

7 August 2007

The Complaints Reception Team
Advertising Standards Authority
Mid City Place
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Baby Milk Action is a non-profit organisation which aims to save lives and protect infant and young child health through independent controls on babyfood marketing.

We are a member of the International Baby Food Action Network (IBFAN), a network of over 200 citizens groups in more than 100 countries.

www.babymilkaction.org

www.ibfan.org

Dear ASA (copies to Buckinghamshire Trading Standards and FSA),

Wyeth/SMA in OK! Magazine 7 August 2007

I am writing to register a formal complaint about the advertising for Wyeth/SMA formula in the 7 August 2007 edition of OK! Magazine.

There is an advertisement on page 54 of the magazine for SMA Progress formula. This follows a double-page picture on pages 52 and 53, showing a mother feeding her child with SMA ready-to-feed infant formula. The label on the formula bottle is angled so the logo is clearly visible. This is the same as the logo used on the advertisement. The advertisement links to the SMA website which promotes the full range of formulas.

Further connection is made between the picture showing the infant formula with the highlighted comment: "I love her anyway, even if she is a ginge!" which is echoed by "carrot in your hair" on the following advertisement.

We request that the ASA investigates the chain of events between the selection of the picture used in the article and its placement next to the formula advertisement. We believe this is a deliberate attempt by Wyeth/SMA and OK! Magazine to promote infant formula and the brand name used on infant formula although this is illegal under article 17 of the *Infant Formula and Follow-on Formula Regulations 1995*.

Taking in isolation, we also believe the SMA Progress to be illegal as it promotes the SMA brand name used for infant formula and the SMA Nutrition website which promotes the full, similarly labelled range. This makes it a de facto advertisement for infant formula.

We also request that the ASA investigate the comments drawn from the article and highlighted in the caption on page 63. This is providing information on the infant formula product:

"I have 20 crates of teats and bottles – I don't have to sterilise or heat anything, you literally take the teat out of the pack, screw it on, throw it away."

There is a legal requirement under article 21 of the *Infant Formula and Follow-on Formula Regulations 1995* that materials dealing with the feeding of infants and intended to reach pregnant women and mothers of infants and young children should include stipulated information (as this magazine's cover story is the baby article, this is particularly targeting

this group). This is important information about how to reduce risks from formula feeding and its cost and other implications is missing from both article and advertisement.

We believe that Wyeth/SMA and OK! Magazine have broken the advertising code by running the advertisement and the photo with the product placement. These are neither legal, honest or truthful, as they promote an infant formula brand and do not include required information on infant feeding.

Neither are they decent, as such promotion is a clear breach of the *International Code of Marketing of Breastmilk Substitutes* and subsequent, relevant Resolutions of the World Health Service Assembly, which companies are required to abide by independently of government measures.

The advertisement for SMA Progress is also dishonest as it claims it is not intended to replace breastfeeding. However, breastfeeding is recommended by the World Health Organisation and the Department of Health into the second year of life and beyond. The label for SMA Progress suggests it may be used in a feeding bottle, which is a surrogate breast and cannot be viewed as anything other.

As there are issues of law infringement, we are copying this letter to Trading Standards for Wyeth/SMA and to the Food Standards Agency. I trust you will communicate with each other as to who should take what action and will keep us informed.

Yours sincerely,

Mike Brady
Campaigns and Networking Coordinator
Baby Milk Action

CC:

Buckinghamshire Trading Standards
Food Standards Agency