with seals and/or legends in the school environment, as well as prohibits its offer and marketing, avoiding the offer of products with an excess of critical nutrients in schools. However, it is necessary for the State to continue working on the promotion of policies that guarantee healthy school environments. School spaces should, therefore, be healthy food environments that facilitate the adoption of healthier eating practices and lifestyles.[[50]](#endnote-50) For example, ensuring access to safe water and healthy foods such as fruits and vegetables is essential in schools. Promoting agreements between small local producers and schools is also a way to ensure their presence in school environments.

1. **What is the impact of gentrification, development, technology, industry activity, and deforestation on food security? Please share some concrete examples.**

In Argentina, in 2018, 20.2% of the population presented food insecurity, an index that grew to 22.2% in 2019, according to the Argentine Social Debt Survey (EDSA) conducted by the Argentine Catholic University.[[51]](#endnote-51) According to data from the Observatory of the Argentine Social Debt, in households in 2020 total Food Insecurity reached 33.3% and severe Food Insecurity was 37.5%. During the second half of 2020, two out of ten urban households registered food insecurity.[[52]](#endnote-52)

In Argentina, the agricultural model based on "agribusiness" has implied a deepening and intensification of agroindustrial production oriented to the provision of inputs for export, where the logics of the international commodities market prevail and where the concentration of economic and decision-making power by some companies over the distribution and marketing chains determines the prices of products to the detriment of small and medium-sized producers. Furthermore, in this agricultural scheme, the technological packages provided by large seed and agricultural technology companies impose production and consumption logic, also influencing the rural landscape.[[53]](#endnote-53)

Such is the impact of this production model that, among its major consequences, the following can be mentioned: the substitution of traditional crops (sunflower, rice, cotton, wheat, sorghum) and other agricultural activities aimed at satisfying the food needs of the domestic market (dairy farms, pasture cattle, and sheep) by transgenic monocultures (soybean, corn), gradually losing the diversity of the productive matrix and generating risks for food security and sovereignty; the increase in migration to urban centers and the growth of marginalized populations in the cities; a greater orientation of production to external demand to the detriment of fresh food products such as fruits and vegetables; the concentration of land ownership through the appropriation of "marginal" lands, the expulsion of peasants and small producers from their lands; the increase in situations of poverty and hunger. Argentina, under this model, still has a high percentage of people who cannot meet their basic food and quality of life needs, among others[[54]](#endnote-54).

On the other hand, it is important to highlight that large agricultural producers have been pressuring for more than 10 years to stop the enactment of a national law for the protection, promotion, and budget allocation for the conservation of wetlands. [[55]](#endnote-55)[[56]](#endnote-56)The natural assets that host wetlands require conservation actions, environmentally respectful use, and restoration of these ecosystems. In this sense, Argentina must have a law that not only highlights the importance of environmental protection of wetlands because of the ecosystemic benefits they provide to people, especially for their health but that law expressly enshrines the intrinsic value of wetlands and ensures the maintenance of their ecological integrity.[[57]](#endnote-57) A wetlands legislation, from a human rights perspective, is a pending debt for the Argentine State at present, not only because it is essential for the exercise of the population's right to water (if we take into account the high consumption figures of sugary drinks mentioned above) but also in terms of food sovereignty and promotion of the right to adequate food. Food production must be respectful of the right to the environment. In this context, it would also be important for Argentina to move forward with a regulation on the responsibility of the food production chain, to avoid human rights violations in the food production process.

Finally, it also highlights the lack of a packaging regulation with social inclusion that establishes the minimum requirements for environmental protection that integrally manages these products and their recycling "to prevent and reduce their impact on the environment, introducing in such procedure the principle of Extended Producer Responsibility and integrating recyclers and recycling workers as a priority in the management chain".[[58]](#endnote-58) Most ultra-processed products are distributed in single-use containers that end up polluting the environment.[[59]](#endnote-59) Thus, Argentina must have a law that aims to "prevent and minimize the negative impact on the environment caused by packaging and post-consumer packaging, while strengthening the most vulnerable sector but at the same time more transcendental in the chain of management of them.[[60]](#endnote-60)

1. **Please provide examples related to the impact of food production, on the right to health of the population living or the people working in or near the areas of production/cultivation.**

Argentina ranks eighth in the world in terms of surface area (2,780,000 km²) and is the second-largest country in Latin America. According to data from the Food and Agriculture Organization of the United Nations (FAO), Argentina ranks eighth among the countries with the largest available arable land, with 39.2 million hectares. Industrial agriculture - the predominant production model - which includes 34% of the productive units and occupies 87% of the surface area, uses increasing volumes of polluting agrochemicals that affect soil, water, and air, as well as the health of people and animals. It also produces changes in land use, because it enables territories where there were originally native forests and their biodiversity, to carry out monocultures of a few species, generally genetically modified organisms.[[61]](#endnote-61)

In the Pampa region, 85% of the main crops are produced: corn, wheat, and soybean. Between 2020-2021, 6.1, 14.3, and 6.1 million hectares will be planted with corn, soybean, and wheat, respectively. The use of pesticides was estimated at 7.1, 5.4, and 2.8 kg per hectare per year for corn, soybean, and wheat, respectively. This means that approximately 138 million kg of agricultural pesticides are sprayed annually in this region, which is much higher than those used in Europe or the United States.

Legislation on the use of pesticides in Argentina is generally considered lax, and even where it exists, control is weak, although the health risks related to exposure to pesticides are well documented. In the province of La Pampa, higher genotoxicity was found in children living near fumigated fields; and cancer incidence rates were high in a small town where pesticides were present in warehouses, machines, and fields.[[62]](#endnote-62) Another study identified that children living near pesticide applications had shorter lengths at birth and smaller head circumference compared to those living in an urban area.[[63]](#endnote-63) In turn, a publication of a cross-sectional study in Argentina reported greater cytogenetic damage among those living near agricultural fields (less than 500 meters<500m). [[64]](#endnote-64)

Health teams in fumigated towns detect a change in the pattern of diseases in their populations: respiratory problems are more frequent and linked to agrochemical applications, as well as chronic dermatitis. During the spraying season, depression, convulsions, immune and endocrine disorders are more frequent. High rates of spontaneous abortions are recorded (up to 23% of women of reproductive age have suffered at least one abortion in the last 5 years when the normal rate is 3%) and consultations for infertility in men and women have increased notably.[[65]](#endnote-65)

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