

Chapter 28

Ensuring Food Security as a Legal and Technological Problem



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Abstract At the moment, there are several definitions of food security in Russian agricultural and legal science. After analyzing their content, the authors argue that the country's food security is an integral part of national security. It describes the degree of realization of the human right to food in the country and the achievement of the Sustainable Development Goals. It guarantees the physical and economic availability to citizens of high-quality and safe food in the quantities necessary for a healthy diet. The advantages of this definition are to take into account international recommendations, as well as to avoid a narrow economic perception of the goals and objectives of ensuring food security in the Russian Federation or another country. Ensuring food security is a strategic socio-economic and environmental goal for any State. When solving this problem in Russia, it is necessary to clearly distinguish between “food security” and “food independence”. If the first category characterizes the degree of provision of the population with quantitative and qualitative food, its physical and economic accessibility and security. In the second category, the emphasis is on “import substitution”, that is, the percentage of products produced in the country and imported. In the Russian Federation, the main focus of public authorities is on ensuring food independence to the detriment of the goals and objectives of ensuring food security. Food security is one of the guarantees of sustainable agricultural development and is located at the intersection of three types of national security: economic, social, and environmental. Since Russia is a federal state, the Constitution of the Russian Federation provides not only for the subjects of the jurisdiction of

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the Russian Federation but also for the institution of joint jurisdiction of the Russian Federation and its subjects. This is a number of important issues of state-building, within which the subjects of the Russian Federation can adopt their legislative acts. One of such areas of legislative regulation in the subjects of the Russian Federation is the issue of ensuring food security. Having studied the relevant laws of the subjects of the Russian Federation, we concluded that there can be no different levels of food security in the state since the Russian Federation is a set of its subjects. It follows from this that the subject of the Russian Federation cannot set food security indicators lower than it is provided for at the federal level. However, the subject has the right to introduce additional indicators (or indicators higher than the federal ones), which are achieved by the forces and means of such a subject of the Russian Federation. In addition, during the analysis of the legislative acts of the subjects of the Russian Federation on food security, we found that there is massive duplication of the text. The text is from the Food Security Doctrine of the Russian Federation in 2020, which is hardly appropriate.

Keywords Ensuring food security · Sustainable agricultural development · Food independence · Legal regulation · Federal legislation

JEL Codes K32 · L26 · P28 · P48 · Q57 · Q56 · Q52

28.1 Introduction

The country's food security is an integral part of national security, which characterizes the degree of realization of the human right to food in the country and the achievement of the Sustainable Development Goals. As well as ensuring the physical and economic availability of high-quality and safe food for citizens in the quantities necessary for a healthy diet. The problem of ensuring food security has always existed in Russia, becoming more acute during the period of collectivization and the Great Patriotic War.

At the moment, ensuring food security is an element of the strategy for sustainable agricultural development. In the recommendations of the UN and other international organizations, it is periodically noted that the development of agriculture can be considered sustainable only with the stable implementation of economic activity on agricultural land. The development will ensure the growth of agricultural production, provided that the social rights of the inhabitants of rural settlements are properly guaranteed. Environmental protection measures are also required on agricultural land (including measures to preserve the fertility of agricultural land) and in rural settlements.

In this regard, the question arises about the dynamics of the ratio of the legal categories "right to food" and "food security". The human right to food is the necessary "minimum" with which one can normally exist in society, engage in productive work, and lead a healthy and active lifestyle. The human right to food is one of

the existing international standards of human life (article 25, paragraph 1, of the Universal Declaration of Human Rights, Article 11 of the International Covenant on Economic, Social and Cultural Rights of 1966). If we try to consider international guarantees of the right to food, we can find that no specific measures of domestic food policy have been established for state parties to international agreements. Moreover, at the international level, the criteria for “adequate nutrition” are not disclosed, which makes it much more difficult to assess the state of food security of the population, both within individual countries and on a global scale as a whole. It follows from this that ensuring the right to food is complex and multidimensional, since, along with humanitarian issues, it also affects the production of food, its distribution, storage, development of domestic agriculture, and the food market. The globalization of economic processes, the increase in the rate of food exports and imports is currently in conflict with the interests of national producers.

The right to food, the provision of which is the goal of State food policy, due to its complexity, requires reflection in almost all areas of modern public administration and the context of global climate change and other environmental threats, new tasks are assigned to the public authorities of any country (Reid, 2002; Peters, 2010).

Agriculture, as one of the main sources of anthropogenic greenhouse gas emissions, contributes to climate change (Parker-Flynn, 2014). Climate change threatens global food production by increasing the frequency and severity of droughts, floods, and hurricanes, reducing crop yields, and putting additional strain on limited water resources (Gonzalez, 2012). Today, agricultural food production remains an underappreciated and poorly understood aspect of global climate change. Although it is noted that from the work of tractors, trucks, the use of fertilizers, the production of electricity, agriculture forms up to 9% of the total contribution to climate change in terms of CO₂ emissions. Although as a percentage of all global greenhouse gas emissions, direct CO₂ emissions from direct agricultural activities are only about 1.4% (Birdsong, 2013).

Noting the complex nature of the problem of ensuring food security it should also be noted that there is a close relationship between the categories of “food” and “national” security. As noted in the scientific literature there are objectively some differences between, first, nations that can feed their people by any means. Secondly, nations can feed their people at the expense of their resources. A country that can feed its people, under any external influence, will have sufficient stability to act with maximum independence (Fromherz, 2012; Sternick, 2012). Other scholars emphasize the need to develop international trade as the main means of guaranteeing the right to food in one’s own country (McCabe & Burke, 2013). In the Russian Federation, the authorities adhere to the first strategy, and therefore, ensuring a stable level of food security is traditionally given great attention.

28.2 Materials and Methods

The study analyzed the provisions of the federal laws “On the general principles of the organization of Legislative (Representative) and Executive Bodies of State Power of the Subjects of the Russian Federation”, “On the Development of Agriculture”, “On the quality and safety of food products”, as well as some other federal legal acts. Special attention in this chapter was paid to the study of the provisions of the laws of the subjects of the Russian Federation on food security, to identify their main advantages and disadvantages, and to assess the level of their legal technique.

As a result of the analysis of scientific works of representatives of world science, it was found that the works of leading foreign scientists reflect the problems of the relationship between the categories “food security” and “social justice”, Inshakova et al. (2017, 2018). Also, the consequences of the loss of food security for the country (Frommherz, 2012; Sternick, 2012). The necessity to give priority to the national producer in ensuring food security is also justified (McCabe & Burke, 2013). At the same time, they pay special attention to the relationship between food and environmental security, the importance of environmental protection measures in the course of agricultural production (Reid, 2002; Peters, 2010), which is most important in the context of global climate change (Gonzalez, 2012; Birdsong, 2013; Parker-Flynn, 2014). Meanwhile, these foreign studies do not reflect the specifics of the policy of ensuring food security in federal states, including the issues of the division of competence between the federal center and the regions.

As applied to Russia, this gap was partially filled in the works of Eregin, Zolotukhina, Lapaeva, Lichichan, and some other authors. However, the problems of harmonization of federal and regional legislation were considered by them outside the context of the country’s agricultural problems. In addition, the legal aspects of the import substitution policy implemented in the Russian Federation seem to be insufficiently studied both in Russian and in foreign science, as well as the peculiarities of the development of the legislation of the subjects of the Russian Federation in terms of ensuring regional food security.

The study used the methods of scientific cognition generally recognized in Russian legal science, including the dialectical method, the method of system analysis, comparative-legal, logical, concrete historical, and others. The method of system analysis in combination with the comparative-legal method allowed us to consider the problems of ensuring food security in the region in the context of the concept of sustainable development, the problems of realizing the human right to food, and the policy of import substitution. The logical method made it possible to analyze the problem under consideration in all the variety of its connections and to take into account not only the legal but also the economic and organizational aspects of the problem under study. In combination with the concrete historical method, this allowed us to identify the main modern problems of ensuring food security in the regions, as well as possible ways to overcome them. The empirical basis of the study was the results of the activities of bodies and organizations involved in ensuring

food security in the Russian Federation, materials of law enforcement practice. The authors also analyzed the laws of the constituent entities of the Russian Federation that regulate the issues of ensuring food security in the respective regions.

28.3 Results

28.3.1 *Regulatory Regulation of Food Security at the Federal Level*

At the federal level, there is no separate law dedicated to ensuring food security. The following laws are aimed at solving this problem to varying degrees: Federal Law No. 184-FZ of October 6, 1999 “On the General Principles of the Organization of Legislative (Representative) and Executive Bodies of State Power of the Subjects of the Russian Federation”; Federal Law No. 264-FZ of December 29, 2006 “On the Development of Agriculture”; Federal Law No. 29-FZ of January 2, 2000 “On the quality and safety of food products”; Federal Law of 2 December 1994 No. 53-FZ “On Procurement and supply of agricultural products, raw materials and food for State needs”, as well as some other federal legal acts.

To ensure food security in Russia, the Food Security Doctrine of the Russian Federation has been adopted (approved by Presidential Decree No. 20 of January 21, 2020). This Doctrine is a strategic planning document that reflects the official views on the goals, objectives, and main directions of the state socio-economic policy in the field of ensuring food security of the Russian Federation. The Doctrine distinguishes between two important categories—“food security” and “food independence”. Food security refers to the state of socio-economic development of the country, which ensures the food independence of the Russian Federation, guarantees the physical and economic availability for every citizen of the country of food products that meet the mandatory requirements, in amounts not less than the rational norms of food consumption necessary for an active and healthy lifestyle. Accordingly, the food independence of the Russian Federation is the self-sufficiency of the country with the main types of domestic agricultural products, raw materials, and food. Food security is one of the main directions of ensuring the national security of the country in the long term, a factor in preserving its statehood and sovereignty, and an important component of socio-economic policy. As well as a necessary condition for the implementation of the strategic national priority—improving the quality of life of Russian citizens by guaranteeing high standards of life support.

To assess the provision of food security, the achievement of threshold values of several indicators is used as the main indicators. Namely: food independence, economic and physical accessibility of food, and compliance of food products with the requirements of the legislation of the Eurasian Economic Union on technical regulation. Food independence is defined as the level of self-sufficiency as a percentage, calculated as the ratio of the volume of domestic production of agricultural products,

raw materials, and food to the volume of their domestic consumption and having threshold values. For example, concerning grain—not less than 95%; sugar—not less than 90%; vegetable oil—not less than 90%; meat and meat products (in terms of meat)—not less than 85%. For milk and dairy products (in terms of milk)—not less than 90%; for fish and fish products (in live weight—raw weight)—not less than 85%; potatoes—not less than 95%; vegetables and melons—not less than 90%; fruits and berries—not less than 60%. For seeds of the main crops of domestic selection—not less than 75%; food salt—not less than 85%. The economic availability of food is defined as the ratio of the actual consumption of basic food products per capita to the rational norms of its consumption that meet the requirements of a healthy diet and have a threshold value of 100%. The physical availability of food is defined as the percentage of the actual provision of the population with various types of retail facilities for the sale of food products and objects for the sale of public catering products to the standards established by the Government of the Russian Federation. Compliance of food products with the requirements of the legislation of the Eurasian Economic Union on technical regulation is defined as the specific weight of all samples of food products. Samples that do not meet the mandatory requirements in the total volume of food samples examined within the framework of state control (supervision) and monitoring of the quality and safety of food products.

Ensuring food security involves risks and threats that can significantly reduce it. Such risks and threats fall into the following categories. First, these are economic risks caused by the possibility of deterioration in the domestic and foreign economic environment, a decline in the growth rates of the global and national economies, high inflation, and a crisis in the banking system. As well as reducing the investment attractiveness of domestic agriculture and fisheries, as well as reducing the competitiveness of domestic products (Matytsin & Rusakova, 2021). Secondly, these are technological risks caused by lagging behind developed countries in the level of technological development of the production base, as well as unauthorized use of medicines for veterinary use in the process of agricultural production. Third, these are climatic and agroecological threats caused by adverse climate changes and abnormal natural phenomena of a natural nature. As well as an increase in the share of degraded land, a decrease in the fertility of agricultural land due to their irrational use in agriculture, the consequences of natural and man-made emergencies. Fourth, these are foreign policy risks that may limit the potential for the development of domestic agriculture and fisheries, caused by fluctuations in market conditions, as well as the use by foreign countries of measures of state support for agriculture that distort international trade. Fifth, these are veterinary and phytosanitary risks associated with the emergence and spread of mass infectious animal diseases that have not been previously registered on the territory of the Russian Federation, as well as with the spread of plant diseases and pests. Sixth, these are sanitary and epidemiological threats associated with the emergence and spread of infectious. And non-communicable diseases of the population due to violations of mandatory requirements for ensuring the safety and quality of products at all stages of its turnover in the consumer market. Finally, seventh, these are social threats caused by the decline in the attractiveness of the rural lifestyle.

Mechanisms for ensuring food security are established in the relevant regulatory legal acts that determine the conditions for the functioning of the country's economy and its sectors and are provided with financial resources from the federal budget and the budgets of the constituent entities of the Russian Federation.

28.3.2 Theory of Food Security Levels and Discussions on the Capabilities of the Russian Federation's Constituent Entities to Implement "Advanced Rule-Making"

The Russian Federation occupies a huge area, which determines the economic, cultural, natural, climatic, and other diversity of its territory, which cannot be taken into account otherwise than through the creation of a federal state. That is why the Constitution of the Russian Federation assumes not only the subjects of the Russian Federation's jurisdiction but also the institution of joint jurisdiction on some important issues of state construction, within which the subjects of the Russian Federation can adopt their legislative acts.

The state of affairs in many spheres of public relations depends on the extent to which the subjects of competence and powers are adequately differentiated between different levels of public authority, as well as on the activity of subjects in the Russian Federation in the implementation of their assigned powers. One of the areas of legislative regulation in the subjects of the Russian Federation is the issues of ensuring food security. When discussing the concept of food security, the question of its "levels" often arises. Some Russian authors consider food security as a hierarchical system, which is divided by subjects into global, national, regional, and household food security. At the same time, scientists argue that the improvement of food policy should be aimed at strengthening the economic activity of the subjects of the Russian Federation with the transfer of the center of gravity in solving food problems to their level (Belkharoev, 2003).

L. N. Deineka identifies a different list of levels of food security: global (global), mega-regional, national, regional, and at the level of an individual, family, or social group (Deineka, 2004). V. A. Dadalko distinguishes among the levels of food security individual (individuals); local (households); local (cities, districts, municipalities, free economic zones, biosphere territories); territorial (regions); regional (two or more subjects of state education); national (states) (Dadalko, 2013).

While fully agreeing that in a federal state, the subjects of the federation should take a much more active (than now) part in solving the problems of food security, the following should be noted. Based on the international recommendations of the United Nations and the established national practice, the allocation of the "grassroots level" of food security (human, family, social group) is impractical. Since the food supply of individual citizens is only a consequence of the food policy of the state and the international community. The allocation of the local level is also controversial

due to the limited capacity of Russian municipalities to influence food policy. And the purpose of allocating a “biosphere territory”, where wildlife objects live, is not at all clear. It would be more appropriate to limit ourselves to three levels: international, national, and regional. Accordingly, at the international level, food security issues are regulated by international acts, including treaties and acts of “soft law” (declarations and resolutions). At the federal level by federal laws and by-laws and at the regional level by-laws of the subjects of the Russian Federation.

From the point of view of the sectoral nature, the laws adopted by the subjects of the Russian Federation, by and large, are complex, since they affect public relations regulated by the norms of land, civil, environmental, constitutional, administrative, and financial and other branches of law (Inshakova et al., 2017). That is why in Article 72 of the Constitution of the Russian Federation “agriculture” is mentioned along with other subjects of joint management (nature management, environmental protection, etc.). Thus by adopting laws on ensuring food security, the subjects of the Russian Federation realize the opportunity provided for by the Constitution of the Russian Federation to carry out “advanced rule-making”. Filling in legislative gaps at the federal level and expanding the mechanism for guaranteeing the implementation of the provisions of the Doctrine by the forces and means of the regions. This issue cannot be attributed to the subjects of exclusive jurisdiction of the subjects of the Russian Federation, since some federal legal acts are devoted to it. At the moment, there is no consensus in science on the feasibility of implementing the right of “advanced rule-making” by the subjects of the Russian Federation.

Thus, the first group of authors considers dangerous and unacceptable the practice of advanced rule-making of the subjects of the Russian Federation, which is allowed by the current Russian legislation and supported by some scientists (Zolotukhina, 2004).

V. V. Lapaeva writes, “We need such a concept of interpretation of the relevant constitutional and legal provisions, which would completely exclude the possibility of advanced rule-making of subjects in the sphere of joint jurisdiction and would limit their legislative powers only by specifying the adopted federal laws. Only such a solution will make it possible to remove the main contradictions of the current legal model of the division of powers between the center and the regions in the sphere of joint management” (Lapaeva, 2002). V. M. Platonov, in turn, notes that “regional legislation can play a leading role in legislative regulation in those subjects of joint jurisdiction of the Russian Federation and its subjects, on which the processes of making legislative decisions at the federal level are delayed for various reasons, usually of a political nature” (Platonov, 2009). Representatives of the third (compromise) concept write that the Russian Federation should establish “common principles, i.e., the most important, main, most essential provisions, without detailed instructions on the procedure for implementing the legislative powers of the bodies of the subjects of the Russian Federation. Which have the right to carry out legal regulation, at their discretion, detailing the federal legal principles, filling them with specific content” (Plotnikova, 2003). Ideally, for the subjects of joint jurisdiction, it is necessary to adopt the basis of federal legislation that establishes general principles for the separation of powers of the Federation and its subjects. And already the subjects detail

them, which “will allow us to determine the boundaries of federal participation in the framework of joint subjects of competence of the Federation and its subjects” (Platonov, 2010).

Fully sharing the latter position, which implies the expansion of the scope of powers and responsibility of the public authorities of the subjects of the Russian Federation to the population of the region (which, accordingly, solves the problem of “advanced rule-making”), it should be noted that at the moment we are still far from this ideal. Therefore, the question of the validity of the “advanced rule-making” of the regions remains relevant. It seems that today the concept of V. M. Platonov deserves support. Since the federal center does not always have time to quickly solve the economic, social, environmental, and other problems that arise on the ground and the role of the legislation of the subjects of the Russian Federation in these conditions increases.

A typical example of this problem is the issue of ensuring food security, both in the Russian Federation as a whole and in all its subjects. To date, certain aspects of food security are set out in several federal laws. However, its general concept is formulated in the Doctrine of Food Security, which is not a normative legal act. The State Duma of the Russian Federation has repeatedly raised the issue of the need to adopt a special federal law on food security, but such a law has not yet been adopted. In this situation, to implement the provisions of the Doctrine, the subjects of the Russian Federation were forced to adopt their regulatory legal acts on ensuring food security. In which they tried to create additional guarantees for its provision at the regional level.

28.3.3 Analysis of the Provisions of Regional Legislation on Ensuring Food Security

At the moment, only a few regions of the Russian Federation have adopted regional laws on food security. The comparative analysis of their provisions allows us to formulate the following conclusions.

1. The laws of the subjects of the Russian Federation expand the list of terms used in the Doctrine. So, in the Saratov region, the concepts of “wholesale food complex of the region” and “authorized body in the field of food security” were introduced. The law of St. Petersburg uses the terms “basic types of food”, “agricultural production”, “wholesale and distribution center” and a number of others. In other laws (the Bryansk region), there is a duplication of terms from the Doctrine, for example, “food security”, which are adapted for the subject of the Russian Federation.

Note that the list of such practically verbatim reproducible concepts can be quite wide, and include indicators and criteria for food safety, rational norms of food consumption, physical and economic accessibility of food products (Sverdlovsk Region). A

more interesting list of terms is found in regional laws adopted more than a decade ago. Thus, in the Ryazan region, the terms “food crisis”, “the need for agricultural products and food”, “the necessary level of food” is used; in the Primorsky Territory—“vital food products”, “the nutritional value of a food product”, “the safety of food products”, etc.

Accordingly, in the “young” laws of the subjects of the Russian Federation (2010–2020), terms unknown to the federal Doctrine are rarely used (although there are a number of exceptions to this rule, for example, in the law of St. Petersburg).

2. Among the mandatory articles in all laws of the subjects of the Russian Federation are articles of a general nature on the subject of the law, the goals, and objectives of ensuring regional food security, as well as the directions of such provision. Among the latter, it is necessary to mention support for the stability of the food market in the region (including by monitoring the state of the food market), also, the implementation of state support for the agro-industrial complex of the subject of the Russian Federation and the regulation of the market of agricultural products, priority support for citizens in need, etc. Among the latter, it is necessary to mention support for the stability of the food market in the region (including by monitoring the state of the food market), the implementation of state support for the agro-industrial complex of the subject of the Russian Federation, and the regulation of the market of agricultural products. Also priority support for citizens in need, etc. At the same time, some such measures may be specified in a separate article (for example, on state support for individuals and legal entities engaged in the production or processing of agricultural products). Separately, we should highlight the fact that the legislator of the subject of the Russian Federation often connects the issues of food security and the transition to sustainable development, which we practically do not see, for example, in relation to environmental legislation. The category of “sustainable development” is mentioned in the laws of the constituent entities of the Russian Federation, mainly in the context of food and raw materials production and rural development.

Some laws of the subjects of the Russian Federation contain original articles on monitoring the state of food security (Kursk Region), information in the field of food security (Trans-Baikal Territory, Kostroma Region), scientific support of food security (Ryazan region, Primorye Territory), and to ensure the quality and safety of food products (Kabardino-Balkarian Republic, Kursk Region), etc. One of the tasks of ensuring food security set in the Kursk and Kostroma regions, as well as in the Primorye Territory, looks original. The goal is to achieve and maintain the “food independence” of these regions, although the Federal Doctrine does not set such a task for individual subjects of the Russian Federation. An element of the mechanism for ensuring food security in a number of subjects of the Russian Federation is to promote practical activities in the field of research on the impact on human health of food products obtained from genetically modified sources (Kostroma Region). The latter measure, however, is rarely found in the laws of the subjects of the Russian Federation. The creation of a special “Food Security Council” operating in the Nizhny

Novgorod Region, which has no analogs in other regions of the Russian Federation, also deserves mention.

3. The laws of the constituent entities of the Russian Federation pay special attention to the powers of the representative and executive bodies of the constituent entities of the Russian Federation in the field of food security. As noted in the scientific literature, “in the most general form, the subjects of competence are the spheres of public relations assigned by the Constitution of the Russian Federation to the competence of a particular level of state power. And the powers, in turn, should be considered as specific rights and obligations of state authorities to regulate the subjects of competence, or, in other words, specific areas of influence” (Eregin, 2008).

The powers of the legislative body of the subject of the Russian Federation and the governor, as a rule, are set out formally and are reduced to the adoption of laws and the protection of human rights and freedoms in the field of food security (although there are some exceptions. For example, holding parliamentary hearings on food security issues in the Sverdlovsk Region). The articles of laws dealing with the powers of governments and specially authorized bodies are more informative. It is the Government that develops and approves state programs in the field of food security. It also determines the Authorized Body, monitors the state of food security of the subject of the Russian Federation, and interacts with the federal executive authorities in this area. The powers of the Authorized Body that assesses the state of food security of the subject of the Russian Federation are often specified in a separate article.

4. It should be noted that some laws of the subjects of the Russian Federation contain criteria for assessing food security, which may either correspond to those set out in the Doctrine or differ from them.

For example, in the Ryazan region, food security is considered to be achieved if “the provision of food of own production is not less than 65% of the population of the Ryazan region in food in accordance with physiological norms” (Article 4).

A similar indicator in the Trans-Baikal Territory, the Republic of Bashkortostan, and the Kostroma Region is at least 80% of the volume of food consumption by the population of the region in accordance with the established rational norms of food consumption. In the Kursk region, it is 75%, and in the Primorsky Territory—60%. How can such discrepancies be assessed? On the one hand, the legislation of the subject of the Russian Federation exists to take into account regional peculiarities, including the economic plan. On the other hand, the state cannot have different levels of food security, since the Russian Federation is a set of its subjects. It follows from this that the subject of the Russian Federation cannot set food security indicators lower than it is provided for at the federal level (Inshakova et al., 2018). However, the subject has the right to introduce additional indicators (or indicators higher than the federal ones), which are achieved by the forces and means of such a subject of the Russian Federation. In the scientific literature on this issue, there is a very common

opinion that “forming a single whole with the federal legislation”, the legislation of the subject of the Federation develops it, reproducing, concretizing and supplementing it. At the same time, the reproduction (duplication) of the norms of federal legislation in the legislation of the subject of the Russian Federation performs a dual role: on the one hand, duplication unnecessarily increases the federal legislation and complicates its application. On the other hand, the duplication of federal norms in the legislation of the constituent entities of the Russian Federation ensures the uniform application of federal norms throughout the state. Therefore, it would be wrong to categorically refuse or unconditionally use this technique. In addition, as a rule, norms-concepts, norms-goals, norms-principles are duplicated, without which it is often impossible to build an independent normative act of a subject of the Russian Federation (Safina, 2000).

E. A. Bondareva notes that it is necessary to eliminate or minimize the duplication of the laws of the subjects of the Russian Federation of the provisions contained in the acts of the federal level. At the same time, in some cases, it is impossible to completely exclude the duplication of the norms of federal laws in the legislation of the subjects of the Russian Federation. For example, when fixing the principles of the foundations of the constitutional system in the Constitutions and Charters of the subjects of the Russian Federation. Otherwise, their legislation will not be integral, but referential and will not represent a full-fledged legal base of a particular subject of the Russian Federation (Bondareva, 2004).

In general, sharing this approach, it should still be noted that the analysis of the legislation of the subjects of the Russian Federation on food security shows that there is massive duplication of the text. Moreover, it is difficult to say unequivocally whether they copy the text from each other, or altogether (and independently of each other) from a common source—the Food Security Doctrine of the Russian Federation of 2010. However, it was discontinued in 2020 due to the adoption of a new Doctrine. Since the Doctrine is not a normative legal act the reproduction of its provisions cannot be considered in the full sense of the word duplication and evaluated negatively.

At the same time, it should be said that many laws of the subjects of the Russian Federation go far beyond the framework of the Doctrine. They create authorized bodies or lay down their indicators for assessing food security in the relevant region. The above-mentioned situation with the duplication of the text of regional laws (with each other and with the federal Doctrine) generally confirms the widespread doctrinal conclusion. More than 60% of the subjects of the Russian Federation use the practice of compiling the experience of other regions. This compilation is partial and affects only certain provisions of the legislation of the “donor region”, which are transferred to the legislation of the “recipient region”. Mass reception reduces the degree of exclusivity of the regional legislation of specific regions and leads to a decrease in the autonomy of this regional element of the legal system of the Russian Federation. But reception is not a panacea that saves regional legislation from the existence of regulations that have a relatively low legal quality. This vestige of regional legislation

is extremely conservative, primarily due to the rather low professional level of the legislative bodies of the constituent entities of the Russian Federation (Lichichan, 2009).

28.4 Conclusions

The country's food security is an integral part of national security, which characterizes the degree of realization of the human right to food in the country and the achievement of the Sustainable Development Goals. It guarantees the physical and economic availability to citizens of high-quality and safe food in the quantities necessary for a healthy diet. The advantages of this definition are to take into account international recommendations, as well as to avoid a narrow economic perception of the goals and objectives of ensuring food security in the Russian Federation or another country.

Ensuring food security is a strategic socio-economic and environmental goal for any State. When solving this problem in Russia, it is necessary to clearly distinguish between "food security" and "food independence".

If the first category characterizes the degree of provision of the population with quantitative and qualitative food, its physical and economic accessibility, and security, then the second one focuses on "import substitution", that is, the percentage ratio between the products produced in the country and imported products. In Russia, the main focus of public authorities is on ensuring food independence at the expense of the goals and objectives of ensuring food security.

Food security is one of the guarantees of sustainable agricultural development and is located at the intersection of three types of national security: economic, social, and environmental.

As a result of the study, we consider it necessary to supplement the definition of food security in the text of the Doctrine with an indication of the social accessibility of food. We also consider it important to specify the criteria and levels of ensuring the country's food security in the Doctrine. They should be specified in separate categories of food products: "fully provided"; "mainly provided"; "partially provided"; "not provided".

This will allow for a more effective assessment of the activities of state authorities that regulate food security. In conditions when there is no law at the federal level directly devoted to ensuring food security, and the above-mentioned Doctrine is not a normative legal act, the role and importance of legislation on food security of the subjects of the Russian Federation increases. This is due to the fact, that the Russian Federation occupies a huge area, and therefore its constituent entities differ in economic, cultural, natural-climatic, and other parameters. That is why the Constitution of the Russian Federation assumes not only the subjects of the Russian Federation's jurisdiction but also the institution of joint jurisdiction on some important issues of state-building. Within the framework of which the subjects of the Russian Federation can adopt their legislative acts. One of these areas is the issue of ensuring food security. Having studied the relevant laws of the subjects of

the Russian Federation, we concluded that there can be no different levels of food security in the state. Since the Russian Federation is a set of its subjects.

It follows from this that the subject of the Russian Federation cannot set food security indicators lower than it is provided for at the federal level. However, it has the right to introduce additional indicators (or indicators higher than the federal ones), which are achieved by the forces and means of such a subject of the Russian Federation. In addition, during the analysis of the legislation of the subjects of the Russian Federation on food security, we found that there is massive duplication of the text. Basically, from the Doctrine of Food Security of the Russian Federation, this is not advisable. At the same time, we found that some laws of the subjects of the Russian Federation go far beyond the framework of the Doctrine. Moreover, both in terms of creating authorized organs, and in terms of fixing their indicators for assessing food security in the relevant region.

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