

## MONITORING COMPLIANCE WITH NBCAL IN PHARMACIES IN SANTA LUZIA (MG)

*MONITORAMENTO DO CUMPRIMENTO DA NBCAL EM FARMÁCIAS DE SANTA  
LUZIA (MG)*

*MONITOREO DEL CUMPLIMIENTO DE LA NBCAL EN FARMACIAS DE SANTA  
LUZIA (MG)*

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### ABSTRACT

To monitor NBCAL in pharmacies located in Santa Luzia (MG) and evaluate the knowledge of pharmacists about this Norm. It consisted of field research carried out in 2022, in which visits were made to pharmacies observing the presence of infractions to NBCAL. Subsequently, pharmacist responsible for the establishment was advised according to the infractions found. Several infractions to NBCAL were observed in pharmacies in the municipality of Santa Luzia/MG, resulting in 75% of establishments with irregularities, as well as it was demonstrated that the knowledge about the Norm by pharmacists is superficial or in some cases non-existent. Effective monitoring is necessary to reduce irregular sales and ensure responsible consumption. Pharmacists also need more training to properly guide consumers and protect breastfeeding.

**Keywords:** *Food Consumption; Breastfeeding; Complementary Feeding.*

### RESUMO

Realizar monitoramento da NBCAL em farmácias situadas em Santa Luzia (MG) e avaliar o conhecimento dos farmacêuticos sobre essa Norma. Consistiu em uma pesquisa de campo realizada no ano de 2022, na qual foram feitas visitas às farmácias observando a presença de infrações à NBCAL. Posteriormente, orientou o profissional farmacêutico responsável pelo estabelecimento conforme as infrações encontradas. Foram observadas diversas infrações à NBCAL nas farmácias do município de Santa Luzia/MG, resultando em 75% dos estabelecimentos com irregularidades, bem como foi demonstrado que o conhecimento a respeito da Norma pelos farmacêuticos é superficial ou em alguns casos inexistente. É necessário um monitoramento eficaz para reduzir as vendas irregulares e garantir o consumo responsável. Os farmacêuticos também precisam de mais formação para orientar adequadamente os consumidores e proteger a amamentação.

**Descritores:** *Consumo Alimentar; Aleitamento Materno; Alimentação Complementar.*

### RESUMEN

Realizar el monitoreo de NBCAL en farmacias ubicadas en Santa Luzia (MG) y evaluar el conocimiento de los farmacéuticos sobre esta Norma. Consistió en una investigación de campo realizada en 2022, en la que se realizaron visitas a farmacias observando la presencia de infracciones a NBCAL. Posteriormente, se informó al farmacéutico responsable del establecimiento según las infracciones encontradas. Se observaron varias infracciones a NBCAL en farmacias del municipio de Santa Luzia/MG, resultando en un 75% de establecimientos con irregularidades, así como se demostró que el conocimiento sobre la Norma por parte de los farmacéuticos es superficial o en algunos casos inexistente. Es necesario un monitoreo efectivo para reducir las ventas irregulares y garantizar el consumo responsable. Los farmacéuticos también necesitan más capacitación para guiar adecuadamente a los consumidores y proteger la lactancia materna.

**Descritores:** *Consumo Alimentario; Lactancia Materna; Alimentación Complementaria.*

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## INTRODUCTION

Breastfeeding is something essential for the health of the child, being more than necessary when it comes to the first months of life. As breast milk has multiple protective factors, breastfeeding as an exclusive source of food protects the infant against allergies and infectious diseases, such as diarrhea, pneumonia, and otitis. In addition, babies exclusively fed with breast milk have less chance of developing malnutrition or obesity in childhood<sup>1</sup>.

Secondly, in individuals who consumed breast milk, one can observe, in the long term, during adolescence and adulthood, a reduction in the risk of acquiring chronic diseases such as obesity, dyslipidemias, diabetes, and arterial hypertension<sup>2,3</sup>.

In addition to being an important practice for the development, promotion, and maintenance of the infant's health, breastfeeding brings benefits to mothers such as protection against breast cancer and the guarantee of faster weight loss during the puerperal period<sup>4,5</sup>.

Another observed benefit is the stimulation of the affective bond between mother and baby, given that the physical and emotional union generates pleasant feelings, producing a sensation of love, affection, and attachment between both<sup>6</sup>.

However, even though so many benefits of breastfeeding are known, it should be noted that this practice depends on the mother's self-confidence, the proximity between her and the child, the possibility of breastfeeding at any time, and community acceptance. Thus, it is very important that the nursing mother is encouraged throughout this process, since a mother's confidence can be easily shaken. Even subtle messages are enough to make her question her ability to breastfeed or even the quality of her milk production<sup>7,8</sup>.

Rego<sup>9</sup> points out the misinformation of the population, including health professionals, as one of the causes of early weaning. The author highlights that the reasons for interrupting breastfeeding are often indicated by the medical team itself and draws attention to the importance of training health professionals to increase the prevalence of breastfeeding.

In this way, the participation of health professionals in a multidisciplinary way in the scope of the protection and promotion of policies that encourage breastfeeding is relevant, and the topic should also be addressed in the media with the intention of guiding families and society about the importance of breastfeeding for child development. Even though there are difficulties faced by mothers and babies regarding the act of breastfeeding itself, such as the appearance of lesions, nipple fissures, engorgement, and low weight gain by the baby, there should be appropriate guidance in order to treat the problem without early weaning occurring or without there being a substitution of breast milk for other products<sup>10</sup>.

Another possible cause of early weaning is the marketing practices of infant foods which, in recent years, have taken on different aspects. It can be said that the increase in marketing at the end of the last century was a response to the growing absorption of female labour and the consequent need to facilitate the way of feeding children. Over time, it was observed that infant food producers intensively sought new markets to maintain their sales and profits<sup>11</sup>.

The use of marketing strategies such as attractive packaging and the irregular marketing of products (special exposure of formulas and accessories aimed at babies, provision of advantages to the managers/sellers of the points of sale, and advertising in any mass media) require extreme attention from health surveillance to industrialized infant foods and the promotional messages that accompany them<sup>12</sup>.

Many professionals believe that they are not “corrupted” by marketing, however, this idea may be mistaken, as many industries focused on the dissemination and commercialization of their products see professionals as responsible pieces for the productivity of their services<sup>7</sup>.

According to Barbosa<sup>13</sup>, it is recommended that the professional have a clear view of the law of protection against the marketing of deceptive advertisements, which directly and negatively affect the practice of breastfeeding and, consequently, cause more damage to child health. In addition, it is recommended to the responsible professionals not to accept sponsorship from the industries of infant foods, bottles, and pacifiers, since this would involve a serious conflict of interests and unethical conduct.

Due to the abusive marketing strategies adopted, it is observed that the formulas and accessories aimed at infants and early childhood children have often been marketed in an incorrect and irresponsible way, being used even without any indication from a doctor or nutritionist, which directly affects breastfeeding. When opting for the use of industrialized formulas there is a significant increase in the probability of premature weaning<sup>14</sup>.

In this way, aiming to protect breastfeeding and restrict marketing on products called substitutes for breast milk, a normative set was created in 1988, known as NBCAL - Brazilian Standard for the Marketing of Foods for Infants and Early Childhood Children, Pacifiers, Pacifiers and Bottles, which regulates the commercial promotion and labelling of foods and products intended for newborns and children up to 3 years of age<sup>15</sup>.

NBCAL aims to contribute to the appropriate use of products such as industrialized milks, porridges, pacifiers, pacifiers, and bottles, so that there is no interference in the practice of breastfeeding. Its requirements cover a group of strategies aimed at promoting, protecting, and supporting breastfeeding. Thus, NBCAL constitutes a protective barrier so that actions to promote and support breastfeeding are efficient<sup>15</sup>.

In order to enforce the law proposed by NBCAL, the IBFAN Network (International Baby-Food Action Network or International Network in Defense of the Right to Breastfeed) carries out annual monitoring. This is done in physical and online stores, in different states of Brazil, and the results are disclosed in reports and educational folders, identifying infractions to NBCAL and reporting abusive commercial promotion practices of products that harm breastfeeding<sup>16</sup>.

Such monitoring allows detecting irregularities in relation to compliance with NBCAL, evidencing the extent of the problem found in different municipalities throughout the country and thus facilitating the mobilization and sensitization of society to enforce this important Law<sup>17</sup>.

The IBFAN Network is a non-governmental entity whose main objective is to contribute to the improvement of breastfeeding practices through the knowledge and sensitization of people, training them for the promotion, support, and protection of

healthy practices on infant feeding, thus collaborating with the fall in the rate of infant morbidity and mortality through monitoring and denouncing inappropriate practices of marketing food and childcare articles<sup>18</sup>.

The work carried out by the IBFAN Brazil Network served as a basis for monitoring in pharmacies located in the central region of the city of Santa Luzia (MG), through the verification of compliance with NBCAL and guidance to pharmaceutical professionals. It is worth noting that the research carried out pioneeringly evaluated such infractions, since there are no official data available for this municipality. The absence of official data makes it difficult to compare the data found or even the analysis of the improvement of relevant aspects such as the effectiveness of the application of the standard or the increase/decrease in the rate of infractions.

## **METHODS**

The objective of the work was to carry out the monitoring of NBCAL in pharmacies located in the municipality of Santa Luzia/MG. Monitoring of pharmacies was carried out aiming to find possible infractions to NBCAL, as well as an interview conducted through a semi-open questionnaire, which was based on the official monitoring form of the IBFAN Network<sup>19</sup>. This questionnaire was directed to the pharmacists responsible for the commercial establishments with the purpose of evaluating their knowledge about this norm.

According to Marconi and Lakatos<sup>20</sup>, the main methods of quantitative research, some common to qualitative approaches, are interviews (direct or structured), questionnaires (closed or semi-open), forms, systematic or structured observations, sample selection, data collection, reviews and analyses, as well as data interpretation. For the purpose of complementing, as well as ratifying the information discussed here, field research was carried out, which consisted of an investigation focused on observation, data collection, and analysis of the interpretation of the results.

### *RESEARCH DESIGN*

This is a randomized experimental study carried out in pharmacies in the Municipality of Santa Luzia/ MG. Under Law No. 13.021, of August 8, 2014, which provides for the exercise and supervision of pharmaceutical activities, the pharmacy is classified as a service provision unit intended to provide pharmaceutical assistance, health assistance and individual and collective sanitary guidance, in which the manipulation and/or dispensing of magistral, officinal, pharmacopoeic or industrialized medicines, cosmetics, pharmaceutical inputs, pharmaceutical products and related products<sup>21</sup>.

### *CHARACTERIZATION OF THE STUDY*

Site the research was carried out in the city of Santa Luzia (MG), which has an approximate population of 202,942 inhabitants according to the last IBGE census<sup>22</sup>, with a Municipal Human Development Index (MHDI) of 0.715<sup>23</sup>.

The study was developed in the central area, which covers the neighbourhoods Centro, Bom Jesus, Bonanza, Boa Esperança, São João Batista, Bela Vista, Santa Mônica, São Geraldo, Camelos and Esplanada.

### SAMPLE FRAME

Considering the total number of 118 pharmacies in the municipality of Santa Luzia (MG), provided by the Regional Pharmacy Council (MG), the monitoring of all 16 establishments located in the central region of the city was carried out, which corresponds to 15% of the total number of the municipality, which were listed, visited and later evaluated according to the objective of this research. This sampling is representative of the population of pharmacies in the city, that is, it reflects the characteristics and diversity of commercial establishments that sell products subject to NBCAL.

## RESULTS

### SCOPE OF MONITORING

Within the scope of monitoring During the visits, it was possible to observe the occurrence of infractions in 12 (twelve) of the 16 (sixteen) monitored establishments.

### OBSERVED INFRACTIONS

Infractions found In Table 1, constructed from the infractions found, it is observed that the absence of a warning phrase was the most found problem, followed by illegal commercial promotion.

**Table 1. Infractions to NBCAL and corrective measures in pharmacies of Santa Luzia-MG.**

Offending Establishments	Type of Infraction	Product	Infraction Correction
5	Absence of warning phrase	Follow-up formula for older infants and formulas for young children	children Include the warning phrase: " <i>The Ministry of Health informs: after 6 (six) months of age continue breastfeeding your child and offer new foods</i> ".
4	Illegal commercial promotion. Absence of warning phrase	Infant formula for infants	Commercial promotion of these products is prohibited. They can be marketed correctly in spaces exclusively for the display of products from the infant universe, it is advisable to include the phrase: " <i>The Ministry of Health informs: breastfeeding prevents infections and allergies and is recommended until 2 (two) years of age or more</i> ".
2	Illegal commercial promotion	Bottles and Pacifiers	Commercial promotion of these products is prohibited. They can be marketed correctly in spaces exclusively for the display of products from the infant universe, a place where the exposure of products does not constitute an act of irregular/illegal.
1	Absence of warning phrase	Dairy Compound	Include the warning phrase: " <i>The Ministry of Health informs: after 6 (six) months of age continue breastfeeding your child and offer new foods</i> "

Source: Authors' data.

## DISCUSSION

The infractions found and cited characterize the infractions of "exposure and illegal commercial promotion of products defended by NBCAL" and/or "absence or

illegibility of warning phrases near the products”, as provided for by Law No. 11.265/06. According to article 3 of Law No. 11.265/06:

“XXVII - Commercial Promotion: is the set of informative and persuasive activities from companies responsible for production or manipulation, distribution and commercialization with the aim of inducing the acquisition or sale of a certain product.

XIV - Special Exposure: Any form of exposing a product in order to highlight it from the others, within the scope of a commercial establishment, such as showcase, gondola end, pyramid or island product stacking, crates, shelf ornamentation and others defined in regulation.

V - Special Presentation: any form of product presentation related to commercial promotion that aims to induce acquisition or sale, such as promotional packaging, fantasy packaging or sets that aggregate other products not covered by this Law”<sup>24</sup>.

Out of a total of 12 (twelve) offending establishments, in 5 (five) the absence of warning phrases was found near the follow-up infant formulas for early childhood and 1 (one) committed the same infraction during the commercialization of dairy compound. For such products, the warning phrase is mandatory as provided for by Law No. 11.265<sup>24</sup>.

It is mandatory, in case of commercial promotion of these products, to include visual or auditory highlight, according to the means of dissemination, in the following words: — for milks in general and follow-up infant formula for early childhood, “The Ministry of Health informs: breastfeeding prevents infections and allergies and is recommended until 2 (two) years of age or more”; — for dairy compounds, “The Ministry of Health informs: after 6 (six) months of age continue breastfeeding your child and offer new foods”<sup>25</sup>.

In other 4 (four) establishments, the commercial promotion of infant formulas for infants was observed, which is illegal according to article 4 of Law 11.265 of 2006<sup>24</sup>. In 2 (two) of the offending establishments, the special presentation of bottles and pacifiers was observed, in headers and gondola ends, which is considered illegal by Brazilian legislation, as provided for by the aforementioned law<sup>24</sup>.

Special exposure comprises a type of tool that is essential to the commercial environment. Products allocated in places, quantities and propitious moments and signaled in an attractive way tend to hold the buyer’s attention and influence consumption<sup>26</sup>.

From the field research, it was possible to observe that pharmacies often act in disagreement with NBCAL and, in this way, harm the judgment of many mothers who end up compromising the health and development of their babies when they are persuaded by the marketing that involves the food industry, which aims to compete with breast milk. It was observed that 75% (12 out of a total of 16) of the monitored establishments presented infractions, most of them related to the promotion of follow-up infant formulas for early childhood, as well as the absence of mandatory warning phrases whose obligation is established by Law 11.265/2006<sup>24</sup>.

On the official website of the Regional Pharmacy Council of Minas Gerais, there is information about NBCAL. For all pharmaceutical professionals to have access to this



norm, just access it in the Legislation<sup>27</sup> tab of the site. It is observed that this alone is not enough, suggesting the inclusion of this topic as a mandatory item in higher education in the pharmacy course.

The study by Bartolini<sup>28</sup> showed that many pharmacists who work in pharmacies that infringed NBCAL claimed ignorance of its existence. Others, however, admitted to knowing it and still committed infractions. In the present study, a similar situation occurred, since, among the professionals who claimed to know NBCAL (25%), half of them (12.5%) committed infractions such as the omission of warning phrases whose obligation is backed by law and the carrying out of illegal commercial promotions.

Pharmacists represent 100% of the professional class present in the establishments. Therefore, it is crucial that these professionals act in commerce with the differential of being considered health professionals with activity in pharmacies, where they have effective access to the population and play an important role in complying with NBCAL<sup>29</sup>.

The qualification and training of professionals who work in commerce, specifically those considered as health professionals in the pharmaceutical area, is necessary to comply with the norm, since these professionals are constant targets of advertising campaigns carried out by the food industry aimed at infants and early childhood children<sup>30</sup>.

In this way, it would be interesting to evaluate the curriculum of the courses offered in pharmacy colleges with a view to including the contents related to NBCAL. This would allow professionals to complete their graduation with the necessary knowledge about NBCAL, which means having the notion that early weaning can be seen as a public health problem<sup>17</sup>, with health professionals having the appropriate training to assist in coping with this and to comply with the law already established, which is often infringed in various ways.

It should be noted that the research carried out evaluated such infractions in a pioneering way, since there is a lack of official data available for the municipality of Santa Luzia. In addition, comparing the present work to a study with the same objective carried out by Fagundes<sup>30</sup>, in the city of Ouro Preto (MG), it was found that the infractions found in the municipality of Santa Luzia (MG) are alarming, since 75% of the establishments are offenders, while in the municipality of Ouro Preto (MG), a total of 28.6% of offending establishments were found in the year 2022, which reinforces the importance of adopting the recurring practice of monitoring in Santa Luzia (MG).

## CONCLUSION

The results obtained in the field research and now discussed aim to provide information, mainly so that the responsible Health Surveillance agencies intervene and take actions to instruct the pharmaceutical professionals who work in the municipality of Santa Luzia (MG). This information may also subsidize actions of the municipality's commerce that implement strategies that assist in the effective compliance with the NBCAL norm in favour of babies, children and parents, thus contributing positively to maternal-infant health. With the availability of this information about the alarming

percentage of infractions, we hope to improve the health and well-being of mothers and children in Santa Luzia (MG).

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