

## **VIOLATIONS IN THE COMMERCIALIZATION OF INFANT FORMULA FOR INFANTS IN COMMERCIAL ESTABLISHMENTS IN MACEIÓ, ALAGOAS**

### **VIOLAÇÕES NA COMERCIALIZAÇÃO DE FÓRMULAS INFANTIS PARA LACTENTES EM ESTABELECIMENTOS COMERCIAIS DE MACEIÓ- ALAGOAS**

### **VIOLACIONES EN LA COMERCIALIZACIÓN DE FÓRMULAS INFANTILES PARA LACTANTES EN ESTABLECIMIENTOS COMERCIALES DE MACEIÓ, ALAGOAS**



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#### **ABSTRACT**

The Brazilian Standard for the Commercialization of Foods for Infants and Young Children, Nipples, Pacifiers, and Baby Bottles (NBCAL) aims to protect breastfeeding; however, violations have been identified that expose mothers and children to abusive marketing of products that compete with breastfeeding. Objective: To identify infractions of NBCAL in the commercialization of infant formula and follow-on infant formula in commercial establishments in the city of Maceió, Alagoas. Methodology: An observational and descriptive study was conducted through visits and verification of NBCAL violations in commercial establishments (supermarkets and pharmacies) located in different neighborhoods of Maceió, Alagoas. Results: Of the 126 establishments recorded in the study, 27 presented infractions, corresponding to 21.4% of the total. Among the establishments visited, 19.8% of

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pharmacies and 25.7% of supermarkets presented infractions, indicating that supermarkets showed a higher occurrence of improper commercial promotion. The predominant commercial strategy was price discounts, but special product displays and the combination of discounts with special displays were also observed. The two types of formula analyzed in the study presented similar rates of infractions. Conclusion: Noncompliance with regulations aimed at protecting breastfeeding was identified in some commercial establishments in Maceió, Alagoas, highlighting irregularities regarding NBCAL.

**Keywords:** Breastfeeding. Human Milk Substitutes. Infant Nutrition. Direct-to-Consumer Advertising.

## RESUMO

A Norma Brasileira de Comercialização de Alimentos para Lactentes e Crianças de Primeira Infância, Bicos, Chupetas e Mamadeiras (NBCAL), visa proteger o aleitamento materno, porém é verificado que existem violações que expõem mães e crianças ao marketing abusivo de produtos que competem com o aleitamento materno. Objetivo: Identificar infrações à NBCAL na comercialização de fórmulas infantis para lactentes e fórmulas infantis de seguimento para lactentes em estabelecimentos comerciais na cidade de Maceió-AL. Metodologia: Realizou-se uma pesquisa observacional e descritiva por meio de visita e verificação de violação à NBCAL em estabelecimentos comerciais (supermercados e farmácias) localizados em diferentes bairros da cidade de Maceió-AL. Resultados: Dos 126 estabelecimentos registrados na pesquisa, 27 apresentaram infrações, correspondendo a 21,4% do total. Dos estabelecimentos visitados, 19,8% das farmácias e 25,7% dos supermercados apresentaram infrações, constatando que os supermercados revelaram mais promoção comercial indevida. A estratégia comercial predominante foi o desconto no preço, mas também foi evidenciado exposição especial e a associação de desconto e exposição especial. Os dois tipos de fórmulas analisados na pesquisa apresentaram taxas similares de cometimento de infrações. Conclusão: Foi constatada a presença de descumprimento das regulamentações destinadas à proteção do aleitamento materno em alguns estabelecimentos comerciais em Maceió-AL, evidenciando irregularidades em relação à NBCAL.

**Palavras-chave:** Aleitamento Materno. Substitutos do Leite Humano. Nutrição do Lactente. Publicidade Direta ao Consumidor.

## RESUMEN

La Norma Brasileña para la Comercialización de Alimentos para Lactantes y Niños de Primera Infancia, Tetinas, Chupetes y Biberones (NBCAL) tiene como objetivo proteger la lactancia materna; sin embargo, se han verificado violaciones que exponen a madres y niños al marketing abusivo de productos que compiten con la lactancia materna. Objetivo: Identificar infracciones a la NBCAL en la comercialización de fórmulas infantiles para lactantes y fórmulas infantiles de continuación en establecimientos comerciales de la ciudad de Maceió, Alagoas. Metodología: Se realizó un estudio observacional y descriptivo mediante visitas y verificación de violaciones a la NBCAL en establecimientos comerciales (supermercados y farmacias) ubicados en diferentes barrios de la ciudad de Maceió, Alagoas. Resultados: De los 126 establecimientos registrados en la investigación, 27 presentaron infracciones, lo que corresponde al 21,4% del total. De los establecimientos visitados, el 19,8% de las farmacias y el 25,7% de los supermercados presentaron infracciones, constatándose que los supermercados mostraron mayor promoción comercial indebida. La estrategia comercial predominante fue el descuento en el precio, pero también se evidenció exhibición especial y la asociación de descuento con exhibición especial. Los dos tipos de fórmulas analizadas en el estudio presentaron tasas similares de infracciones. Conclusión: Se constató el incumplimiento de las normativas destinadas a la protección de



la lactancia materna en algunos establecimientos comerciales de Maceió, Alagoas, evidenciando irregularidades en relación con la NBCAL.

**Palabras clave:** Lactancia Materna. Sustitutos de la Leche Humana. Nutrición del Lactante. Publicidad Directa al Consumidor.

## 1 INTRODUCTION

According to the World Health Organization (WHO), exclusive breastfeeding consists of feeding the child only with breast milk, offered directly from the breast, through pumping or from human milk banks, and the offer of other liquids or foods is not allowed (WHO, 1995). This practice is considered the most complete form of infant feeding during the first six months of life, since human milk provides all the necessary nutrients in adequate proportions for the growing organism. It is also recommended that after the introduction of complementary feeding, breastfeeding should be maintained until at least two years of age or more (Ministry of Health, 2009; Moraes et al., 2021).

Breastfeeding transcends the simple supply of nutrients to the baby, configuring itself as a complex process that involves physical, emotional and social interaction between mother and child. Scientific evidence demonstrates positive impacts of breastfeeding on the nutritional, cognitive, and emotional status of the child, as well as protection against infections and reduction of infant mortality, including a decrease in the risk of sudden infant death syndrome. The benefits also extend to women's physical and mental health, contributing to the reduction of the risk of various diseases (Sousa et al., 2021; Moraes et al., 2021; Ministry of Health, 2009).

However, in certain circumstances, the infant's access to breast milk may be limited by biological, social, or structural factors, making it necessary to use nutritional supplements, such as infant formulas (Silva, 2023).

According to Collegiate Board Resolutions (RDC) No. 43/2011 and No. 44/2011, infant formulas for infants are intended for children from birth to the sixth month of life, while follow-up infant formulas are indicated for infants from the sixth month to twelve months of incomplete age (ANVISA, 2011a; ANVISA, 2011b). These products are made from cow's milk, other animals or mixtures thereof, and may contain other ingredients considered suitable for infant feeding, with the aim of resembling human milk as far as possible.

However, the composition of infant formulas does not fully reproduce the physiological properties of human milk, which has specific characteristics from each mother to her own child. The sources of carbohydrates, proteins, and other components present in the formulas differ in identity, quality, and bioavailability when compared to human milk (Ministry of Health, 2014). Thus, such products must meet the guidelines established by the Codex Alimentarius, which defines international standards related to composition, safety, labeling, and other technical requirements (Boatwright et al., 2022).

In Brazil, there are legal guidelines that regulate the commercial dissemination and labeling of foods and products intended for infants and young children, including those up to

three years of age. The Brazilian Standard for the Commercialization of Food for Infants and Early Childhood Children, Nipples, Pacifiers and Bottles (NBCAL), instituted by Law No. 11,265, of 2006, and later regulated in 2015 and 2018 (Brasil, 2024), stands out. This legislation prohibits promotional practices in any media, including merchandising, electronic, print, sound or visual advertising.

In addition, marketing strategies that encourage direct sales to consumers in retail are prohibited, such as special exhibitions, granting discounts, pricing below cost, offering gifts, prizes, tied sales, or differentiated promotional presentations (Brasil, 2024). In this context, NBCAL is an important instrument for protecting children and their caregivers from harmful commercial practices, contributing to the preservation, promotion and protection of breastfeeding (Peres; Rinaldi, 2023).

Despite the existing legal framework, food producing and distributing companies that compete with breastfeeding recurrently develop abusive marketing strategies, which negatively influence the decisions of mothers and family members regarding infant feeding. These practices compromise adherence to the recommendations of the World Health Organization and favor a significant increase in sales and profits of the breastmilk substitute industries (Victoria et al., 2016; Silva et al., 2020; Piwoz; Huffman, 2015).

The weakness in the regular inspection of commercial establishments and the scarcity of effective educational actions about NBCAL can be attributed, among other factors, to the limited coverage of specific surveillance by the competent bodies, as well as to the influence of lobbying exercised by the infant food industry. These conflicts of interest contribute significantly to the current scenario of non-compliance with the legislation (Silva et al., 2020). In addition, insufficient knowledge of NBCAL by managers of commercial establishments, health professionals, and mothers creates an environment favorable to the perpetuation of abusive marketing, exposing families to practices that compromise breastfeeding (Boccolini et al., 2021; Piwoz; Huffman, 2015).

In this context, the present study aimed to evaluate violations of the NBCAL related to the sale of infant formulas and follow-up infant formulas in commercial establishments in the city of Maceió, Alagoas, aiming to contribute to the promotion of healthy eating practices and the protection of breastfeeding.

## 2 METHODOLOGY

This is an observational and descriptive study with the aim of evaluating compliance with the Brazilian Standard for the Commercialization of Foods for Infants and Early Childhood Children, Nipples, Pacifiers and Bottles (NBCAL), focusing on infant formulas for

infants and follow-up infant formulas for infants, in commercial establishments (pharmacies and supermarkets) distributed in several neighborhoods of the city of Maceió, Alagoas.

Data collection was carried out by five dental students in January and February 2024 through face-to-face visits and observation of the forms of commercial promotion practiced in commercial establishments. The choice of neighborhoods was planned and made in a way that allowed the socioeconomic representativeness of the different regions that comprise the city of Maceió-AL, including neighborhoods considered more elite and more popular. In this context, the total number of commercial establishments included 91 pharmacies and 35 supermarkets, totaling 126 establishments visited in 20 neighborhoods.

The data on infant formulas found with a marketing violation were cataloged according to the type of formula for each age group, the commercial name of the product and the name of the manufacturer, obtained from the label, the place where it was found and the type of violation committed. The following inclusion factors were considered: infant formulas for infants (0-6 months) and follow-up infant formulas for infants (6-12 months); and exclusion: follow-up infant formulas for children in early childhood (1-3 years of age), infant formulas indicated for high-risk newborns, and dairy compounds.

The type of trade promotion infringement has been specified in the table of results in:

1. Special exhibition;
2. Price discount;
3. Gift or sample associated with the sale of the product;
4. Special exhibition and price discount;
5. Price discount and gift;
6. Special exhibition and toast;
7. All strategies.

### 3 RESULTS

The final sample was visited by 126 commercial establishments in the city of Maceió-AL, 91 (72.22%) pharmacies and 35 (27.77%) supermarkets distributed in 20 neighborhoods of the city. The data collected regarding the types of formulas sold, type of establishment and neighborhood, and the types of commercial promotions are described in Table 1.

Regarding the visited regions of the city, there were similar numbers of total locations in each neighborhood, in order to promote a greater likelihood of the results by region. However, the results of the findings of the infractions were predominant in certain neighborhoods, which made it evident in the present study that in the most popular neighborhoods these violations were more prevalent.

Of the 126 establishments analyzed, 27 sold products with commercial promotion prohibited by NBCAL, which corresponds to 21.4% of the establishments (Figure 1), and of these, 19.8% of the pharmacies and 25.7% of the supermarkets evaluated presented infractions (Figure 2), which indicates that supermarkets were the places that most failed to comply with the rule.

Regarding the most frequent commercial promotion strategies, it was evident that price discount was the most common, followed by special exposure and special exposure associated with price discount, with no infraction of the type of gift or sample, price discount associated with gift, special exposure associated with gift and all strategies together at the same time (Figure 3). There was a difference in the percentage of undue commercial promotion in the different types of formulas, with more infractions in infant formulas compared to follow-up formulas.

**Table 1**

*Description in relative and absolute numbers, of the type of formulas sold, the types of establishment and neighborhood, and type of commercial promotion of the establishments surveyed. Maceió, Alagoas, 2024*

Image of the infraction	Formula Type	Establishment and neighborhood	Type of infraction
	Infant formula	Supermarket - Lighthouse	Price discount
	Infant follow-up formula	Supermarket - University City	Price discount

	<p>Infant formula</p>	<p>Pharmacy - University City</p>	<p>Price discount</p>
	<p>Infant follow-up formula</p>	<p>Pharmacy - University City</p>	<p>Price discount</p>
	<p>Infant formula</p>	<p>Pharmacy - University City</p>	<p>Price discount</p>
	<p>Infant follow-up formula</p>	<p>Pharmacy - University City</p>	<p>Price discount</p>
	<p>Infant formula</p>	<p>Pharmacy - Benedito Bentes</p>	<p>Discount on the price + special exhibition</p>

	<p>Infant follow-up formula</p>	<p>Pharmacy - Benedito Bentes</p>	<p>Discount on the price + special exhibition</p>
	<p>Infant formula</p>	<p>Pharmacy - Benedito Bentes</p>	<p>Price Discount</p>
	<p>Infant follow-up formula</p>	<p>Pharmacy - Benedito Bentes</p>	<p>Price Discount</p>
	<p>Infant formula</p>	<p>Pharmacy - Benedito Bentes</p>	<p>Price Discount</p>
	<p>Infant formula</p>	<p>Pharmacy - Benedito Bentes</p>	<p>Price Discount</p>

	<p>Infant formula and infant follow-up</p>	<p>Pharmacy - Benedito Bentes</p>	<p>Price Discount</p>
	<p>Infant formula and infant follow-up</p>	<p>Pharmacy - Cruz das Almas</p>	<p>Price Discount</p>
	<p>Infant formula and infant follow-up</p>	<p>Pharmacy - Cruz das Almas</p>	<p>Price Discount</p>
	<p>Infant formula</p>	<p>Pharmacy - Benedito Bentes</p>	<p>Price Discount</p>
	<p>Infant formula</p>	<p>Pharmacy - Benedito Bentes</p>	<p>Price Discount</p>

	<p>Infant formula and infant follow-up</p>	<p>Pharmacy - Benedito Bentes</p>	<p>Price Discount</p>
	<p>Infant formula and infant follow-up</p>	<p>Pharmacy - Cave</p>	<p>Price Discount</p>
	<p>Infant formula</p>	<p>Pharmacy - Tabuleiro do Martins</p>	<p>Price Discount</p>
	<p>Infant formula and infant follow-up</p>	<p>Pharmacy - Tabuleiro do Martins</p>	<p>Price Discount</p>

	<p>Infant formula</p>	<p>Pharmacy - Tabuleiro do Martins</p>	<p>Price Discount</p>
	<p>Infant formula and infant follow-up</p>	<p>Pharmacy - Tabuleiro do Martins</p>	<p>Price Discount</p>
	<p>Infant formula</p>	<p>Pharmacy - Tabuleiro do Martins</p>	<p>Price Discount</p>
	<p>Infant follow-up formula</p>	<p>Pharmacy - Ponta Verde</p>	<p>Special exhibition</p>
	<p>Infant follow-up formula</p>	<p>Pharmacy - Amélia Rosa</p>	<p>Special exhibition</p>

	<p>Infant formula for and follow-up for infant</p>	<p>Pharmacy - Prado</p>	<p>Special exhibition</p>
	<p>Infant formula</p>	<p>Supermarket - Trapiche</p>	<p>Price discount</p>
	<p>Infant formula</p>	<p>Supermarket - Trapiche</p>	<p>Price discount</p>
	<p>Infant formula</p>	<p>Supermarket - Board of the Martins</p>	<p>Price discount</p>
	<p>Infant follow-up formula</p>	<p>Supermarket - Board of the Martins</p>	<p>Price discount</p>

	<p>Infant formula</p>	<p>Supermarket - Board of the Martins</p>	<p>Price discount</p>
	<p>Infant follow-up formula</p>	<p>Pharmacy - Good Climate</p>	<p>Special exhibition</p>
	<p>Infant formula</p>	<p>Supermarket - Board of the Martins</p>	<p>Price discount</p>
	<p>Infant formula</p>	<p>Pharmacy - Cave</p>	<p>Discount on the price + special exhibition</p>
	<p>Infant formula</p>	<p>Supermarket - Antares</p>	<p>Discount on the price</p>
	<p>Infant follow-up formula</p>	<p>Pharmacy - Antares</p>	<p>Discount on the price</p>
	<p>Infant formula</p>	<p>Pharmacy - Antares</p>	<p>Price discount</p>

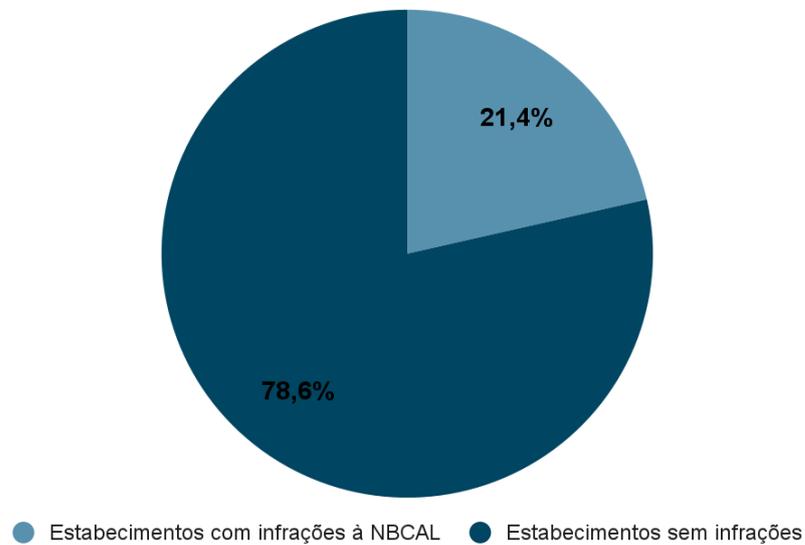
	<p>Infant formula</p>	<p>Pharmacy - Sawmill</p>	<p>Special exhibition</p>
	<p>Infant formula</p>	<p>Supermarket - Sawmill</p>	<p>Price discount</p>
	<p>Infant follow-up formula</p>	<p>Pharmacy - Sawmill</p>	<p>Price discount</p>
	<p>Infant follow-up formula</p>	<p>Pharmacy - Sawmill</p>	<p>Price discount</p>
	<p>Infant formula</p>	<p>Pharmacy - Sawmill</p>	<p>Price discount</p>
	<p>Infant formula</p>	<p>Pharmacy - Sawmill</p>	<p>Price discount</p>
	<p>Infant formula</p>	<p>Pharmacy - Sawmill</p>	<p>Price discount</p>

	<p>Infant follow-up formula</p>	<p>Supermarket - Sawmill</p>	<p>Price discount</p>
	<p>Infant follow-up formula</p>	<p>Pharmacy - Jacintinho</p>	<p>Special exhibition</p>
	<p>Infant follow-up formula</p>	<p>Pharmacy - Jacintinho</p>	<p>Price discount</p>
	<p>Infant formula</p>	<p>Pharmacy - Jacintinho</p>	<p>Price discount</p>
	<p>Infant formula</p>	<p>Pharmacy - Jacintinho</p>	<p>Price discount</p>
	<p>Infant formula</p>	<p>Pharmacy - Jacintinho</p>	<p>Price discount</p>
	<p>Infant follow-up formula</p>	<p>Pharmacy - Jacintinho</p>	<p>Price discount</p>

Source: Authors (2024)

### Figure 1

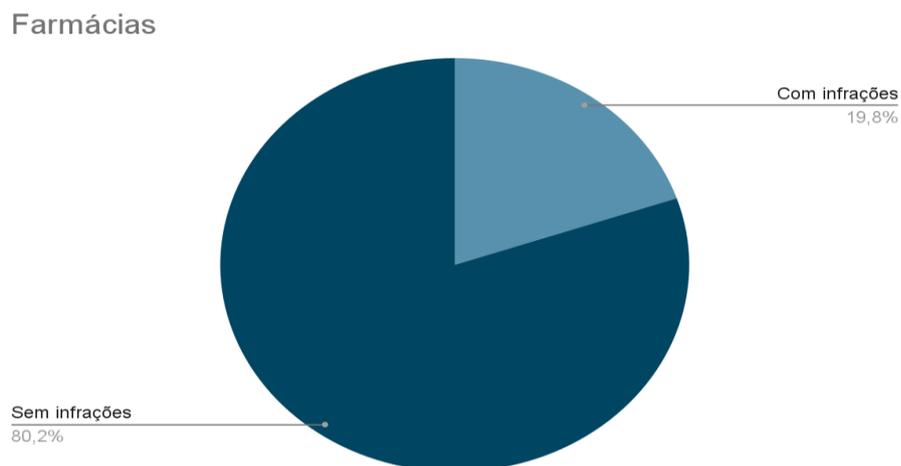
Number (%) of establishments in relation to compliance with the items surveyed referring to Law No. 11,265/2006 in the city of Maceió (AL)



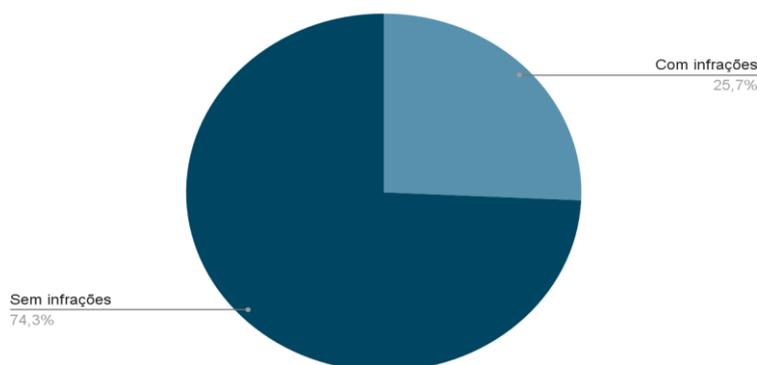
Source: Authors (2024).

### Figure 2

Quantity (%) of infractions found according to the type of commercial establishment (pharmacy and supermarket) visited



### Supermercados



Source: Authors (2024).

### Figure 3

*Quantity (n°) of the types of commercial promotion violations found in the commercial establishments visited*



Source: Authors (2024).

## 4 DISCUSSION

According to Law No. 11,265, of January 3, 2006, which regulates the commercialization of foods for infants and young children, as well as related childcare products, Article 4 expressly prohibits the commercial promotion of infant formulas for infants and follow-up for infants in any means of communication (BRASIL, 2006). However, according to the results of the present study, carried out in the municipality of Maceió, Alagoas, this legislation has been violated in part of the commercial establishments evaluated, in which infractions related to promotional strategies, such as price discounts and special exhibitions, were identified in approximately 21.4% of the places inspected.

Corroborating these findings, the 2022 NBCAL Monitoring Report, prepared by IBFAN Brasil, which includes all products subject to inspection, identified 864 records of infractions, 34.7% of which corresponded to the illegal commercial promotion of infant formula (IBFAN BRASIL, 2022). Similarly, the study by Baldani et al. (2018), carried out in commercial establishments in the municipality of Uberlândia, Minas Gerais, showed that 46.8% of the infant formulas analyzed had commercial promotion in disagreement with the legislation. These data demonstrate that, despite the decades of validity of the NBCAL, a significant number of violations persist, which can compromise the promotion, protection and support of breastfeeding.

Regarding the type of commercial establishment with the highest frequency of non-compliance with the NBCAL, supermarkets had the highest proportion of infractions (25.7%), followed by pharmacies (19.8%). These findings are in line with the study by Padilha (2011), carried out in the municipality of Recife, Pernambuco, which also identified supermarkets as the main places of non-compliance with the legislation, followed by grocery stores and pharmacies. However, these results differ from those found by Silva et al. (2020), in a study carried out in the South Zone of Rio de Janeiro, in which pharmacies had a higher prevalence of illegal promotions (19%) compared to supermarkets (2%).

Also according to Silva et al. (2020), when evaluating 352 commercial establishments, 20.3% of the places that sold products covered by the NBCAL had illegal promotions, with price discounts being the most frequently observed strategy. These data are similar to those found in the present study, in which the price discount was also configured as the main infraction strategy, being present in 21.4% of the establishments visited. In addition, strategies such as special exposure and the association between price discount and special exposure were identified, to a lesser extent, practices also described by Silva et al. (2021) in a study conducted in the cities of Belém and São Paulo, as well as by Lima et al. (2023) in the municipality of Toledo, Paraná.

Regarding the types of formulas analyzed, Silva et al. (2021) observed a higher prevalence of infractions in infant formulas when compared to follow-up formulas, both in Belém and São Paulo. This finding converges with the results of the present study, in which formulas intended for infants also presented a higher number of infractions in relation to follow-up formulas. These results reinforce the relevance of NBCAL as an essential instrument of public policy to promote breastfeeding and control the commercialization of products that compete directly with this practice.

The benefits of breastfeeding are widely recognized, as it constitutes the most complete food for the baby and involves a significant interaction between mother and child,

with positive impacts for both the child and the woman. In addition to its influence on nutritional status, breastfeeding contributes to the physical, emotional and cognitive development of the child, in addition to strengthening protection against infections (MINISTRY OF HEALTH, 2009; MORAES et al., 2021). In addition, the benefits of breastfeeding extend to the mother's physical and mental health (SOUSA et al., 2021). On the other hand, infant formulas do not reproduce most of these effects and may be associated with risks such as gastrointestinal alterations, contamination during preparation, food allergies related to cow's milk protein, and respiratory alterations (MINISTRY OF HEALTH, 2014). Thus, despite their usefulness in specific situations that make breastfeeding impossible, infant formulas should only be used as a dietary supplement, as indicated appropriately (SILVA, 2023).

Despite efforts to promote breastfeeding and regulate the sale of infant foods, irregularities persist in commercial establishments. The insufficiency of supervision and application of sanctions contributes to a scenario in which practices harmful to public health remain recurrent (PIWOZ; HUFFMAN, 2015; VICTORA et al., 2016). This context highlights the need for intensified monitoring by inspection agencies, as well as educational actions aimed at the appropriate advertising of these products and the valorization of breastfeeding.

In this scenario, one of the factors that can explain the non-compliance with the NBCAL is the lack of knowledge of the legislation on the part of professionals who work in commercial establishments. Lima et al. (2023) observed that 50% of the pharmacists interviewed in the municipality of Toledo, Paraná, were unaware of NBCAL. Similarly, Silva et al. (2020) reported that 50.8% of those responsible for commercial establishments in the South Zone of Rio de Janeiro were not aware of the standard, while Rodrigues et al. (2021) found that 53.7% of pharmacy employees interviewed in the same region were also unaware of the current legislation.

In view of this, it is essential that owners of supermarkets, grocery stores and pharmacies pay attention to compliance with the NBCAL. The importance of the ethical and responsible performance of the pharmacist in establishments that sell infant formulas is also highlighted, since it is the duty of this professional to know and respect the applicable health legislation.

Therefore, it is necessary to foster an ethical commitment to compliance with the NBCAL, both on the part of manufacturers and distributors, who have the obligation to disseminate the standard, and on the part of health professionals and traders. In addition, it is essential that the government implements public policies that strengthen the effectiveness of legislation, through continuous educational and inspection actions.

Although it is complex to accurately measure the direct impact of adherence to the NBCAL on breastfeeding indicators, it is recognized that the standard plays an essential role as one of the pillars of the policy of promotion, protection and support of breastfeeding, acting as a safeguard against abusive marketing practices.

For future studies, it is suggested to investigate the level of knowledge of managers and employees of commercial establishments about NBCAL, as well as to analyze the impact of marketing strategies on the target audience, evaluating their influence on purchasing decisions. It is also recommended that evaluations be carried out in conjunction with NBCAL management groups, in order to analyze the effectiveness of the inspection and the outcome of the complaints registered.

With regard to the registration of complaints, according to the NBCAL information booklet: to know the law, made available by IBFAN Brasil, infractions must be reported to the municipal Health Surveillance, and can also be registered with the Anvisa Ombudsman, the Food Advertising Observatory, Procon and the Public Prosecutor's Office (IBFAN BRASIL, 2021). Complaints must be accompanied by evidence of the infraction and, in view of the scenario of misinformation, direct contact with those responsible for the establishments is recommended to clarify the irregularities identified.

In cases of non-compliance with the NBCAL, Law No. 6,437 of 1977 characterizes violations of federal health legislation and establishes the corresponding sanctions, including fines that vary according to the severity of the infraction, and may be doubled in cases of recidivism (BRASIL, 1977). The responsibility for the sanitary infraction falls on those who, directly or indirectly, have contributed to its occurrence.

Thus, it is recommended to strengthen inspections and continuous monitoring, considering the time the legislation has been in force, as well as the prioritization of educational actions aimed at advertising children's products and the promotion of breastfeeding as fundamental instruments for promoting the health of the population.

## 5 CONCLUSION

The results of the present study reveal that there are places that do not comply with the regulations aimed at the protection of breastfeeding in some commercial establishments in the city of Maceió-AL, evidencing irregularities in relation to the NBCAL.

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