

The Food Purchase Program: the Bioethics' lens on food security

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Resumo

A bioética alcança questões públicas e busca a garantia dos direitos humanos, dentre os quais aqui se destaca o da alimentação, debate ético de uma situação persistente resultante da exclusão social. O Programa de Aquisição de Alimentos (PAA) busca a construção de proposta de segurança alimentar e nutricional centrada na comercialização da produção, nas pessoas, no social e na segurança alimentar dos mais vulneráveis. Este trabalho objetivou analisar os documentos oficiais do PAA, na modalidade Compra da Agricultura Familiar Com Doação Simultânea, como um programa de segurança alimentar na perspectiva de referenciais bioéticos. Utilizando metodologia de análise de conteúdo foram selecionadas as categorias: direito humano, equidade, proteção, participação e inclusão social. Verificou-se que possuem caráter estruturante para a segurança alimentar, delineando interfaces entre referenciais bioéticos e avanços na garantia dos direitos humanos. Porém, há limitações quanto à participação dos atores envolvidos.

Palavras-chave: Bioética. Segurança alimentar e nutricional. Direitos humanos. Agricultura.

Resumen

Programa de adquisición de alimentos: la bioética lente de la seguridad alimentaria

La Bioética alcanza cuestiones públicas y busca la garantía a los derechos humanos, especialmente la comida, debate ético como resultado de una persistente situación de exclusión social. El Programa de Adquisición de Alimentos (PAA) tiene por objeto la construcción de una propuesta de Seguridad Alimentaria u Nutricional centrado en la comercialización de la producción, en las personas, en lo social y en la seguridad alimentaria de los más vulnerables. Este estudio tuvo como objetivo analizar los documentos oficiales del PAA, en la modalidad de Compra de la Agricultura Familiar para la Donación Simultánea como un Programa de Seguridad Alimentaria en perspectiva de referenciales bioéticos. Utilizando la metodología de análisis del contenido se han seleccionado las categorías: Derecho Humano, la equidad, la protección, la participación y la inclusión social. Se encontró que este tiene una tendencia estructural a la seguridad alimentaria, presentando interfaces con los referenciales bioéticos con avances en la garantía de los derechos humanos. Sin embargo, existen limitaciones en el proceso de participación de los actores involucrados.

Palabras-clave: Bioética. Seguridad alimentaria. Derechos humanos. Agricultura.

Abstract

The food purchase program: the bioethics' lens on food security

The Bioethics reaches public matters and seeks the guarantee of the human rights among which is highlighted feeding, an ethical debate on a persistent situation resulting from social exclusion. The Food Purchase Program (FPP) pursues the construction of a food and nutritional security centered on the commercialization of the production, on people, on social and on food security of the most vulnerable. This work aims to analyze the FPP official documents, in the Purchase from Family Agriculture with Simultaneous Donation modality as a Food Security Program in the perspective of bioethics references. Using the Content Analysis Method, it was selected as analysis categories: human rights, equity, protection, participation and social inclusion. It was found that this program has a structuring character to food security, showing interfaces with bioethical references with advances on the guarantee of the human right to food. However, there are limitations regarding the participation process of those involved.

Key words: Bioethics. Food security. Human rights. Agriculture.

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It is imperative that Bioethics contribute on the construction of societies that may guarantee human rights, once it is based in a macro perspective, amplified and certainly compromised to social dimension. Politicized and focused in applied ethics, critics to new theoretical proposals of Latin American bioethics constantly aim to decrease disparity of societies of a continent and globally. It is determinant, therefore, that Bioethics field is incorporated to public policies definition processes to improve it, by considering the most excluded and in need persons.

Within these recent formulations in Bioethics, it is highlighted the Intervention Bioethics, which incorporates universal human rights, acknowledging equity collective rights to individuals and social groups, for a real construction of citizenship¹. GARRAFA and PORTO built this proposal from a politicized Bioethics perspective, capable of being an instrument for the defense of human rights. For that, Intervention Bioethics must deal with persistent situations, meaning, *with the problems that are still happening and that should not any longer be in the XXI century*².

The Bioethics of Protection, another Latin American proposal, focuses on the open responsibility and assumes the principle of responsibility of protection by the State, for those actions to be implemented in a compromised and viable manner³. Studies based on a survey of the epistemological perspective of Brazilian Bioethics⁴ have indicated that the principle of protection was directly or indirectly present in all of them, considered as an elemental role of the State.

The *Universal Declaration on Bioethics and Human Rights*⁵ presents a practical result of academic and militant efforts of Brazilian and Latin American scholars on the enlargement of Bioethics sphere of action. Incorporating human rights as the fundamental element for reflection and new proposals to Bioethics, including guiding lines equity, justice, social responsibility, the right to health, among others. Considering the social inequity context of Brazil and other countries of Latin America⁶, Bioethics may not be thought apart from the defense of vulnerable. In this perspective, the Declaration consolidates itself as a milestone of Bioethics, suppressing inequity on human rights access for ethics and social justice.

The theoretical framework of new Bioethical proposals, as the Declaration itself, considers valid its use for the analysis of Food and Nutritional Security programs, which focus on inalienable aspects of human rights, access to food and nutrition. Thus, this article has aimed to present and debate the

analysis result of the Food Purchase Program (FPP) official documents, in the Purchase from Family Agriculture with Simultaneous Donation modality, as a Food Security Program in the perspective of bioethics references.

Bioethics Parameters

Throughout its history, Bioethics has presented conceptual expansion which has as milestone the homologation of the *Universal Declaration on Bioethics and Human Rights*⁵. Besides confirming the pluralist and multi-interdisciplinary character of this field, the Declaration has definitively amplified Bioethics agenda to beyond biomedic-biotechnologies, including social and environmental dimensions⁷. It may be seen within the objectives of the Declaration, from which is highlighted: *iii) to promote the respect for human dignity and to protect human rights, ensuring the respect for life and fundamental freedom, in a consistent cope with international legislation for Human Rights*⁵.

In the 2005 article, which presented the Declaration, GARRAFA affirms the Brazilian Bioethics by action plans developed to decisively approach public health and the social agenda. He states that the document's content alters bioethics agenda, democratizing it and making it compromised to vulnerable populations, the most needed for actions based on ethics applied to collective dimension and interests. He also emphasizes that the Declaration is an instrument available of democracy, improving citizenship and the use of universal human rights⁷.

Schramm and Kottow², who initially presented Bioethics of Protection, has defined this proposal as directed to the application of social responsibility, in which the State must base itself to assume obligations with populations that are considered in their real contexts, also natural, cultural, social and environmental. They also highlight that the use of the principle of protection represents the State's protector role, considered as a moral fundament of minimal State, which sustains contemporary well-being.

The Bioethics of protection, deepened by Schramm, may be understood as a part of applied ethics for theoretical and practical tools that aim to understand, describe and resolve conflicts of interest between who have the means for making them "capable" (or competent) to live and who, otherwise, don't⁸. To define to whom the protection would be preferable, once resources are limited, *vulnerability* and *vulneration* must be understood differently, con-

sidering the last concept as the key to prioritize public policies in collective health. Therefore, bioethics of protection turns to literally vulnerable groups that are not capable, independently of their willingness, to fight against unfavorable conditions lived or for the lack of support of institutions to help on fighting against their condition and move from that⁹.

GARRAFA and PORTO¹ refer to bioethics from the focus on situations that persist on ethical debates, mainly those resultants of social exclusion. The authors present the bioethics of intervention under the following purposes: a) *contextualized analyses of conflicts that require eligibility for certain cultural adequacy*; b) *persistent or daily bioethical macro issues faced by a wide amount of population from countries with high rates of social exclusion as Brazil and its Latin American and Caribbean neighbors*¹⁰.

They propose that Bioethics consider the elimination of social classes front power concentration, vulnerabilization of wide amounts of society for social issues, which involves historical disparities of power between individuals, groups and segments. GARRAFA points also the dialectics relation between reflection and action, individual and collective responsibility, for the impact that individuals' choices have in reality. This way, it adds a new significance to the autonomy concept, linking existential responsibility faced to society and nature, shared responsibility, making vulnerable and voiceless subjects to develop their autonomy within the social inclusion process⁷.

Recently, CORREA¹¹, intending to fundament basic references to a social bioethics, has related the *nonmaleficence* with the no social abandonment, health prevention and political responsibility; *justice* with Rights promotion, health prioritization, inequality monitoring, discrimination, control and sustainability of the system. A relation with *autonomy* and social control was yet established community participation, prevention and education, and confidentiality. Lastly, a parallel was made between *beneficence* and the quality of the system, credit and *subsidiarity*. Those analogies help on the applicability of principlism on collective dimension.

From this short recapitulation of the highlighted theoretical proposals for today's Brazilian Bioethics, it can be comprehended that the analytical focus of all perspectives aims to understand the sense of human actions, in life or health fields, using for it the knowledge from Philosophy, Sociology, Psychology, Anthropology, and Communication, which incorporate empirical studies, qualitative and quantitative,

that contribute for the analysis of moral acts. It is important to highlight the interface between Bioethics and Collective Health, whose convergence is not only for the proximity of its themes, but also for means and methodology of their use. Both are presented under an epistemological rupture context, which allowed comprehending their themes in a wider perspective, relating health to human actions¹².

Public Policies for Food and Nutrition Safety

In Brazil, public policies related to food supply arose in 1930, concurring with the industrialization process. In 1938, the Law 399 has created the "basic food basket" which determined twelve products to compose the basic feeding of Brazilian population. In 1940, it was established the Social Security Feeding Service (SAPS) focusing to improve nutritional conditions of workers and accessible food with the implementation of restaurants of workers class¹³.

According to SILVA¹⁴, 1945 was a milestone year for the development of public policies on nutritional issues of Brazilian population, by the creation of the National Food Committee (CNA) with specific actions on national policies definition for feeding and encouragement of studies on alimentary issues to identify deficiencies on Brazilian's feeding habits. From that, a variety of programs was created focused on the fight against hunger and food supply for the population.

Until that moment, there were no food provision policies and, in 1972, Brazilian government has created the National Supply Centres System (SINAC), that is compared to the today's National Supply Company (CONAB). Still on the 70's, the National Institute for Food and Nutrition (INAN) was created, a milestone for food supply policies to people facing food insecurity¹⁵.

On the 90's, the Food and Nutrition Surveillance National System (SISVAN) was created aiming to search information on food and nutrition issue, and also to get demographic distribution of.

Population in food risk. In 1991, the National Policy on Food Security was proposed, promoting strategies and programs focused on citizenship rights and democracy¹⁵. Despite not being implemented, this proposed has contributed for the creation of National Council for Food Security and has supported the creation of State and Municipal Councils on Sustainable Food and Nutrition Safety¹⁵.

In this growing recognition process of policies and actions for food security is the Citizenship Action and the Plan Against Hunger and Misery, as new proposals for combating social inequities, under decentralization and solidarity principles, and in partnerships between State and society¹⁸. In 2001 arises the *Fome Zero* Program, a result of mobilization and meetings of thousands of participants, from technicians to specialists in the area. And in this macro proposal is a more structured policy: the Food Purchase Program (FPP).

The structuring characteristic of FPP is directly related to its importance. Belik¹⁷ emphasizes that structuring policies can modify social and cultural base of the population. By mechanisms that allow access to production assets and education, it is possible to guarantee the improve on the income, in a permanent basis, for excluded populations.

In 2006, the Organic Law for National Food Safety (LOSAN), that has instituted the National System on Food and Nutrition Safety (SISAN), aimed to ensure in a sustainable manner the human right to adequate food for all Brazilian population. It is a system that organizes and monitors actions and programs from different governmental and non-governmental sectors,, articulating them in a policy of food and nutrition safety¹⁸.

MALUF¹⁹ affirms that SISAN establishes interfaces with associated systems and is composed by subsystems, being the three following factors present in the process: 1) nature and activity of the action. There are components of the system that demand an articulated subgroup of action instruments, i.e. the production and commercial cycles, food supply system, and the monitoring system of nutritional conditions; 2) permanent public programs. The decentralization of these programs leads to subsystems associated to SISAN, i.e. health, school feeding and family agriculture and; 3) actors and social movements. Their different organization patterns, i.e. social networks, associations, cooperatives, entities, etc., generate processes and dynamics eventually articulated, which amplitude goes beyond food and nutrition safety.

Throughout time, the policy milestone for ensuring food and nutrition safety in the country and programs correlated to it had advanced impressively, aiming to include actions from government and society, which are being developed by various sectors. Historically these actions have been implemented into supplement food lines, also into the support on the food commercialization and production, focusing also on nutritional education. Its full consolidation,

however, implies in a wide challenge: to articulate and coordinate actions and to make the resources to reach the risk population to promote equity.

VALENTE²⁰ states that the notion of food and nutrition safety implies within the right of all citizen to be certain about food and in its aspects of sufficiency (protection against hunger and malnutrition), quality (prevention against diseases related to food) and adequacy (accordance with social, environmental and cultural circumstances). MALUF²⁰ emphasizes that human right to food must be ensured by food and nutrition safety policies, which are responsibility of the State and the society whose obligations front universal legal standards must be followed.

Put as crucial for the other rights, the right of adequate nutrition, to be free of hunger, and the access to healthy food integrate the set of rights of people promoted by the Universal Declaration of Human Rights²¹, by the Constitutional Amendment 64²², that has added this right into Article 6th of Federal Constitution, or by the Article 14th of the Universal Declaration on Bioethics and Human Rights⁵.

As seen, Food and Nutrition Safety Programs encompasses others, but it is here highlighted the selected PAA for this work due to its structuring character front related public policies in Brazil.

The Food Purchase Program

The FPP was instituted by the Law 10.696 and regulated by the Decree 4.772, that determine the State to assume a strategical role in the commercialization of the small family production and to encourage the agriculture production and price support, acquiring food from familiar agriculture, registered in the National Program of Strengthening of Family Agriculture (Pronaf), including agroextractivists, quilombolas, families affected by dams, fishermen, aquaculturists, landless squatters and indigenous communities, through their associations or cooperatives²³.

FPP presents as its main focus to *ensure access to food in quantity, quality and regularity needed to population in food and nutrition insecurity and to promote social inclusion in the countryside, by making the family agriculture stronger*²³. The program expects two important phases: food supply to population and the stimulus on the small production and its consumption.

FPP has built a food safety proposal for the country, considering the decisive role of family agriculture. It recognizes the need of integration be-

tween the promotion of production and food supply policies, suggesting a local articulation of family agriculture demands, food subsidy to population under food insecurity and integrated management between emergency and structuring policies²³. Its complexity in action goes beyond the stimulus to family agriculture and rural production increase, but also arcabouço estrutural of an important social and economic issue for the country: rural community development, and the strengthening of local agriculture organizations.

FPP's potential in the fight against poverty is considered when it favors the construction of a social network that, by developing structuring assistance policies, guarantees the basic step for increasing life quality standards and the promotion of a collective wellness. Consolidating a protection and social promotion network in familiar agriculture guarantees organized families to have equity opportunities, in an amplification sphere and universalization of rights.

Food production is bought by CONAB, by municipalities and some states on reference prices based on wholesale prices of the product in the regional market. For some food, price is established by the inter Ministry management team of the program, integrated by CONAB and by the Ministries of Agriculture, Livestock and Food Supply, Finance, Planning, Agrarian Development (MDA) and Social Development and Fight against Hunger (MDS). FPP counts on the participation of local food and nutrition security councils (CONSEA), a social control mechanism of the project, which gives reliability to its supervision and execution²⁴.

The income distribution, the greater control of rural area, the preservation of the regional food culture, the incentive to local economy and agrobiodiversity are also part of the objectives of FPP. Besides the support for auto consumption, the commercialization of the production surplus and the consumption subsidy, the indirect benefit of producers' price recovery. There are cases in where the simple announcement of public purchase of certain quantity of a product is sufficient to elevate agriculture prices, increasing the producer's income in the local market. Thus, FPP contributes for the offer's structuring, organization and planning in this production segment²⁴.

The modalities of family agriculture instituted by FPP are Family Farming with Simultaneous Dona-

tion (Donation CPR), Direct Purchase of Family Agriculture (CDAF) and the Formation of Stock (Stock CPR)²⁴. In this study, it was not considered FPP on Purchase with Simultaneous Donation (Donation CPR), which brought important changes in the productive matrix of familiar unities, in special diversification²⁵. The program has restored the policulture because, in many regions of Brazil, the modernization of agriculture has led farmers to become started into the specialized production, monoculture, and in the commodities production, not rarely destined to international market. It has exposed those farmers to a high social vulnerability context. Therefore, FPP has distinguished itself for encouraging a greater diversification, once it connects the offers of familiar production and a diversified demand²⁵, especially from the own farmers and those who were in food insecurity.

Brazilian legislation has supported family agriculture cooperatives, protecting and stabilizing prices of basic food, making fruits and green vegetable more accessible and available and, also, more attractive than processed²³.

Method

With a qualitative methodology, the study has based itself in the analyses of Bardin proposal²⁶, working on FPP's official documents and identifying its convergences with categories of pre-established bioethical references: human right (HR), equity (EQ), protection (PT), social inclusion (SI) and participation (PA). The quantitative approach has considered the frequency of times that the categories have shown; and the qualitative, the presence or absence of non frequency indicators, but opened to interferences.

According to Bardin²⁶, different phases on the content analyses are organized in around three moments: pre-analysis, the exploration of the material and results treatment. In the pre-analysis were defined the documents used, considering the legal basis of FPP. A fluctuating reading was made to let impressions and orientations to emerge. Afterwards, a precise reading was done, due to the established categories.

In the analysis were used bioethics references considered primordial for permeating all the public policy on food and nutrition security (SAN).

The Human Right reference was considered to recognize as a part of rights and guarantees of human being, by the protection of State power and the establishment of a minimum condition of life, as human rights and feed themselves.

Other reference was focused on the effective and conscious participation of key subjects involved in FPP and the society control under State actions as democratic achievements indispensable for the consolidation of the objectives of a SAN policy.

Protection reference was understood as a attitude of sheltering or covering essential needs, those that must be attended for that the injured must attend to other needs and interests ⁸.

Considered a reference related to the need of "treating unequally the unequal" so that equality of opportunities, personal and social development within actors of a SAN policy, it was used *Equity*.

For that, Bioethics reference of *social inclusion* goes through the presupposition that a SAN action politically compromised is the one capable of transforming social praxis, generating new opportunities, increased income, adequate feeding and health, among others.

The importance of categories was attributed front their frequency in documents as enumeration rules for analysis, and also the measurement of intensity that each element has shown as indispensable in the evaluation of ideological values present in the *corpus* analyzed. The material was codified by counting and aggregation of registry unities, being selected phrases that would illustrate the presence of the category and its interface with bioethical references proposed.

The final *corpus* of the work was the article 19 of Law 10.696/03, which has instituted the Program; Chapter III of Law 12.512/11, which gave new text to the article 19 of 2003; the Decree 6.447/8, which regulates the article 19 of Law 10.696/03; Ordinance 47/08, which established the procedures for the emission on the Declaration of Aptitude on the national program of strengthening of family agriculture; the Ordinance 312/06 of the Ministry of Social Development, which has assigned the members of the FPP Management Team; the Ordinance 111/03 of the Ministry of Agriculture, which established the access of rural landless squatters to FPP, and the Resolution 44/11 of the Ministry of Social Development and Fight against Hunger (MDS), which has fomented the access of women to the Program. This corpus makes part of the macro legal of FPP, in modality Donation CPR in the perspective of the references in study.

Results

In accordance to the analysis of FPP's the legal base, convergences were verified within categories proposed and *corpus* content. Below, the result of the analyzes of each normative investigated is presented, providing a short description. It is emphasized that registry units were sometimes in more than one analyses category.

Article 19 of Law 10.696 ²⁷, which has instituted FPP, has convergences in all analyses categories. Among those, the greater frequency was in human rights category, essential presupposition of Bioethics, here taken into consideration due to the adequate food guarantee and the promotion of nutrition and food safety to be considered within these rights.

Category	Convergence
HR – Human Rights	"People facing food insecurity" "Action against hunger" "Food safety promotion"
PT – Protection	"To encourage family agriculture"
PA – Participation	"Management Team"
SI – Social Inclusion	"To encourage family agriculture"

In Chapter III of Law 12.512 ²⁸, which is about FPP, it was observed convergences in all discriminated bioethics category of the study.

Consider that in this chapter the legal instrument with higher occurrence of bioethics references was revealed.

Category	Convergence
HR – Human Rights	“Food donated to people and families in food insecurity” “Actions against hunger” “Donation to people and families in food and nutrition insecurity” “To promote access to food in quantity, quality and regularity” “Human Right to healthy and adequate food” “Actions against hunger and promotion of Food and Nutrition Security”
EQ – Equity	“Criteria to contemplate the specificities of different segments and the assistance to lower income beneficiaries” “People in food insecurity” “To prioritize pregnant and breast feeding women, and children” “Indigenous people, quilombola communities” “Bid waiver”
PT – Protection	“Food and Nutritional Security Councils are instance controls of FPP or of the Social Assistance Council or the Sustainable Development Council ” “Bidding waiver process” “Signing of Adhesion Form” “Union shall contribute to operation costs” “Food and Nutritional Security Council (CONSEA), instances of social participation and control” “To support cooperatives”
PA – Participation	“Food and Nutritional Security Councils are instance controls of FPP or of the Social Assistance Council or the Sustainable Development Council ” “Food and Nutritional Security Council (CONSEA), instances of social participation and control”
SI – Social Inclusion	“The National Supply Company – CONAB articulates with cooperatives and other family agriculture organizations” ” To encourage family agriculture, contributing to their economic and social inclusion”

Also in the Decree 6.447/08 ²⁹, which regulates the article 19 of Law 10.696, convergences were identified with the bioethical characteristics proposed, as seen:

Category	Convergence
HR – Human Rights	” People in food insecurity” ” Food donation to the Food Access Program”
EQ – Equity	“Prices consider regional differences and the reality of family farming” “Priority regions for the program's implementation”
PT – Protection	“Management Team” “Support to stocking” “Necessary measures for the FPP operation” “Resources of the Fund of Combating and Erradication of Poverty” “Insurance for covering 100% of production value” “Agreements with states, Federal District and municipalities”
SI – Social Inclusion	“Sale conditions of purchased products”
PA – Participaion	“Management Team”

Portary 111/03 of the Ministry of Agricultural Development³⁰, which describes the need of prociding to the rural landless squatters opportunities of accessing the program, has showed convergence in only three categories:

Categoria	Convergência
EQ – Equidade	“Acesso a famílias de trabalhadores rurais acampados”
PT – Proteção	“Acesso a famílias de trabalhadores rurais acampados”
IS – Inclusão social	“Acesso a famílias de trabalhadores rurais acampados ao PAA”

Portary 47/08 of the Ministry of Agricultural Development 31, which describes the conditions of emission of the Declaration of Aptitude to the

National Program for the Strengthening of Family Farming (DAP), has also shown convergence in only three categories, described below.

Category	Convergence
EQ – Equity	“Fishermen, extrativists, forester, aquaculturists, quilombolas, indigenous beneficiaries” “Does not charge for the emission of DAP”
PT – Protection	“Declaration of Aptitude to the National Program for the Strengthening of Family Farming (DAP)” “Emission of DAP”
SI – Social Inclusion	“DAP – allows access to public policies for this producers' category”

Portary 312/06 of the Ministry of Social Development and Fight against Hunger³², which determines the management team participants, was the document that least presented convergences

with bioethical references proposed, but, also for this reason, has allowed interference when in the absence of familiar agriculture in instances of representativeness needed.

Category	Convergence
PA – Participation	“Fishermen, extrativists, forester, aquaculturists, quilombolas, indigenous beneficiaries” “Does not charge for the emission of DAP”
EQ – Equity	“Fishermen, extrativists, forester, aquaculturists, quilombolas, indigenous beneficiaries”

Lastly, the Resolution 44/11 of MDS³³, which foments Access of women to FPP, has presented

convergences in four categories, identified with bioethics assumptions from the gender:

Category	Convergence
HR – Human Rights	“Food and Nutrition Security”
EQ – Equity	“Recognition of women” “participation of women as prioritization criteria on the selection and execution of proposals” “40% and 30% of women in the total supplier producers ... otherwise, justify”
PT – Protection	“40% and 30% of women in the total supplier producers ... otherwise, justify”
SI – Social Inclusion	“Income generation for women”

To facilitate the identification of convergence between bioethics assumptions and the analyzed documents, related to the Food Purchase

Program, Table 1 is presented and indicates the quantity of events in each document, allowing comparison.

Table 1. Frequency/intensity of convergences within bioethical categories and legal base documents of the Food Purchasing Program

Categories	HR	EQ	PT	PA	SI	Total
<i>Corpus</i>						
Law 10.696, of July 2 nd 2003 - article 19	3	0	1	1	1	6
Law 12.512, of October 14 th 2011 - chapter III	6	5	6	2	2	21
Decree 6.447, of May 7 th 2008	2	2	6	1	1	12
Ordinance MDA 111, of November 26 th 2008	0	1	1	0	1	3
Ordinance MDA 47, of November 26 th 2008	0	2	2	0	1	5
Ordinance MDS 312, of September 25 th 2006	0	1	0	1	0	2
Resolution MDS 44, of August 16 th 2011	1	3	1	0	1	6
Frequency of emergence/intensity	12	14	17	5	7	55

Discussion

Bioethics in the Latin American context is a tool that allows resolving ethical conflicts from a wider and complex analysis of reality, being human rights as base and considering social and economical situation of involved. It appears in the public sphere, by social intervention of excluded or by the State responsibility on their protection. As noted by SCHARAMM³⁴, the use of the principle of bioethics protection brings up the protection role of the State.

After the analysis of legal milestone of FPP, the principle of protection has presented as reference with greater quantitative convergences, which allows to justify and analyze public policies on clear identification of objectives and subjects involved in its implementation, as to specify the adequate means for its execution. Politicized and social, bioethics has a focus toward the State role on the protection of vulnerable and excluded, or in the intervention of State and society in the construction of public policies to ensure those rights. Any of those theoretical perspectives aims a bioethics that could offer mechanisms of effective social changes.

Racine³⁵ states that the analysis of traditional Food and Nutrition Safety programs based, as example, in the covering and application of resources is important but not enough, once it is needed three other dimensions for the monitoring and evaluation of actions that aim to guarantee human right to food and ensure food and nutrition safety.

The first dimension relates to the concept adopted by the human right defenses, considering that in the realization of these rights, the process is as important as the results. For “concept” it is comprehended the guiding principles for the guarantee of human right to food as, for example, the priority

for vulnerable for equity promotion and social inclusion; its empowerment by an active participation and advised in decision making, for no victimization on discriminatory processes.

It also makes part of the decision the concept of efficiency; the transparency and the publicity of decisions and processes; the accountability and the clear definition of responsibilities; the availability of monitoring mechanisms and instruments of fighting for rights (enforceability). RECINE states that from those principles it is possible to make the analysis of a public action not only for the *strict sensu* result, but for how it contributed to generate autonomy, participation and equity, among other aspects.

The second dimension of analysis considers the two inseparable aspects of human right to food: being free of hunger and malnutrition and to have access to an adequate food. As for the third dimension of the author, it refers to the obligations that the State has with general human rights and the human right to adequate food. FPP responds to these demands, since parts of it central objective is *to guarantee access to food in quantity, quality and regularity need to populations in situations of food and nutrition insecurity*²³. In this sense, its adequacy to bioethical categories, human rights, equity and protection is incontestable, being for that, to affirm that this public policy is in conformity with ethical principles.

In the normative sphere of FPP, it was noted that it aims *to promote social inclusion in countryside by the strengthening of family agriculture*²³, contributing for improving the offer of food produced and to promote autonomy of producer families. Considering this aspect, inherent to the third dimension analyzed by RECINE, it is important to consider associating the objective of food and nutrition safety policy with wider strategies of economic

and social development that may ensure equity and social inclusion of all ³⁶. It is important to highlight the human right to food, health, clothing, work and income are minimal assumptions of social inclusion.

In this study, supremacy was given to human rights references based in the first analysis dimension of RECINE, for understanding that food access constitutes elementary condition for life itself.

Even considering the analysis of the legal base of the program to demonstrate convergences with equity and social inclusion references, it is important to strengthen such aspects by intersectoral governmental actions that can ensure fundamental conditions as credit to the small agriculture producer, as well as focused on implementing the infrastructure of production. It is highlighted that equity reference is strengthened in the *corpus* in study.

It is noted, therefore, that the program acts in two important phases: food supply to vulnerable population, who is in food insecurity, and the productive moment, including the destination to consumption. If the first of these phases is fully completed, under the Program's legal base, the second falls short in two aspects, debated ahead.

GARRAFA indicates that the social inclusion is inherent of an emancipated citizen, reflecting effectively his autonomy. Inclusion is a result of the right of choosing and the real possibility of exercising this right, not as a concession. The author explains that for the bioethics of intervention social inclusion is *the everyday action of concrete people and needs to be taken into political dimension, as a process in which social subjects articulate their own actions* ⁷. Considering such need, the bioethics analysis on the FPP legal base demonstrates that this articulation must to be improved in the food safety policy's context, for the producer's representativeness on decision making.

As understood from the analysis of documents, the principle of participation is not presented in active and informed manners, as it does not guarantee availability of instruments needed of resources that could promote the participation. Therefore, to improve the participation of social subjects involved in public policies is of great relevance, once without it the policy will keep vertically built, making *for* them and not *with* them, which will implicate on not reaching results expected. For that, it is necessary a participation of all: different government instances, civil society, social movements, research institutions, opinion makers and international community. It is with the participation of all, including the direct-

ly interested, that equity and social inclusion of each will be reached.

The State must find means for the stimulation of families to recover their capability of conquering their own sustenance. This is one of the FPP proposals, once it defends a political and ethical commitment with main values as food supply. Documents analyzed show the potentiality of the principle of protection of the Program, reinforcing the role of the State in active food and nutrition safety public policies, a need for the human right to food to be reality. However, it is seen in the need to introduce to this policy one more step, establishing an articulated action with other governmental sectors to stimulate autonomy of individuals and groups and ensure their emancipation. Only by that the poverty and dependency cycle may be broken, which are marks of vulneration.

Despite this, it can be seen that FPP is a structuring answer in the food and nutrition field, turning itself, specially, to the guarantee of the right to food. Such consideration confirms the affinity to bioethical references and assumptions, as human rights, equity, protection, social inclusion and social participation. Even considering limitations already indicated, convergences demonstrated that the analyzed references are inserted in the legal base of FPP, stimulating for its improvement.

Final Considerations

Public policies for the promotion of food safety are legitimate and necessary in a society that still lives with unacceptable inequality. This context makes necessary to adopt structuring actions in protection and promotion of human rights' field, contributing for that people and families have ensured their rights, among them the fundamental right of adequate food.

The analysis in this study of legal and normative instruments of Brazilian public policies on the food and nutrition safety, specifically the FPP, by assumptions and bioethical categories, pointing the importance and legitimacy of ethics of this type of program to transform the adverse social reality as for the relevance of categories used by the Brazilian and Latin American bioethics perspectives to analyze such reality, indicating that are adequate instruments to the formulation of public policies for applied ethics and social reality.

The use of bioethics references in the analysis of the policies allows to identify potential factors

and, still, to show difficulties by additives in is legal basis, besides changes in management actions, making improvements possible not only for the human right to adequate food, but inclusively to autonomy, participation and social inclusion, making it fair and equal.

It is important to highlight that despite the legal advances and the recent production on the interfaces of bioethics, health policies and collective health, there are still few publications on food and nutrition policies. It is suggested then new studies that deepen the bioethics debate, especially in its applicability.

In this sense, the results of this work, based on the units of the analyzed proposals (equity, human

right, protection, social inclusion and participation), propitiate subsidy to social subjects, basing the reflection to improve the program. The results converted in action may contribute to the improvement on decision making of those policies.

When disclosing the results of the research, it is expected to state that bioethical references, when applied to food safety policies, allows a better comprehension and improvement. This analysis of FPP normative attend to the author's demands in the area of evaluation of policies and programs on health promotion^{36,37}, which highlight the importance of this type of study, which allows the reflection of potentialities and limitations of values that base its formulation.

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