

Paula Testori-Coggi  
Director, Directorate D, Food safety  
DG SANCO  
European Commission  
200 Rue de la Loi  
Brussels B-1049  
Belgium



24th March 2005

Dear Madam Testori-Coggi

### **Recast Commission Directive on Infant Formulae and Follow-on Formulae**

The Baby Feeding Law Group welcomes the opportunity to send comments on the above proposals. This letter has the full endorsement of the 16 members of the group who are also members of /or work closely with, networks which aim to protect health in Europe: the *Association of Breastfeeding Mothers*, the *Association for Improvements in the Maternity Services*, the *Association of Radical Midwives*, *Baby Milk Action*, the *Breastfeeding Network*, the *Food Commission*, the *Community Practitioners and Health Visitors' Association*, *Lactation Consultants of Great Britain*, *La Leche League* (GB), *Maternity Alliance*, *Midwives Information and Resource Service*, the *National Childbirth Trust*, the *Royal College of Midwives*, the *Royal College of Nursing*, the *Royal College of Paediatrics and Child Health* and the *Unicef UK Baby Friendly Initiative*.

Together, the group represents the concerns of over half a million health professionals and breastfeeding counsellors and the BFLG was set up by the above organisations with the express purpose of bringing UK and European legislation into line with the *International Code of Marketing of Breast-milk Substitutes* and subsequent relevant WHA Resolutions. Its members meet four times each year to discuss current marketing and to draw up strategies for ensuring that infant and young child health is protected.

The BFLG believes that the proposals for a recast Directive put forward by the European Commission are inadequate and potentially harmful. We call on you to ensure that European legislation is brought into line with the requirements of the *International Code* and subsequent relevant WHA Resolutions and specifically with the changes outlined overleaf. This would ensure that parents, infants and young children throughout Europe and those living in countries to which European products are exported, receive the minimum protection which the Convention of the Rights of the Child and the UN recommendations assure them.

Yours sincerely

Patti Rundall, OBE  
on behalf of the Baby Feeding Law Group

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**Member organisations:** Association of Breastfeeding Mothers - Association for Improvements in the Maternity Services - Association of Radical Midwives - Baby Milk Action - Breastfeeding Network - Food Commission - Community Practitioners and Health Visitors' Association - Lactation Consultants of Great Britain - La Leche League (GB) - Maternity Alliance - Midwives Information and Resource Service - National Childbirth Trust - Royal College of Midwives - Royal College of Nursing - Royal College of Paediatrics and Child Health - Unicef UK Baby Friendly Initiative.

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*The Baby Feeding Law Group calls for the following:*

- European legislation should, as a minimum, be in line with the *International Code of Marketing of Breast-milk Substitutes* and the subsequent relevant WHA Resolutions
- European legislation should not permit the promotion of any breastmilk substitute or any food or drink marketed as suitable for babies under 6 months of age, or any promotion of bottles and teats.
- Health and nutrition claims on foods for infants and young children undermine breastfeeding and are misleading in that they imply equivalency or health benefits for breastmilk substitutes. Nutrition and health claims are not the same as nutrition information (which is essential) and, in creating a perceived advantage, they confuse parents. Breast milk substitutes have no health advantage over breastfeeding. Health and nutrition claims violate the *International Code of Marketing of Breast-milk Substitutes* and the subsequent relevant WHA Resolutions and should not be permitted.
- Ingredients should be permitted for use in breastmilk substitutes only when shown by independently-funded research to be safe and essential for infant health. Such ingredients should be mandatory.
- Powdered infant formulas (including powdered breastmilk fortifiers) must carry explicit warnings that the product is not sterile and may be contaminated by *Enterobacter sakazakii* and/or other pathogens.
- No food other than infant formula (or formulas for special medical purposes) should be labelled as suitable for infants under the age of 6 months.
- The safety of soya should be questioned and, if permitted, its risks explicitly stated on the label continued.
- Follow-on milks are not necessary. If these products are permitted on the market, their promotion should be prohibited
- Free and low-cost supplies of breastmilk substitutes should not be allowed in any part of the health care system.

## Baby Feeding Law Group Members. January 2005

- 1 **The Association of Breastfeeding Mothers (ABM)** is a membership-based Charity, founded in 1979, with 400 breastfeeding counsellors providing mother-to-mother support to women. ABM takes no money from infant feeding companies.
- 2 **The Association for Improvement in the Maternity Services (AIMS)** is a pressure group, with 730 members which was founded in 1960. AIMS gives information and advice about all aspects of maternity care, including parents' rights, choices, technological interventions, normal childbirth and complaints procedures.
- 3 **The Association of Radical Midwives (ARM)** is a charity which provides a support for its 1,400 members who are midwives, student midwives and others in the UK committed to improving the maternity care provided by the NHS and who believe that all women have the right to a service tailored more closely to their needs. The ARM is funded by membership fees and takes no money from the baby feeding industry.
- 4 **Baby Milk Action** is a membership-based organization of over 2000 members which aims to save lives and to end the avoidable suffering caused by inappropriate infant feeding. It works within the European and global network, the International Baby Food Action Network, to strengthen independent, transparent and effective controls on the marketing of the baby feeding industry. IBFAN has over 200 citizens groups in more than 100 countries, including nearly all EU Member states. It takes no money from the infant feeding industry.
- 5 **The Breastfeeding Network (BFN)** is a mother-to-mother support and membership organisation with 725 members. BFN takes no money from the infant feeding industry.
- 6 **The Food Commission** is an independent national non-profit organization, campaigning for the right to safe, wholesome food. It is largely funded by public subscriptions and donations and takes no subsidy from the government or food industry. Its flagship publication, The Food Magazine, has a readership of 10,000.
- 7 **The Community Practitioners and Health Visitors Association (CPHVA)** represents its 21,000 members who are community health professionals.
- 8 **Lactation Consultants of Great Britain (LCGB)** represents over 100 Lactation consultants in Great Britain.
- 9 **La Leche League GB** is part of an international organisation that provides information and support to breastfeeding mothers, through mother-to-mother support. LLL GB has 749 mothering members, 1242 peer counsellor members and 97 health professional members. LLLGB does not accept funding from producers of infant formula or any other product or service which might undermine breastfeeding or devalue the importance of nurturing.
- 10 **The Maternity Alliance** is a national charity with approximately 105 member organisations, working to improve support for, and end inequality amongst, pregnant women, new parents and babies under one. It seeks to achieve this by improving awareness of rights and entitlements amongst pregnant women and new families by providing accurate, easily accessible information to new parents, the professionals who work with them and employers. It also seeks to change public policy and the law through high quality, independent research and effective policies and campaigns.
- 11 **Midwives Information and Resource Service (MIDIRS)** is an educational charity set up in 1985 which in 2004, distributed 54,000 copies of its Midwifery Digest to midwives and other health professionals, giving an overview of key midwifery and medical research. Its Enquiry Service provides access to the MIDIRS database of over 110,000 articles, with over 500 new references added each month to this valuable resource. Currently MIDIRS processes over 750,000 enquiry requests per annum from health professionals wishing to gain access to this information. The MIDIRS Informed Choice Initiative was launched in 1996 and to date over 1.4 million leaflets have been used by health professionals and prospective parents.
- 12 **The National Childbirth Trust (NCT)** is a membership-based charity, established 47 years ago, and with currently over 59,000 members in the UK and a network of over 350 local branches. NCT provides a range of services for parents including antenatal classes, postnatal discussion groups, breastfeeding counselling which are available to members and non-members alike. The NCT takes no funding from formula companies.
- 13 **The Royal College of Midwives (RCM)** is the only trade union and professional organisation run by midwives for midwives. It is the voice of midwifery, providing excellence in professional leadership, education, influence and representation for and on behalf of midwives. The RCM has a membership of 37,000.
- 14 **The Royal College of Nursing** and the RCN Midwifery Society is the leading professional union for nursing, safeguarding the interests of patients and nursing by lobbying government and other professional bodies to ensure that the views of the profession are heard where it counts. The RCN is a member-led organisation of around 370,000 nurses and midwives and is signatory to WHO/UNICEF Baby Friendly Standards.'
- 15 **The Royal College of Paediatrics and Child Health (RCPCH)** has about 7,000 members. The College aims to advance the art and science of paediatrics, improve standards of medical care to children, and to educate and examine doctors in paediatrics. The College also provides information to the public on children's health care.
- 16 **The UNICEF UK Baby Friendly Initiative (BFHI)** is a global programme of UNICEF and the World Health Organisation which works with the health services to improve practice in the support of breastfeeding. In the UK, the UNICEF Baby Friendly Initiative is commissioned by various parts of the health service to provide advice, support, education, networking, assessment and accreditation.