

# Campaign for ethical marketing

December 2005



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.

## Nestlé CEO launches blatant violation in China

**Background:** Nestlé's Chief Executive Officer, Peter Brabeck Letmathé, claims that he personally investigates 'any hint of a violation' of the World Health Organisation marketing requirements. Yet generally he fails to respond to our reports or a member of staff attempts to justify malpractice. We believe that Mr. Brabeck has institutionalised violations of the Code and Resolutions to increase company profits and has taken a conscious decision to invest in public relations strategies (such as the booklet shown here) to try to divert criticism. Further proof comes as Mr. Brabeck has personally launched a blatant violation of the Code and Resolutions in China.

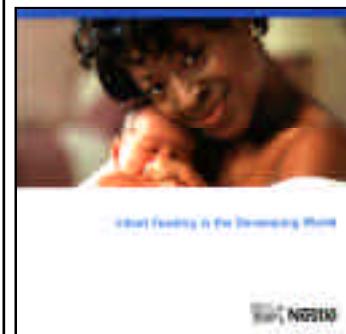
In May 2005 Nestlé was forced to recall its Neslac Gold 3 and Chengchang 1+ formulas in China after the authorities found they had higher than permitted levels of iodine. Nestlé first resisted the recall. The China Daily newspaper reported (10 June 2005): "Many believe it reacted with the speed and alacrity of a sailor drunk on shore leave" and said "as many as 87 per cent of consumers said they would stop purchasing Nestlé products, primarily because of the firm's lukewarm response to the milk powder issue after the problem was found." China's implementation of the Code is weak.

Half of Nestlé's sales in China are infant formula and other nutritional products. Reporting on evidence of aggressive marketing last year China Daily noted: "The number of babies in China fed exclusively on breast milk during their first four months of life has declined from around 76% in 1998 to only 64% today." In a recent interview with Mr. Brabeck it states:

"Sales growth on the Chinese mainland, Hong Kong and Taiwan slowed to 7.5 per cent last year, held back by the withdrawal of Neslac. Brabeck is looking to the mainland, the world's fastest growing major economy, to stoke demand as European consumer spending stagnates. The milk-powder cans now carry a sticker with a 'Thumbs-up' logo to show it's produced in line with iodine standards. Nestlé is giving out samples and stationing doctors in Beijing supermarket chains to answer customer concerns."

Article 5.5 of the International Code explicitly prohibits companies from targeting pregnant women and mothers of infants and young children. UNICEF has informed Baby Milk Action that young children are defined as up to 3 years of age and the prohibition is absolute. Companies cannot use a milk for older babies as an excuse for the contact.

Suggested letter Peter Brabeck-Lethmathé , Chief Executive, Nestlé S.A. Avenue Nestlé 55, Vevey 1800, Switzerland:



One of the brochures produced by Nestlé's anti-boycott team, with an introduction by Mr. Brabeck in which he states: "If we find that the Code has been deliberately violated, we take disciplinary action. As CEO, I personally review any reports of Code violation and I make sure appropriate action is taken." Will Mr. Brabeck sack himself for the blatant violation in China?

Thanks to people writing letters (see May 2005 action sheet) and pressure from the boycott, it seems Nestlé may be shifting its ground on Baby Milk Action's proposed independent, expert Tribunal. This will investigate who is telling the truth about its marketing practices. Senior Policy Advisor, Beverley Mirando (one of the producers of the above PR brochure) was pressed by an interviewer on University of East Anglia Livewire student radio on Nestlé's refusal during the Student Union referendum on re-newing support for the boycott. Ms. Mirando said Nestlé is now prepared to consider taking part.

I am disturbed to read that Nestlé is placing doctors in supermarkets in China to promote Nestlé Neslac formulas direct to parents. As you know Article 5.5 of the International Code of Marketing of Breastmilk Substitutes prohibits seeking: "direct or indirect contact of any kind with pregnant women or with mothers of infants and young children." According to UNICEF's Legal Officer, who advises on interpretation of the the World Health Assembly measures: "Any form of contact with mothers of children under the age of three years is prohibited, irrespective of the motivation behind the contact."

It appears from media reports that you are closely associated with this strategy. How can you reconcile your stated commitment to take action against violations of the Code, when you yourself are responsible? I call on you to stop the promotions in China immediately and revise your instructions to staff to bring them into line with the Code and Resolutions.

Your past assurances that Nestlé complies with the marketing standards is undermined by your refusal to participate in the independent, expert Tribunal proposed by Baby Milk Action. Your Senior Policy Advisor, Beverley Mirando, has recently said Nestlé will now consider taking part. Can you confirm you have changed your policy and will accept Baby Milk Action's invitation?

## UK government to abandon mothers to baby food companies?

**Background:** It is 15 years since the UK government was one of the countries signing the Innocenti Declaration on the Protection, Promotion and Support of Breastfeeding. In November 2005 campaigners celebrated the increase in breastfeeding rates and legislation stopping baby food marketing malpractice, which the Declaration has helped to achieve. At the same time the UK Government was apparently abandoning its commitment to one of the key undertakings. The Declaration called for a national breastfeeding coordinator and a multisectoral national breastfeeding committee to be introduced. Although the committee did not see the light of day, National Breastfeeding Coordinators for England, Wales, Scotland and Northern Ireland were appointed. We now hear the English post may be scrapped.

A coordinated approach is more important than ever. Baby food companies are exploiting the lack of government investment in breastfeeding support in increasingly aggressive ways. The leaflets shown here are produced by companies and placed in clinics. At first sight they seem to be providing impartial information on infant feeding as there are no company logos on the front. Mothers are likely to collect them alongside health service leaflets. Inside they promote company brand names and encourage mothers to visit company websites, phone company carelines and sign up to company mother and baby clubs. The Cow & Gate leaflet pictured here says: "Fancy £1,000 worth of Mothercare vouchers?"

Company websites often offer free samples of follow-on milks and other inducements.

At the same time, companies are co-opting the healthcare system to direct mothers to them. For example, Cow & Gate is promoting its branded telephone 'careline' to health workers in a letter: "we're happy to take calls direct from mums. So, when you can't be there to listen, we can be an extra pair of ears.... We're keen to show you that we're a valuable source of additional impartial help for you... and you could win £250 to spend at Marks & Spencer." Clearly Numico, the company behind the Cow & Gate formula brand, does not understand the meaning of the word 'impartial'. Neither is it fulfilling its responsibilities under Article 5.5 of the

International Code. Although the UK government has yet to implement the Code and Resolutions fully in legislation, Article 11.3 of the Code requires companies to abide by its provisions independently of government measures.



" Fancy £1,000 worth of Mothercare vouchers?" - " Which baby milk should I use, and when?" In the leaflet dispenser in the clinic they look like information leaflets, but they are really from Cow&Gate (far left) and SMA.

Suggested letter to: Caroline Flint MP, Public Health Minister , Department of Health, Richmond House, 79 Whitehall, London, SW1 2NS, Email: flontc@parliament.uk

It is extremely worrying to see monitoring evidence publicised by Baby Milk Action showing how baby food companies are targeting mothers in clinics with what purport to be information materials. These are really promoting formula milk brand names and company websites and carelines. I encourage the Government to implement the International Code of Marketing of Breastmilk Substitutes and subsequent, relevant Resolutions of the World Health Assembly in legislation to stop such violations.

As this is the 15th anniversary of the Innocenti Declaration on the Protection, Promotion and Support of Breastfeeding it would be welcome if the Government publicly confirmed it will continue to support the posts of National Breastfeeding Coordinator and establish National Breastfeeding Committees, as called for in the Declaration. Otherwise how will you achieve the commitments to breastfeeding in the Choosing Health white paper?

Suggested letter to:

Jan Bennink , CEO, NUMICO, PO Box 1, 2700 MA Zoetermeer, The Netherlands. Fax: +31 793539620. www. numico.com  
Robert Essner , CEO, Wyeth, 5 Giralda Farms, Madison, NJ 07940, USA. Fax: +1 6106886228. www.wyeth.com

I am aware that your company is targeting mothers through the UK health care system with leaflets promoting your formula brand names and company websites and carelines.

Such practices are prohibited by Article 5.5 of the International Code of Marketing of Breastmilk Substitutes, which prohibits seeking: "direct or indirect contact of any kind with pregnant women or with mothers of infants and young children." Article 11.3 requires you to abide by the provisions of the Code independently of any other measures taken for implementation of this Code." I call on you to stop all targeting of mothers and offering inducements to health workers.



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.

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. E-mail: info@babymilkaction.org Baby Milk Action's Web Site is at <http://www.babymilkaction.org/> and includes an on-line shop.

