

# Campaign for ethical marketing

BABY MILK  
ACTION



June 2007

According to the United Nations Children's Fund (UNICEF): "Marketing practices that undermine breastfeeding are potentially hazardous wherever they are pursued: in the developing world, WHO estimates that some 1.5 million children die each year because they are not adequately breastfed. These facts are not in dispute." You can help to stop marketing malpractice.

The International Code of Marketing of Breast-milk Substitutes was adopted as a 'minimum requirement' for all countries by the World Health Assembly (which sets the policy of WHO - the World Health Organisation) in 1981. The International Code aims to protect breastfeeding by restricting company marketing practices and to ensure breastmilk substitutes are used properly when these are necessary. A number of Resolutions address questions of interpretation and changes in marketing practices and scientific knowledge, and have equal weight to the International Code.

## Wyeth offensive in the Philippines

**Background:** Wyeth (producer of the SMA and Bonna brands) is one of the companies challenging regulations for the marketing of baby foods introduced by the Ministry of Health in the Philippines (known as the IRR - Implementing Rules and Regulations). See the Campaign for Ethical Marketing action sheet November 2006. In the Philippines 16,000 infants die every year due to inappropriate feeding, according to the World Health Organisation.

In response to letters from campaign supporters, Beverly Halchak, Senior Director Nutrition Policy, at Wyeth HQ wrote, in part:

*"Wyeth, as a member of the Pharmaceutical and Health Care Association of the Philippines (PHAP) agrees with PHAP's concern that the IRR will have serious consequences for the health of Filipino babies and young children... The IRR will remove information that mothers need in order to make good food choices, and would apply at a time when her baby is most vulnerable to nutritional deficiencies, namely 6 to 24 months of age or beyond."*

This is what the World Health Assembly recommends (WHA Resolution 55.25): "exclusive breastfeeding for the first six months of life, and with nutritionally adequate and safe complementary feeding through introduction of safe and adequate amounts of indigenous foodstuffs and local foods while breastfeeding continues up to the age of two years or beyond."

The type of information that Wyeth thinks mothers require includes these claims on its Bonna infant formula:



*"Helps promote physical growth, increase resistance to infection, and enhance brain development."*

These idealizing claims undermine the 'breast is best' message required by the Philippines Milk Code.

Independent reviews have also found claims such as added ingredients 'enhancing brain development' are not substantiated. When the

UK authorities warned Wyeth that such claims on its SMA formula are 'non-compliant' with UK Law, the company removed them, a marked contrast to the attack on the regulations in the Philippines.



**Wyeth encouraged mothers to try Bonnakid milk on their children.**

**Mothers were told if they gave an empty pack to a company rep. the following week they would win a prize.**

In breach of the prohibition on seeking direct contact with mothers, at the end of May 2007 Wyeth ran events targeting mothers with infants aged from 6 to 15 months (pictured above).

**Suggested letter to the man responsible: Robert Essner, Chairman of the Board of Directors and Chief Executive Officer, Wyeth, 5 Giralda Farms, Madison, NJ 07940, USA (or use the comment form at [www.wyeth.com](http://www.wyeth.com)).**

I am writing to ask Wyeth to stop opposing the Implementing Rules and Regulations for the marketing of baby foods introduced by the Ministry of Health in the Philippines.

The information you put on formula labels is idealizing and violates the World Health Assembly International Code of Marketing of Breastmilk Substitutes.

Your targeting of mothers of young children through, for example, Bonnakid promotions, violates Article 5.5 which prohibits seeking direct or indirect contact with mothers.

Wyeth should abide by these provisions independently of the law.

Please change your practices and policies immediately.

## Nestlé defends targeting mothers with infant formula leaflets in Bangladesh

**Background:** The Guardian newspaper conducted an investigation of Nestlé in Bangladesh for an article published on 15 May 2007. The journalist, Joanna Moorhead, recounted what she had seen in a hospital:



"..on [the Doctor's] desk, lots of small pads lie scattered: each contains sheets with information about formula milk, plus pictures of the relevant tin. The idea, he says, is that when a mother comes to him to ask for help with feeding, he will tear a page out of the pad and give it to her. The mother - who may be illiterate - will then take the piece of paper (which seems to all intents and purposes a flyer for the product concerned) to her local shop or pharmacy, and ask for that particular

product either by pointing the picture out to the pharmacist or shopkeeper, or by simply searching the shelves for a tin identical to the one in the picture on their piece of paper."

Save the Children was cited as saying these were an attempt to get around the prohibition on seeking direct contact with mothers. In a published response, the Nestlé (UK) Head of Corporate Social Responsibility stated:

"Save the Children alleges that Nestlé gives health professionals pictures of Lactogen to pass on to mothers in order to get around the code's prohibition of direct contacts between mothers and companies. The article describes these leaflets as "to all intents and purposes flyers for the product concerned". But giving information to health workers is permitted by the code."

Yet the Code is extremely clear.



**Baby Milk Action coordinates the 20-country international Nestlé boycott which has prompted some improvements to marketing practices and changes in policies.**

**The boycott focuses on Nestlé because it is responsible for more violations of the marketing requirements than any other company. It also uses its influence to undermine controls on marketing activities. If you are boycotting Nestlé products, such as Nescafé coffee, write and tell Nestlé.**

Article 7.2 of the Code states:

"7.2 Information provided by manufacturers and distributors to health professionals regarding products within the scope of this Code should be restricted to scientific and factual matters, and such information should not imply or create a belief that bottle feeding is equivalent or superior to breastfeeding."

So scientific and factual information may be provided to health workers, but the Code is clear that this should not be passed to mothers. Article 6.2 states:

"6.2 No facility of a health care system should be used for the purpose of promoting infant formula or other products within the scope of this Code. This Code does not, however, preclude the dissemination of information to health professionals as provided in Article 7.2."

If that is not clear enough, this is Article 6.3:

"6.3 Facilities of health care systems should not be used for the display of products within the scope of this Code, for placards or posters concerning such products, or for the distribution of material provided by a manufacturer or distributor other than that specified in Article 4."

Nestlé has admitted its fliers are for mothers. A clear breach.

Article 4 concerns educational materials prepared with the written permission of the appropriate government authority or within its guidelines. But even if we view Nestlé's product fliers as education material Article 4 is abundantly clear:

"...Such equipment or materials may bear the donating company's name or logo, but should not refer to a proprietary product that is within the scope of this Code, and should be distributed only through the health care system."

In other words, fliers for handing on to mothers cannot have information about Lactogen infant formula. This is a clear breach however you look at it.

**Suggested letter: Peter Brabeck-Letmathé, Chief Executive, Nestlé S.A. Avenue Nestlé 55, Vevey 1800, Switzerland. Fax: +41 21 924 4800. Or see the comment form at [www.nestle.com](http://www.nestle.com)**

Nestlé (UK) Head of Corporate Social Responsibility, Hilary Parsons, has claimed that fliers for Lactogen infant formula distributed to mothers in Bangladesh are permitted. In a letter responding to an investigation by The Guardian newspaper, she claimed "Giving information to health workers is permitted by the code", referring to the International Code of Marketing of Breastmilk Substitutes.

However articles 4, 6.2, 6.3 and 7.2 make it clear that there should be no promotion of breastmilk substitutes to mothers within the health care systems and specifically that branded company materials cannot be distributed to health workers for passing on to mothers. Please stop this blatant violation immediately, in Bangladesh and all other countries.

Join Baby Milk Action to receive our *Update* newsletter. 34 Trumpington Street, Cambridge, CB2 1QY. £15 waged, £7 unwaged. Tel: (01223) 464420. Fax (01223) 464417.

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Please send copies of correspondence to Baby Milk Action