

Decriminalization of the agro-industrial complex as the most important factor in ensuring food security

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Abstract. Purpose: The purpose of current work is to study the decriminalization of the agro-industrial complex as the most important factor in food security, as well as a way to solve problems affecting the state of food security of the Russian Federation, problems of legal support of national priorities related to food independence. Design/methodology/approach: The methodological basis of the research was formed by general scientific and private scientific methods. Findings: Today the agro-industrial sector is faced with a fundamentally new socio-economic and political-legal situation. It is not coordinated with the state policy in the field of agriculture, food production and food security, although initially this policy is intended to be a tool for the development, maintenance and functioning of the agro-industrial complex. Originality/value: The conducted research allowed us to draw the following conclusions: given the significant contribution of the agro-industrial complex to the national economy, it is self-sufficient and can develop independently; federal spending on said government support should provide agricultural producers with a margin that provides incentives to improve worker efficiency and an affordable credit system for the technical and technological upgrades of equipment needed to produce competitive goods; issues of increasing the competitiveness of agricultural products require solutions, first of all, at the federal legislative level.

1 Introduction

The present economic situation in the sphere of the agro-industrial complex can be explained as a negative result of state policy, which is carried out based on regulation of production processes based on the principles of macroeconomics. It is no secret that state policy in the field of agriculture is a structural element of a larger and more complex sphere, namely, a general socio-economic policy acting in the name of achieving certain goals. At the same time, measures taken by the state over a certain time interval can be identified either as fair, effective and efficient, or as impractical, unreasonable and ineffective (or weakly effective).

Certain problems of state policy in the field of the agro-industrial complex have already

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received a lot of research. Among them, in particular, questions:

- institutionalization of agriculture;
- improving food production;
- improving the quality of manufactured food;
- import substitution;
- strategies of state and national protectionism;
- counteracting foreign and international sanctions;
- effective legal regulation of food security issues and many other.

At the same time, due to the absence of positive trends, including those reflected in conceptual documents [State program for the development of agriculture and regulation of markets for agricultural products, raw materials and food for 2013-2020] the mentioned studies do not allow to form a unified, comprehensive and objective picture of the necessary dynamics in the sphere of both the agro-industrial complex as a whole and its individual components.

Meanwhile, effective legal regulation of food security elements is an important guarantor of law and order in the production process, ensuring not only the physical and economic accessibility of food for all segments of the population, but also compliance with the requirements of their safety [Krylatykh, Mazloeva, 2016].

The lack of effective legal regulation leads to the fact that officials working in state bodies of the legislative and executive branches of government regularly receive complaints about the unsatisfactory state of the agro-industrial sector [Gumerov, 2010].

At the same time, it should be noted that ensuring food sovereignty for any modern state is an increasingly complex, labor-intensive and resource-consuming, as well as rapidly becoming more expensive branch of national policy. With regard to Russia, a number of key factors can be identified that determined this trend and are equally due to both internal and external reasons.

Among these factors:

- devaluation of the national currency (Russian ruble) due to changes in the international fuel market and falling oil prices;
- the coronavirus pandemic, which made it difficult or even partially terminated international cooperation in the agricultural sector, slowed down the implementation of obligations under international treaties regulating the supply, import and export of food and agricultural machinery, suspended the flow of foreign investments in the agricultural sector, forced to cancel or postpone a number of planned thematic events (scientific conferences, agricultural fairs, etc.), and also actually caused or influenced the disruption of the logistics of the supply of the required goods on the territory of the Russian Federation (for example, the fuel crisis in the Khabarovsk Territory in early 2021);
- implementation of anti-Russian sanctions and economic bans, including in the food sector;
- bad faith exercise by some business entities of their legal obligations to buyers and consumers (sale of expired food products, production and sale of products of controversial quality (for example, meat and dairy products, alcoholic and non-alcoholic beverages, etc.);
- appearance on the domestic market of fundamentally new products (particularly wine drinks and palm oil), as well as active use in food production of various dyes, flavors, preservatives, flavor enhancers and other additives obtained in an industrial-chemical way and designed to change the taste characteristics of the product, increase its shelf life and, in general, make the product more attractive to customers;
- rise in food prices;
- the abolition of state and national standards of the Soviet era, as well as the GOST R certification system for goods and services, carried out in the second half of the 2010;
- low profitability and even losses for agricultural producers;

- farm crisis, lack of adequate support and lending systems for small and medium-sized businesses (including in
- agro-industrial complex), ineffective subsidizing of certain types of agricultural activities and, as a result, labor migration from rural areas to cities;
- the inability to produce competitive products due to low income and organizational problems with obtaining loans necessary for the modernization and innovation of farms and other small and medium-sized businesses within the agro-industrial complex;
- rise in prices for utilities and the provision of resources required for the effective functioning of enterprises in the agro-industrial complex (electricity, gas, water, etc.), outdated communication systems (power grids, sewerage systems, gas and water pipelines), as well as the presence on the market of public services of intermediary firms that purchase electricity at minimum state tariffs from producers and then sell it to ordinary consumers with a profitable margin for themselves;
- non-compliance by a number of manufacturers with the requirements for the manufacture of food (violation of sanitary and hygienic standards, hiring unskilled personnel (including migrants, often illegal), ignoring regular medical examinations of employees, lack of control over their daily professional activities);
- transformation of the Customs Union into the Eurasian Economic Association (EAEU) in the context of the tense confrontation between Russia and the West;
- Russian food embargo on the purchase of imported (primarily Western) goods, including food;
- long-term complications in the domestic macroeconomy, which are aggravated by global political tensions, as well as local armed conflicts, overpopulation of the planet and the global food crisis

In the 1990, national agricultural production fell sharply due to:

- rather low effective demand in the agricultural sector, as well as in the food market;
- painful for many subjects of economic activity, the rejection of the usual system of administrative-command and planned economy with the subsequent transition to a market economy;
- expensive agricultural production, whose methods and infrastructure were the legacy of the Soviet era;
- high degree of deterioration, as well as rapid obsolescence of the above methods and infrastructure in the absence of new modern and relevant analogues;
- opening borders and accessibility of imported goods that are attractive to consumers and often have no domestic analogues.

In the conditions described, the problem of food security was solved by increasing food imports, and not by developing competitive national agricultural production. In addition, this decision did not require financial investments, institutional reforms or professional regulation.

Macroeconomic processes - in particular, the elimination or minimization of the negative consequences of increased inequality in inter-sectoral exchange.

As a result, the state lost its food sovereignty.

Modern objective economic realities require national governments to independently create an environment in which the agro-industrial complex could function and develop effectively. The deterioration of the climate, ecology, engineering, technical and social conditions of production, low requirements for the quality of products and other characteristics, on the basis of which the state loses in the competition to the leading food exporting countries, means that state support for the agro-industrial complex should be directly proportional to increase and scale, becoming more and more important and significant [Michael Veseth, 1981].

In particular, it is necessary to remember about such popular and effective measures as:

- affordable lending to enterprises in the agro-industrial sector;
- state subsidies for agricultural enterprises;
- scientific and technical improvement and modernization of the agro-industrial complex;
- training of highly qualified professional personnel for the specified field;
- increasing the level of economic literacy of food producers;
- state control over the quality of manufactured products.

Food security functions are inextricably linked with the tasks of ensuring production independence, the regulatory regulation and implementation of which is acquiring an international character and is currently subject to the sanctions imposed against the Russian Federation, the influence of the economic crisis, rising prices, instability of the domestic currency exchange rate, etc. At the same time, an important indicator of the level of economic development of society is the characteristics of the food basket of the population, the analysis of qualitative indicators of which gives grounds to judge the level of nutrition of the population as a whole, and also forms an idea of the production of food as a fundamental type of production in general.

Lack of effective legal regulation of the production process, legal dementia contribute to a decrease in agricultural production and a deterioration in the nutrition of the country's population. To determine the positive direction of the processes of combating the shadow economy, mechanisms and infrastructure of control and influence of law enforcement agencies are required, as well as measures and tools of federal and regional management influence on economic development.

2 Research materials and methods

In the course of the application of comparative legal, statistical and sociological methods, the method of expert assessments, the study of public opinion on the perception and reproduction of normative attitudes in modern conditions was carried out, the synthesis of data on the processes of lawmaking and law enforcement in the Russian Federation.

3 Results

The study of the level and dynamics of food security in Russia allows us to conclude that these processes are extremely contradictory. The situation in the agri-food sector of the economy reflects all the positive and negative aspects of the country's economic and political life over the past two and a half decades.

The situation in agriculture began to improve only at the beginning of the 21st century. A particularly noticeable shift has been outlined since the adoption of the Food Security Doctrine in 2010. 10 years later, a new version of the Doctrine was adopted [Food Security Doctrine of the Russian Federation, 2020]. However, the problem of accessibility and provision of the country's population with food is still far from resolved. There is a tendency towards a decrease in the level of food security after the financial and economic crisis of 2008-2009. Against the background of a gradual increase in agricultural production, incomes of the population are falling and food prices are growing due to high inflation.

Elimination of this contradictory development is possible only on condition of stabilization of the general economic situation, changes in the price policy of the state, in a significant reduction in the gap in incomes of various groups of the population.

However, it should be remembered that the food shortage caused by the sanctions can only be partially replenished promptly. Even according to the most optimistic forecasts of experts, it will replace only 15% of canceled food imports and agricultural raw materials.

An additional accelerated import substitution by increasing national agricultural production is impossible without the parallel development of rural areas, which still require significant investment. Successful import substitution, as opposed to redistributing significant flows of agricultural imports, will take quite a long time.

Import substitution will not even be able to promptly respond to the strengthening of domestic demand for agricultural products, raw materials and food products also for other reasons, such as:

- high dependence of certain agricultural sectors on the import of seeds, genetic material, technology, agricultural machinery, equipment, veterinary drugs, the domestic production of which cannot be adjusted in a short time;
- independence of the cooperative movement that promotes agricultural development, for example in the EU;
- chronic shortage of new agricultural machinery and equipment;
- the continuing tightening of credit and the government's announcement of the possible abolition of foodstuffs, the embargo (in a year) discourages potential investors from participating in the agricultural business [Buzdalov, 2010].

The Russian government's accelerated import substitution policy will require five or more years for certain types of animal products and, more importantly, significant financial support. That is why, given the difficult economic situation in the industry, even the amount of state support approved by the Government of the Russian Federation can be reduced, so we need to determine priorities

of the import substitution - first of all, taking into account the needs of social protection [Aganbegyan, Porfiriev, 2015].

It should be noted that the import substitution program has its own risks, which include:

- decrease in the competitiveness of producers and their agricultural products;
- decrease in the efficiency of the state economy as a whole;
- growing burden on the budget.

To neutralize the risks of import substitution, the following measures can be proposed:

- synchronization of the federal program of import substitution with regional programs for the development of agriculture;
- improving the effectiveness of measures to protect the domestic market of agricultural products and food from excess imports.

It seems expedient, in our opinion, to legislate high quality standards for food, which will allow Russia to avoid importing foreign low-quality and cheap products that are in demand among the population, but pose a threat to public health.

The problem of food security in Russia has become especially acute in connection with the introduction of economic sanctions by the United States and the EU countries against Russia and Russia's retaliatory measure - the introduction of an embargo on food imports [Arbenz, Good, Stopes, 2017].

The introduction of the embargo also negatively affects the price situation on the food market, leading to an increase in the price of not only imported but also national products.

The problem of minimizing the damage from the embargo to food security in Russia does not have an unambiguous solution. It can be solved in the long term only as a set of state measures with the involvement of private agricultural business, including measures for import substitution, the allocation of additional subsidies to agricultural producers, and the reorientation of the sales and distribution network from imported to domestic products.

A system of state guarantees for agricultural producers and new investors against economic damage in the event of the lifting or weakening of the food embargo would contribute to strengthening food security [Knoll, Szimtek, 2018].

The external factors of food security in Russia also include the export of agricultural raw materials and food resources, the development of new sales markets in this regard.

World experience shows that countries that have achieved stable food independence (USA, EU, Canada, etc.) are, as a rule, net exporters of food and agricultural products. Russia is not yet one of them, although it has all the prerequisites and conditions for this, being already today the largest supplier of grain crops on the world market.

Currently, there is virtually no single coordination center in the field of food export support at the level of a state body [Labykin, 2019]. A possible solution to ensure the coordination and balance of the management system of state support for food exports may be the formation of a special coordinating

center at the government level. The creation of such a body will ensure the coordination of goals and objectives for the key institutions involved in export development, securing the role and responsibility of each participant.

The modern world market in the first place puts forward the problem of the competitiveness of the agro-industrial complex as a decisive factor in the struggle for leading positions in this direction [Shcherbakova, 2017]. To ensure the competitiveness of domestic food products, in our opinion, is possible only through constant technological and technical renovation of existing production facilities, and, first of all, in terms of expanding capacities and deepening processing of raw materials in order to obtain products with higher added value.

The process of regionalization, which does not contradict the WTO rules, in the future will form, apparently, the main direction of the state's efforts in solving the problems of food security in Russia [Grigoryan, Kulagina, Signatullina, 2016].

It should also be noted that in the context of economic sanctions against Russia (and the corresponding counter-sanctions) against the background of a decrease in food imports, it is important to prevent a decrease in the level of competitiveness of domestic producers of agricultural products and food, which indicates not only the need to improve import substitution programs, but also to strengthen programs for the export orientation of the agro-industrial sector [Nesterenko, Pakhomova, 2016].

However, despite the above (and rather optimistic) forecasts and proposals, at present there is a real threat to food security in Russia, and the main problem aggravating the situation is the low level of agricultural productivity [Shultz, Pakhomova, Nesterenko, Krylova, Richter, 2015]. A significant element in the agricultural sector that affects food security is industrial relations, land tenure and land use issues, the position of the producer and the worker, since this greatly affects the nature of the productive forces, their efficiency and, ultimately, the volume of food produced and efficiency of production systems (Table 1).

Table 1. Key performance indicators of agricultural organizations in the Russian Federation.

	2000	2014	2015	2016	2017	2018
sown area. million hectares	74.2	55.3	55.1	54.7	54.4	53.6
incl. cereals and legumes	40.7	32.1	32.1	31.9	31.6	30.2
entered min. fertilizers. million tons	1.4	1.9	2.0	2.3	2.5	2.5
entered min. fertilizers per 1 hectare. kg of the whole sown area	19	40	42	49	55	56
use of min. fertilizers: import. thousand tons	126.9	55.2	69.6	88.4	212.7	218.1
number of cattle. million heads	10.5	8.3	7.9	7.6	7.5	7.4
incl. cows	6	3.8	3.6	3.4	3.4	3.4

The agro-industrial complex is a complex political, legal, socio-economic and ecological system, which is designed to ensure food production to meet the needs of the population in food, preserving and supporting its livelihoods and promoting employment and socio-cultural development of the rural population [Nazarenko, 2011].

Taking into account the above, the most important elements of the state regulation system in the agricultural sector of Russia should be the maintenance of the general level of profitability in the industry by supporting the industry and stimulating the solvency of demand and antitrust regulation [Altieri, Nicholls, Henao A., Lana M., 2015].

4 Output

In this article, we examined the key problems present in the current agro-industrial complex of the Russian Federation, and also identified the main offenses that exist in this area. The agro-industrial complex has a tremendous impact on the life and health of the population, its physical and mental resources, financial condition and mental well-being. Crimes in the field of the agro-industrial complex undermine the very foundations of normal human life, both generating many problems in modern society, and laying the foundation for future social, political and legal problems, difficulties and upheavals.

Decriminalization of the agro-industrial complex - that is, its legal and actual "cleansing" of criminal elements, punishing offenders and preventing the implementation of illegal models and patterns of activity - is a key factor in ensuring food security.

Decriminalization of the agro-industrial complex is an extremely complex, but necessary set of systemic measures aimed at minimizing violations in this area and ensuring food security. Food security, in turn, is a natural result of adequate legal regulation and other effective government activities aimed at building a harmonious and healthy society that functions in favorable conditions for development.

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