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Repercussions of the National Food and Nutrition Security Conferences on legislative proposals for the National School Feeding Program

Repercussões das Conferências Nacionais de Segurança Alimentar e Nutricional nas propostas legislativas para o Programa Nacional de Alimentação Escolar

Resumo

Introduction: The National Food and Nutrition Security Conferences (from Portuguese: *Conferências Nacionais de Segurança Alimentar e Nutricional (CNSAN)*), were held in Brazil from 1994 to 2015. Due to its intersectoral and multidimensional nature, the *CNSAN* debated a wide range of themes, policy and program recommendations, among it, the National School Feeding Program (from Portuguese: *Programa Nacional de Alimentação Escolar (PNAE)*). **Objective:** To analyze the repercussions of *CNSAN* recommendations directed to *PNAE* in the legislative process. **Methods:** This is a documentary study, carried out in two phases: the first consisted of identifying recommendations for public policies included in the reports of the five *CNSAN* directed to the *PNAE*; the second, in the search for legislative projects that had thematic relevance with the demands of *CNSAN* in the 24-month period after each event. **Results:** A total of 24 recommendations for updating the *PNAE* and 24 legislative projects were identified in the *CNSAN*, which fully or partially address the topics and are unevenly distributed among it. Legislative projects were found for 41.7% of the *CNSAN* recommendations for the *PNAE*, indicating that there is convergence between the *CNSAN* agenda and the Brazilian Legislature; the recommendations for universalizing the program and readjusting the amounts transferred by the Union to states and municipalities stood out in terms of the number of projects in the Legislature, indicating a focus on guaranteeing the right to school meals; two laws were approved for the period studied. **Conclusion:** The results may be related to the opening of the congress to the *CNSAN* recommendations, due to the governance model adopted in the period analyzed.

Keywords: Food and Nutritional Security. School meals. Public policy. Social participation.

Resumo

Introdução: As Conferências Nacionais de Segurança Alimentar e Nutricional (*CNSAN*) foram realizadas no Brasil no período de 1994 a 2015. Por seu caráter intersectorial e multidimensional, as *CNSAN* debateram um amplo conjunto de temas e recomendações de políticas e programas, dentre eles, o Programa Nacional de Alimentação Escolar (*PNAE*). **Objetivo:** Analisar as repercussões das recomendações das *CNSAN* direcionadas ao *PNAE* no processo legislativo. **Métodos:** Trata-se de estudo documental, realizado em duas fases: a primeira consistiu na identificação de recomendações para políticas públicas de *SAN* contempladas nos relatórios das cinco *CNSAN* direcionadas ao *PNAE*; a segunda, na busca de projetos legislativos que

tivessem pertinência temática com as demandas das CNSAN no período de 24 meses após cada evento. **Resultados:** Identificou-se, nas CNSAN, um total de 24 recomendações para atualização do PNAE e 24 projetos legislativos que tratam integral ou parcialmente dos temas e se distribuem de forma desigual entre as CNSAN. Foram encontrados projetos legislativos para 41,7% das recomendações das CNSAN para o PNAE, indicando que há convergência entre a agenda das CNSAN e do Legislativo brasileiro; as recomendações de universalização do programa e de reajuste dos valores repassados pela União para estados e municípios sobressaíram quanto ao número de projetos no Legislativo, indicando foco na garantia do direito à alimentação escolar; duas leis foram aprovadas para o período estudado. **Conclusão:** Tais resultados podem estar relacionados à abertura do congresso para as recomendações das CNSAN, devido ao modelo de governança adotado no período analisado.

Palavras-chave: Segurança Alimentar e Nutricional. Alimentação escolar. Políticas públicas. Participação social.

INTRODUCTION

The National Public Policy Conferences held in Brazil have opened spaces for dialogue and joint decision-making between government and civil society, for sectoral policies at the national level, characterized as participatory institutions for deliberation at the three levels of government.^{1,2} These conferences are organized thematically and preceded by municipal and/or state or regional stages,³ generating reports whose recommendations are discussed in subsequent stages, with the purpose of contributing to the formulation, review or updating of public policies.⁴

In the case of Food and Nutritional Security (from Portuguese: *Segurança Alimentar e Nutricional (SAN)*), the National SAN Conferences (from Portuguese: *Conferências Nacionais de Segurança Alimentar e Nutricional (CNSAN)*), held since 1994,⁵ were organized and convened by the National Council for Food and Nutritional Security (from Portuguese: *Conselho Nacional de Segurança Alimentar e Nutricional (CONSEA)*), an advisory body to the Presidency of the Republic. From 2003 onwards, there was an increase in conferences in Brazil,⁴ due to greater governmental sensitivity to popular participation in decision-making processes.

CONSEA, established in 1993 in response to the demands of civil society and extinguished in 1995, was reestablished in 2003, at the beginning of the Lula government.⁶ With the approval of the SAN organic law (from Portuguese: *Lei orgânica de SAN (LOSAN)*),⁷ in 2006, which created the System National Food and Nutrition Security (from Portuguese: *Sistema Nacional de Segurança Alimentar e Nutricional (SISAN)*), CONSEA became part of it. However, in 2019, CONSEA was extinguished and the implementation of CNSAN was paralyzed.⁶ This scenario points to the relevance of systematizing and analyzing the demands presented in CNSAN.

Due to its intersectoral and multidimensional nature, the CNSAN debated a wide range of themes and recommendations for policies and programs, among it, the National School Meal Program (from Portuguese: *Programa Nacional de Alimentação Escolar (PNAE)*).

The PNAE is the most long-lived Brazilian public policy in the SAN area, with financial investments, significant coverage of beneficiaries through the provision of meals in schools,⁸ incorporating into its strategies some principles for the management and execution of school meals (SM) such as social participation, universality, Human Right to Adequate Food (from Portuguese: *Direito Humano à Alimentação Adequada (DHAA)*) and respect for regional habits and traditions.⁹

The Program was expanded from 1995 to 2015, both in terms of resource allocation (from 0.59 to 3.759 billion reais), population coverage (33.2 to 41.5 million schoolchildren) and operational strategies, and in its redefinition as public policy.^{9,10} Among such advances, the mandatory acquisition of family farming products favored the inclusion of regional and local foods and the SAN of schoolchildren and family producers.⁹

In recent years, several studies have sought to characterize the phenomenon of conferences, especially regarding government responsiveness and its impact on public policies.^{4,11-14} Pogrebinschi & Ventura⁴ and Pogrebinschi & Santos¹² investigated the repercussions of conference recommendations on the Legislative Power, that is, in the generation and approval of legal norms of interest for public policies.

The Legislative Power is a fundamental political actor in the relationship between social policy and democracy,¹⁵ and has a decisive role in public policies as it is the power that produces laws that guide government action and those of actors interested in the effects of these.¹⁶ The process that listens to demands of interest groups and gives rise to legal provisions, it is called the legislative process. It means, therefore, the set of acts carried out by the bodies of the Legislative Power, in accordance with previously established rules,

to develop legal norms (amendments to the Constitution, ordinary laws and other normative types set out in article 59 of the Brazilian Federal Constitution).¹⁷

Considering that the five *CNSAN* were opportunities to recognize the demands of organized civil society for the Program, and the existence of gaps in the bibliographical production on the topic, the objective was to analyze the repercussions of the *CNSAN* recommendations directed to the *PNAE* on the Legislative Power.

METHODS

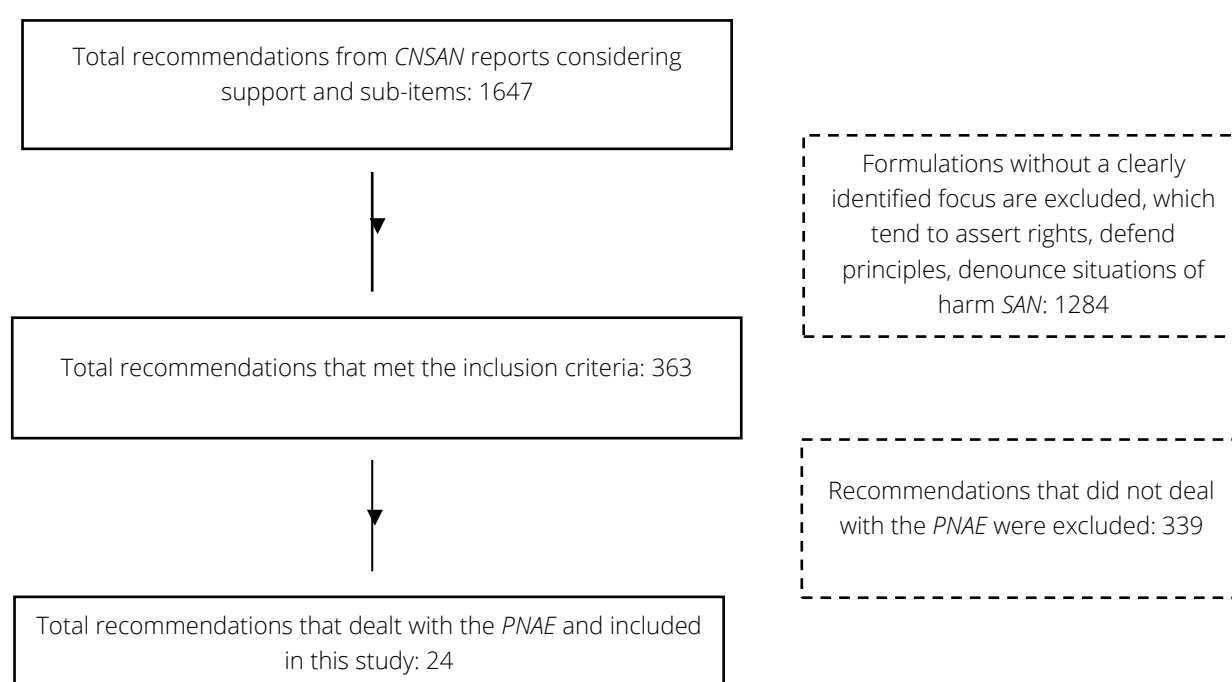
Exploratory research was carried out, based on documentary analysis, a methodological procedure that uses data from primary sources.¹⁸

Data collection was carried out in two phases. In the first, the final reports of the five *CNSAN* were collected containing the systematization of all recommendations approved in the plenary sessions, accessed on the *CONSEA* page (<http://www4.planalto.gov.br/consea/eventos/conferencias>) in June 2018.

From these reports, 1,647 recommendations were analyzed, considering the support of the recommendations and all related sub-items. The inclusion criteria were applied, selecting recommendations aimed at creating and/or updating policies, programs and projects of interest for promoting and guaranteeing *SAN* and *DHAA*, at the legislative level.

In the process of selecting recommendations, those without a clearly identified focus were excluded, which tended to assert rights, defend principles and report situations of harm to the *SAN*. In the end, 363 recommendations were selected that met the broad inclusion criteria. These recommendations were organized into thematic categories and subsequently classified according to focus in the *PNAE*. Thus, 24 recommendations were identified that are part of this study (Figure 1).

Figure 1. Flowchart of the selection process of *CNSAN* recommendations for the *PNAE* in the period 1994-2015. Brazil, 2021.



In the second phase, projects on the *PNAE* that had thematic relevance with the selected recommendations were identified in the Legislature, through consultations on the websites of the Chamber of Deputies (<http://www.camara.leg.br>) and the Federal Senate (<http://www.senado.leg.br>).

We searched for legislative types such as Bills (from Portuguese: *Projetos de Lei (PL)*, Constitutional Amendments (from Portuguese: *Emenda Constitucional (PEC)*, Legislative Decree, Complementary Law, Conversion Law (from Portuguese: *Lei de Conversão (PLV)*, Resolution and Provisional Measure described in article 59 of the 1988 Federal Constitution as norms subject to the legislative process. The collection was carried out between November 2019 and January 2020, using “*Programa Nacional de Alimentação Escolar*” and “*Programa de Alimentação Escolar*” as keywords. Projects were selected whose presentation in the plenary took place within 24 months of the reference *CNSAN*.

In the next stage, the legislative projects were fully analyzed and compared with the *CNSAN* recommendations. To this end, it was observed, in the content, which ones had thematic relevance with the recommendations, discarding the others.

To collect the data, two extraction forms were created in the Microsoft Excel 2010 program. In the first, the *CNSAN* recommendations were identified and data from the legislative projects were collected, namely: identification of the project, menu, justification, origin of the proposal (Senate or Chamber), stage of processing the proposal, to which the *PNAE* guideline(s) corresponded: Adequate and Healthy Food (from Portuguese: *Alimentação Adequada e Saudável (AAS)*, Food and Nutritional Education (from Portuguese: *Educação Alimentar e Nutricional (EAN)*, Universality, Social control, Sustainable development and Law school feeding; and whether it responded to the *CNSAN* in full or in part.

In the second form, the proposal and its syllabus were identified, and data was collected from the proponents: name, age (calculated in relation to the date of presentation of the project), education (elementary, secondary or higher education), federative unit and political party affiliate of the authors at the time of presentation of the proposal, as well as position regarding the current government, information collected from the biographies of parliamentarians available on the websites of the Chamber or Senate and the Superior Electoral Court.

Data analysis took place in two stages: the first, based on the characterization data of the projects and authors; and the second, referring to its content and its relationship with *CNSAN* recommendations. The data were tabulated and treated by distribution and frequency for analysis

RESULTS

General characterization

Among the *CNSAN*, a total of 24 recommendations for updating the *PNAE* were identified, while searches carried out in the Chamber of Deputies and the Federal Senate returned 36 *PL* and *PEC* related to some of these recommendations. In the analysis of the projects found, one *PL* was excluded due to the unavailability of the original. The others were fully analyzed and associated with *CNSAN* recommendations; two were excluded because it was not related to the *PNAE* and nine were excluded because it was not related to the recommendations, resulting in 24 *PL* and *PEC* that fully or partially deal with the topics and are unevenly distributed among the *CNSAN* (Chart 1).

Chart 1. Distribution of legislative projects according to *CNSAN* recommendations for the *PNAE* in the period 1994-2015, analyzed in this study. Brazil, 2021

<i>CNSAN</i>	Recommendation	Projects
II <i>CNSAN</i> , 2004	Reformulate <i>PNAE</i> legislation to effectively guarantee the decentralization of school meals	No projects related to this recommendation were identified
	Increase and differentiate per capita according to the socioeconomic reality of the municipalities, prioritizing specific populations.	No projects related to this recommendation were identified
	Universalization of school meals for all basic education (early childhood education, primary education, secondary education and Youth and Adult Education).	PLS nº 128, from 2006 PL nº 4.627/2004 PL nº 6.282/2005 PL nº 3.875/2004
	Include a nutritionist in the formulation, follow-up and monitoring of the <i>PNAE</i>	PL nº 6.483/2006
	Increase the per capita amount to be transferred by the Federal Government to purchase school meals	PEC nº 577/2006
	Include a nutritionist in the management team, in school meals, investing in training and updating in the area of <i>SAN</i> for teachers, professionals and families	PL nº 6.194/2005 PL nº 5.598/2005 PL nº 3.310/2004
III <i>CNSAN</i> , 2007	Expand <i>PNAE</i> actions through the implementation, development and expansion of Collaborating School Food Centers (from Portuguese: <i>Centros Colaboradores de Alimentação Escolar (CECANE)</i>)	No projects related to this recommendation were identified
	Predict corrections in the per capita value of school meals, aiming to maintain purchasing power	No projects related to this recommendation were identified
	Approve and implement the School Food Bill, formulated with the contribution of <i>CONSEA</i> , extended to the education of young people and adults and high school students	PLV nº 8, from 2009 PLC nº 178, from 2008 PEC nº 214/2007 PL nº 1.659/2007
	Ensure corrections in the per capita value of school meals to maintain purchasing power, including mandatory compensation from state and municipal managers	No projects related to this recommendation were identified
IV <i>CNSAN</i> , 2011	Prohibition of the use of genetically modified foods (GMO) in school meals, due to the reference of scientific studies that prove the impacts of their use on human health	No projects related to this recommendation were identified
	Prohibit the outsourcing of school food management	No projects related to this recommendation were identified
	Stipulate, through specific legislation, a minimum percentage of compensation from states, DF and municipalities for the acquisition of foodstuffs	No projects related to this recommendation were identified
	Review the Basic Guidelines Law (from Portuguese: <i>Lei de Diretrizes Básicas (LDB)</i> and the <i>PNAE</i> law to ensure school meals during vacation and recess periods in public daycare centers	No projects related to this recommendation were identified
	Prohibit the outsourcing of school meals, with the states, DF and municipalities ensuring the infrastructure and human resources conditions for public management of the programs	No projects related to this recommendation were identified
	Establish a minimum percentage of acquisition of agroecological products from family farming for the <i>PNAE</i> , with a gradual increase in the percentage of purchase (5% in the first year, 10% in the second year, 15% in the third year, etc.)	No projects related to this recommendation were identified

Chart 1. Distribution of legislative projects according to *CNSAN* recommendations for the *PNAE* in the period 1994-2015, analyzed in this study. Brazil, 2021.(Continues)

IV <i>CNSAN</i> , 2011	Establish a minimum percentage of acquisition of agroecological products from family farming for the <i>PNAE</i> , with a gradual increase in the percentage of purchase (5% in the first year, 10% in the second year, 15% in the third year, etc.)	No projects related to this recommendation were identified
	Ensure budgetary action and transfer of financial resources for <i>EAN</i> actions within the scope of <i>PNAE</i>	PL n° 4.097/2012 PL n° 4.516/2012
V <i>CNSAN</i> , 2015	Improve <i>FNDE</i> Resolution n.º 38/2009 to enable informal groups to sell their production to all municipalities and states, regardless of the total value of public calls	No projects related to this recommendation were identified
	Increase the percentage of purchases to 50%, gradually increasing until reaching 100% in five years, with at least 25% organic and/or agroecological	PLS n° 331, from 2017
	Adjust annually the amount transferred for school meals by the Union, according to official inflation indices, as long as the executing entities make their counterpart.	PLS n° 394, from 2016 PLS n° 360, from 2016 PL n° 4.902/2016 PL n° 7.342/2017 PL n° 7.254/2017
	Increase the purchase of food from family farming for the <i>PNAE</i> to 100%, with priority given to organic and agroecological foods	PL n° 5.131/2016
	Raise the ceiling on the purchase value of the <i>PNAE</i> by family farmers, artisanal fishermen and traditional communities	No projects related to this recommendation were identified
	Increase the per capita value of the <i>PNAE</i> , as well as the volume of fruits and vegetables to be offered per week at school through purchases from family farming	PL n° 6179/2016

PLS: Senate Bill (from Portuguese: *Projeto de Lei do Senado*); PL: Bill (from Portuguese: *Projeto de Lei*); PEC: Constitutional Amendment Project (from Portuguese: *Projeto de Emenda Constitucional*); PLV: Conversion Bill (from Portuguese: *Projeto de Lei de Conversão*); PLC: House Bill (from Portuguese: *Projeto de Lei da Câmara*).

Source: author elaboration.

Of the total of 24 *CNSAN* recommendations, ten (41.7%) had a legislative project with thematic relevance, presented within a period of up to 24 months after the *CNSAN* was carried out.

The majority of these projects (83.3%) originated in the Chamber of Deputies. Regarding processing, 58.4% were archived, closed or joined with the process closed and 8.3% were transformed into law (Table 1). Analyzing the responses, it was identified that 66.7% responded partially, meeting some point of the recommendation (Table 1).

Table 1. Characterization of legislative projects referring to the *PNAE*, in the period 1994-2015, according to the origin of the proposal, status regarding processing and type of response. Brazil, 2021.

Origin of the proposal	N	%
Chamber of Deputies	20	83.3
Federal Senate	4	16.7
Project status		
Filed	7	29.2
Appended with processing closed	3	12.5
Appended in progress	6	25.0
In progress	2	8.3
Process closed	4	16.7
Transformed into Law	2	8.3
Response type		
Partial	16	66.7
Full	8	33.3

Source: author elaboration.

The majority of projects were related to the right to SM guidelines, supported mainly by recommendations for periodic readjustments of the amounts transferred by the Program (Chart 2). The AAS and universalization guidelines also stood out. It was possible to identify a set of recommendations that focused on the inclusion of nutritionists in SM to guarantee the provision of an AAS, as well as to promote *EAN* and *SAN*, which should be included in the school curriculum (Chart 2).

Chart 2. Distribution of legislative projects according to *CNSAN's* recommendation for the *PNAE*, in the period from 1994 to 2015, proposal and justification of the project and *PNAE* guideline. Brazil, 2021.

<i>CNSAN</i>	<i>CNSAN</i> recommendation	Project identification	Proposition	Justification	<i>PNAE</i> guideline(s)
II <i>CNSAN</i> , 2004	Universalization of school meals for all basic education	PLS n° 128/2006	Includes primary education students for young people and adults as beneficiaries of the <i>PNAE</i>	Considers that school meals are a right for students who did not have access to primary education at the expected age	Universality and the right to school meals
		PL n° 4.627/2004	Offer food, including during vacation periods, in daycare centers and pre-school, elementary school and special education classes	Considering the Zero Hunger Program (from Portuguese: <i>Programa Fome Zero</i>), it states that hunger has no holidays and, therefore, school meals must be offered all year round	Right to school meals
		PL n° 6.282/2005	Attending primary and secondary education	Refers to the need to expand school meals and other programs to secondary education and presents a forecast of increased spending and sources for them	Universality and the right to school meals
		PL n° 3.875/2004	Serving students in public preschool, elementary and secondary schools	Proposes providing pre-school and high school students with food and other programs, aiming to reduce school dropout rates	Universality and the right to school meals
	Include a nutritionist in the formulation, follow-up and monitoring of the <i>PNAE</i>	PL n° 6.483/2006	Provision of differentiated nutrition for students with diabetes in Brazilian public schools.	The need for public authorities to promote meeting the specific needs of these students	AAS and the right to school meals
	Increase the per capita amount to be transferred by the Federal Government to purchase school meals	PEC n° 577/2006	Increase the allocation of resources from the Union, States, DF and Municipalities for the maintenance and development of education, including supplementary programs	Need to encourage regular allocation of budget resources for school meals and other programs that can reduce school dropouts	Right to school meals

Chart 2. Distribution of legislative projects according to *CNSAN*'s recommendation for the *PNAE*, in the period from 1994 to 2015, proposal and justification of the project and *PNAE* guideline. Brazil, 2021..(Continues)

<i>CNSAN</i>	<i>CNSAN</i> recommendation	Project identification	Proposition	Justification	<i>PNAE</i> guideline(s)
II <i>CNSAN</i> , 2004	Include a nutritionist in the management team, in school meals, investing in training and updating in the area of SAN for teachers, professionals and families	PL n° 6.194/2005	Mandatory presence of Nutritionists in public elementary and secondary schools throughout the National Territory.	Highlights the need to promote quality nutrition for the success of schoolchildren's education and health	<i>AAS</i> and <i>EAN</i>
		PL n° 5.598/2005	Inclusion of the Education and Food Safety discipline in the Education System Curricula.	Educate students about the benefits of good nutrition	<i>AAS</i> and <i>EAN</i>
		PL n° 3.310/2004	Principles and guidelines for actions aimed at <i>EAN</i> and <i>SAN</i> and other measures.	Proposes the inclusion of <i>EAN</i> in a transversal way in curricular subjects to promote health and nutrition	<i>EAN</i>
III <i>CNSAN</i> , 2007	Approve and implement the School Meal Bill, formulated with the contribution of <i>CONSEA</i> , extended to basic education	PLV n° 8/2009	Expands school meals for all basic education	This is a version of <i>PNAE</i> Law 11.947/2009	Universality, <i>AAS</i> , <i>EAN</i> , right to school meals, social control and sustainable development
		PLC n° 178/2008	Extends the <i>PNAE</i> to public high school students	Meet the needs of all students enrolled through <i>PNAE</i> and other programs	Universality and the right to school meals
		PEC n° 214/2007	Includes kindergarten and high school students as beneficiaries of the <i>PNAE</i>	Guarantee supplementary education programs for basic education students in order to guarantee attendance and avoid school dropout	Universality and the right to school meals
		PL n° 1.659/2007	Extends the <i>PNAE</i> to public high school students	Reinforces that the success of universalization lies in school feeding and other programs to guarantee students' access and permanence in school	Universality and the right to school meals

Chart 2. Distribution of legislative projects according to *CNSAN's* recommendation for the *PNAE*, in the period from 1994 to 2015, proposal and justification of the project and *PNAE* guideline. Brazil, 2021..(Continues)

<i>CNSAN</i>	<i>CNSAN</i> recommendation	Project identification	Proposition	Justification	<i>PNAE</i> guideline(s)
IV <i>CNSAN</i> , 2011	Ensure budgetary action and transfer of financial resources for <i>EAN</i> actions within the scope of <i>PNAE</i>	PL 4.097/2012 n°	Inclusion of nutritional education in elementary school	Justifies it based on obesity data in young people and understands <i>EAN</i> as a means to enable healthier food choices	<i>EAN</i>
		PL 4.516/2012 n°	Establishes the " <i>Horta na Escola</i> " Program as a pedagogical resource	Justification based on scientific study that highlights the benefits of gardens at school	AAS and <i>EAN</i>
V <i>CNSAN</i> , 2015	Increase the percentage of purchases to at least 50%, gradually increasing until reaching 100% in five years, with at least 25% organic and/or agroecological.	PLS 331/2017 n°	Establish that 50% of the financial resources transferred by the Union to the <i>PNAE</i> are intended for the acquisition of foodstuffs from family farming.	Considers that the percentage established in the Law is still modest, not doing justice to the importance of family farming in the production of food consumed in the country	Sustainable development and AAS
	Adjust annually the amount transferred for school meals by the Union, according to official inflation indices, as long as the executing entities make their counterpart.	PLS 360/2016 n°	Establish the annual adjustment of the per capita value of the <i>PNAE</i> , defining the Broad National Consumer Price Index (from Portuguese: <i>Índice Nacional de Preços ao Consumidor Amplo (IPCA)</i> as the index used to calculate the percentage of the adjustment.	It points out that the <i>PNAE</i> has experienced frequent freezes and that the amounts transferred are low and insufficient to ensure the proper functioning of the program within the municipalities	Right to school meals
		PLS 394/2016 n°	Establish the annual adjustment of the per capita value of the <i>PNAE</i> , defining the <i>IPCA</i> as the index used to calculate the percentage of the adjustment.	It points out that the <i>PNAE</i> has experienced frequent freezes and that the amounts transferred are low and insufficient to ensure the proper functioning of the program within the municipalities	Right to school meals
		PL 4.902/2016 n°	Annual readjustment of per capita values for offering school meals based on the National Consumer Price Index (from Portuguese: <i>Índice Nacional de Preços ao Consumidor (INPC)</i> or another one that replaces it	Justifies the delay in the readjustment of the amount transferred and that the <i>INPC</i> is related to the target population (income between 1 and 5 minimum wages)	Right to school meals

Chart 2. Distribution of legislative projects according to *CNSAN's* recommendation for the *PNAE*, in the period from 1994 to 2015, proposal and justification of the project and *PNAE* guideline. Brazil, 2021..(Continues)

<i>CNSAN</i>	<i>CNSAN</i> recommendation	Project identification	Proposition	Justification	<i>PNAE</i> guideline(s)
VCNSAN, 2015	Adjust annually the amount transferred for school meals by the Union, according to official inflation indices, as long as the executing entities make their counterpart.	PL n° 7.342/2017	The per capita values for offering school meals will be readjusted annually with a minimum level of the official national inflation index	the amounts of the transfers must be linked to references that guarantee at least the maintenance of basic conditions for the provision of school meals	Right to school meals
		PL n° 7.254/2017	Annual update of <i>PNAE</i> values per student, according to the official inflation index adopted by the Central Bank of Brazil	This is an expense whose costs increase annually	Right to school meals
	Increase the purchase of food from family farming for the <i>PNAE</i> to 100%, with priority given to organic and agroecological foods	PL n° 4.012/2015	Progressive increase, over a period of ten years, reaching 100% of the acquisition of foodstuffs from family farming	Justifies that such expansion guarantees a healthier and more adequate diet for students	Sustainable development and AAS
		PL n° 5.131/2016	Creates a policy to encourage the production of pesticide-free and functional foods.	To improve the health of the population through good eating habits, as treating chronic diseases is more costly for society.	Sustainable development and AAS
	Increase the per capita value of the <i>PNAE</i> , as well as the volume of fruits and vegetables to be offered per week at school through purchases from family farming	PL n° 6.179/2016	Institutes incentives for healthy eating of organic products in schools.	Justifies that financing organic livestock production systems under more favorable conditions than conventional systems constitutes an important measure	Sustainable development and AAS

PLS: Senate Bill (from Portuguese: *Projeto de Lei do Senado*); PL: Bill (from Portuguese: *Projeto de Lei*); PEC: Constitutional Amendment Project (from Portuguese: *Projeto de Emenda Constitucional*); PLV: Conversion Bill (from Portuguese: *Projeto de Lei de Conversão*); PLC: House Bill (from Portuguese: *Projeto de Lei da Câmara*); EAN: Food and Nutritional Education (from Portuguese: *Educação Alimentar e Nutricional*); AAS: Adequate and Healthy Eating (from Portuguese: *Educação Alimentar e Nutricional*).

Source: author elaboration.

Regarding the proponents, it was observed that 58.3% of it was over 50 years old; 87.5% had higher education and 62.5% represented the Southeast Region (Table 2). Regarding the number of projects per party and its relationship with the government, it was identified that 75% of the projects were from the government or its allies, with some of these presenting more than one proposal.

Table 2. Characterization of the proponents of legislative projects referring to the *PNAE*, in the period 1994-2015, according to age group, party status, region and education. Brazil, 2021.

Age range	N	%
30-39	7	29.2
40-49	2	8.3
50-59	9	37.5
60-69	5	20.8
no author	1	4.2
Party situation		
Government - Situation	18	75.0
Opposition	5	20.8
Independent	1	4.2
Region		
North	2	8.3
North East	2	8.3
Midwest	4	16.7
Southeast	15	62.5
South	1	4.2
Education		
Fundamental	1	4.2
Midfielder/technician	2	8.3
Higher	21	87.5

Source: author elaboration.

Repercussion of *CNSAN* on projects about *PNAE*

The I *CNSA* did not present a recommendation on the *PNAE* that met the inclusion criteria for this study. The recommendations of the II *CNSAN* showed greater correspondence with the projects found in the Legislature, followed by the IV *CNSAN* (Chart 1).

At the II *CNSAN*, the recommendation for the universalization of SM for students in early childhood education, primary education, secondary education and youth and adult education (from Portuguese: *educação de jovens e adultos (EJA)*) stood out, with four legislative projects. Two fully meet the demand (PL nº 3.875/2004 and nº 6.282/2004).

In addition to this, the recommendation for the inclusion of a nutritionist in the Program, to ensure the provision of adequate food and to guarantee training in *EAN* and *SAN* for the school community, had one and three legislative projects (PL nº 6.483/2006/ PL nº 6.194/2005, PL nº 5.598/2005 and PL nº 3.310/2004, respectively) (Chart 1). It is noted that the project offering differentiated nutrition for schoolchildren diagnosed with high blood pressure and diabetes was transformed into Law n.º 12.982/2014.

The recommendations of this *CNSAN* that did not have projects in the legislature were: increasing and differentiating the per capita amount transferred to municipalities according to socioeconomic reality, considering specific populations and effectively guaranteeing the decentralization of SM (Chart 1).

In the III *CNSAN*, only one of the recommendations had a legislative project. This is the “approval and implementation of the *SMPL*, formulated with the contribution of *CONSEA*, extended to basic education” (Chart 1). It is noted that *PLV* n.º 8/2009 was transformed into Law n.º 11.947/2009; the rest had the process closed. All projects referring to this recommendation fully met the demand and specifically referred to the guidelines of universality and the right to SM. The *PLV* arises from the approval of a provisional measure with amendments by the National Congress.

Three recommendations from this *CNSAN* did not have projects in the Legislature: expanding *PNAE* actions through the implementation of *CECANE*, providing for corrections in the per capita value in order to maintain purchasing power and including mandatory compensation from state and municipal managers (Chart 1).

Regarding the IV *CNSAN*, two legislative projects were identified for one of the recommendations: ensuring budgetary action and transfer of financial resources for *EAN* actions within the scope of the *PNAE* (Chart 1). Both partially meet the recommendation, as it deal with the inclusion of *EAN*, one of them through the institution of the “*Horta na Escola*” Program in the school curriculum, but it does not specify the allocation of funding for this (PL 4.097/2012 and PL 4.516/2012) *PL* 4.516/2012, which deals with the Vegetable Garden program at school, also stipulated the prioritization of receiving resources from the Fund for Maintenance and Development of Basic Education and Valorization of Education Professionals (from Portuguese: *Fundo de Manutenção e Desenvolvimento da Educação Básica e de Valorização dos Profissionais da Educação (FUNDEB)*) for schools that adopted the proposal. Regarding the processing, the first remains attached to another project and the second was archived. Both *PLs* comply with the *EAN* guideline, with *PL* 4.516/2012 also complying with the *AAS* guideline.

Among the recommendations without legislative projects, the following stand out: prohibiting the use of GMOs in SM and ensuring SM during vacation periods and recess in public daycare centers (Chart 1).

Of the total of six recommendations from the V *CNSAN*, four had legislative projects (Chart 1). Among it, “to annually readjust the amount transferred for school meals by the Union, according to official inflation indices, as long as the executing entities make its counterpart”, with five projects. It is noted that all of these projects partially met the demand, because, although it proposed annual adjustments, none of it established mandatory compensation for the executors (Chart 2).

Among the projects mentioned, two originate from the Senate and all refer to the SM right guideline. *PL* 4.902/2016, in its entirety, also met the sustainable development and *AAS* guidelines.

Each following recommendation generated a legislative project: “increase the percentage of purchases from family farming to at least 50%, gradually increasing until it reaches 100%”; “increase the purchase of food from family farming for the *PNAE* to 100%”; “increase the per capita value of the *PNAE*, as well as the volume of fruits and vegetables to be offered” (Chart 1). For the first recommendation, there is *PLS* n.º 331/2017, which partially meets the recommendation by proposing that the minimum resources used to purchase SM be 50% without, however, providing for a gradual increase. This proposal is considered to meet the sustainable development and AAS guidelines.

The other two legislative projects (PL n.º 5.131/2016 and 6.179/2016) are still in progress attached to other projects and partially respond to *CNSAN*'s demands, meeting the guidelines for sustainable development and AAS.

The recommendations without projects were: “raise the ceiling on the purchase value of the *PNAE* by family farmers, artisanal fishermen and traditional communities” and establish a ceiling on the purchase value per *DAP* in the *PNAE* according to the population of the municipalities (Chart 1).

DISCUSSION

General characterization

Among the *CNSAN* recommendations for the *PNAE*, 41.7% had projects in the Legislature with thematic relevance. Although this data can be relativized, assuming overlaps between the Legislative agenda and the *CNSAN* recommendations due to the history of the *PNAE* on the political agenda, it is an important result, as it exposes the relationship between the *CNSAN*'s demands and the projects presented in the Legislature. Pogrebinschi & Santos¹² indicate that the Legislature's involvement with the recommendations of the conferences became significant from the first term of President Fernando Henrique Cardoso. It is argued, in this study, based on the authors mentioned above, that this thematic relevance of legislative projects with the recommendations of the *CNSAN* is not casual and that in Brazil there was reinforcement of representative institutions in the period analyzed.

To demonstrate the relationship between the Legislative projects and the *CNSAN* recommendations, a period of 24 months was adopted after each *CNSAN* was carried out. Considering that the interval between *CNSAN*s is approximately four years, considering a longer period of time could overlap with the period of the next *CNSAN*. This choice presupposes a processing time between the publication of the report and its entry into the legislative plan. Furthermore, Pogrebinschi & Santos,¹² when studying the impact of national conferences held between 1988 and 2010, adopted a period of one year.

During this period of time, two laws were approved. Although it may seem unrepresentative, it is relevant in demonstrating the relationship between the *CNSAN* and Legislative agendas. Pogrebinschi & Santos¹² identified 15 laws related to the resolutions and guidelines of 80 conferences that were approved and sanctioned one year after its deliberations were held and published. For the authors, although it is a low number, considering the entire period evaluated, it is necessary to consider that the one-year interval is too short for the entire process to be completed.

Most of the projects originated in the Chamber of Deputies, which may be related to the role of the Chamber as a body that listens more to the demands of society and interest groups.¹⁹

Of the projects analyzed in this study, 33.3% fully responded to *CNSAN*'s demands. Distinct results were identified by Pogrebinschi & Ventura⁴ when evaluating the impact, on public policies, of the guidelines drawn

up at national conferences held in Brazil between 2003 and 2010 in the Legislature, in which 50% of positive responses to the conference guidelines were fully met. Understanding that the *CNSAN* understand the agenda formation process, this data may indicate a difficulty for the Legislature in converting such demands into projects, either because it disagrees with the recommendation or even because it decides to face something that was already on the agenda and, in this way, partially meet the introduced.

The *PNAE* guideline with the largest number of legislative projects was “right to SM”, this is because the *CNSAN*'s demand was focused on guaranteeing the supply of SM.

Added to this are the *EAN* and *AAS* guidelines. The relevance of *EAN* as a strategy to promote healthy food choices or even to prevent chronic non-communicable diseases in schoolchildren in the country was defended in some projects. It is noteworthy that, in the context of carrying out the *DHAA* and guaranteeing the *SAN*, the importance of *EAN*, especially in schools, has been recognized.^{20,21} In 2012, the launch of the *EAN* Reference Framework for Public Policies,²² document which presents concepts, principles and guidelines for the practice of *EAN*, constituted an important guide to qualify *EAN* actions in different contexts.

The social control guideline was the least related to the projects worked on, reflecting its incipient presence in *CNSAN*. The School Food Council was created in 2000, as a collegial body with the function of ensuring the quality of SM. Its regularization is required as a requirement for the transfer of funds to states, the Federal District (FD) and municipalities.⁹ However, studies indicate weaknesses in the councils, such as: poor training of counselors and lack of knowledge of their role; members with political ties; absence or precarious administrative support for the development of its activities, etc.²³ It is possible that such conditions have contributed to less reflection and formulation about the *CNSAN* space.

The majority of projects (75%) come from parliamentarians allied with the government. The Workers' Party (from Portuguese: *Partido dos Trabalhadores* (*PT*)) was in government throughout the analyzed period, with fluctuations in allied parties. Pogrebinschi & Santos¹² record that, from 2003 onwards, with the election of Lula and the coalition of the *PT* and other dominant left-wing parties in Congress, national conferences became more effective and present in the political scene, as well as there was reinforcement between the dimensions representative and participatory forms of democracy. Pogrebinschi & Ventura⁴ also identified, in this context, a higher rate of positive responses among parties within the government base.

The majority of proponents represented the Southeast Region of the country; however, it is suggested that studies be carried out to better understand this relationship

Repercussion of *CNSAN* on projects about *PNAE*

The *PNAE* is the longest-running public policy in the *SAN* area in Brazil. Created in 1955, in a context in which hunger and malnutrition were denounced as serious public health problems, the objective of the Program, at the time, was to offer food in schools through food donations.⁹ Reformulated over the years, the *PNAE* was expanded regarding the coverage and qualification of the meal offer, incorporating the guarantee to *DHAA* and *SAN*.²⁴

This process of advancing the Program took place in stages: from 1955 to 1970, the participation of international organizations predominated; from 1970 onwards, the offer of formulated foods produced by the food industry stood out;²⁴ in 1994, decentralization made it possible to adapt the offer to regional habits and the insertion of small businesses, commerce and small local producers.⁹ For Peixinho,⁹ the Zero Hunger Program strategy gave SM the dimension of pedagogical practice, aiming to promote health and *SAN*.

The *CNSAN* recommendations, as well as the construction of legislative projects related to the *PNAE*, varied throughout the editions and accompanied a process of maturation of the program based on the action and mobilization of social actors in the political, scientific and popular fields. The fact that there were no recommendations from the I *CNSA* may be related to the fact that, at the time, social demands in the field of *SAN* were more structural. As the debate and achievements progressed, new demands emerged, as can be seen when observing the maturity and expansion of recommendations in subsequent *CNSANs*.^{25,26}

The year 2003 was marked by the beginning of the Lula government, which presented as its focus of action the guarantee of *SAN* to Brazilians, developing several actions in this sense, supported by the Legislature, also sensitive to this demand.¹⁴

As a result, a greater number of recommendations could be observed in the II *CNSAN* and a greater response from the Legislature. Corroborating this, Peixinho⁹ highlights that important advances for the *PNAE* were identified from this period onwards. The SM universalization recommendation received the largest number of projects. This expansion of the offer of supplementary programs, such as the *PNAE*, teaching material, transportation and health care for all basic education was included in section VII of art. 208 of the Federal Constitution through Constitutional Amendment n.º 59/2009.²⁷

The insertion of the nutritionist in the management of the Program, a recommendation included in legislative projects, illustrates the search for qualification of the *PNAE* to guarantee *DHAA* and *SAN*.²⁸ Initially responsible for preparing the menus from 1994 onwards, the nutritionist became technically responsible for the *PNAE* in 2006, attribution ratified in 2009 by Law n.º 11.947.^{10,28} This process ranges from interaction with family farmers to learn about the production profile for inserting products into the menu and various attributions defined by the Federal Council of Nutritionists and the *FNDE*, up to monitoring the nutritional status of students.²⁸

One of the legislative projects was transformed into Law n.º 12.982/2014, which deals with the provision of differentiated nutrition for schoolchildren diagnosed with high blood pressure and diabetes. The argument that schoolchildren with diseases requiring a different diet should be the object of attention in SM became relevant amid discussions regarding the guarantee of *SAN* and *DHAA* through menus that provide adequate nutrition for this public.

No legislative projects were found aimed at “increasing and differentiating per capita according to the socioeconomic reality of the municipalities, prioritizing specific populations”. Such an act may be related to budget limitations presented by the Federal Government for the period and/or the lack of representation of these populations in the Chamber. However, from 2003, on government initiative, resources were differentiated for daycare centers, indigenous and quilombola schools and full-time education.^{9,10}

With regard to the III *CNSAN*, the “approval and implementation of the *SMPL*, formulated with the contribution of *CONSEA*, extended to *EJA* and high school students” was the only recommendation with a legislative project. Law n.º 11.947/2009, resulting from this debate, represents a historic milestone. Among the changes approved in the aforementioned Law, the following stand out: the universalization of SM for all basic education; the establishment of the *EAN* as the second guideline and the determination that at least 30% of the resources transferred to municipalities be invested in the purchase of family farming products.

At the same time, there was an expansion of the Program's objectives to “contribute to the growth and biopsychosocial development, learning, academic performance and the formation of healthy eating habits of students, through *EAN* actions and the provision of meals that meet nutritional needs during the school period” (p.2).²⁹ In this way, the *PNAE* went from a food supply program to a program that aims to contribute to the *FNS* of students.

Regarding the recommendations without response from the Legislature, it is noted that it all required an increase in financial resources. The recommendation to provide for periodic correction of the amounts transferred by the Union to the states, FD and municipalities appeared recurrently in II, III and V *CNSAN*. The main justification was the need to maintain purchasing power, considering annual inflation. Furthermore, the need for a systematic readjustment process was argued, as the lack of a predefined system weakens the continuity and quality of the food offered.

The amounts transferred by the Union were frequently frozen, such as between 1994-2003,⁹ 2005-2009, 2010-2016.^{24,30} The *PNAE* rules provide that the amounts transferred for the acquisition of foodstuffs are supplemented by the state, FD and municipal spheres. It is observed, however, that although mandatory, no progress was made in defining crude values or percentages. This obstacle, evidenced by the absence of legislative projects to the *CNSAN* recommendations, may be due to pressure due to scarce resources already committed to assuming the operational cost of the program at the local level, leading the municipality to spend smaller amounts or none at all to acquisition of foodstuffs, compromising the supply of AAS.³¹

In light of this consideration, the need for greater discussion about this demand in the *CNSAN* space stands out, as one of the recommendations provided for the periodic readjustment of the amounts transferred by the Union, as long as there was a counterpart from managers. However, the process of decentralization of public policies in Brazil, evidenced through the analysis of the *PNAE*, demonstrates that programs under the responsibility of the Union passed to the states, FD and municipalities, assigning them functions that represent new demands.

In this way, there is a significant number of Brazilian municipalities unable to contribute resources to purchase foodstuffs for SM. The responsibility for maintaining the infrastructure for executing the program and specific professionals generates expenses that small municipalities consider high.³² Therefore, the condition of allocating resources for purchasing food would be limited, highlighting the need to define specific parameters of what this contribution would be and its source.^{24,33}

Regarding the IV *CNSAN*, two legislative projects were found for the recommendation "to ensure budgetary action and transfer of financial resources for *EAN* actions within the scope of *PNAE*". However, both projects do not specify the allocation of its own resources for *EAN* actions. With the changes that occurred in the Program, the development of these actions, especially in the normative scope, assumed centrality, as it is understood that the provision of food in schools is configured as a teaching-learning opportunity to promote healthy eating habits.²⁹

In this sense, Ramos,³⁴ when analyzing the place of *EAN* in the *PNAE* in a Brazilian municipality, highlighted that although such actions are the responsibility of the nutritionist in the SM, the Program does not provide funding for such actions, nor does the municipality. In this way, professionals use their own resources or use materials available in the sector, compromising the development of these actions.

Among the recommendations without legislative projects, the following stand out: the prohibition of the use of GMOs in SM and the offer of SM during vacation periods in public daycare centers. The ban on GMOs has been defended by *CNSAN*, whose argument is corroborated by Ribeiro & Marin³⁵ and Burity et al.³⁶ with regard to controversies related to knowledge about long-term risks to human health and the environment. However, this demand did not find support in terms of forwarding legislative proposals.

"Ensuring SM during vacation and recess periods in public daycare centers" was another recommendation from the IV *CNSAN* without legislative projects. It is important to note that *PL* n.º 4.627/2004, identified with thematic relevance for a II *CNSAN* recommendation, met this demand with the justification that

schoolchildren need food throughout the year. The *PNAE* offers meals during the academic period (200 days).²⁹

As for *V CNSAN*, the recommendation to gradually increase purchases from family farming until reaching 100% had a proposal for an increase to 50%, partially meeting *CNSAN*'s demand. The justification for this project is the expansion of the social impact provided by the purchase, as the 30% percentage does not reflect the relevance of family farming in Brazil. This project was still in progress in 2021. The purchase of family farming by the *PNAE* is extensively defended in the literature as a means of promoting *FNS* among farmers and schoolchildren, by guaranteeing a market at a fair price and expanding access to quality food, as it whether from natural or minimally processed foods.^{9,31}

Recommendations aimed at raising the ceiling on the purchase value per *DAP* in the *PNAE* received no legislative response. This is a demand from farmers who wish to sell larger quantities to the Program and also from those who process the food, as it has higher production costs. Currently, individual contracts within the scope of each executing entity must not exceed R\$40,000.00 per family *DAP* in the same year, as provided for in *FNDE* Resolution n.º 21.³⁷ Finally, the limited number of studies to compare the results identified here stands out.

FINAL CONSIDERATIONS

In this article, the objective was to analyze the repercussions of the *CNSAN* recommendations directed to the *PNAE* in the Legislative Power, in the form of projects, adopting documentary research.

Regarding the *CNSAN* recommendations for the *PNAE*, it was concluded that it aimed to qualify the Program in terms of guaranteeing the *SAN* and the *DHAA*, although some recommendations require further discussion, such as the indication of compensation by the municipalities. Data were presented regarding the recommendations of the *CNSAN* and the crossing of these demands with the legislative projects of the Brazilian Congress in the period of 24 months after each *CNSAN*.

Overall, it can be concluded that carrying out the *CNSAN* was relevant for improving the *PNAE*, partially meeting what civil society proposed in 11 years of mobilization. The data shows parties allied with the government with a greater number of projects, indicating the congress' openness to civil society recommendations due to the governance model and the government's political agenda of the period. This process was interrupted in 2019, with the extinction of *CONSEA* and the failure to convene the VI *CNSAN*. In this way, studies such as the one presented form a relevant historical and social basis to testify that participation in democracy is relevant and can make a difference in public policies.

In general, it is understood that the results of the legislative process depend on inputs, coming from society and the governmental agenda, which are confronted with the place of social policies in the ideological conception of parties and deputies and the prevalence of particularistic interests. Thus, maintaining and consolidating the social agenda in the public sphere, with effective social participation, qualifies the debate and demands new actors who defend the *SAN* and can represent society in the Legislature.

Finally, *CNSAN*'s recommendations are important material for analysis as it reflects demands from organized civil society in historical moments. Some aspects can be seen as gaps in knowledge, such as: lack of more comprehensive studies, analysis and systematization of *CNSAN* recommendations and the repercussions on the Legislature and national *SAN* plans. To this end, studies focusing on the Legislative power's response and the interests that are part of the political process can contribute to expanding understanding of the effectiveness of *CNSAN* recommendations, a topic that is still little studied.

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Contributors

Ramos FP participated in the conception and design of the work, analysis and interpretation of data, writing and formatting of the manuscript, review and approval of the final version; Panelli-Martins BE participated in the analysis and interpretation of data; writing and formatting the manuscript, reviewing and approving the final version; Santos SMC participated in the conception and design of the work, analysis and interpretation of data, review and approval of the final version.

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