



Brazilian Regulation of Advertising for Ultra-Processed Children's Foods in Digital Media

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Introduction

Currently, the consumption of ultra-processed foods has increased, leading to the development of chronic diseases in the population, such as diabetes, hypertension, and cancer, even in children. Similarly, technology is very present in the daily lives of people of all ages. Therefore, the food industry has identified digital channels as a means of advertising this type of food. However, despite having an extensive regulatory framework on various health-related topics, Brazil lacks specific regulations on the advertising of ultra-processed children's foods in digital media, lagging behind the legislation of other countries on this matter. Furthermore, the Legislative branch plays a very timid role in public health policies, leaving the responsibility to the Executive branch, which already has an overload in the regulatory function. Hence, there is a need to analyze how Brazilian regulation of advertising for ultra-processed children's foods is adapted for application in digital media, as advertisements have been carried out based on rules for physical products without specific guidance. In this work, patterns of how YouTube conducts this type of advertising on channels targeting children will be identified. Additionally, the current regulation and its applicability to digital media will be examined, exploring the contribution of the legislative branch in shaping these public policies. Finally, a comparison will be made between the regulatory situation in Brazil and Canada regarding legislation on advertising of ultra-processed children's foods in digital media.

Brazilian Regulation

Brazil is one of the countries in the world with the largest number of rules issued. According to data from the Brazilian Institute of Tax Planning - IBPT, an institution dedicated to studies on the structuring of national taxes, since the promulgation of the 1988 Federal Constitution, more than 5.2 million rules have been published, which represents, by 2023, an average of more than 700 rules published every working day [1]. However, despite this extensive regulatory framework, the hypothesis arises that there are no specific regulations on the advertising of ultra-processed children's foods in digital media. At the moment, there are a few Brazilian laws and regulations that deal with ultra-processed foods, but none provide specific advertising rules for digital environments. As this type of advertising in digital media in Brazil does not seem to be specifically regulated, legislation is used in an adapted way, which leaves the country lagging behind others that already have well-developed regulations on the subject. It is only natural that, in order to reach the consumer public for these foods, which are found in digital environments due to the widespread use of these technological tools, the industry has started to use digital media to advertise its products [2]. Food companies use paid articles in the media to advertise their products, including ultra-processed foods. These paid articles are usually presented as editorial content, but their aim is to promote a particular brand or product [3]. It is worth

mentioning that there is an ongoing problematize about the need to update the regulation of food advertising, especially with regard to ultra-processed foods, in order to adapt to the new forms of advertising that have emerged with the advance of technology and the popularization of social networks.

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