
Institutions and Regulations of Television Food Advertising for Children: an economic sociological perspective of markets

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Abstract

Discussions on the regulation of advertising for children have increased in the last few years (KELLY, 2010; INSTITUTO ALANA, 2012; INSTITUTO PALAVRA ABERTA, 2011), as much in Brazil as in the rest of the world. They have been occurring within several arenas, but specifically, the economical theory has been used as grounds to defend self regulated advertising, therefore avoiding State regulation (INSTITUTO PALAVRA ABERTA, 2011). On the other hand, those who defend State regulation argue that the consequences of said advertising on children are too prejudicial to be left to market regulation, done through its own companies and private agencies. While this discussion goes on, commercials continue to be aired and frequently watched by children. The goal of this article is to discuss the regulation of food advertising for children on television, through the analysis of commercials aired on three different Brazilian networks. This analysis will be achieved starting from the concept of market, contrasting the economic theory and the economic sociology perspectives. Data gathering was done in three television networks (Globo, Discovery Kids and Cartoon Network), in two different stages, of six days each. Two days for each network, 10 hours worth of recordings, from 8 AM to 6 PM. The first stage: from March 19th to March 26th, 2012; and the second stage: from April 23rd to April 30th, 2012. Weekends were excluded. In a total of 120 hours of recording time, there were 1,689 commercials, not including self promoting commercials from the networks (films, soaps, shows, sports). Out of those before mentioned, 70 were food commercials, of which 9 were selected for the analysis: Ades Juice (carton), Bauducco cookies, Bauducco swiss roll, Danoninho Crush, Del Valle Kapo Juice (carton), Fini jellied candies, Habib's (Brazilian/arab fast food), Ovomaltine and Cheetos Elma Chips. The chosen criteria were: (a) they should last for 0:30 seconds; (b) the product advertised should be food aimed for children; (c) they shouldn't be Easter product. These commercials were aired 33 times during the research's period, between a minimum of once and a maximum of six times, the mode airing frequency being four times. The commercials were analyzed through the use of Atlas Ti software. The coding aimed at identifying the information and meanings conveyed by the commercials. Of the selected commercials, none could be easily classified as a healthy food, actually more than half could be considered as unhealthy/junk food when the amount of sugar and fat are taken into account. The Economic theory advocates that commercials are necessary to improve

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consumer knowledge of the product, however, none of the commercials offered nutritional information or explanations about the possible benefits or damages to one's health. The commercials appeal to the imagination and the playfulness of the child, seeking to entice and not to inform. One can make an analogy of the advertising market for children's food with the noxious markets described by Debra Satz (2010), which would be more prejudicial to society, the more efficient they were. On the other hand, this market seems closer to what Fligstein (2001) calls as market as field, where conflicts and disputes build and transform the market. The self regulation theory seems to be an attempt to define different conceptions of control, that will benefit that market's dominant companies.

Key words: institutions, market, economic sociology, advertising to children, regulation

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1. Introduction

Discussions on the regulation of advertising for children have increased in the last few years (KELLY, 2010; INSTITUTO ALANA, 2012; INSTITUTO PALAVRA ABERTA, 2011), as much in Brazil as in the rest of the world. They have been occurring within several arenas, but specifically, the economical theory has been used as grounds to defend self regulated advertising, therefore avoiding State regulation (INSTITUTO PALAVRA ABERTA, 2011). On the other hand, those who defend State regulation argue that the consequences of said advertising on children are too prejudicial to be left to market regulation, done through its own companies and private agencies. While this discussion goes on, commercials continue to be aired and frequently watched by children. The goal of this article is to discuss the regulation of food advertising for children on television, through the analysis of commercials aired on three different Brazilian networks. This analysis will be achieved starting from the concept of market, contrasting the economic theory and the economic sociology perspectives.

2. The Market under the Perspective of the Economics Theory

In order to understand the defense of self-regulation from the perspective of Market, it is first needed to understand which definition of market this perspective uses. The market according to the Economic Theory is the space in which individuals perform their trades. It is in the interaction between buyers and sellers, in the relation between supply and demand that the market equilibrium occurs. (PINDIYCK; RUBINFELD, 2010). The market is able to regulate itself, i.e., it allocates in an efficient way the resources as far as its participants have the freedom to enter or leave this market and offer a product to the price they prefer and choose to buy or not based on self-interest, without any outside coordination. As far as the assumptions of the market are accepted, it is efficient. The idea that the market allocates in an efficient way the resources, and that it organizes itself has spread through various areas (SATZ, 2010)

The Economics Theory itself has put limits to the functioning of markets from the concept that flaws may occur, which would result to an inefficient functioning of these markets. Limited rationality, information asymmetry and costs of transaction hamper the efficient functioning of the market generating the necessity to create institutions that establish rules to the game and bring back its efficient functioning (NORTH, 1990). The loosening of market assumptions of perfect competition develops the New Institutional Economics (NIE). There is a distinction between the Classical Economics Theory and the Neoclassic and the NIE, while the first one assumes market efficiency, the second tries to understand which are the best conditions for efficient market functioning (RITCHER, 2001). From this comes the importance of the Institutions. They are seen as attrition in mechanical systems that can be responsible for both restriction and control of something's progress. (LOASBY, 2000). In NIE "the Institutions and social arrangements, previously considered as the result of casual political, social, historical or legal forces, can be better interpreted as efficient solutions to determined economic problems" (SANTOS, 2007). The institutions allow the market to

function in an efficient way, and by consequence, it is not necessary to have external regulation from the State, which should only certify that the institutions are working.

Advocates of advertising self-regulation take from these premises to argue that it would be the most efficient means of coordination, since this could happen through the market with rules established and followed by the participants themselves (PAIXÃO, 2004). Self-regulation is a type of regulation and not the absence of regulation, and should be defined as a non-public regulation. It seeks the efficient economic functioning (MOREIRA, 1994). The State has the obligation to supervise self-regulation to ensure that public interests, free competition and consumer rights are not being neglected in favor the interests of the self-regulated agents, i.e., the state should have the responsibility to make institutions function so that the market can be efficient and get organized. The power of self-regulating market agents should be uniform so that self-regulation does not work as an instrument of domination and dictatorship by the strongest of the market. (WERNECK, 2004), in order to prevent the flaws in the efficient functioning of the market.

The strengthening of the economic vision of the Market and its dissemination to other areas also brought as consequence criticism and proposals of other visions. These other perspectives are presented hereinafter.

3. Another Perspective of the Market

The crisis in 2008 brought a challenge to the assumption that the market is capable of being efficient on its own coordination, because if it is capable of regulating itself how was it possible to occur a crisis of this magnitude? (DAVIS, 2009). The criticisms to the economical thinking of the mainstream are not new, but have grown bigger due to the current situation. One of the criticisms that has been strengthened is that the way economists face the market has to be rethought.

The market as an Institution means that it is a social space, a field, in which buyers and clients meet to trade, but it is also to build and make this space stable. This stability depends on the power of the market participants, their relationships, the history of this relationship, the rules of society and also the State (FLIGSTEIN, 2001). Fligstein (2001) mentions four types of rules which are necessary to structure a market: a) property rights; b) governance structure; c) rules of Exchange; and d) conceptions of control. For this article we will only look further into conceptions of control. They reflect the deal of how the actors in the market are going to relate, i.e., how incumbents and challenger seller firms compete, cooperate, how hierarchy is applied and the status of each one, in which the incumbents reproduce this relationship as a way to maintain the market stability. Conceptions of control are produced historically and culturally, and permit the cognitive perception of how a market works.

The second aspect comes directly from the first one. The market is socially built, as it can be understood as Institution and these are socially built within a sociological perspective. Zelizer (2007) researches the American life insurance market and shows how it is historically and socially built, and not simply given. The author shows the construction of the religious, moral and social legitimacy of life insurance, and how it would be impossible the existence of this market without it. Therefore, meaning, values and cognition are important to the construction,

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functioning and coordination of markets. The markets can't be treated as possessing a universal functioning mechanism any longer, i.e., any market works in the same way.

Finally, the third aspect is raised by Satz (2010) that argues that it is necessary to understand the specificity of markets. Through discussions of the economical and political philosophy, the author presents the concept of noxious markets. Noxious markets are those which cause negative externalities to society, so negative that it shouldn't be allowed for these markets to exist (SATZ, 2010). Four parameters are established to characterize the toxicity of the market. The first parameter establishes that a market is noxious if it harms the participants of the market or third parties. The second parameter refers to the damage to society as a whole and not to specific agents of the market. The third parameter occurs when there are low knowledge markets or low agency capacity, or a great asymmetry in any of them. The fourth parameter reflects the existence of high vulnerability from one of the parts in the transaction. In the occurrence of these parameters, even when the market is efficient in the economical sense of the term, it causes damage, and the more efficient it is, the more damage it will cause. Hence, markets of this nature should be avoided.

By looking at the market under this new perspective it is possible to reach another view on publicity regulation, especially on children food advertisement.

4. Methodology

To better achieve the objective proposed in this article, a cross section qualitative and descriptive research was carried out while secondary and primary data were analyzed. In the secondary data the federal constitution, the civil code, the consumer protection code and the child and adolescent statute were analyzed. Also, the norms elaborated by CONAR were analyzed, which in the current scenario is the main organization that acts in the supervision of publicity in Brazil. Aiming at understanding the scenario of publicity regulation of food in the world, the laws and norms established in the countries that already have some regulation were looked upon. Besides, in order to construct the current scenario related to the specific regulation of food publicity for children in Brazil, law projects that are in progress in the national congress were used, with the keywords regulation and publicity 16 projects in progress were identified, being the earliest one in the Brazilian Congress since the year of 2000.

For the primary data, advertisements in three broadcasters were recorded. They were defined from 3 different sources of information. The first one was a survey conducted by Sophia Mind Research Institute (SOUZA, 2011), which identified 10 TV channels of public preference for children (children 1-10 years old) indicating Discovery Kids, Cartoon Network and *Rede Globo* as the top three places respectively. The second was *Mídia de Dados Brasil 2012* (GRUPO DE MÍDIA, 2012) which states that *Rede Globo* has the largest audience among the open broadcasters and the 3 pay-tv channels with the highest number of subscribers destined for young public are: Discovery Kids (10.970.789), Disney Chanel (8.907.374) and Cartoon Network (8.339.716). To complement this, a survey was conducted with 10 media professionals from advertising agencies in the city of Londrina. They were asked to indicate which were the three major broadcasters preferred by children, being *Globo* Network, Discovery Kids and Cartoon Network indicated by them. So it was chosen for this research

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the open TV broadcaster *Rede Globo* and the pay-tv Discovery Kids and Cartoon Network. Since the survey was not intended to be extensive analyzing all the commercials, a sample of the programming of these broadcasters was selected. Two stages of recording for the three broadcasters were selected, the first between 20 and 26 March 2012 and the second between 23 and 30 April, only during Monday to Friday, see Tables 1. A raffle was conducted to determine which day each broadcaster would be recorded. 10 hours of programming were recorded each day between 8:00 and 18:00, in a total of 120 recording, 40 hours for each broadcaster.

Table 1: Days of recording in each broadcasters

CHANNELS	03/19	03/20	03/21	03/22	03/23	04/26	04/23	04/24	04/25	04/26	04/27	04/30
DISCOVERY KIDS		X			X		X	X				
CARTOON NETWORK			X			X			X			X
REDE GLOBO	X			X						X	X	

Source: Reserch data

In a total of 120 hours of programming 1689 of advertisements were broadcast, in this total the advertisement that the broadcaster made about its own programming are not included (films, soap-operas, entertainment programs, news, sports, etc.). There were 877 regarding stage 1 and 812 regarding stage 2. The advertisements were divided by categories, as shown in tables 2 and 3:

Table 2: Categories Commercial Stage 1

Dates	STAGE 1											
	03/19/2012		03/20/2012		03/21/2012		03/22/2012		03/23/2012		03/26/2012	
Channel	Rede Globo		Discovery Kids		Cartoon Network		Rede Globo		Discovery Kids		Cartoon Network	
commercial quantity	234		96		100		256		111		80	
Categories and quantity for each category Commercial	Food	24	Food	6	Food	19	Food	41	Food	12	Food	17
	Cars	19	Toys	34	Toys	33	Artesanato	4	Toys	42	Toys	23
	Banks	14	Footwear	6	Citizenship	2	Cars	25	Footwear	8	Citizenship	4
	Cars	13	Education	3	Education	7	Banks	8	Education	7	Education	9
	Toys	2	Entertainment	6	Entertainment	11	Cars	8	Educational	4	Entertainment	11
	Footwear	14	Internet	17	Institutional	1	Footwear	10	Entertainment	14	Institutional	1
	Campaign	1	Cleaning	2	Internet	18	Citizenship	14	Internet	7	Internet	12
	House	1	Health	15	Health	2	Construction	2	Cleaning	3	Health	3
	Citizenship	12	Retail	7	Retail	9	Education	10	Clothing	3		
	Education	6					Entertainment	29	Health	5		
	Entertainment	19					Event	1	Retail	6		
	Event	4					Still	6				
	Still	4					Information	3				
	Information	6					Institutional	1				
	Institutional	2					Cleaning	7				
	Cleaning	10					Petshop	1				
	Petshop	1					Health	39				
	Magazine	7					Services	24				
	Health	34					Solidarity	4				
	Services	15					Technology	1				
	Solidarity	2					Telephony	11				
	Technology	1					Title	1				
	Telephony	16					Capitalization					
Title	1					Retail	5					
Capitalization						Trip	1					
Household	2											
Retail	4											

Source: Research data

Table 3: Categories Commercial Stage 2

STAGE 2														
Dates	4/23/2012		4/24/2012		4/25/2012		4/26/2012		4/27/2012		4/30/2012			
Chanel	Discovery Kids		Discovery Kids		Rede Globo		Cartoon Network		Rede Globo		Cartoon Network			
commercial quantity	92		96		214		103		213		94			
Categories and quantity for each category Commercial	Food	13	Food	13	Food	26			Food	21	Food	30	Food	16
	Toys	31	Toys	38	Cars	17	Toys	51	Cars	19	Cars	19	Toys	51
	Footwear	9	Footwear	10	Banks	7	Citizenship	8	Banks	2	Citizenship	10	Citizenship	10
	Education	14	Education	8	Beauty	14	Entertainment	5	Beauty	15	Entertainment	7	Entertainment	7
	Entertainment	10	Entertainment	14	Footwear	5	Institutional	1	Footwear	7	Institutional	1	Institutional	1
	Internet	4	Internet	2	House	1	Internet	11	House	3	Internet	7	Internet	7
	Cleaning	2	Health	11	Citizenship	15	Magazine	4	Citizenship	20	Health	2	Health	2
	clothing	2			Education	12	Health	2	Education	6				
	Health	7			Entertainment	24			Entertainment	10				
					Event	1			Event	1				
					Still	4			Still	7				
					Institutional	1			Institutional	4				
					Cleaning	5			Internet	2				
					Gift	4			Cleaning	6				
					Health	42			Gift	3				
					Services	13			Health	35				
					Solidarity	1			Services	9				
					Technology				Telephony	17				
					Telephony	16			Title Capitalizati	2				
					Title	1			Retail	15				
				Capitalization										
				Household	1									
				Retail	4									

Source: Research data

Food advertisements are prominent among the categories of advertisements broadcasted by *Rede Globo*, always appearing among the first ones. In pay-tv broadcasters toy advertisements were priority. 69 advertisements from different food were transmitted, advertisements from supermarkets and restaurants were included because they present some sort of food product or meal. They were broadcasted from 1 to 14 times. A larger number of repetition in advertisements of Easter eggs can be noticed as the recording happened the week before Easter. It can also be noticed that repetitions happen more in pay-tv broadcasters, i.e., these broadcasters have less quantity of food advertisement, but the ones which are broadcast repeat more than those broadcasted in *Rede Globo*.

In table 4 the advertisements selected for analysis are presented. The criteria used in the selection were: (a) they should last for 0:30 seconds; (b) the product advertised should be food aimed for children; (c) they shouldn't be Easter product. All advertisements which lasted for less than 30 seconds and those known as offerings, which last for 5 seconds top, were excluded.

Table 4 – Selected detailed commercial

Public	Manufacturer	Product	Product Name	Net Weight	Commercial Title	Synopsis	Frequency	Time	Period	Broadcasters	Famous Character	Stage
Infant	Ades	soybean juice	Ades Kids	200ml	Backpack	The idea is to present the Ades Kids can accompany children to the place of their choice, and a great option for children's snack in between classes.	4	0:30	M/A	Rede Globo	Yes	2
Infant	Bauducco	COOKIES	Recheadinhos	130 g	Little car - Boys	A commercial by "recheadinhos" for other children.	1	0:30	A	Discovery Kids	no	2
Infant	Bauducco	Stuffed Cake	Rool Cake e Duo	30 g	Kingdom of Children	Presents and narrates some situations that represents how the world would be perfect if it were created by children.	3	0:30	A	Cartoon Network	no	2
Infant	Danone	Yogurt with strawberry pulp	Danoninho Crush	400 ml	Little Hands	Introduces the new Danoninho with him the child can take with only one hand and with the other she takes the opportunity to have fun making some jokes.	4	0:30	M/A	Rede Globo	no	2
Infant nd Parents	Del Vale	Juice	Del vale Kapo	200 ml	Final Test	The mother asks for tree and some animals about the Kapo, to ensure that this is made from the fruit, no dye and that calories are the same as an apple. In the end the boy experiences and approves the Kapo.	3	0:30	M/A	Rede Globo	no	1
Infant	Elma Chips	Chips	Cheetos - O Vingador	150 g	Cheetos - Special Avengers	Children create a strategy to capture the Cheetos - The Avengers.	4	0:30	M/A	Rede Globo	no	2
Infant	FINI	Gelatin candy	Bala de Gelatinha Fini	100 g	Candy Fini - They are Show!	A clip in which gelatin candies in various shapes dance in singing.	4	0:30	M/A	Cartoon Network	no	2
Infant	Habib's	Bib's Hotdog + Potato + Juice + Gift	Kit Habib's	105 g + 300 ml + 100 g	boys	Boys playing with toys Kit Habib's and one of them says that the next mission is to eat, all boys scared and he says he's green famine putting green rucksack Huck is one of the toasts of the Kit Habib's in front of your face.	6	0:30	A	Cartoon Network	no	2
Infant	Ovomaltine	Ovomaltine	Ovoimaltine	400 g	nobody Duplicates	Two boys seek some professional to see if they can copy the Ovaltine, concluded after a some tries you can not copy the product.	2	0:30	A	Cartoon Network	no	1

Source: Research data

The software Atlas TI was used to analyze the content from advertisements as it permits the analyses of documents in different formats DOC, GIF, PDF, images, videos and sounds. The content analyses can be used in the manifested level, limited to what was said or in latent level, i.e., when the researcher tries to capture the meanings that are implicit in the analyzed material, information which is clear (manifested level) is taken through a deep interpretation of the material. What the author wanted to express is attempted to be understood. It may occur many times that who is interpreting go beyond what the author imagined when he prepared the material. (MORAES, 1999).

5. Data analysis

The analysis is presented in two parts. The first is the contextualization of the object of study, the publicity market of children food and its regulations. Next, the analysis of children food commercials aired by three different broadcasters is presented, as described in the methodology.

The publicity market of children food and its regulations.

Advertising and marketing are terms which go side by side. Advertising is to make something public. Regarding the publicity market, it means to publicize a product or service (CAMARGO, 2007). Marketing, besides informing about the existence of a product or service, appeals to various tools with the intention of inducing the consumer to the actual buying of the product (CECCATO, 2001). It aims at promoting a certain product or service in the mass media (PRIBERAM, 2012) drawing attention, arousing interest, building (creating?) conviction, provoking a reply that is, the advertisement should awaken the desire for the product. For ANVISA (Brazilian Health Surveillance Agency) advertising and marketing are "a set of techniques and activities of information and persuasion with the intention of disseminate knowledge, make a certain product more known or prestigious, aiming at

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influencing the public through actions whose objective is to promote and/or induce the prescription, acquisition, use and consumption of food” (ANVISA, 2010). Therefore, both terms will be treated as synonyms in this work.

Advertising maintains a direct association with consumption, reinforcing a view of the world in which this is the center. To think about advertising one must think about consumption (CAMARGO, 2007). Advertising in television seeks to hold the attention of consumers through two publicity codes, those being the visual and the verbal. The visual record is that which seeks to cause a certain visual impact to hold the attention of the receptor of the message, it is a way of giving meaning to the message through images. For that reason, the choice of colors according to the message and impact it intends to achieve is important, since the colors are associated to psychological stimuli. The image is very important for being a universal code that crosses any barrier, which enables anyone’s quick understanding. “The illustrated message offers the opportunity to children and adolescents to being able to linger over a detail, to make comparisons; in short, to imagine themselves making use of the product advertised or to possess everything surrounding it” (CECCATO, 2001). And the verbal record is the means to make it all clear, to reduce interpretation mistakes, and that aims to contribute to a correct understanding of the meaning of what is being advertised.

In Brazil there is not, at present, a specific law that regulates advertising in general, nor there one for the advertising of children food. The Federal Constitution and other laws, such as the Consumer Protection Code and the Child and Adolescent Statute, affect the publicity market regarding this kind of product. What prevails, though, is advertising self-regulation.

Self-regulation is the replacement of the state regulation by the regulation made by a legal entity organized by the same people who are to be regulated, which will be accounted for the creation of rules and standards, whose purpose is to organize the activity of its members (PAIXÃO, 2004). Thus, self-regulation has a normative function similar to that of the State, which entrusts part of its regulation power to private institutions for their self-organization; nevertheless never crossing the limits imposed by the law and always under state supervision, and effectiveness restricted to its members (MOREIRA, 1994). When rules are considered to have been broken, the self-regulating body can send a warning to the offender or demand a repair for the practice considered negative, impracticable, or inappropriate (MENDEL & SALOMON, 2011). Self-regulation is a means used by market participants to avoid traditional regulation, it is a type of regulation and not the absence of regulation, and should be defined as a non-public regulation (WERNECK, 2004).

The advertising self-regulation exists in Brazil since 1978. CONAR (National Council for Advertising Self-Regulation) is the office responsible for it. Its function is to attend for commercial expression freedom and advertising ethics, while defending the interests of traders and consumers, i.e., prevent misleading or abusive advertising from causing any embarrassment to the consumer or company (DIAS, 2010; WERNECK, 2004). CONAR currently consists of advertising professionals and members of the civil society (DIAS, 2010). It bases its decisions on the Brazilian Code of Advertising Self-Regulation elaborated by CONAR itself (SCHUTZ, 2005).

The main actions of the body regarding advertisements which violate the rules of the Code are warnings to the advertiser and its agency, recommendations of changes or correction in ads, recommendations to stop the advertising, and public disclosure of CONAR concerning its position in relation to the advertiser. Although the rules of CONAR do not have the coercive power of the law, the recommendations suggested by CONAR are effectively respected and obeyed by professionals of the area (DIAS, 2010). The ultimate goal of CONAR is the "average ethics", which can ensure that advertising has a reliable content and an honest presentation (SCHUTZ, 2005).

Advertising self-regulation is based on the logic that the market self-regulates, needing no external regulation, and that State intervention in the market brings more problems than benefits. It is market efficiency in the service of the consumer welfare.

Children Food Advertising

The nine advertisements which are to be analyzed in this part of the paper have already been presented in the methodology. Firstly, the products from these advertisements were analyzed based on their nutritional information. For this, the products were acquired and the nutritional information contained in the back of their package was compared to data presented in Food Guide for the Brazilian population (BRASIL, Ministério da Saúde, 2006), which shows the minimum quantity of each substance that a product should have in order to be considered not healthy as present in table 5:

Table 5: Table of reference for a food to be considered unhealthy

	Reference	Unhealthy
Sugar	100g	= ou > 15g
Sugar	100ml	7,5g
Saturated Fat	100g	= ou > 5g
Saturated Fat	100ml	2,5g
Trans Fat	100g	= ou > 0,6g
Trans Fat	100ml	= ou > 0,6g
Sodium	100g	= ou > 400mg
Sodium	100ml	= ou > 400mg
* Drinks with low nutritional value are the soft drinks, refreshments and artificial drinks and concentrates for preparing drinks or guarana syrup and blackcurrant tea ready for consumption. Also included in this definition those added caffeine, taurine, glucuronolactone or a substance which acts as a central nervous system stimulant.		

Source: BRASIL, Ministério da Saúde, 2006

The next table 6 was built by comparing nutritional information from the advertised products to table 5. It can be noticed that the majority of food do not show the quantity of sugar in the nutritional information, even products that contain it such as *Recheadinho* cookies or Rool Cake and Duo, therefore it was not possible to classify these products according the quantity of sugar.

Table 6 – Nutritional Information regarding the products of selected commercial

Products	Kcal	Sugar	Saturated Fat	Trans Fat	Sodium
Ades Kids	22,5	4,75 g	0 g	0 g	6,5 mg
Recheadinhos	443	not included in the Nutrition Information *	6,68 g	0,2 g	211 mg
Rool Cake e Duo	327	not included in the Nutrition Information *	7,7 g	0,3 g	241 mg
Danoninho Crush	96	not included in the Nutrition Information *	2 g	Non significant amount	47 mg
Del Vale Kapo	51,5	not included in the Nutrition Information (*)/(**)	Non significant amount	Non significant amount	3,75 mg
Cheetos - Os Vingadores	400	0,8 g	2,8 g	0 g	492 mg
Balas de Gelatina Fini	345	not included in the Nutrition Information *	Non significant amount	Non significant amount	65 mg
Kit Habib's	498	not included in the Nutrition Information *	8,4 g	0 g	937 mg
Ovomaltine	384	not included in the Nutrition Information *	0,67 g	0 g	250 mg

Numbers calculated on the amount of 100 g or 100 ml of the product

**In informs ingredients containing sugar

* Infoma packaging the product is sweetened

Source: Research data

Recheadinhos and *Rool Cake and Duo* have a quantity of saturated fat above the reference value, thus can be classified as not healthy food. Another product that is clearly in the not healthy product is the snack *Cheetos*, which has sodium above the reference value. The *Kit Habib's* can be considered unhealthy in two categories: saturated fat and sodium, as both are above the reference level. The products denominated *Danoninho Crush*, *Del vale Kapo*, *Balas de Gelatina Fini* and *Ovomaltine* were not considered unhealthy because their quantities of sodium and fat are within the established parameters, however, it was not possible to analyze them according to their quantity of sugar. The only product that has all information and is not characterized as unhealthy is *Ades Kids* juice.

To assist the analyses of the advertisements, guiding questions, which researchers answered from the content analyses performed, were structured. Appendix 1 presents the comparative results from the nine advertisements analyzed.

Advertisements are specifically directed to children and try to involve them through various elements. They are treated as consumers, putting the decision of buying in their hands. In eight out of nine advertisements there is the participation of children as characters, which are all thin. Small cars, famous children characters, mascots, colors and music are commonly present in advertisements. All of them have a gripping storyline to call the attention of the target public. These stories make advertisements look like they are an extension to the broadcaster's children programming itself. In some advertisements, such as *Biscoito Recheadinho* and *Rool Cake and Duo*, the product is only presented after 15 seconds, i.e., a story is watched without knowing what the product being advertised is. According to Linn (2006), children up to six years old don't distinguish between the TV programming and advertisements, watching all of them as one thing. Besides this, the consumer protection code is being disrespected, as its article 36 expresses that advertisements have to be clearly separated from the programming.

Only two advertisements show messages for the parents. The first one from *Danoninho* with the message in the screen describing that the product contains vitamin D and calcium, and that its consumption must be associated with a balanced diet and healthy habits. The second from *Suco Del Kapo* with messages in the screen affirming that the product has the same quantity of calories as an apple, but that it doesn't substitute the consumption of fruit. The messages are short and bring information which is apparently contradictory, for example, contains

vitamin D and calcium indicates that the product is beneficial but it must be associated with a balanced diet and healthy habits, i.e., warns that the product by itself brings no benefit, only associated with healthy habits. The other affirms that the quantity of calories is the same of an apple, but a message in tiny letters clarifies that the comparison is only regarding the energetic value, as the apple contains fibers and other nutrients. It is not equivalent to an apple in the healthiest components.

From the advertisements, four of them indicate the company's website to be accessed. One of them, *Cheetos Vingadores*, makes sort of a tie-in sale, as when the product is bought the consumer receives a code to put on the website and participate in an online game. The consumers protection code forbids tie-in sales. Habib's advertise, in addition to the snack, the gifts that come with it.

Only two advertisements brought some nutritional information, *Danoninho* and *Suco Del Kapo*. But they are superficial information, already discussed in the paragraph above. None of the advertisements warns to the presence of fat, sodium or sugar, components that define unhealthy food.

6. Discussion

To analyze the regulation of children food advertisements, an analysis comparing the findings in this research and the arguments presented by both perspectives is presented. The first thing to be pointed out is the argument of publicity self-regulation advocates that the advertisement shows information, which allows a more efficient functioning of the market (PALAVRA ABERTA, 2011). It is affirmed that "the advertisement offers consumers essential information for their choices" (PALAVRA ABERTA, 2011, p.16). In the researched sample, no relevant information for the choice was presented. Since the advertisements are of children food, the relevant information would be regarding nutrition, however, not even the commercialized product itself this information is completely available. The advertisements analyzed offer gripping storylines, famous children characters, gifts, toys and sometimes contradictory information, such as having the caloric value of an apple in the speech, and in an almost imperceptible message that the equivalence is only in the caloric value, the apple is a much more complete food. It is also affirmed that "the dissemination of coherent information in society, on the other hand, leads consumers to make choices closer to their real needs ..." (PALAVRA ABERTA, 2011, p.16). As the discussion is about children food advertisements, and in the advertisement the target audience is clearly the child, it is necessary to discuss whether the child should be treated as a consumer and to what extent this brings efficient results for each child and for society. Kelly et al. (2010) argues that evidence indicates that children especially those under eight years old tend to interpret advertisements naively, as if they were true and without bias. Yet, Lin (2006) states that children under six do not have the ability to tell the difference between the broadcasters programming and commercials. These two points weaken the argument that the consumer, in this case the children can make choices closer to their needs.

Finally, when treating the discussion of regulation from the market perspective, if we look at the market from the definition of noxious markets we find that the market of children advertising meets all the parameters of what a noxious market is. Firstly, according to

Monteiro et.al (2010), 95% of food advertisements for children in Brazil are of unhealthy food and the impact such food to consumers is easily felt, as the cases of childhood obesity have increased in the country. Therefore, there is the possibility of harmful consequences to some of the parts involved. Childhood obesity is a matter of public health, therefore there is a high probability of damage to society as a whole, given the second parameter. Thirdly, there is low capacity of agency for children and parents to decide whether or not to watch the advertisements, or by the lack of information that the advertisements bring, or by the difficulties for children to discern what advertisement is and what programming is. Finally, parents and children are very vulnerable as individuals to cope with the food and entertainment industry, as both work together to hamper any regulation.

Analyzing publicity regulation from the perspective of Market as an Institution and from the institutions socially constructed, the discourse of self-regulation can be understood as the creation of significances, conceptions of control, in which the legitimacy of advertisements are established and reinforced due to the necessity of Market freedom and expression, which together would bring efficiency without being necessary the intervention from the State. This discourse brings stability to the market because the incumbents maintain control over the resources and makes difficult to challenger to gain market share. Advertise is expensive, to build a brand is more expensive. The challenger companies need to keep the pace set by the incumbents in order to survive.

To use another view of market may shed a new light over old problems.

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APPENDIX



Number	Questions	Products								
		Ades Kids	Reheadinhos	Rool Cake e Duo	Danoninho Crush	Del Vale Kapo	Cheetos - Os Vingadores	Balas De Gelatina - Fini	Kit Habib's	Ovomaltine
1	What is the main purpose of advertising ?	Suggest a product for children to take to school and everywhere	Introduce a product for children	Presenting the new cookies Bauducco	Presenting the advertised product can be taken only with one hand	Show that the product can be consumed by children, because it has quality	Association the product with Child film. Children	Introduce a product that has different shapes, colors and flavors	Introduce a product giveaways accompanying a movie that was in theaters at the time of promotion and publicizing the film	A product that is impossible to copy, a unique product, unique flavor
2	Is it explicit the intention to sell the product?	No	No	No	No	No	No	No	Yes	No
3	Advertising has a compelling story?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
4	Advertising has attractive elements to children?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
5	What is the main element used to attract the attention of the young audience?	The character of the movie "Ice Age" - Aeschylus	Yellow little car	Presents a world from the child's perspective	The new way of drinking the product	Peoples interact with plants and animals	Children in costumes of the Avengers and the product having a shape of a gun	Gelatin bullets singing and dancing and different formats	Toasts with the theme of the movie "The Avengers" that accompanies the product advertised	The search in trying to find the product formula
6	What tools are used to achieve the desired audience?	Character infant, product packaging, product size school environment, snack time, lunch box, children, hit the bell	Background music, children, yellow little car, the product in the bucket affection	Children, scenes activities that children enjoy, phases of the product	Brand mascot, the younger children, physical activities, product	Animals that respond to humans, plants that respond to human family	Association with film. Children, costumes, differentiated product and the name of the movie	Jingle joyful scenes and products featured very colorful, bullets in different shapes and colors, bullets singing and dancing	Giveaways, kids, snack, movie scenes, fun	Children, teacher, scientist, guru, effects
7	Children who are shown in the commercial are all skinny?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
8	In the commercial is clear that the child is seen as a consumer?	Yes, the advertising is clearly directed to children and confirmed after the 25-second commercial with the phrase Voiceover 1.	Yes, the advertising is clearly directed to children and confirmed after the 25-second commercial with the phrase Voiceover 3.	Yes, the advertising is clearly directed to children and confirmed after the 16-second commercial with the phrase Voiceover4.	Yes, the advertising is clearly directed to children and confirmed after the 23-second commercial with the phrase Voiceovero 6.	Yes, despite the boy's only taking the product after authorize mother, everyone was anxious awaiting his answer "approving" the product, so in this way it became clear that the opinion of the kid to decide to buy is mere importance, considered consumer .	Yes, the comercial be directed clearly to the public child	Yes, the comercial be directed clearly to the public child	Yes, the comercial be directed clearly to the public child	Yes, the comercial be directed clearly to the public child
9	The imperatives of commercial uses with the purpose of encouraging the purchase?	No	No	No	No	No	No	No	No	No
10	The commercial directs you to the company website?	No	No	No	Yes, 5 segundos	Yes, 2:36 segundos	Yes, 1:60 segundos	Yes, 1:36 segundos	No	No
11	At some point of the commercial some message is directed to parents?	No	No	No	Yes	Yes	No	No	No	No
12	What time?	X	X	X	With the message on the screen 7.	The commercial shows a mother's concern with the product that the child will consume, it characterizes the whole business has a guide for parents and locution 10 confirms this	X	X	X	X



Number	Questions	Products								
		Ades Kids	Recheadinhos	Rool Cake e Duo	Danoninho Crush	Del Vale Kapo	Cheetos - Os Vingadores	Balas De Gelatina - Fini	Kit Habib's	Ovomaltine
13	Displays some information during the advertising which is essential for defining the choice of product advertised?	No	No	No	Yes, message on screen 7 and 8	Yes, the questions that the mother does to animals and plants as the calorie, and if dye is with fruit juice and posts 11, 12 and 13 in screen confirm this.	No	No	No	No
14	The commercial shows the price of the advertised product?	No	No	No	No	No	No	No	yes	No
15	The advertisement indicates the qualities (for health benefits) of the product? What?	No	No	No	Yes, message on screen 7 and 8	Yes, the questions that the mother does to animals and plants as the calorie, whether it is with dye and fruit juice with a goal to categorize it as a healthy product and messages 11 and 13 on screen confirm this.	No	No	No	No
16	The product fits with presented as Junk Food?	No	Yes	Yes	Not included in the package the amount of sugar breakdown to sort it	Not included in the package the amount of sugar breakdown to sort it	Yes	Not included in the package the amount of sugar breakdown to sort it	Yes	Not included in the package the amount of sugar breakdown to sort it
17	If yes, in which questions?	X	Amount of Saturated Fat above the permitted	Amount of Saturated Fat above the permitted	X	X	Amount of sodium above the permitted	X	Amount of saturated fat and sodium above the permitted	X
18	The commercial shows the amount that can be consumed daily?	No	No	No	In parts, on screen message	No	No	No	No	No

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