

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

17 December 2004

Dear Akki Khan,

Recast Commission Directive on Infant Formulae and Follow-on Formulae.

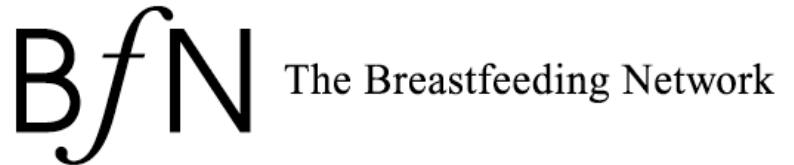
Thank you for the opportunity to send comments on the above Directive. We are aware that the deadline for comments has already passed and apologise for our lateness in sending them.

The Breastfeeding Network is a mother-to-mother support organisation. We support the Department of Health's initiatives to address the profound health inequalities surrounding breastfeeding and are committed to supporting families in areas with low breastfeeding rates.

The recast EU Directive could be crucial to the success of this work. The Governments 'Choosing health' white paper continues to emphasise the importance of addressing health inequalities and recognises that there is a special case for protecting children's health. We believe the EU Directive as it stands seriously undermines this white paper in the following areas: -

- We would like to emphasise how important it is that the European legislation be brought into line with the requirements of the International Code¹ and subsequent relevant WHA Resolutions.
- 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 all the evidence that breast milk substitutes have NO health advantage over breastfeeding. This is contrary to the ideas in 'Choosing Health'.

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- Ingredients shown by independently funded research to be safe and essential for infant health 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 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 EU directive would do well to follow the example set in the introduction of 'Choosing Health' and help "support people in making better choices for their health and the health of their families".ⁱⁱ

Yours sincerely

Sarah Saunby (Trustee)
On behalf of all the Trustees of The Breastfeeding Network

ⁱ The International Code of Marketing of Breastmilk Substitutes
<http://www.ibfan.org/english/resource/who/fullcode.htm>

ⁱⁱ Forward by Tony Blair, p3.
Choosing Health: Making healthy choices easier (2004) Department of Health
<http://www.dh.gov.uk/assetRoot/04/09/47/53/04094753.pdf>