



## EU Commission fails mothers and babies Frustrated health worker bodies call for action at the European Union this week to stop baby milk advertising

The baby food industry is advertising breastmilk substitutes with virtual impunity in the UK as enforcement bodies (Ofcom, Advertising Standards Authority, Trading Standards) point to weaknesses in the law. Complaints about advertising of formula on television, radio and in the press are generally dismissed out of hand as the government has failed to fully implement the *International Code of Marketing of Breastmilk Substitutes*, nearly 25 years after it was adopted by the World Health Assembly. Although the government promised action to implement the Code after a United Nations Committee on the Rights of the Child report in 2003, nothing has yet been done to improve marketing controls.



Farley's advertised its formula as 'Closer by nature' in a month-long TV campaign last year and directed parents to a website which suggests the formulas are equivalent to breastmilk. The authorities have taken no action. View the ad. at [www.babymilkaction.org](http://www.babymilkaction.org)

Public Health Minister, Melanie Johnson MP, has said the government is pursuing changes to an EU directive being revised this week, with a critical expert meeting in Brussels on 11 March. The present draft will do little to strengthen the hand of the enforcement authorities and if approved unchanged may force a confrontation with Brussels if the government is to act unilaterally to protect UK infants and mothers from aggressive marketing. Government Minister, Dr. Stephen Ladyman, assured a meeting of health experts at the House of Commons on 21 February 2005 that he will investigate what steps can be taken when Britain holds the EU presidency later this year and what action can be taken if changes cannot be won at EU level.

Patti Rundall OBE, Baby Milk Action's Policy Director, said:

*"Thousands of NGOs, MEPs and Member states have been calling over the years for the greater protection of breastfeeding and infant health through the implementation of World Health Assembly marketing standards, which ban of all promotion of breastmilk substitutes, as law in Europe. In pushing ahead with proposals that so clearly favour the infant feeding industry the European Commission is ignoring these concerns and the overwhelming scientific evidence that demonstrates the risks of artificial infant feeding and the importance of exclusive breastfeeding. The proposals are also in conflict with the Commission's own advisors and with other Commission initiatives which are designed to tackle the obesity epidemic that is sweeping across Europe. The World Health Organisation (WHO)'s recently published seven-year study shows that babies exclusively breastfed for six months are healthier and leaner than artificially fed babies."*

Health worker bodies, representing about half a million UK health workers, including the Royal College of Nurses, Royal College of Midwives, Royal College of Paediatrics and Child Health, National Childbirth Trust, other members of the Baby Feeding Law Group and the National Heart Forum have written or endorsed strong letters to the Food Standards Agency and the EU Commission on the draft *EU Commission Directive on Infant Formulae and Follow-on Formulae* .....cont

(see a selection of letters at [www.babymilkaction.org](http://www.babymilkaction.org)). The Code and Resolutions limit companies to providing scientific and factual information to health workers and give health workers responsibility for advising parents on infant and young child feeding. Health experts are also demanding a ban on the use of health claims. Companies are increasingly claiming formulas boost intelligence and protect against infection, claims which have dubious scientific bases and imply the formulas are equivalent or superior to breastfeeding.

Monitoring conducted by the Baby Feeding Law Group and launched at the House of Commons on 13 May 2004 prompted widespread support for an Early Day Motion, tabled by Lynne Jones MP, calling for action. Dr. Jones wrote to Public Health Minister, Melanie Johnson MP, last week pointing out that enforcement authorities are still unable to act over most of the types of violations taking place in the UK.

Mike Brady, Campaigns and Networking Coordinator at Baby Milk Action, who coordinated the Baby Feeding Law Group's monitoring project, made possible by a grant from the King's Fund, said:

*"We will be reporting to the UN Committee on the Rights of the Child on the action the government has taken to implement the Code and to enforce it using existing legislation. To date, it is failing infants, mothers and their families miserably. Until the government takes action to hold the companies to account the millions it invests in breastfeeding promotion is largely wasted, because the baby food companies can and do outspend it many times over."*

Rosie Dodds, Policy Research Officer at the National Childbirth Trust said:

*"Manufacturers should not be able to get away with using misleading or frankly inaccurate information and continuing to promote their products. Our government has consistently supported the Code and subsequent Resolutions internationally, when are mothers and babies in this country going to get the safeguard they are designed to provide?"*

For supporting documents and graphic examples of promotion, visit the on-line version at <http://www.babymilkaction.org/press/press7march05.html> Includes a television sponsorship and advertising campaign for Farley's milks which has been reported to all enforcement authorities, with no action being taken.

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#### **Notes for Editors:**

Scientific evidence has consistently demonstrated that artificial feeding increases mortality rates, increases rates for illnesses such as infectious diseases, chronic diseases and auto-immune diseases, offers less than optimal development and growth, lowers cognitive and visual development and increases the risk of obesity.

The draft EU Directive permits the promotion of breastmilk substitutes and legitimizes new claims on labels which will mislead parents and undermine breastfeeding. They will permit new products to be marketed with health claims without first being proved safe or of benefit. Baby Milk Action's position is that if an ingredient has undisputed health benefits proven by independent research, it ought to be a legally required ingredient in all formulas. Health claims are deceptive, intended to create a perceived advantage and to idealize, so undermining breastfeeding.