

Akki Khan
Claims and Promotion Branch
Nutrition Division
Food Standards Agency
Room 115C, Aviation House
125 Kingsway
London WC2B 6NH

5th January, 2005

Dear Akki Khan,

European Commission Directive on Infant Formulae and Follow-on Formulae

As a member of the Baby Feeding Law Group, the Food Commission welcomes the opportunity to respond to this FSA consultation on the recast European Commission Directive on Infant Formulae and Follow-on Formulae. The Food Commission is an independent food watchdog campaigning for safer, healthier food in the UK.

The Food Commission is extremely concerned about several elements of this recast directive, and believes that as it stands, the Directive has the potential to undermine children's health. We strongly urge the Food Standards Agency to ensure that the Directive is brought into line with the International Code of Marketing of Breastmilk Substitutes (see:www.ibfan.org/english/resource/who/fullcode.htm).

Specifically (and in keeping with the UK government's recent public health white paper):

- European Legislation should not permit the promotion of any breastmilk substitute or foods and drinks marketed as suitable for babies under 6 months of age or any promotion of bottles and teats.
- Health and nutrition claims violate the International Code and should not be permitted for any products for infants and young children. Allowing health claims has the potential to confuse parents and increase demand for these products despite evidence that breast milk substitutes have no health advantage over breastfeeding.
- Ingredients shown by independently funded research to be safe and essential for infant health should be mandatory.
- Powdered infant formulae (including powdered breastmilk fortifiers) must carry explicit warnings that the product is not sterile and may be contaminated by *Enterobacter sakazakii* and other pathogens.
- No food other than infant formula (or formulae for special medical purposes) should be labelled as suitable for infants under the age of 6 months.

Yours sincerely,

Kath Dalmeny
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