

UNICEF Philippines applauds Supreme Court's removal of the temporary restraining order on the national milk code

Manila, October 10, 2007 – After its initial reading, the United Nations Children's Fund (UNICEF) Philippines is delighted with yesterday's Supreme Court decision to lift the temporary restraining order on the Revised Implementing Rules and Regulations (RIRR) of the National Milk Code (EO51). UNICEF believes the ruling is a significant victory for infant, young child and maternal health in the Philippines.

With this ruling, infant formula manufacturers will be prevented from making false or exaggerated health claims about their products, and all advertising and marketing practices will be strictly regulated by a vastly strengthened Inter Agency Committee that monitors the Milk Code. The ruling also upholds the Department of Health's authority to regulate advertising of all products covered by the International Code on the Marketing of Breastmilk Substitutes.

Notably, the Supreme Court upheld Section 16 of the RIRR which states that "All health and nutrition claims for products within the scope of this Code are absolutely prohibited." This signals an end to the un-ethical advertising claims that infant formulas increase intelligence – a strategy that has been particularly successful in undermining efforts to promote breastfeeding.

In addition, promotional tactics such as donation of products, marketing in the guise of seminars for health workers, giving of gifts to health workers, use of health care facilities for promotions, etc., will be banned. All infant formula labeling will have to comply with stringent new guidelines intended to help parents to understand that powdered milk substitutes for breastmilk are not sterile and can contain "pathogenic micro-organisms."

Now the crucial work of educating families and communities about the vastly superior benefits of breastfeeding can proceed without having to compete with billion peso marketing schemes based on false health claims about infant formula brands.

UNICEF wishes to acknowledge the unwavering efforts of a broad alliance of actors in the Philippines and abroad – including the Department of Health, the Philippines Congress, the World Health Organization, Arugaan, Children for Breastfeeding and other breastfeeding advocates – who have helped inform the public about this vital public health issue.

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Note to editors: *UNICEF and the World Health Organization (WHO) have supported the Philippine government in protecting the right of children to better health and nutrition. The Convention on the Rights of the Child states that children have the right to enjoy the highest attainable standard of health and obligates the Philippines as a signatory to take appropriate measures and ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition and the advantages of breastfeeding.*

About UNICEF

UNICEF is on the ground in over 150 countries and territories to help children survive and thrive, from early childhood through adolescence. The world's largest provider of vaccines for developing countries, UNICEF supports child health and nutrition, good water and sanitation, quality basic education for all boys and girls, and the protection of children from violence, exploitation, and AIDS. UNICEF is funded entirely by the voluntary contributions of individuals, businesses, foundations and governments.

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