

Rt Hon Andrew Lansley, CBE
Secretary of State for Health
79 Whitehall
London
SW1A 2AS
18th October 2010



Dear Andrew Lansley

Protection for infant health under the Coalition Programme for Government

As a constituent of yours I was pleased to meet you briefly at the Conservative Party Conference and to ask about your plans regarding infant and young child feeding. You mentioned the work that you are doing with health visitors, but said you did not have as yet any plans to do more to control of marketing of breast-milk substitutes.

I am writing now to follow-up on this, as the Secretariat of the Baby Feeding Law Group (BFLG), a coalition of 24 leading health professional and lay organisations, including the CPHVA and the Royal Colleges of Midwifery, Nursing and Paediatrics.

The BFLG has, since its formation in 1997, and more recently alongside Trading Standards, LACORS and the Scientific Advisory Committee on Nutrition, advocated rationalising and simplifying the *Infant Formula and Follow-on Formula Regulations*, to bring it into line with the UN requirements - a move that would, at a stroke, make an important contribution to the White Paper pledge to “*reduce mortality and morbidity, increase safety, and improve patient experience and outcomes for all.*” It would also making significant savings in terms of health and the regulatory burden. Trading Standards have cited unnecessary complexity in the current regulations.

I was pleased that you mentioned your keenness to work with health visitors to increase the duration of breastfeeding and specifically the rate of mothers who continue breastfeeding. This is important and we are sure that if all parents were given the right help and support – when they need it – the rate of mothers stopping breastfeeding long before they wanted to would fall. As the National Institute for Clinical Excellence found - a modest increase in breastfeeding rates would bring substantial savings. For example:

- about 17,000 cases of otitis media would be avoided - saving £509,000.
- almost 3900 cases of gastroenteritis would be avoided - saving of £2.6 million
- over 1500 cases of asthma would be avoided - saving of £2.6 million.

Rationalising the controls on marketing in line with international standards would also achieve many of the objectives outlined in *The Coalition: our Programme for Government* which pledges to:

- protect consumers, particularly the most vulnerable;
- promote more responsible corporate and consumer behaviour;
- drive up standards;
- support professional responsibility;
- promote public health;
- encourage behaviour change to help people live healthier lives and create a healthier nation;
- tackle health inequalities.
- crack down on irresponsible advertising and marketing, especially to children;
- tackle the commercialisation and sexualisation of childhood;

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.

Secretariat: c/o Baby Milk Action, 34 Trumpington St, Cambridge CB2 1QY United Kingdom
T + 44 (0) 1223 464420 F + 44 (0) 1223 464417 E bflg@babymilkaction.org W www.babyfeedinglawgroup.org.uk

Registered in England and Wales, No 1924050. Registered address as above. Vat No: 599 5547 63

- simplify the regulatory framework;
- reduce public expenditure.

Simplifying the Regulatory Framework

In the report of the review of the revised regulations, published in March 2010, Trading Standards and LACORS highlighted the difficulty of enforcing the current Regulations, stating that: *“One of the major problems for enforcement officers is the use of advertising and promotional material which blurs the distinction between follow-on formula and infant formula.”*

Extending the prohibition on the promotion of infant formula to follow-on formulas, in line with the International Code of Marketing of Breast-milk Substitutes and subsequent relevant WHA Resolutions, would not only protect infant health, but would make the law much clearer for manufacturers and distributors and greatly simplify the enforcement task. The case for simplifying the law by treating infant formula and follow-on formula the same, in line with the International Code and Resolutions was also well made during the Independent Review Panel consultation.

Safer composition.

Baby Milk Action plays an important role at Codex to ensure that the quality of ingredient in baby milks and foods is improved, and, together with the BFLG, is working to ensure that there is proper pre-authorisation of ingredients for foods fed to this vulnerable group.

Honesty in food labelling

The Coalition also pledges to tackle honesty in food labelling, and we strongly recommend that the calls made by the Scientific Advisory Committee on Nutrition and the World Health Assembly to prohibit nutrition and health claims are heeded. The 2010 WHA 63.23 states that nutrition and health claims should not be permitted on foods for infants and young children. The 2005 WHA 58.32 calls for companies to provide explicit warnings on labels of the risks of possible contamination of powdered formula with harmful bacteria and the simple steps required to reduce these risks.

The failure of companies to provide factual information on labels and the widespread use of idealising claims (for example, suggesting formula builds the immune system) mislead parents and undermine the work done to protect infant health. We hope that we can now work with the Coalition Government to ensure that british babies and parents receive the protection they so badly need.

Funding for Start 4 Life

The Baby Feeding Law Group has made a joint submission with the Breastfeeding Manifesto Coalition regarding current proposals to involve the private sector in Start 4 Life. I am attaching this now and hope that the concerns raised could be considered seriously.

I would be more than happy to provide further briefings if needed.

Yours sincerely,



Patti Rundall, OBE
Policy Director, Baby Milk Action, Secretariat of the Baby Feeding Law Group