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BREAKING THE RULES 2014

Evidence of Code Violations
from Jan 2011 to Dec 2013



International Baby Food Action Network
International Code Documentation Centre

BTR: in Brief is an abridged version of:

Breaking the Rules, Stretching the Rules 2014

Evidence of Violations of the International Code of Marketing of Breastmilk Substitutes and subsequent resolutions.

Breaking the Rules 2014 is based on results of worldwide continuous monitoring between January 2011 to December 2013.

“Breaking the Rules, Stretching the Rules 2014” is available for sale in PDF.
See www.ibfan-icdc.org

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BTR: in Brief IBFAN-ICDC thanks Tracey Wagner-Rizvi for condensing the full (237 pages) report by company into a comprehensive 40-page abridged version which is theme-based.

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BTR: in Brief 2014

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Introduction

BTR: in Brief is the abridged version of *Breaking the Rules 2014* (BTR), a 237-page monitoring report which describes evidence of 813 Code violations, from 81 countries, collected between Jan 2011 and Dec 2013. The Rules are the International Code of Marketing of Breastmilk Substitutes and subsequent World Health Assembly resolutions (the Code), which are the yardstick to measure compliance by all companies in all countries.

While violations in the full BTR report are listed by 27 companies.

BTR: in Brief is organised by theme. Violations are listed by Code articles:

- Promotion to mothers and in shops;
- Promotion to health workers and in health facilities;
- Labels that violate the Code, and a special section on:
- Inappropriate marketing;
- Feeding bottles and teats.

Some pages focus on campaigns, like the way companies ride on “the first 1000 days”; other pages highlight specific regions, such as, “Look what They’re Doing in China”.

Finally, there are a few entries that “Stretch the Rules”.

Social Media. The increased use of social media changes access to information. Our monitors have adapted and extended their skills into the ‘Facebook era’. Just as companies use social media to promote products in ways that violate and circumvent the Code, so too was IBFAN able to use these channels to get information.

Evidence in pictures. *BTR: in Brief* is more than just a birds’ eye view of what companies are doing around the world. Tracey Wagner-Rizvi, who compiled the abridged version, knew that one picture is worth a thousand words and picked those violations that best illustrate the subtle ways companies confound and seduce mothers, use sponsorship and bribery to turn health workers into sales agents and use labels for effective cross-branding.

Inappropriate promotion. Following the request for clarification of ‘inappropriate promotion’ of foods for infants and young children, *BTR: in Brief* provides vivid examples of marketing tactics that should not be allowed (p. 30-32). The emphasis is on toddler milks or growing-up milks (GUMs), a product which has been generating huge profits for the baby food industry over the past decade or more. The inappropriate promotions reported are Code violations.

Name and Shame. This abridged report is meant to show public and press how the 16 largest baby food companies continue to ignore international recommendations adopted to protect infants and young children the world over. Let us name and shame those who break accepted rules so the public and investors can hold them to account.

BACKGROUND

The International Code was developed by WHO and UNICEF and adopted in 1981 as a “minimum” standard to help protect and promote breastfeeding in all countries and to ensure breastmilk substitutes are used safely when necessary. The Code is intended to protect all mothers and babies, however they feed.

The Code’s preamble explains that “the marketing of breastmilk substitutes requires special treatment which makes usual marketing practices unsuitable for these products”.

The Code, summarised on pages 8 and 9, spells out which marketing practices should be discontinued.

Since its adoption, the Code has been re-affirmed by the World Health Assembly (WHA) on at least 15 occasions and new resolutions with the same legal status as the Code have been adopted to clarify and extend certain provisions.

SCOPE

BTR 2014 covers promotion for products under the scope of the International Code of Marketing of Breastmilk Substitutes.

The scope covers all formula products including growing-up milks marketed for infants and young children (0-36 months) and complementary foods when marketed for babies below 6 months. Feeding bottles and teats are also covered.

Inappropriate marketing 2010.

WHA resolution 63.23 [2010] specifically mentions ‘inappropriate promotion’. Resolution WHA65.60 [2012] requests the Director-General of WHO to provide clarification and guidance on inappropriate promotion.

Executive Summary

Breaking the Rules, Stretching the Rules 2014 is a collection of evidence showing non-compliance with the International Code and subsequent WHA resolutions endorsed by all Member States of the World Health Organization. As more fully described in the Introduction, the report is a worldwide listing of Code violations recorded over the past three years. It does not give a complete picture of each company but it shows a “helicopter view” of global marketing practices. While it is still only the tip of the iceberg, the helicopter touch-downs show undeniable evidence in pictures and text of promotional tactics that compete with breastfeeding and mislead parents who use formula.

This summary highlights the **marketing trends** over the past 3 years.

■ **Overall Assessment. Competition has increased and breastfeeding declines as a result.** The market is so profitable that further acquisitions have led to more concentration, leaving two global leaders in fierce competition: Nestle and Danone. Smaller companies are just as aggressive and the lucrative Chinese market attracts new export investments (e.g. Canada, Ireland). This bodes ill for infant health. Rather than abide by international recommendations, companies use new public relations methods to avoid national regulations. They are pushing new products and have even admitted to using bribery to get a foot in the door of hospitals, still the most effective way of gaining new consumers. For example, in 2013, Danone’s Dumex was exposed for bribing 116 doctors and nurses in 85 medical institutions in just one Chinese city alone.

■ **Chasing dragon profits.**

Most baby milk companies are targeting China’s lucrative USD 12.4 billion infant formula market. Potential consumption is projected to hit USD 25 billion by 2017. Companies battle to corner market share (over 20 million babies born each



Chinese baby showing off imported formula.

year) and as demand exceeds supply for imported products, prices are jacked up. Enterprising traders have been scouring the shelves in nearby Hong Kong, New Zealand and further afield, even resulting in shortages in Europe and the US.

The escalating price of infant formula sparked an investigation by the competition authority, the Chinese National Development and Reform Commission (NDRC). In 2013, six companies were fined USD 108 million for price-fixing. Five of them are in this report: Mead-Johnson, Abbott, Dumex, Friesland and Fonterra. Both Wyeth and Dumex immediately cut their formula prices by 11 to 20%.

“When the water starts boiling, it is foolish to turn off the heat.”

Nelson Mandela

“Women produce around 23 billion litres of human milk a year worldwide, a ‘health food’ for babies and young children that is far better than anything from industry. Breastmilk is so valuable that health services in other countries pay hundreds, even thousands of dollars a litre for it. No country can afford to waste this valuable human resource.”

Dr Julie P. Smith
Australian National University
Canberra



Sign at Hong Kong airport. Anyone taking more than two cans of infant formula out of Hong Kong faces a fine of USD 64,000 and 2 years jail (as of March 2013).

Wyeth and its then-owner Pfizer, were fined more than USD 45 million in August 2012 over violations of the U.S. Foreign Corrupt Practices Act (FCPA). They were charged with bribing officials outside the United States, including those in state-owned Chinese hospitals, to recommend Wyeth's products. Bribed officials also provided access to records of new births to be used for marketing purposes (a well known industry practice). In China's 2013 NDRC crackdown, Wyeth/Nestle cooperated with the authorities and were exempted from punishment.

“ In the US a study calculates 13 billion dollar savings in healthcare costs annually if exclusive breastfeeding rates went up to 90%. ”

One World Asia
11 Dec. 2013

- **Social Media – a new heyday for marketing.** Social media - Twitter, Facebook, YouTube, Instagram, Google+, etc. – provide a new avenue for companies to advertise products on electronic communication channels. These mobile and web-based technologies use ‘behavioural targeting’ offering a plethora of opportunities for companies to interact directly with unsuspecting consumers. Popular bloggers are roped in to endorse products and thus influence their huge following. Advancing their electronic marketing even further, companies are developing mobile software applications (known as “apps”) that millions can download onto their mobile phones, tablets, laptops and PCs.

“ Those who suggest that direct advertising has no negative effect on breastfeeding should be asked to demonstrate that such advertising fails to influence a mother’s decision about how to feed her infant. ”

WHO: Health Implications of Direct Advertising of infant formula, Doc WHA45 1992, Rec 1

Companies use these apps as direct promotional tools. Several apps are purportedly designed to “help” pregnant women and new mothers. Special offers, discounts, contests, product launches and campaign announcements are now available to tech-savvy young mothers and their families.

“Fortified milks are frequently high in sugar and are likely to contribute to higher energy intakes ... and more chronic disease ... the voluntary fortification of foods and drinks needs to be questioned as there is increasing evidence that giving additional nutrients to those who do not need them may have adverse consequences.” First Steps Nutrition Trust
www.firststepsnutrition.org/newpages/fortified_milks_for_children.html]

- **The New Jewel in the Crown: Growing-up milks (GUMs).** Baby food companies maintain GUMs are not covered by the Code but the scope of the Code is clearly wide enough to include them. GUMs or fortified toddler milks are used by many companies to cross-promote infant formulas and follow-up milks. Aggressive marketing has made this the best-performing segment within the overall market. GUMs lead the growth of the baby food market, approaching a value sales gain of 17% in 2012, followed by 12% for follow-up milks. Toddler milk now accounts for one-third of the global milk formula market by value.

Extensive advertising and promotion dollars are lavished on this substantial market segment and this is commensurate with the many violations we received. These violations are described in this report as inappropriate marketing. (We have set aside part of the company reports to focus on inappropriate marketing). In October 2013, the European Food Safety Authority said that “growing-up formula does not bring additional value to a balanced diet”. GUMs are “no more effective in providing nutrients than other foods in the normal diet of 1 to 3 year olds”. Advertising on TV, YouTube and in print media should be banned.



Cross promotion in Kuwait showing GUM pack shots while the infant formula and follow-up milk are represented by Lex the lion, the Wyeth mascot. In other words, the label of GUM promotes the others. Hence, such cross-promotion violates the Code. (Especially since growing-up milk 3 starts at 12 months, an age where breastfeeding is still recommended.)

- **Sponsorship.** Thanks to the internet and social media, evidence of companies blatantly giving sponsorship to health professionals are now more visible in the public domain. In the past, the information regarding such practice was often heard of but seldom seen; in this day and age, photos are uploaded on social media for all to see. Doctors, nurses, midwives, nutritionists are the most targeted groups with air tickets and expenses for expensive conferences, gifts including top of the line laptops, lucky draws and the like. We report with photo evidence from unexpected corners like UAE, Turkey and Iraq.

Sponsorship of professional associations seems to be increasing. At the 20th IUNS International Congress on Nutrition in Spain 2013, Abbott, Nestlé, Danone, Wyeth, Hero, Mead Johnson and Friesland Campina all paid sponsorship fees ranging from EUR40,000 to 75,000. Thus, companies “benefit significantly from exposure to an interested, relevant and influential audience in an informal yet informative environment away from the competition of everyday distractions”. (Quoted from IUNS Congress page offering space to corporate sponsors)

Nearly all companies now have Nutrition Institutes. Nestlé, Danone, Heinz, Friesland and Abbott use them to sponsor nutrition programmes both for health workers and the public. They present themselves as partners to “support” national health programmes and claim they have nothing to do with marketing.

- **If you cannot beat them, join them!** Infant formula makers have always marketed their products with messages that suggest that their products are nearly as good as breastmilk and some even giving the impression their formulas are better than breastmilk. The common trend is to say that the particular formula is “closer than ever to breastmilk” or “inspired by breastmilk”. Wyeth, now owned by Nestle, started a new product line called **Illuma**, a “human affinity formula”. Product promotion praises the virtues of breastmilk and then carries on with a story about how they have spent years on research and “learnt from the breast” to find a concoction that includes a few nutrients also present in breastmilk.

- **Jumping on 1000 days bandwagon.** The 1,000 days between a woman’s pregnancy and her child’s 2nd birthday is a critical period for long term development. UNICEF and WHO have launched a global campaign for health and development through adequate nutrition during the critical “1000 days window of opportunity”. Several baby food companies saw a golden marketing opportunity in this campaign. They could join in the chorus and yet skew it into a promotion opportunity for their products. Some companies have literally hijacked the campaign from the health and development bodies and are running with it. Both Nestlé and Danone have co-opted the slogan of the first 1000 days Nestlé launched its own first 1000 days advertising

“We should ensure that mothers are given the right message and that the efforts of government to promote breastfeeding are not nullified and made fruitless by the selling of infant formula by these manufacturers ... the International Code of 1981 is absolutely vital in this respect.”

Prof Olivier de Schutter,
UN Special Rapporteur
on the Right to Food

World Breastfeeding Conference,
India, 2012

“When companies adhere to the Code of Marketing, it will be easier for mothers to make an informed choice. No formula can substitute the importance of breastmilk for children’s survival, growth and development. ”

France Begin
UNICEF Nutrition Advisor
for East Asia and the Pacific
May 2012





campaign starting in India and Chile to associate itself with the UN message. Danone registered the domain name <http://www.first1000days.ie/> under its Nutricia subsidiary. In Brazil, Danone even developed

a special product “Milnutri”, a combination of a thousand (mil) and nutrition. It specifies no particular starting age and is heavily promoted on a video. The video ends with Danone’s baby logo. In Malaysia, Nestle has pushed the boundaries even further – it has a “1500 days” campaign!

- **Encouraging Mixed Feeding.** In their pursuit to increase sales, formula companies have recently become bolder by suggesting to mothers that they can do both – formula feed and breastfeed at the same time. Mothers find such a proposition tempting, combining the best of both worlds whereby they can continue to breastfeed and enjoy the ‘perceived’ convenience and ‘freedom’ of formula feeding without having to worry about not giving the best.

Abbott’s **Similac for Supplementation** is one such product. The product tagline targets mums, indicating that “8 OUT OF 10 MOMS who supplemented with formula agreed that it helped them continue to feed breastmilk.” Gerber also actively promotes mixed feeding: **Gerber Good Start Soothe** is the solution for excessive crying; **Good Start Gentle** will help to reach “supplementing goals in 1 to 14 days.” Mums who buy into such advertising gimmicks are easily trapped into thinking that they will be able to maintain milk supply by supplementing. The opposite is true. Once a breastfeeding mother starts to supplement, her milk supply will automatically go down because of the baby’s reduced suckling. A sinister but predictable outcome from such a supposedly “helpful” product.

Conclusions: blame marketing. The Global Trends in Exclusive Breastfeeding rates (UNICEF 2012) are on the rise, but the proportion of exclusively breastfeeding mothers in East Asia fell from 45% in 2006 to 29% in 2012. In Indonesia the figures are 10% down. In the Philippines only 17% are now breastfeeding. We can squarely put much of the blame on marketing: companies are paying incentives to health workers in most countries to promote the use of formula. In China, according to a Save the Children report (2013) 25% of mothers received gifts, while 40% were given samples, all in violation of the Code.

Sadly, the latest reports from China reveal that the authorities are now investing heavily (nearly USD 5 billion!) in subsidising just six of their own formula companies. The subsidies are to improve quality standards so as to guarantee the safety of Chinese products and restore consumer confidence. If only part of those billions were to go into the promotion, protection and support of breastfeeding, China could improve the health and wellbeing of its infants as well as reduce costly imports.

Laws in action. On a positive note, we are starting to receive copies of letters from companies and distributors admitting and apologising for transgressing national laws. It proves that laws are necessary for corporate accountability and that, generally, companies do behave better when governments show they are serious about enforcing their laws. ■

THE INTERNATIONAL CODE & SUBSEQUENT WORLD HEALTH ASSEMBLY RESOLUTIONS

“...In view of the vulnerability of infants in the early months of life and the risks involved in inappropriate feeding practices, including the unnecessary and improper use of breastmilk substitutes, the marketing of breastmilk substitutes requires special treatment, which makes usual marketing practices unsuitable for these products”

– Code Preamble

SUMMARY

The International Code was adopted by the World Health Assembly on 21 May 1981. It is intended to be adopted as a minimum requirement by all governments and aims to protect infant health by preventing inappropriate marketing of breastmilk substitutes.

Member States are urged to strengthen implementation of the International Code of Marketing of Breastmilk Substitutes and subsequent relevant Health Assembly resolutions by scaling up efforts to monitor and enforce national measures in order to protect breastfeeding while keeping in mind the World Health Assembly resolutions to avoid conflicts of interest.

WHA 61.20 [2008] reiterated in WHA 63.23 [2010] & WHA 65.60 [2012]

SCOPE

The Code covers the marketing of the following products:

- Infant formula, including special formulas such as soy formula, lactose-free formula, low-birth-weight/premature formula.
- Other milk products, food and beverages that are represented as suitable for use as a partial or total replacement for breastmilk such as bottle-fed complementary foods, therapeutical milks, follow-up milks and growing-up milks marketed for babies between six months to two years or beyond.
- Any other food or beverage that is represented as suitable to be fed to infants less than six months old such as cereals, jarred foods, infant teas, juices and bottled water.
- Feeding bottles and teats.

Articles 2, 3 and WHA 39.28 [1986], WHA 49.15 [1996], WHA 54.2 [2001] & WHA 63.23 [2010]

PROVISION OF CLEAR INFORMATION

Information and educational materials on infant and young child feeding should include clear and consistent information on:

- a) the benefits and superiority of breastfeeding;
- b) maternal nutrition and the preparation for and maintenance of breastfeeding;
- c) the negative effect on breastfeeding of introducing partial bottle feeding;
- d) the difficulty of reversing the decision not to breastfeed; and
- e) where needed, the proper use of infant formula.

When such materials contain information about the use of infant formula, they should include:

- the social and financial implications of its use;
- the health hazards of inappropriate foods or feeding methods;
- the health hazards of unnecessary or improper use of infant formula and other breastmilk substitutes.
- No pictures or text which may idealise the use of breastmilk substitutes.

Articles 4.2 & 7.2

- Health workers, parents and other caregivers must be provided with information that powdered infant formula may contain pathogenic microorganisms and must be prepared and used appropriately.
- Governments must avoid conflicts of interest in infant and young child health programmes, so infant and young child feeding materials sponsored by baby food companies should not be approved.

WHA 49.15 [1996] & WHA 58.32 [2005]

NO PROMOTION TO THE PUBLIC

There should be no advertising or other form of promotion of products including point-of-sale advertising, giving of samples or any other promotional device to induce sales directly to the consumer at the retail level. Marketing personnel should not seek direct or indirect contact with pregnant women or with mothers of infants and young children

Article 5

There should be an end to inappropriate promotion of food for infants and young children.

WHA 63.23 [2010]

NO GIFTS TO MOTHERS OR HEALTH WORKERS

Manufacturers and distributors should not distribute to pregnant women or mothers of infants and young children any gifts which may promote the use of products. No financial or material inducements to promote products should be offered to health workers or members of their families.

Articles 5.4 and 7.3

Financial support and other incentives for programmes and health professionals working in infant and young child health should not create conflicts of interest. Research on infant and young child feeding which may form the basis for public policies should contain a declaration relating to conflicts of interest and be subjected to independent peer review.

WHA 49.15 [1996] & WHA 58.32 [2005]

NO PROMOTION IN HEALTH CARE FACILITIES

Facilities of health care systems should not be used to promote products. Nor should they be used for product displays or placards or posters concerning such products, or for the distribution of materials bearing the brand names of products.

Articles 6.2, 6.3 & 4.3

NO PROMOTION TO HEALTH WORKERS

Information provided to health professionals by manufacturers and distributors should be restricted to scientific and factual matters, and should not imply or create a belief that bottle feeding is equivalent or superior to breastfeeding. Samples of products or equipment or utensils for their preparation or use, should only be provided to health workers for professional evaluation or research at the institutional level.

Articles 7.2, 7.4 & WHA 49.15 [1996]

THE INTERNATIONAL CODE & SUBSEQUENT WORLD HEALTH ASSEMBLY RESOLUTIONS

(... continued from p. 8)

NO FREE SAMPLES OR SUPPLIES

Product samples should not be given to pregnant women or mothers of infants and young children. Free or low-cost supplies of products are not allowed in any part of the health care system.

In emergency relief operations, donated supplies should only be given for infants who have to be fed on breastmilk substitutes. Such supplies should continue for as long as the infants concerned need them and not be used as a sales inducement.

Note: Articles 6.6 and 6.7 of the Code have been superseded by WHA 39.28 [1986], WHA 45.34 [1992] & WHA 47.5 [1994]

National and international preparedness plans and emergency responses need to minimise the risks of artificial feeding, by ensuring that any required breastmilk substitutes are purchased, distributed and used according to strict criteria.

WHA 63.23 [2010]

NO PROMOTION OF COMPLEMENTARY FOODS BEFORE THEY ARE NEEDED

It is important that infants be exclusively breastfed for 6 months and only receive safe and appropriate complementary foods thereafter. Every effort should be made to use locally available and sustainable foods.

Marketing of complementary foods should not undermine exclusive and sustained breastfeeding. Breastfeeding should continue for up to two years and beyond.

Code Preamble, WHA 39.28 [1986], WHA 45.34 [1992], WHA 47.5 [1994], WHA 49.15 [1996], WHA 54.2 [2001] WHA 58.32 [2005] & WHA 63.23 [2010]

ADEQUATE LABELS: CLEAR INFORMATION, NO PROMOTION, NO BABY PICTURES

Labels should provide information about the appropriate use of the product, and not discourage breastfeeding. Infant formula containers should carry a clear, conspicuous and easily readable message in an appropriate language, which includes all the following points:

- the words "Important Notice" or their equivalent;
- a statement about the superiority of breastfeeding;
- a statement that the product should only be used on the advice of a health worker as to the need for its use and the proper method of use; and
- instructions for appropriate preparation, and a warning of the health hazards of inappropriate preparation.

Neither the container nor the label should have pictures of infants, or other pictures or text which may idealise the use of infant formula. The terms 'humanised', 'maternalised' or similar terms should not be used.

Articles 9.1 & 9.2

Nutrition and health claims are not permitted for foods for infants and young children, except where specifically provided for, in relevant Codex Alimentarius standards or national legislation.

WHA 58.32 [2005] & WHA 63.23 [2010]

Where applicable, information is to be conveyed through an explicit warning on packaging that powdered infant formula may contain pathogenic microorganisms and must be prepared and used appropriately.

WHA 58.32 [2005]

FOOD SAFETY & QUALITY

Member States, as a matter of urgency should: ensure that the introduction of micronutrient interventions and the marketing of nutritional supplements do not replace or undermine support for the sustainable practice of exclusive breastfeeding and optimal complementary feeding.

WHA 55.25 [2002]

WHO/FAO guidelines on safe preparation, storage and handling of powdered infant formula should be applied and widely disseminated in order to minimise the risk of bacterial infection and, in particular, ensure that the labelling of powdered formula conforms with the standards, guidelines and recommendations of the Codex Alimentarius Commission.

Member States to take food safety measures including regulatory measures to reduce the risk of intrinsic contamination.

WHA 61.20 [2008]

Note: FAO/WHO Guidelines for the safe preparation, storage and handling of powdered infant formula are obtainable from <http://www.who.int/foodsafety/publications/micro/pif2007/en/index.html>

COMPANIES MUST COMPLY WITH THE INTERNATIONAL CODE

Independently of any other measures taken for implementation of the Code, manufacturers and distributors should be responsible for monitoring their marketing practices according to the principles and aim of the Code and take steps to ensure that their conduct at every level conforms to all provisions above.

(Article 11.3)

Monitoring the application of the International Code and subsequent Resolutions should be carried out in a transparent, independent manner, free from commercial influence.

WHA 49.15 [1996]

Manufacturers and distributors to comply fully with their responsibilities under the Code and resolutions.

WHA 63.23 [2010]

Note: For the full text of Code and resolutions, see: <http://whqlibdoc.who.int/publications/9241541601.pdf> http://www.who.int/nutrition/topics/wha_nutrition_ijcn/en/index.html

Promotion to mothers and in shops

- Article 5.1 of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.
- Articles 5.2 and 5.4 of the Code prohibit companies from giving samples and gifts to mothers.

- Article 5.3 of the Code bans promotional devices at the retail level.
- Article 5.5 of the Code prohibits marketing personnel from seeking direct or indirect contact with pregnant women and mothers.

Companies do everything they can to keep their products topmost in mothers' minds. They continue to use conventional advertising methods, including in magazines and on TV, company websites and billboards. Social media sites – Twitter, Facebook, YouTube, Instagram, Google+ and mobile phone apps provide new avenues for breaking the rules and seeking direct contact with pregnant women and mothers. Companies are also organising events for parents and brazenly venturing into public spaces like shopping malls, all in an effort to promote their products directly to parents.

Advertisements

Conventional modes of promotion, such as product advertisements in newspapers and parenting magazines and on TV and billboards, continue to be a favoured means of influencing mothers' decision to formula feed and their brand selection. Increasingly, these ads ride on the goodness of breastmilk and health claims are often made. Products are also idealised on company websites, and gifts given to mothers turn them and their babies into walking advertisements.

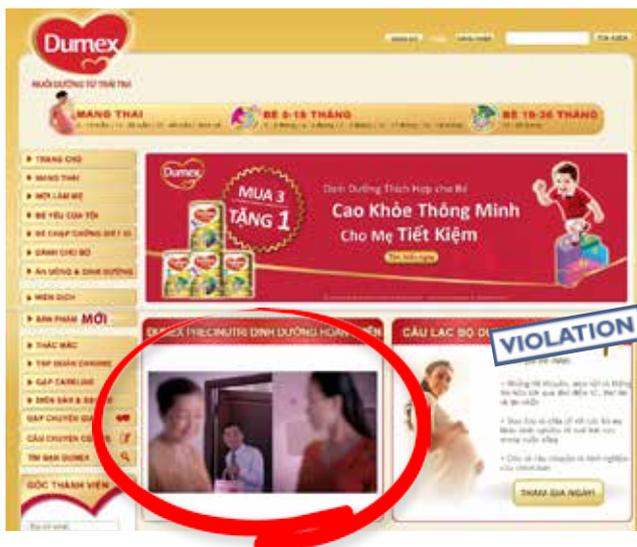
There is much 'cross-branding' where companies avoid overt promotion of infant formula but use products for older babies in the same brand range instead.



In China, a 30-second TV commercial for **Dumex** follow-up formula, also available on YouTube, claims nutrients in the product offer protection and immunity against illnesses, even though there is no scientific justification. Commercials like these work wonders in China where parents prefer foreign brands.



In Liberia, a huge billboard (note the ladder for size comparison) on one of the busiest streets in Monrovia advertises the full range of **Bledine** products as 'the best of nature'. They include **Nursie 1** and **Nursie 2** formulas.



In Vietnam, a TV ad (shown here on the **Dumex** website) encourages mothers to spread the word about **Dumex Mamil Gold Precinutri** infant formula. The video does not show any formula product but in the voice-over, a mother shares her positive experience with **Dumex** following her C-section and the benefits to her baby. Having heard about the product from another mother who had a C-section, the woman in the voice-over went on to recommend the product to the mother in a similar situation.



This print ad series, released in China in 2011, claims that **Heinz Golden-sleep Baby Milk Powder** will 'Make your children fall asleep as easily as you wish at anytime.' These ads are at odds with not only Article 5.1, but also WHA resolutions 63.23 and 58.32, which do not permit any functional claims.



In Venezuela, a TV ad for **Heinz** Apple puree fortified with iron, DHA and Omega 3 is promoted as suitable for infants from 4 months in clear disregard for global public health recommendations of exclusive breastfeeding for six months. Additives and baby images idealise **Heinz's** jarred foods.



In Egypt, the **Hero** online store, herobabystore.com on the **Hero** Middle East website, offers customer a Ramadan special package with price discounts and gifts.



In Thailand, mothers become walking advertisements for **Mead Johnson** when they carry colourful tote bags that say, "I'm **Enfa Smart Baby**" on one side and promote the **Enfa Smart Club** URL on the other. Whichever side of the bag is displayed, the **Enfa Smart** message is loud and clear.



A TV ad, found on YouTube, idealises **Hero** products by showing that a mother needs to be a super athlete and sprint through the house in order to breastfeed her infant. **Hero** has the answer with **nutradefense**, and the ad goes on to show a relaxed, happy mother bottle-feeding her infant. A slogan says, "As your baby grows, we are near you every step of the way".



Mead Johnson teaches mothers in the US how to identify the different growth stages of babies, so they can choose the right **Enfamil Staged Formula**. Three different ads found in the Parent & Child magazine describe each **Enfamil** formula (**Newborn**, **Infant** and **Toddler**) as having been 'tailored to meet baby's changing nutritional needs.' And each tailored formula has a different claim.



In China, **Arla's** launch of **Baby&Me** hinged on product quality (organic milk) and food safety. **Arla** exploits the preference in China for foreign brands by promoting its European-made organic milk. Promotional materials project this image with pictures of green grass and butterflies. The company is described as "World's Famous Organic Milk Producer".



In Canada, a **Nestlé** ad asks, "What makes a happy mum?" It then provides the answer: "a happy baby" and "a happy feeding", whilst parading a succession of several laughing babies, ending with a **Good Start** pack shot. The parade of babies and the statement that "Good Start is like no other formula" idealise the product.



The **Heinz** website for China, with its idealising pictures of a happy, healthy, western mum and baby, and the smiling giraffe that appears on cans of **Nurture**, all help establish positive feelings towards **Heinz**, while targeting infants 0-6 months.





An ad by (Nestlé-owned) **Gerber** promotes mixed feeding with a message that if mothers are not exclusively breastfeeding and baby is crying excessively, **Gerber Good Start Soothe** is the solution. It is touted as the only infant formula with the *probiotic l. reuteri* to reduce crying and colic by 50%. It also claims the product has comfort proteins for easy digestion.



In Cameroon, **Celia** hands out free bibs and baby t-shirts with the **Celia** name and bear mascot to constantly remind mothers of the **Celia** brand and create a strong sense of preference.



A billboard advertising **Lactalis's Celia Develop** formula in Cameroon shows an idealising picture of a mother and young child reaching out for the **Celia Develop 2** pack shot. The slogan says: "Eat well, to grow better". This same image is also used on the **Lactalis'** website.

Events

Companies are brazenly holding events for parents and children and venturing into public places like shopping malls. There they can peddle their products directly to parents and at the same time collect contact information for future direct promotion. The Code prohibits marketing personnel from seeking direct or indirect contact with pregnant women and mothers. Free product samples, also forbidden by the Code, are often handed out.



Fonterra markets its products directly to parents at Parenthood Expos, in Kuala Lumpur, Malaysia. These images, posted on the **Annum Club** Facebook page, show a company representative collecting contact details from parents-to-be, and a lucky mother who has won a prize.



Shopping centre promotions are a popular marketing activity for **Humana**. Here in Tbilisi Mall, Georgia, **Humana** markets its products directly to the public. Cute toys and products for infants under 6 months are available for parents.



In Vietnam, **Humana** samples are handed out to visitors during festive celebrations at places like the Independence Hall.

Social media

Companies are increasingly using social sites like Facebook, Twitter, Pinterest and Google+ as an easy and inexpensive way to interact with mothers or prospective mothers with promotions, information, free samples and contests. Often a separate page is maintained for each country the company operates in. Paid “mommy bloggers” and mobile phone apps are other ways that companies use social media to seek direct and indirect contact with mothers, in violation of the Code.



In Malaysia, **Wyeth** used Facebook to publicise an events-loaded fair for kids and parents in the concourse of a shopping mall. There are shows, games and contests, and free gifts with purchases of growing-up formulas. Photos of the event were later posted on Facebook. (Observed 20/06/2013)



Heinz Vietnam held a competition through its Facebook page for mothers to ‘like’ the **Heinz Baby Food Vietnam** page and enter a photo competition for free gifts—a baby chair and photo album.



Heinz Canada's Facebook page violates the Code with its pictures of happy infants and mothers with **Heinz** products and discount voucher offers.



In Turkey, **Hero Baby's** Facebook page, showing happy mums and babies, promotes its baby club by offering information and news of product innovations.

In Lebanon, **HiPP** encourages parents to contact their nutritionist by email for answers to their questions, and to “Find us on Facebook.” Apart from competitions and mother’s clubs, **HiPP's** Facebook page offers nutritional advice and, along with it, plenty of product promotion.



Danone promotes its **Cow & Gate** brand in the UK by maintaining a presence on Facebook and Twitter, as well as its own YouTube channel. It has also developed its own iPhone app. It has a Facebook page to promote Aptacub, a social club associated with the company's **Aptamil** product line and set up to engage with mothers and pregnant women. Both Facebook pages contain LiveChat options, where company personnel staff “carelines” to answer mothers’ questions.

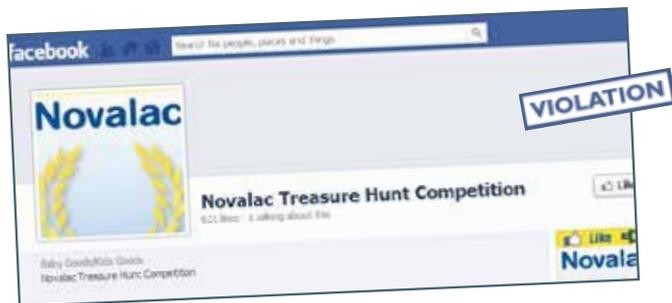


In the US, a Facebook ad by **Gerber** invites mothers who send questions about breastfeeding to register with the **Start Healthy Stay Healthy** club and to schedule an appointment with a certified lactation consultant.

Would you call an aggressive infant formula company for breastfeeding advice? How independent and objective will the advice be?



This sponsored post for **Fonterra's Annum Essential 3 & 4** appeared on Malaysian blogger site redmummy.com. Although these products are growing-up milks, here the blogger refers to the use of formula "right after birth" for babies and states: "Even hospitals use **Annum**; no wonder mothers out there put their trust in **Annum**". She directs readers to the **Annum Club Facebook** page.



Across the Middle East, **Novalac** runs competitions for doctors and keeps in contact with them through its Treasure Hunt Competition Facebook page and novalac.me website.

Phone apps

The Code was written long before phone apps were even dreamt about. However, these branded apps undeniably violate the Code, which specifically prohibits direct and indirect marketing to pregnant women and mothers.



Abbott has developed an app to 'make it easy and convenient to track how much and how long baby eats' that is filled with ads for **Similac Advance**. To ensure the app's success, **Abbott** paid 'mommy bloggers' to give it mostly positive reviews.



HiPP has a phone app for monitoring the feeding routines of infants and for providing advice, such as this one observed in Norway.



Mead Johnson has developed several mobile apps, including **MomsApp** by **EnfaMama**, **Enfa A+Genius Baby** and **Enfamil Family Beginnings**.



In Slovenia, **Novalac** offer parents a local language smart phone "baby app" that allows **Novalac** to offer promotions and special deals directly to parents.

Free samples of formula

The Code prohibits companies from giving samples and gifts to mothers. Although samples may appear to be a generous gesture by companies, they undermine breastfeeding by interfering with its initiation and continuation. Companies count on samples to interrupt breastfeeding and at the same time to ensure that their product will be the mother's first choice.



A Code monitor in Laos interviews the doctor in attendance at a Vientiane hospital and uncovers samples of **Abbott's Similac NeoSure**.

Abbott gives free samples – including sample-size and full-size cans of powder and ready to eat liquid – of **Similac, Similac LF, Similac Advance, Isomil** and **Gain Advance** in Ecuador and El Salvador. The samples are given to hospitals and private clinics, which pass them on to parents.



In El Salvador, upon discharge from hospital, mothers receive diaper bags containing samples of **Similac Advance** infant formula and other gifts such as baby clothes, diapers and teddy bears resembling the **Similac** brand mascot, Rosco.



In Panama, samples of **Abbott's** special formulas **Isomil 1** and **2** were found alongside **Wyeth's Nursoy** in paediatric wards for use by children with gastrointestinal conditions.



Danone gives samples of **Dumex Dulac** formula to mothers in Laos ...

... and **Nutrilon Royal** formula in a hospital in Bandung, Indonesia.



In Myanmar, a young mother who delivered her baby by caesarian section at a private hospital was offered **Foremost Infant Formula** even though she was exclusively breastfeeding her child. When she declined, she was told by the ward nurse that the formula is free of charge and a packet, labelled only in English, was left in her room.



From a promotional stand in a UAE shopping centre, **HiPP** personnel offered shoppers free samples when they bought **HiPP** products. Mothers with babies were given **HiPP Good Night** follow-on samples regardless of whether they purchased **HiPP** milks. The sample's label indicates that it makes a single serving, and the packaging cross-promotes other products sold by the company.

Now, that's aggressive! Women in Canada and the US, including a woman who was only 5½ weeks pregnant, and another who was childless and not pregnant receive by mail unsolicited boxes containing samples of various types of Similac, coupons and promotional materials! Recipients claim they did not request them and have no idea how Abbott got their contact information.



In the US, Mead Johnson unsolicited product samples of **Enfamil Premium Newborn** mails directly to mothers. Inside the box are free gifts and vouchers that provide mothers up to \$16 in savings when they purchase **Enfamil**. The mother who received this box said she never asked for samples and has never indicated interest in formula feeding. She wonders how Mead Johnson got hold of her address.



Also in the US, a breastfeeding mother received unsolicited samples of **Enfamil Premium 1** when her baby boy was 3 months old and she had returned to work.



In Greece, free samples of Nestlé's **Guigoz 1** are given to health professionals to be passed on to mothers.



All these samples of **Fonterra's Annum** formula and branded gifts were given to one mother during a follow-up visit to a private hospital. Imagine how many of such gifts are in stock for the hospital to be so generous.



In the UAE, a **Liptomil** sales representative approached a mother during a routine vaccination visit to a hospital with her infant. Nurses distributed a goody bag that included samples of **Liptomil Plus** and promotional materials. The same practice is also reported in other hospitals.

Promotion in shops

Final brand selection is made at the time of purchase. The way to edge out the competition at the retail level is through discounts and special offers like gifts or redemption schemes, samples, special displays and shelf talkers, and promotional materials like posters or leaflets. The Code prohibits such promotional devices intended to induce sales.

S-26 Promil Gold cans carry promotional tags that announce a certification by the Agri-Food & Veterinary Authority of Singapore (AVA) that the **Wyeth** formula is safe. The tag says, "Wyeth Nutrition – the Infant Milk Manufacturer with an 'A Grading' by AVA for 10 years running." While the safety certification from AVA is not disputed, **Wyeth** should not use it for promotional purposes. Even when the quality of a product is not an issue, artificial feeding itself carries risks to infant health.



Observed: 20/09/2013



In Turkey, discounts for **Bebelac 2** and **Bebelac 3** are routinely found in product catalogues distributed in supermarkets.



In China, **Friesland** offers gifts such as toys, cars and blankets in attractive packaging as prizes in raffles and lucky draws during Chinese New Year. Participation is based on points collected from purchase of **Friso** products. More points provide access to better draws.



In Turkey, **Hero Baby** offers price discounts for **nutraderfense** Stage 1, 2 and 3, 400gm and 900gm, in a retail catalogue.



In the UAE, a supermarket shelf display for formula for babies ages 0-12 months emphasises the importance of breastfeeding. The **Nestlé Start Healthy, Stay Healthy** slogan is synonymous with its formula products.



(Observed 13/03/2013)
In Kuwait, a sign in Arabic for this tall display of **Wyeth's Promil** says 'special offer'.



In South Africa, **Nestlé's Nan 2** is among a range of products discounted for sale 'Under R40', as part of a store's 'End of Range' clearance.



In Vietnam, **Humana** offers promotions through special booths and displays in shopping malls. Staff are on hand to offer samples and other incentives to pregnant women and mothers.

Promotion in healthcare facilities and to health workers

- Article 6.2 bans the promotion of products within the health care system.
- Article 6.3 prohibits the display of products, placards and posters or the distribution of company materials unless requested or approved by the government.

- Article 7.3 provides that there should be no financial or material inducement to health workers to promote products.
- WHA resolution 58.32 [2005] calls on countries to ensure that financial support and other incentives for programmes and health workers do not create conflicts of interest.

The bulk of marketing of breastmilk substitutes is carried out through the health care system and health workers. Some promotional practices aim at direct or indirect access to mothers, others seek to remind mothers about company and brand names with the implied endorsement of the health care system, and others are intended to win over health workers as effective marketing agents.

Gifts to mothers

Companies ensure that their name and products remain in mothers' minds by sending them home with branded gifts. By distributing these gifts, health facilities and workers imply their endorsement of the companies and products.



It is not just formula that is in the bag, the American Academy of Pediatrics (AAP) is too: it provides endorsement by allowing its logo to be emblazoned on the safety tag of **Mead Johnson's** gift bags given by hospitals for free to new mothers.



In Kuwait, discharge bags containing a feeding bottle, blanket and bib, all featuring the **Abbott Rosco** bear, a CD of 'soothing music' and product promotional leaflets are distributed to mothers.



In France, **Nestlé's Guigoz** gives a letter to mothers upon discharge that says: "In the maternity your baby was fed on: **Guigoz 1 or Guigoz Confort 1 or Guigoz Hypoallergénique 1 or Pré Guigoz + AGPI- CL.** (tick a box). Because of the law, we can no longer give you free tins. So make sure you buy one before going home". It ensures continuing sales by warning: "Do not change formula unless on doctor's advice".

The Important Notice, in very small print at the bottom, stresses the value of breastfeeding and the risks of bottle feeding, but it is so small as to go unnoticed.



In the US, **Mead Johnson** distributes to paediatric offices special "infant nutrition kits" intended for pregnant women in their third trimester, to help them prepare for "birthing and beyond". The kit, which includes **Enfamil** ready-to-feed formula samples, Vit-D drops, literature on **Enfamil** and up to USD 300 in savings offers, prepares mum for every eventuality ... except breastfeeding.



Mothers in France received a bright red zippable document holder for baby's papers. Inside the folder is a car sticker with the rabbit and **Guigoz** logos and a book providing 'tips for mum and baby' with 4 pages of advice on breastfeeding and 10 pages on bottle feeding. "If you cannot or don't want to breastfeed, with today's technology infant formulas are close to breastmilk".



Also in France, this nightlight with the **Guigoz** name and bunny logo registers the company name with mothers during night feeds.

VIOLATION



VIOLATION

In Indonesia, pillows with the **Wyeth** logo are given to pregnant women attending Lamaze classes while diaper bags, also bearing the **Wyeth** logo, are given to new mums. (Reported to ICDC in July 2013)

Direct contact with mothers

Companies also seek direct contact with mothers in healthcare facilities. This violates Article 5.5 of the Code, prohibits marketing personnel from seeking direct or indirect contact with pregnant women and mothers.



VIOLATION

In Vietnam, **HiPP** conducts antenatal classes in hospitals and healthcare facilities with posters and products on display. This violates several provisions of the Code as well as Article 10 of Vietnam Decree No. 21/2006. Here, a **HiPP** representative shows pregnant women how to mix and use **HiPP** formula. From formula feeding, mothers graduate to complementary feeding with no mention of the importance of exclusive and continued breastfeeding.



VIOLATION

Muestras de algunos productos mencionados

In Panama, **Mead Johnson** gives talks to pregnant women and mothers in health facilities. It also gives samples of **Enfamil Premium** in powder and liquid form to health personnel for distribution to patients. **Arla's Milex** is also part of the scheme.

Promotional materials and items

Health facilities display numerous items that serve as visual reminders of company and brand names while at the same time implying that health professionals at the facility endorse the products. Often these are gifts of utility items, like prescription pads, height charts and post-it notes, which serve not only a promotional role, but also create a conflict of interest because health workers may feel obligated to recommend the companies' products.



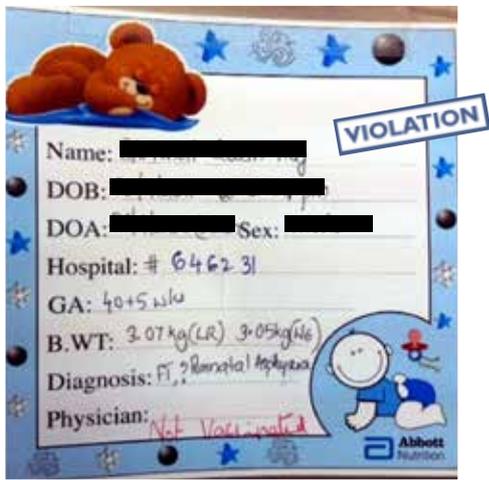
VIOLATION

In health facilities in the UK, leaflets from **Danone** encourage pregnant women to call a **Caretline** for "advice and support at every stage". The women are invited to "Join the **Cow & Gate Mum & Baby Club**" and offered free gifts as an inducement to do so, including "free pregnancy diary, free cuddly cow, mailings and emails packed full of advice and tailored to your stage, money-off vouchers". They are also encouraged to find the club on Facebook and YouTube. Displayed in health facilities, these leaflets from **Danone's Cow & Gate Mum & Baby Club** give the appearance that they are officially sanctioned.



VIOLATION

These prescription pads, ubiquitous in the UAE and Sudan and elsewhere in the Middle East, bear pack shots of **Abbott** products, from formula to growing-up milks, to enable easy prescription by doctors and thus medically endorse products to mothers.



In bed with **Abbott**: In Kuwait, cot cards like this confer important endorsement on company products.



In a clinic in Malaysia, a sign indicating the doctor is present bears **Friesland's Friso** name and brand logos. Formula companies should not offer gifts, and doctors should not accept them. (Friso 3 starts at 12 months)



Banners and counters promoting **Danone** baby foods are often seen in hospitals in Cameroon. **Blédina**, **Blédilait**, **Nursie**, and more are promoted under the guise of providing 'product information' and 'counseling' to mothers. Although Cameroon has a relatively strong law prohibiting such promotion, there is no enforcement.



In Singapore, **Friso** works hand in glove with health care facilities to distribute baby mittens printed with the **Friso** name to newborn babies. In the process, it obtains valuable endorsement of **Friso** products. This practice, already noted in the last monitoring cycle (file picture, BTR 2010), continues unabated today.



In France, containers of tongue spatulas, band-aid dispensers and tissue boxes, all bearing **Danone's Milumel** brand name, are distributed widely in mother and infant health centres.

In Brazil, **Mead Johnson** distributes pen drives shaped like a can of **Enfamil Premium** to health workers attending a paediatrics course organised by a medical school in Sao Paulo.



Danone provides nurses uniforms embroidered with **Danone Baby Nutrition** in the neonatal ward of one of a premier hospital in Addis Ababa, Ethiopia. The uniforms, modeled here by ICDC staff, not only provide free advertising for the company but medical endorsement of its products, and could give the impression that it generously pays nurses to serve in the hospital. Realising that the **Danone** uniforms made them into company agents, nurses started covering up the embroidered logo with a patch of cloth and a safety pin.



In France, small post-it note pads promote **Nestlé's** full range of **Nidal** formula products with pack shots and the slogan 'nutrition founded on evidence' or 'proven nutrition'.

GETTING AROUND THE CODES

In Malaysia, a nurse in a paediatric clinic complained that **Mead Johnson** circumvents the ban on samples by ‘selling’ infant formula to her clinic and the costs of purchase is then reimbursed through the ‘purchase’ of advertising space in the clinic at inflated prices. She also complained that nurses are being rewarded with gifts and trips for providing names of pregnant women and mothers to **Mead Johnson**. When asked about these practices, **Mead Johnson** defended its practices in Malaysia as being in compliance with the Malaysian Code but refused steadfastly to respond specifically to the complaint.

Gifts to health workers

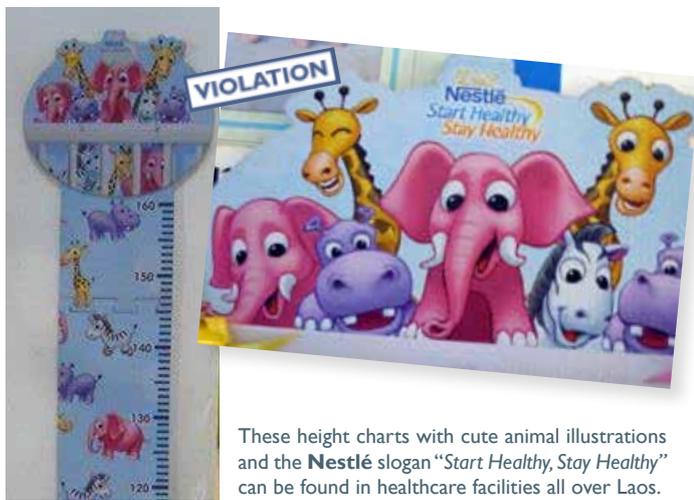
The conflict of interest and sense of obligation to recommend a particular company’s products is perhaps strongest when companies use personal gifts to cultivate goodwill among health workers.



Cute ducks line the stage of a Liptomil event while a large stack of gifts, including Samsung laptops, waits to be distributed to doctors at an event in Turkey.



Liptis relies heavily on events and free gifts to promote its products directly to doctors. This is especially common in the Middle East where the same marketing person turns up time and again to hand out coveted prizes to health professionals when they win lucky draws and quizzes.



These height charts with cute animal illustrations and the **Nestlé** slogan “Start Healthy, Stay Healthy” can be found in healthcare facilities all over Laos.



Digital camera in Sulimanya, Iraq.

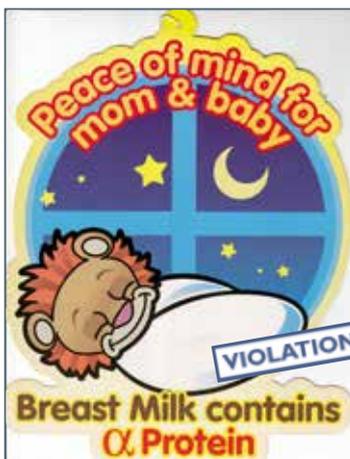
Laptop in Beirut, Lebanon.



Measuring tapes with the **Guigoz** and **Nidal** brand names are some of the cheap service items **Nestlé** doles out to health workers in France.



Expensive **Lenovo** laptops in the United Arab Emirates.



A mobile seen in a Malaysian private hospital says on one side “Peace of mind for mom & baby” and shows **Lex**, **Wyeth**’s brand mascot, snoozing soundly like a human baby above the text, “Breastmilk contains alpha protein”. The other side of the mobile calls on parents to “consult your doctor on more benefits of alpha lactalbumin.” The reason why **Wyeth** praises alpha proteins in breastmilk is obvious since the company boasts that it is “the first to increase Alpha-lactalbumin (alpha-protein)” in its infant milks.



GIFTS CREATE EXPECTATION AND OBLIGATION

In Brazil, a pendant in the shape of a sleeping **Nestlé Blue Bear** was distributed to paediatricians on Paediatrician Day. The pendant comes in a pouch with the **Nestlé** logo and the “Start Healthy, Stay Healthy” slogan in Portuguese. The doctors can wear their yoke of obligation to the company around their necks.

Conference sponsorship

Companies forge links with health professionals by sponsoring professional conferences. In return for their contribution, they are able to set up booths where they promote their products to healthcare professionals and give out freebies like promotional bags or hospitality services. Such promotional activities violate several articles of the Code; at the very least, they encourage goodwill towards companies and give rise to conflicts of interest.



While **Abbott's** marketing personnel make their sales pitch to delegates at a paediatric conference in the US, a promotional video plays next to a prominent display of formula products.



At the same conference, banners hanging from the ceiling scream with claims: "Similac has Lutein & DHA making it closer to breastmilk" and Lutein & DHA "for baby's developing eyes & brain."



Arla was a sponsor of the 2012 and 2013 European Society for Paediatric Gastroenterology, Hepatology, and Nutrition (ESPGHAN) annual meetings. The sponsorship enabled the company to operate booths to promote its products. Here, an **Arla** company representative promotes the company's products amid posters and tins at the 2013 ESPGHAN meeting in London.



Celia was a sponsor of the 2013 ESPGHAN meeting in London. The company used its booth to distribute free gifts and incentives to health professionals to earn their goodwill.



Doctors make wonderful spokespersons while marketing reps provide service at a **Bebelac** counter.



In Egypt, a paediatric conference provided the venue for **Danone's** unabashed promotion of **Bebelac** and **Aptamil** formulae. Providing product endorsement, eminent doctors talk about conditions affecting infants like iron deficiency and lactose intolerance. Marketing reps were poised outside amidst promotional banners and glossy materials to propose the 'solution' to these conditions in the form of **Aptamil** and **Bebelac** formula products.



Larger than life-size, **Bebelac** tin is a promotional desk

Eye-catching balloons promote **Danone's** **Aptamil** formula



A banner showing a baby in the caring hands of a health professional with its nutrition taken care of by **Bebelac**.



In Vietnam, **FrieslandCampina** not only co-sponsored the annual meeting of the Vietnam Nutrition Association (VINUTAS) but also gave a medal and a cash award to a doctor for his contribution to nutrition in Vietnam. Companies are not supposed to give incentives to health workers. The company also set up booths to promote their products and give participants freebies such as conference bags with the **Friso** logo and promotional leaflets about **Friso** products and their ingredients.



The **Friso** name appears on all these standing banners at the VINUTAS meeting. One of them carries the slogan, "Grow together with beloved baby".



A booth at the VINUTAS meeting promoting **Friso** products implies that there is a **Friso** product for each stage of growth.



Mead Johnson's **Enfamil Staged Nutrition**, including **Enfamil Newborn** and **Enfamil Premium**, were aggressively promoted at the 2012 Conference of the American Academy of Pediatrics.

Banners with graphics of the brain unabashedly announced to attending paediatricians that **Mead Johnson** products are "nourishing the brain to help support newborns, infants and toddlers achieve developmental milestones", and that **Enfamil** is "nourishing milestones at every stage".



In the US, **Nestlé's Gerber** infant formula products are promoted at conferences organised by the Academy of American Pediatrics.



The **Nestlé** booth at a nutrition congress in Guatemala City in September 2013 blatantly promotes a full range of **Nestlé** formula products with the slogan "Helping mothers to feed happy babies."



Novalac built this glamorous booth for the 2013 ESPGHAN conference in London.

Across the Middle East, **Novalac** runs competitions for doctors and keeps in contact with them through its Treasure Hunt Competition Facebook page and novalac.me website.



Jumping on the 1000 days bandwagon

The 1000 days between conception and 2nd birthday is a critical period for child's long-term development. UNICEF and WHO have launched a global campaign for health and development through adequate nutrition during the critical "1000 days window of opportunity". Sensing a marketing opportunity, **Danone** and **Nestlé** have co-opted the slogan and launched their own first 1000 Days campaigns.



The **Dumex** book about this 1000 day programme is given to mothers for free when they register on the **Dumex** website.

In China, **Dumex's** 1000 Days plan is a service project tailored for mothers and aimed at providing advice from pregnancy through infancy and various stages of early childhood. The emphasis is on building resistance (immunity).

Given to health workers and displayed in view of mothers, this 2013 calendar explains how **Dumex** understands babies' needs and provides nutrition support for different stages of growth and development.



"Formula equivalent to breastmilk, safe and easy to use for the first 7 days of life".



"The first 1000 days – professional support for pregnant women & mothers."

Danone's Cow & Gate launched the First 1000 Days campaign in Ireland. Its clever and catchy slogan is: "Nutrition now, matters forever". Busy mums and dads are invited to join the "First 1000 days movement" for parenting tips in celebrity blog posts and to receive incentives like free **Danone** Baby Nutrition recipe books.



Danone registered the domain www.first1000days.ie under its **Nutricia** subsidiary.



The campaign uses a celebrity couple, parents of twins, as ambassadors.

Nestlé claims its "Start Healthy, Stay Healthy" motto builds on its commitment to nutritional milestones from conception through infancy in the first 1000 days. As the slogan implies, **Nestlé** offers a product for each stage.



Apart from targeting mothers, **Nestlé** sponsors courses organised by professional organisations on the "first 1000 critical days," as this announcement from Chile shows. The course is inaugurated by a **Nestlé** manager.



In India, the **Nestlé** Nutrition Institute invites doctors to "scientific conferences" to discuss "maternal and child nutrition – the first 1000 days". Such events are explicitly prohibited by the Indian Infant Milk Substitutes Act.

In Malaysia, **Nestlé** extends its *Start Well, Stay Well* Educational Programme to cover not the first 1000 days, but the first 1500 from pregnancy through toddler. As part of the programme, a national road show featuring free public forums entitled "Set your child's future health in the first 1500 days" targets parents directly with information on the importance of immunity and "best practices" to improve their child's immune system. Entry is free, as are the goodie bags and prizes on offer. These public forums are held at hospitals, conferring much needed medical endorsement.



On its website in Malaysia, **Nestlé** provides its solution to nutritional needs at every stage of the "first 1500 days".

Misleading text and pictures which violate the Code

- Article 4.2 requires all information material to advocate for breastfeeding and not contain pictures or text which idealise the use of breastmilk substitutes.
- For health professionals, Article 7.2 of the Code allows only product information that is factual and scientific.

- WHA resolution 58.32 [2005] prohibits nutrition and health claims, unless specifically provided for in national legislation.

In Laos, **Dumex** cleverly exploits the colour and composition of its **Dumex** product labels. The orange colour, the double heart logo, the product mascot and additives such as DHA and Omega 3, 6 & 9 shown on the **Dulac** and **Dupro** formula labels are all glorified and turned into promotional devices in **Dumex** materials for mothers and for healthcare workers.

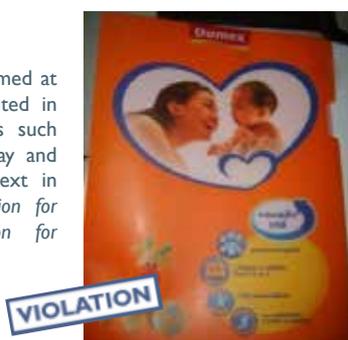


Infant formula label.



Leaflets intended for mothers ask, “Does the mother know about how the child’s body grows and develops in the first year of life”? It explains how **Dumex** products ensure ‘complete nutrition’ and ‘perfect development’ for baby.

The materials shown here are aimed at health professionals and distributed in Vientiane and remote provinces such as Pakse, Savanekhet, Bolikhamxay and Takek. They contain idealising text in Lao such as “the perfect nutrition for development”, “complete nutrition for perfect development, for every age”.



In Bahrain, a die-cut booklet in English and Arabic provides information for a full range of **Danone's Bebelac** products with complex formulations to solve infant feeding problems that babies would not have if they were breastfeeding. The **Complete Care** promotional logo is found on every product in the range. The picture of a blissfully happy mum with a healthy, happy baby represents the **Complete Care** that the products provide. Every product is promoted with a variety of claims such as prebiotics for “happy growth and development”, nucleotides “for your baby’s immune system” and LCPs “to support your baby’s brain and visual development”.



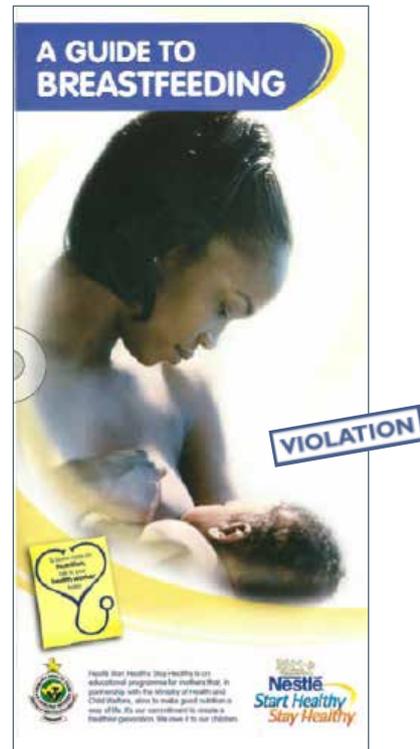
Mead Johnson's Enfamil website encourages introduction of solid foods between 4 to 6 months, going against the WHO/UNICEF recommendation of exclusive breastfeeding for 6 months. Elsewhere, it promotes **Enfamil** as a formula blend “that’s closer to mature breastmilk than ever before”, and encourages mothers to ask doctors for free samples.



In Ethiopia, parents are reminded with this brochure entitled “*Out of love to children*” that they can rely on **Humana** if the mother’s breastmilk “supply is not sufficient”. Suggesting to mothers that they may not have enough breastmilk is an underhanded way to encourage purchases.

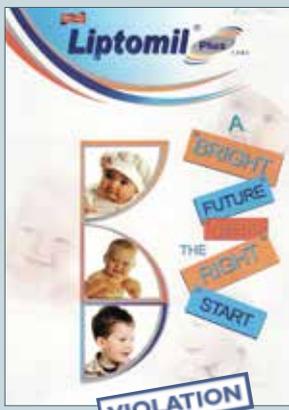


Sabotaging breastfeeding by advocating mixed feeding: In the US, a step-by-step Gerber chart guides mothers on how to supplement the baby's diet with Gerber Good Start or Gerber Good Start Gentle. To reach "supplementing goals in 1 to 14 days", the chart advises mothers to "choose a good time when your baby is mildly hungry and in a good mood" and "continue to substitute bottle feedings until you reach the desired number of daily breastfeeding".



Nestlé's *Guide to Breastfeeding*, prepared in collaboration with the Zimbabwean government, advises moms that 'no other milks (unless made for babies) or foods can give your baby the same protection'. This overtly suggests an equivalence between infant formula and breastmilk. The Nestlé "Start Healthy, Stay Healthy" slogan on every page clearly spells out which products mothers should opt for. Contrary to global public health recommendation, the emphasis here is on breastfeeding for the first 6 months only. There is no mention about the importance of continued and sustained breastfeeding.

SHAME ON LIPTIS !



Liptomil Plus 1, 2 & 3, manufactured by Hochdorf Nutricare, a Swiss newcomer in the BMS market, promotes its entire range in Ethiopia with a fancy, 3-dimensional folder with cut-outs and pull-outs: "A bright future needs the right start."



GUM for a newborn ?

Toddler milk is promoted from birth to 4 years !



Lots of CLAIMS in the pull-outs:

- The **Protection** pull-out implies that **Liptomil** is superior to breastmilk.
- The **Progress** pull-out contains claims on additives that make **Liptomil** surpass the DHA in human milk (ref:AAP!)
- The **Balance** pull-out claims its pre-biotics protect against gastroenteritis.



Cut-outs and pull-outs compare the products to breastmilk at "each stage of life"

Where other companies legally comply with the Code by inserting the required text on breastfeeding even in small print, **Liptis** does not even bother and uses the small print to produce a mishmash of general references.

On top of it all: Liptomil claims to comply with EC directives, codes, ESPGHAN, AAP, US-DRi and LSRO, none of which apply to Ethiopia, but ... Liptomil does not comply with the Code or WHA resolutions (never heard of those in Hochdorf?)

Labels

- Article 9 of the Code requires labels to NOT discourage breastfeeding, including by making comparisons with breastmilk or breastfeeding, or by idealising images or text. Labels must also inform about the correct use of the product and the risk of misuse, and abide by a number of other points.

- WHA resolution 54.2 [2001] advises exclusive breastfeeding for 6 months and continued breastfeeding for up to 2 years or beyond, which means that the recommended age for use of complementary foods cannot be under 6 months.
- WHA 58.32 [2005] prohibits nutrition and health claims unless specifically provided for in national legislation.

Formula labels



In Ethiopia, the label of a can of **Abbott's Similac** imported from the US, makes several claims: "Immune support, strong bones, brain and eyes", "Complete Nutrition for baby's 1st year" and "closer than ever to breastmilk".

Gerber baby

For more than eight decades the same baby face has promoted all Gerber complementary food products. With Gerber owned by Nestlé since 2007, the Gerber baby more recently became the face for **Good Start** formula. Trademarked or not, a baby face should never appear on formula products. Article 9.2 of the Code.



Danone tetra pack of ready-to-drink **Nutrilon 1** infant formula in the Netherlands idealises the product with the statement "inspired by mother's milk" inscribed on the green shield.



In the US, the labels of Mead Johnson's **Enfamil** formulas compare the products with breastmilk. **Enfamil Infant** (left) claims it is "patterned after breastmilk", while the Lipil in **Enfamil Next Step Lipil** (right) is described as a blend of DHA & ARA – nutrients found in breastmilk.



Cross-branding

In China, **Heinz** uses the smiling giraffe and an emblem signifying intestinal system protection on its three stages of **Supergold Nurturance** formula products. Words such as "health", "intelligence" and "learning" - attributes that Chinese parents treasure - are woven into the Chinese brand names of the infant formula, follow-on formula and growing-up formula respectively.



In Laos, **Nestlé's** regular-sized **Lactogen 1** (left), Laotian is only found on the back of the label. Sachet-sized **Lactogen 1** (right), part of the company's *Popularly Positioned Products* and targeted at deprived communities, is labelled in English.



In the UK, **Wyeth** discourages breastfeeding with these statements on **SMA** labels - "When baby is not breastfed" and "to combination feed with breast milk".



Danone product labels in foreign languages are common in Laos, where most people only understand Laotian. **Blédilait 1** and **2** (left and centre) are in French while **Dugro Gold** (right) is in Vietnamese.



In New Zealand, Heinz's Nurture product line is linked through matching label design and the **Digesti Plus** logos and claims.



The labels of **Dulac** and **Dupro** infant formulas and follow-up formulas are in Thai. They are also full of claims regarding additives like prebiotics and DHA/ARA, which purportedly bring benefits such as improved intestinal immune system, and brain and visual development.

Product differentiation

Other than focusing just on the strength of their brands, companies are giving more importance to product categories. They are developing product differentiation but at the same time using similar advertising strategies for each category. There is a large degree of cross-promotion through the way different products are packaged to resemble one another through the use of similar brand names and logos on labels.



Wyeth's new **Illuma** has matching labels across the product line. To distinguish them, the infant formula label shows a bassinet, the follow-up formula shows shoes, and the two stages of growing up milks show a soccer ball and, incredibly, a laptop!

Complementary foods

Many companies promote products for use below 6 months of age, in violation of the global recommendation of 6 months of exclusive breastfeeding.



Labels designed to look deliberately similar in Danone-owned Nutricia's **Almiron** range. Although he appears in various permutations, the polar bear mascot represents the full **Almiron** range allowing cross-promotion.



In Canada, **Heinz** baby rice cereal is promoted as a first food for infants 4 months and older (left). In China **Heinz** cereals, fruit and vegetable purées say “1st stage – from the beginning”. There is no indication as to when “the beginning” starts, but it could be understood to mean “from birth” (right).

Friesland's Noy Noy complementary foods are marketed in Greece for babies from the 4th month of life, meaning after 3 months. A smiling, healthy baby idealises the product.



In the Netherlands, the Nestlé's Alele Fenchel Tea is represented as suitable for babies one week old.



In the UAE, Bebecereal is recommended as of 4 months.



In Vietnam, Humana's cereal, teas and fruit juices are also promoted for infants from 4 months.

Laws work

It is clear that labelling laws can work if they are strong and unambiguous. For example, in South Africa (where labeling provisions did not come into effect until 2014), Aspen's Infacare labelling carries idealising images and claims. In neighbouring Zimbabwe, where a Code-based law has been in place for many years, the promotional features are absent.



Aspen Infacare labels in South Africa feature a cute baby bear in a diaper and make claims like "AA and DHA contributing to the development of our baby's brain and vision" and "prebiotics, probiotics and optimised protein to aid digestion". As the South African law gradually comes into effect, the promotional logos and text disappear.



Plain packaging in Zimbabwe even though the products are imported from South Africa and enforcement is generally lacking.

In March 2014, the South African law came into force !



The teddy bear and claims seen on the labels at the top of the page disappear in compliance with the law. It contains the following warnings:

- "Does not contain breast milk. Breast milk is best food for babies."
- "This product is not always sterile, it must be prepared and used appropriately."

Inappropriate Promotion

- The World Health Assembly in Resolution 63.23 [2010], calls on governments to end all forms of inappropriate promotion of foods for infants and young children. This covers complementary foods and toddler or growing-up milks (GUMs). Marketed for young children 1 to 3 years, GUMs are the fastest growing segment of products, due largely to aggressive marketing.

Non-existent when the Code was introduced in 1981, GUMs were developed to circumvent Code restrictions. With the global recommendation for breastfeeding to continue up to two years and beyond, GUMs come under the scope defined in Article 2 of the Code.

Resolution WHA 63.23 [2010] also urges that nutrition and health claims not be permitted for foods for infants and young children (except when specifically allowed for by Codex or national legislation).

Companies promote these products as though they are not covered by the Code - directly to parents, on TV and in print media by making health claims and offering incentives to purchase, and through health workers. The advertising of GUMs serves as cross-promotion for infant formula and follow-up milks due to their similar brand names, logos, numbering systems and marketing slogans. Here is a selection of inappropriate promotion.



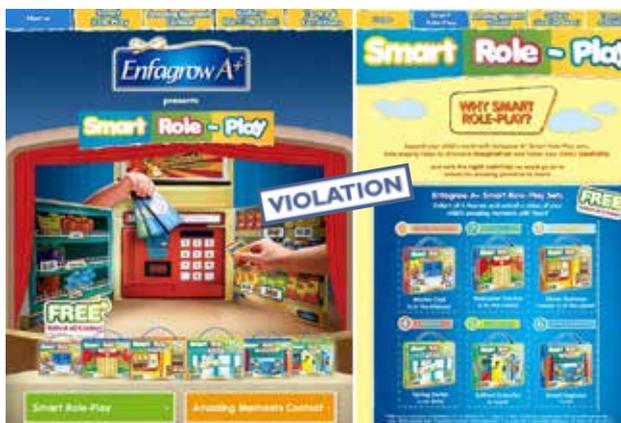
In Spain, **Novalac** hosts a website where mothers can insert photos of their family members in order to have them appear as dancing elves. The attraction brought more than 77,000 visitors in one month to the **Novalac** website, where there is product promotion.



A **Friso Growing Up Together** event in major departmental stores in Malaysia provided fun and games for kids and parents alike. Participants received one MYR10 voucher and a **Friso** sample. Anyone producing a tin foil or bar code of **Friso 3** and **Friso 4** received a free gift.



In Kuwait, a huge mobile poster in a supermarket (left) promotes **Wyeth's Progress Gold** with a mother and baby picture and the slogan: "He's my inspiration to be a better mom." The same promotion is seen in a supermarket in UAE, where **Wyeth** reps hand out samples of **Progress Gold** and gifts to shoppers (right). Samples of **Progress Gold 3** are also given to mothers by health workers in Bahrain.



Mead Johnson offered parents in Malaysia one of six **Smart Role-Play** kits with every purchase of **Enfagrow A+** and **Enfakid A**. Parents are encouraged to submit videos of their kids playing with the items bearing the **Enfa** logo, which serve as free advertising for all **Enfa** products.

In Ethiopia, a **Wyeth** leaflet equates intelligence with **S-26 Progress Gold 3**. "Feed her imagination," the leaflet tells mums, "while we nurture her mind". The leaflet claims that **S-26 Progress Gold 3** contains Biofactors System, a unique combination of nutrients to support the child's growth at every stage of life.

To cap it all, the **Wyeth** promotional slogan, "Feed their potential," appears on the leaflet.



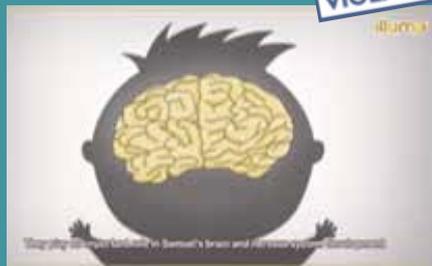
In Puerto Rico, **Mead Johnson** delivered cardboard crowns bearing the **Enfagrow** brand name to paediatric clinics with instructions to distribute them to children.

Health claims galore

Although there is no evidence that growing up milks (GUMs) bring additional value to a balanced diet for young children, promotion for these products is full of claims saying they will improve intelligence and development. Even though the ads show older children these GUMs are promoted as of 12 months (**Aptamil** as of 6 months: **Nan 3** as of 10 months), well within WHO's recommendation for continued breastfeeding.



In a TV ad for **FrieslandCampina's Dutch Lady Active** range, a battery life indicator shows a child fatigued from learning with her "battery" running on empty. She perks up after drinking **Activ Gold** containing *Isomaltulose*, which the ad claims offers "continuous energy for your **FrieslandCampina** child to keep learning". And of course, free samples are available for the asking.



In Hong Kong, a video on the **Wyeth** website "takes parents for a ride" to learn about the essential nutrients for growth and development of the brain and nervous system. The website contains claims that are not allowed, idealising text and graphics to explain how **Illuma** – a "human affinity formula" – has a structured lipid that supports toddlers' absorption of key nutrients at different levels.



In the UK, **Danone** promotes its **Aptamil** growing-up milk as containing *Pronutra*. **Danone** claims that *Pronutra* improves "a series of monumental 'first-step' milestones", from major mental and physical developments, such as crawling, walking and talking, to less obvious but vitally important changes to their vision, immunity and digestive systems.



An ad in Lebanon asks mothers to feed their child's potential with **Wyeth's Progress Gold**, with claims that the product supports "mental and visual development, immunity, growth and digestion enabling your child to reach each milestone".



In Bahrain, **Gain Plus** and **Gain Kid** are promoted using the IQ/Eye-Q Plus promotional device that has come to be associated with **Abbott** formulas. Claims made include "excellent mental, visual and language development" and "the most advanced formula ever..." underscored by visual representations of the brain, immunity, growth and tolerance.



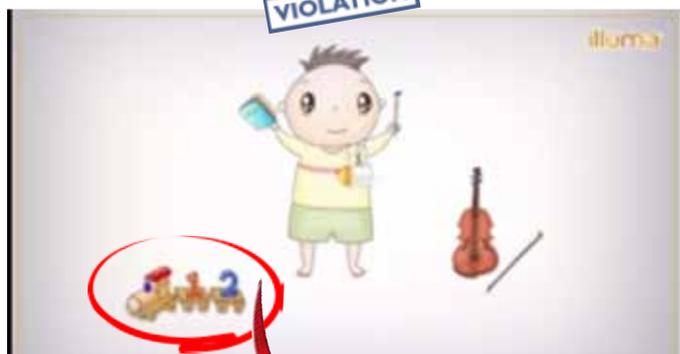
In Hong Kong, a video embedded in the **Nestlé** website promotes **Nan 3** with claims like 'specially added BL and LGG probiotic' to promote 'gut health, digestion, absorption'. There is overt comparison with breastmilk via the DHA and ARA components which, contrary to systematic reviews of the evidence, are claimed to 'help baby's brain and visual development'.

Cross-promotion

The advertising of GUMs, and similarly of milks for mothers, cross-promotes formula in the same product line. By designing formulated milks for expecting mothers, infant formula and growing up milks - with similar brand names, logos, promotional slogans and other gimmicks, companies encourage brand loyalty from conception to school, creating a faithful consumer for up to 5 years. Some companies use the figures “1” and “2” in advertisements for GUMs to represent their formula and follow-up formulas in their complete product line. In some countries, formula for mothers has become “0”.



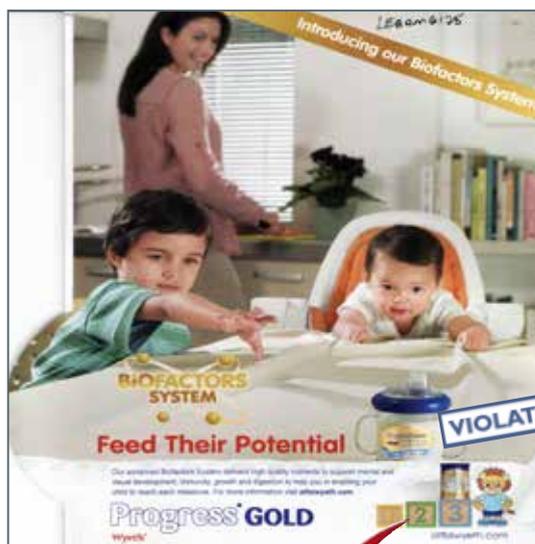
Heinz China links its product line, from milk for expecting mothers, infant formula and through to milks for older children, to ensure brand loyalty. The giraffe logo and the figure “1” stand in for infant formula in the product line.



Although **Illuma 3** is the product shown in this video on the **Wyeth** website in Hong Kong, there is also reference to the figures 1 and 2 (circled) obliquely referring to **Illuma 1** and **Illuma 2**.



In a brochure in Malaysia, **Friesland** promotes its growing-up milks, but a “1” and “2” hold the place for the product line’s formula and follow-up formula.



In this **Wyeth** ad for **Progress Gold** in Lebanon, the product line’s formula and follow-up formula are represented by “1” and “2” wooden blocks.

Look what they're doing in China!

With 20 million babies born in 2012, China is a lucrative formula market valued at USD 12.4 billion and projected to hit USD 25 billion by 2017. The Code gets trampled by companies battling to corner market share, as illustrated in *Breaking the Rules* and elsewhere in this BTR: in Brief. According to a Save the Children report (2013) 25% of mothers received gifts, while 40% were given samples, all in violation of the Code. Look what else has been happening in China!

Dumex bribes health workers

In September 2013, the Chinese State Television (CCTV) reported that **Dumex**, **Danone's** main baby food unit in China, paid doctors and nurses in the northern city of Tianjin to promote its formula products. The CCTV report showed that nurses routinely feed newborn babies a bottle of formula without asking or informing the parents.



Exposé by China's official TV station caused quite a stir when investigations revealed corrupt practices that systematically prevent babies from being breastfed.



A former sales manager told CCTV: "Every year we worked with the hospitals and gave them money. Hundreds of thousands, there's a secret agreement."

Speaking with an undercover CCTV reporter, a doctor, a nurse and a shop owner

all confirmed that kickbacks were given to health workers for introducing the company's infant formula to new parents.

年份	医院名称	参加项目的专业人员	项目支出金额
2013.2.20-2013.3.20	镇国医院	冯宏	600
2013.2.20-2013.3.20	桂华医院	于洁娜	300
2013.2.20-2013.3.20	民强医院	安林林、董林凤	2000
2013.2.20-2013.3.20	晋州医院	梁娜	300
2013.2.20-2013.3.20	冀州医院	孙金福	400
2013.2.20-2013.3.20	北新中医医院	李瑞霞	7200
2013.2.20-2013.3.20	冀州医院	刘慧霞	400
2013.2.20-2013.3.20	文安县医院	董林凤	400
2013.2.20-2013.3.20	小段医院	刘洁	3000
2013.2.20-2013.3.20	新丰医院	刘林森	300
2013.2.20-2013.3.20	南营医院	林伟	300
2013.2.20-2013.3.20	中心医院	张林、李瑞霞	500
2013.2.20-2013.3.20	北新妇幼保健院	程淑兰、李瑞霞	2000
2013.2.20-2013.3.20	新村卫生院	刘会娟	900
2013.2.20-2013.3.20	大程卫生院	杨连华、唐玉兰、王希敏	900
2013.2.20-2013.3.20	杜林卫生院	李国红	300
2013.2.20-2013.3.20	杜林医院	李娜	4000
2013.2.20-2013.3.20	杜林医院	李娜	7000
2013.2.20-2013.3.20	杜林新医院	李娜	7000

This list of doctors and nurses who received money under the guise of sponsorship was sent to CCTV.

Another former marketing manager revealed, "As soon as the baby is born, it doesn't matter if you agree or not, it doesn't matter if the mother can breastfeed or not, the baby is fed with milk powder. It's the norm." How does this first sip of Dumex affect the baby? "She'll reject the mother's breastmilk; the taste is different."

In October 2013, **Dumex** accepted "full responsibility" for the illegal payments made by its employees, and promised that "disciplinary actions" would be taken. **Bribes had been paid to 116 doctors and nurses across 85 medical institutions in just one city alone.** The Chinese health authorities dismissed or suspended 13 employees who had taken bribes.

Free formula for earthquake victims

Sounds generous, but it is dangerous! Providing supplies of formula and powdered milk has been found by aid agencies to cause more harm than good. It encourages artificial feeding when it is not needed, and conditions during emergencies do not allow for safe preparation. International guidelines on infant feeding and emergencies endorsed by UN agencies ban free supplies and determine that formula products, if needed, should be procured following set criteria.

That didn't stop several companies, always ready to bolster their public images, from supplying free formula products following the Ya'an, Sichuan earthquake in April 2013. **Friesland** shipped out formula products to relief centres and publicised the deed. Likewise, **Dumex** China announced with great pride through its official blog that the company had supplied 475 cases of **Dumex** infant formula milk powder to relief centres.



Look what they're doing in Greece!



With the slogans “Do I seem to be missing valuable ingredients?” and “Does this baby look unsettled to you? Because healthy infants are happy infants”, advertising and educational materials by Danone’s Milupa imply that Aptamil formula products contain all the necessary ingredients for babies to thrive.



Shamelessly linking a healthy baby face with company and brand names, a Nestlé Nan leaflet found in a healthcare facility shows a baby saying, “Whoever believes that all milks are the same, has not spoken to me”.

WHA resolution 54.2 [2001] advises exclusive breastfeeding for 6 months, yet in Greece several companies continue to market their cereal products for use below that age. They also use images of healthy, happy babies to idealise their products.



Danone’s Milupa and Nutricia are recommended as of 5 months. Both labels bear pictures of babies.



A cabinet in a clinic waiting room displays Noy Noy products marketed for babies below 6 months and bearing baby pictures on the labels.



The Nestlé website in Greece tells parents to start complementary feeding at 4 months: “Your baby is now in stage 1 – from 4 months of age – and despite the fact that he has started sleeping a lot, he wakes up and starts to explore his world around him, as well as new exciting tastes! This means that your baby is ready to add new foods in his diet that so far is based on breast milk and/or on infant formula, which now are not enough!” The website also urges parents to sign up with its baby club even though the Code prohibits contact with mothers of young children.



Mothers receive Almiron, and Aptamil samples in health care facilities. Almiron comes in a single-serving sample size, while full-size cans of Aptamil are embossed with “free sample”.



A child’s health record book, printed courtesy of Danone’s Nutricia and bearing the Almiron brand name, is distributed to all newborns in a maternity ward. The back urges parents to contact experts in Nutricia for free advice on infant feeding.

Look what they're doing in Latin America!

Nestlé

Nestlé claims in its PR statements that Latin America is a region where many countries shoulder the 'double burden' of malnutrition. So Nestlé "strives" to ensure more people can get the nutritious foods they need to stay fit and healthy throughout their lives. There is no mention about its responsibility to comply with the International Code, subsequent WHA resolutions and the national laws that have been implemented to give effect to these recommendations.



In Costa Rica, an outdoor banner claims that Nestlé's NAN products with *L. reuteri* probiotics reduce crying and colic.



Nestlé uses an idealising image of mum and baby on a booklet to promote its full NAN range.



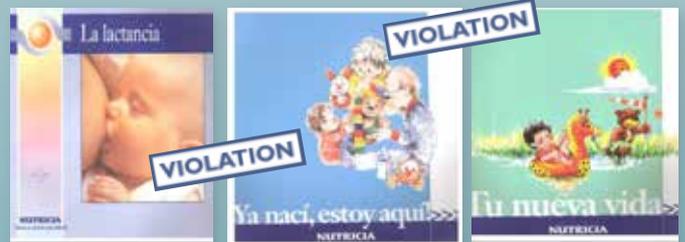
A solution for every need – Nestlé materials remind health professionals of the full range of Nestlé formulas. The mélange of idealising claims include - for **NAN**: "has a mix of protective ingredients which activate the immune system"; for **NAN Pro**: "stimulates the immunological system at intestinal level"; for **NAN HA**: "routine formula for preventive use even if infants show no allergy symptoms".

Danone - Nutricia

In Latin America, Danone markets through Nutricia which owns the **Bebelac**, **Neocate** and **Nutrilon** formula brands. These violations are reported from Costa Rica (law), El Salvador (law implemented after monitoring was carried out) and Paraguay (law only partially implements Code and is aimed mostly at health workers). Where implementation and enforcement of laws are poor, Danone takes advantage by flooding hospitals with promotional materials ignoring the Code Article 11.3 which requires companies to give effect to the Code at every level irrespective of government action.



Happy and healthy-looking babies feature prominently in Danone's Nutricia materials found in Costa Rican hospitals. Hardly scientific or factual. Some, regarding food allergies, are aimed at parents. Others focus on the **Neocate** family of products – "Nutrition appropriate for every age; products that grow with them". (Danone gave a global undertaking in May 2012 to stop distributing materials for the public through the health care system). IBFAN will be checking.



This series of Nutricia booklets are widely found in waiting rooms of private hospitals in Paraguay. Titles from left – 'Breastfeeding', 'I'm Born and I'm Here' and 'Your New Life'. The booklets acknowledge the value of breastfeeding, but their contents are skewed towards artificial feeding, implying that Nutrilon products are similar to breastmilk.



Though not mentioning it, Nutricia makes the connection between its company name and happy healthy babies with posters like these in El Salvador.

Paraguayan doctors may not realise it, but they become sales people for Nutricia with prescription pads like these.

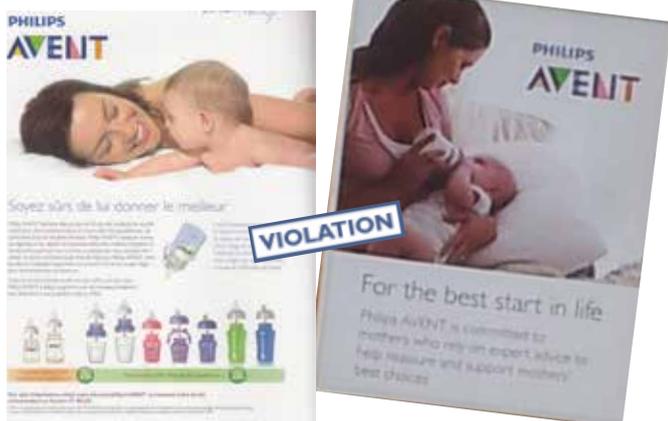
Feeding Bottles and Teats

Feeding bottles and teats are covered by the Code.

Nowadays, feeding bottle and teat companies claim to support breastfeeding and present their products as indispensable for successful breastfeeding, or for smooth transition between breast and bottle, a practice that discourages breastfeeding. They idealise their products in promotional materials and on labels with images of mothers and babies and comparisons with breastfeeding. They fail to mention the risks of using their products. They entice mothers through direct promotion in advertisements and posters, by using websites and social media, through special displays and discounts in shops.

Direct promotion

Promotion by feeding bottle and teat companies most commonly comes in the form of advertisements in parenting magazines, on the Internet and via social media. Gift sets are also common and these are often included in discharge packs to mothers post-delivery.



(right) In Lebanon, an **Avent** ad advises mums in French to 'Make sure to give baby 'the best''. Besides featuring a picture of a mother and baby, it claims that the **Avent** wide teat 'makes it easier to go from breast to bottle'.

(left) A huge **Avent** sign board in front of a UAE mall shows a baby being bottle fed and the slogan 'For the best start in life'.



In El Salvador, a **Playtex** ad is conveniently placed on the same page as an advertorial on feeding bottles entitled 'Convenient new options'.

In Greece, **Chicco** feeding bottles and teats are included in gift packs distributed to postpartum mums in hospitals.



Comparisons with breastfeeding: In Lebanon, a **Nuby** ad (left) claims the product to be 'Inspired by nature' and juxtaposes close-up pictures of breastfeeding and bottle feeding to illustrate how the product provides a 'natural feeling' while offering the natural flexibility of mother's breast. **Tommee Tippee** (right) calls their teats 'closer to nature' with claims like 'easy latch on' and 'flex and stretch'.

Promotion in shops

Common promotional practices in shops include special displays, banners, discounts and special offers, all forbidden by the Code.



In Botswana, **Avent** Newborn Starter Set and Baby Teats (0-3m) are promoted as 'Winter Specials'.

In the UAE, a special display shelf in a shop offers **Avent** products at 50% discount.



In Malaysia, **Chicco** feeding bottles are discounted from MYR 39.90 to MYR 23.90.

In a shop in the UAE, banners for **Tommee Tippee**, **Tippee** and **Pigeon** draw attention to a full range of products displayed behind them, and in Thailand, a large **Avent** banner in a shopping mall offers free newborn starter sets with purchase.



Labels

The labels of feeding bottles and teats tend to bear idealising images, such as photos of babies and young children, and comparisons with breastfeeding. These are not permitted under the Code.

(left) **Avent** labels show pictures of mothers at rest with their babies and the statement “clinically proven to help settle your baby especially at night”.

(right) **Nuby** feeding bottles and teats are idealised by a cheerful baby and the more “natural” wide neck design.



Promotion to health workers

Feeding bottle and teat companies are imitating baby food counterparts by sponsoring events organised by health associations or attended by health professionals, giving rise to conflicts of interest. They take out booths to provide information to health professionals, but much of it is neither scientific nor factual, as required by the Code; it is in fact promotion.



At a paediatric conference in the US, the **MAM** counter features a wide range of baby feeding products including feeding bottles and teats. Large promotional posters idealising **MAM** products are displayed prominently.



The back label of **Pigeon's** (left) feeding bottle with “peristaltic nipple” in Costa Rica says it “resembles mother’s nipple”. In Ecuador, feeding bottle label of **Carlitos** features a baby.



PhilipsAvent sponsored the Global Breastfeeding Initiative during the Excellence in Paediatrics 2013 conference in Doha, Qatar on 4-7 December 2013. As a result, many health professionals boycotted the event, especially after the World Health Organization announced they were not supporting the event because the sponsorship violates its conflict of interest regulations.



In Paraguay, labels like these for **Apple** (top) and **Nuby** (bottom) commonly feature happy, healthy babies.





Breastflow's label in Malaysia says: "Perfect for breastmilk and formula"; "Works like Mom" "the same natural motions as breastfeeding"; "reduces colic symptoms" and "88% of moms surveyed said their babies experienced less gas, spit-up or fussiness".



In Turkey, **Avent** gatecrashes a breastfeeding mother's Facebook page to promote a baby fair where **Avent** will be distributing gifts. A link also launches a blog site where contact is made with mothers.



Also in Malaysia, some teats are sold without warnings (required by the Malaysian Code) that use of the product will interfere with breastfeeding. **Dr. Baby** (top) teats are sold in two different types of packaging, plain cellophane wrapped and boxed. The box shows a photo of a baby and contains the phrase "Ideal for babies". **Japlo** (bottom) teats are sold in special display cases wrapped in plain cellophane.

Website promotion and social media

Like formula companies, feeding bottle and teat producers like **Avent** are taking to websites and social media in a new and effective method of communicating with parents. The Code prohibits all promotion of feeding bottles and teats – whether in print, on TV, or on the Internet. Companies are not permitted to seek direct contact with mothers or pregnant women.



The dailymedicalinfo.com website, which offers counselling to Lebanese mothers and pregnant women, contains a link which launches a page promoting **Avent** feeding bottles.



This **Avent** ad is found on a popular Turkish mummy blog belonging to a 'breastfeeding revolutionist' and champion of mother support in Turkey. Clicking the ad launches **Evoria**, the online shop behind the **Avent** promotion.

Pacifiers and breast pumps

Feeding bottle and teat companies also market products like breast pumps, pacifiers and other feeding implements which do not come under the scope of the Code. The marketing link of these products and feeding bottles and teats is as obvious as it is inevitable. Promoting one invariably promotes the other. These products are made out to be necessary paraphernalia for breastmilk feeding and the child's well-being. In fact, they create more commercial barriers to the natural act of putting the baby to the breast.



Pacifiers are known to discourage breastfeeding but in Greece, a **Chicco** ad for its pacifier says "She's going to grow up with a lovely smile."



In Croatia, an ad for breast pumps rides on breastfeeding.

Stretching the Rules

Companies are continually seeking ways to get around the Code. “Stretching the Rules” in these ways violates the spirit, though not necessarily the letter, of the Code by undermining or discouraging breastfeeding. This section highlights two such practices: the promotion of milks for mothers, an unnecessary product, especially in ways that cross promote formula products and the sponsorship of promotional events masquerading as educational symposia and conferences, which may give rise to conflicts of interest.

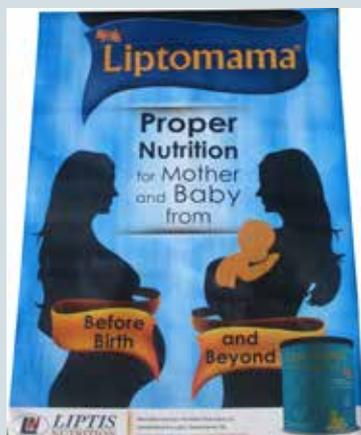
Milk for mothers

Milks for mothers are an unnecessarily product: mothers who can afford it, don't need it; those who might benefit from a dietary supplement during pregnancy, can't afford it. Besides extending the company's product line, milks for mothers are packaged and promoted in ways that cross-promote its formula products.



In Lao PDR, a leaflet for **Dumex Mama** (left) announces the product's new packaging. The new packaging closely resembles the colour and design of **Danone's Dumex** formula products. (top)

This **Friso Mum Gold** pregnancy guide for the third trimester was found in a maternity home in Malaysia. It pushes the theme of “protecting your little one from the inside,” and lists the “goodness” inside the product, including **Friso Synbiotic Agent**.



This poster for **Liptomama**, on display at a paediatric conference in Addis Ababa, Ethiopia, creates a link between the **Liptis** name and the infant feeding products it sells.



In Sri Lanka, **Nestlé's** formula for mothers is called **Baby & Me**. An ad taken out on Mother's Day contains claims about probiotics, DHA, minerals and folic acid, which will “give baby a good start to life.”

Sponsorship of “educational” events

Company-sponsored community programmes, educational events and conferences have increased in frequency. These activities, intended to promote breastmilk substitutes and generate goodwill, create conflicts of interest which WHA resolutions warn against. Although the Code allows companies to provide product information that is restricted to scientific and factual matters, the topics under discussion at such events usually focus on themes related to nutrients and substances in the respective company's products and are promotional in nature.



In India, **Abbott** (left) was a Diamond Sponsor of the Neocon 2011 31st Annual Convention of National Neonatology Forum in Chennai.

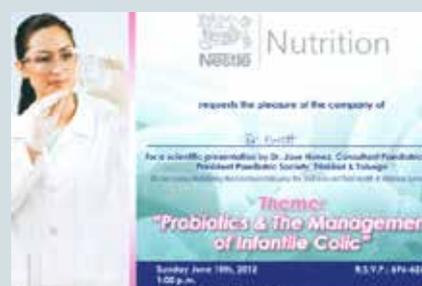
In Myanmar, **Dumex** (right) sponsors the Myanmar Pediatric Symposium. With the Minister of Health gracing the occasion, the company successfully positions itself as a health partner to the government.



In China, the **Heinz** Institute of Nutritional Sciences (HINS) runs programmes for health workers, generating plenty of good-for-business goodwill. It sponsors nutrition projects, such as a two-year controlled clinical trial (to reduce anaemia in infants aged 6 months and older) which is bound to turn the **Heinz** brand into a household name.



Mead Johnson (left) is one of the main sponsors for events organised by the European Society for Paediatric Gastroenterology, Hepatology and Nutrition (ESPGHAN). Factual and scientific? Hardly. (ESPGHAN 2012 Conference in Italy). This gift from **Mead Johnson** (right) at ESPGHAN will be remembered and repaid many times over.



Nestlé has initiated a series of symposia on topics relating to infant and young child feeding, like this one in Trinidad and Tobago, in hotels, meeting halls and restaurants.

Similar submissions from Canada, Egypt, and France are included in the full Breaking the Rules report.

YOU can be a monitor and help protect infant health!!!



Monitoring the Code

IBFAN continuously compiles violations and welcomes your input.

Have you noticed any company practices lately which violate the International Code or subsequent resolutions? Or which discourage breastfeeding? If so, help us collect the information by photocopying and completing the form below and sending it to –

IBFAN-ICDC, P.O. Box 19, 10700 Penang • code@ibfan-icdc.org • www.ibfan-icdc.org

Name Which IBFAN group, if any:

Address

E-mail

The above information is necessary to enable IBFAN-ICDC to double-check the information you have given, if necessary. Your identity will be kept confidential.



Description of Code violation (please answer all questions, especially the *when, where, who, what* and *how*)

1. **Short Description**
(Include heading or slogan found on company materials.)
2. **When** was the violation observed? (dd/mm/yyyy)
3. **Where?** (place, city and country)
(For newspapers and periodicals, please indicate the name and date of publication.)
4. **Who** is violating the Code and **how**?

Company	Brand	Type of product ¹	Type of violation ²

¹Type of product: **A.** Infant formula, **B.** Follow-up formula, **C.** Complementary food, **D.** Bottle & Teat, **E.** Other (please specify)

²Type of violation: **A.** Advertisement, **B.** Commercial promotion in health facility, **C.** Company contact with mothers, **D.** Donation of products to health facilities, **E.** Free sample, **F.** Gift to health worker, **G.** Gift to mother, **H.** Inadequate labelling, **I.** Promotion in shops, **J.** Sponsorship, **K.** Other (please explain, use another sheet of paper if necessary)

If specimen or picture is attached, tick here

5. Observation / Details *(Please use another sheet of paper if necessary):*

• This form may be returned to IBFAN-ICDC by post or via email as a PDF or Word attachment. An electronic version of this form can be obtained from code@ibfan-icdc.org

- Where possible, include actual specimen, photographs or scanned images of Code violations with your form.
- Samples should be identified and matched to the correct forms, especially when you do more than one report.

Thank you!
Together we are strong.



About IBFAN

The International Baby Food Action Network (IBFAN) was founded in October 1979 and is now a coalition of 273 citizen groups in 168 developing and industrialised nations.

- IBFAN works for better child health and nutrition through the promotion of breastfeeding and the elimination of irresponsible marketing of infant foods, bottles and teats.
- The Network helped to develop the WHO/UNICEF Code of Marketing of Breastmilk Substitutes and is determined to see marketing practices everywhere change accordingly.
- IBFAN has successfully used boycotts and adverse publicity to press companies into more ethical behaviour. IBFAN also helps to promote and support breastfeeding in other ways.



About ICDC

The International Code Documentation Centre (ICDC) was set up in 1985 to keep track of Code implementation worldwide.

- From 1991 to 2013, ICDC has trained 1500 government officials from 146 countries in drafting sound legislation to protect breastfeeding.
- ICDC training had a positive impact on Code implementation in 75 of these countries.
- ICDC collects, analyses and evaluates national laws and draft laws.
- ICDC also conducts Code monitoring courses and maintains a database on Code violations worldwide.
- ICDC publishes a global monitoring report, *Breaking the Rules, Stretching the Rules* and the *State of the Code by Country* chart every three years.

IBFAN-ICDC

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