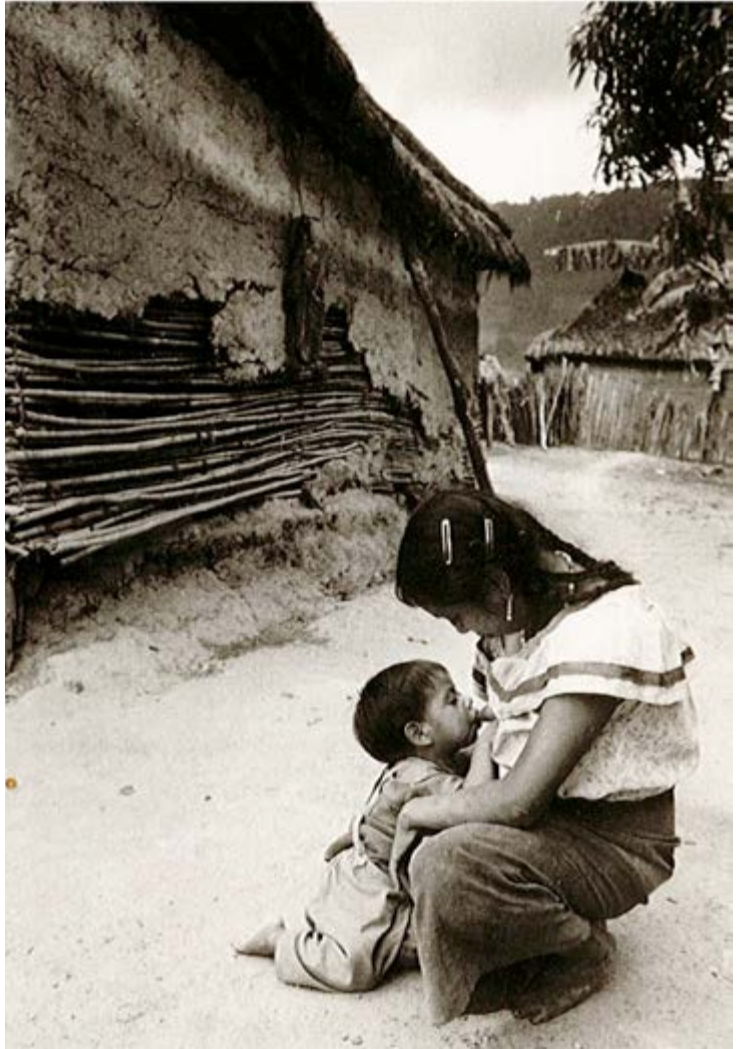


UPDATE

BABY MILK
ACTION

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Nestlé and Pepsi's Crusade in Mexico

Strong laws enacted in three countries

Industry threatens Philippines and Kenya

World Breastfeeding Trends plots path to success

Nestlé formula seized for breaking Indian law



Baby Milk Action

Baby Milk Action is a non-profit organisation which aims to save infant lives and to end the avoidable suffering caused by inappropriate infant feeding. We work as part of the International Baby Food Action Network (IBFAN) to strengthen independent, transparent and effective controls on the marketing of the baby feeding industry. IBFAN has over 200 member organisations in more than 100 countries.



Baby Feeding Law Group

Baby Milk Action is the Secretariat for the Baby Feeding Law Group which is working to bring UK legislation into line with UN Resolutions. BFLG members include consumer and mother-support groups and professional bodies such as the Community Practitioners and Health Visitors' Association, the Royal College of Midwives, the Royal College of Nursing, the Royal College of Paediatrics and Child Health, and UNICEF's Baby Friendly Initiative.



International Code

We work for controls implementing the *International Code of Marketing of Breast-milk Substitutes (The International Code)*. This Code was adopted in 1981 by the World Health Assembly (WHA), the world's highest policy setting body. The *International Code* bans all promotion of breastmilk substitutes and was adopted as a 'minimum requirement' to be implemented by member states 'in its entirety'. The *International Code* and the subsequent relevant WHA Resolutions, which have clarified or extended certain provisions of the Code, must be considered together in the interpretation and translation into national measures.

Cover: Breastfeeding mother and her child in Chiapas, Mexico, where the Crusade Against Hunger - in partnership with Nestlé and Pepsi, will start. Photo: Antonio Turok

Who, what, why?

Protecting breastfeeding

There is no food more locally produced or sustainable than breastmilk. A breastfed child is less likely to suffer from gastroenteritis, respiratory and ear infections, diabetes, allergies and other illnesses. In areas with unsafe water a bottle-fed child is up to 25 times more likely to die as a result of diarrhoea. Reversing the decline in breastfeeding could save 1.5 million lives around the world every year. Breastfeeding helps fulfill the UN Millennium Development Goals and has the potential to reduce under-5 mortality by 13%. A further 6% of deaths could be saved through appropriate complementary feeding. Breastfeeding also provides health benefits to the mother, such as reduced risk of some cancers.

Protecting babies fed on formula

Breastmilk substitutes are legitimate products for when a child is not breastfed and does not have access to expressed or donor breastmilk. Companies should comply with composition and labelling requirements and other Code requirements to reduce risks - independently of government measures. Parents have a right to accurate, independent information. **Baby Milk Action is not anti-baby milk. Our work protects all mothers and infants from irresponsible marketing.**

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Baby Milk Action is funded by membership (£18 waged, £7 unwaged, £25 family, organisation fee dependent on turnover), donations and merchandise sales. We are very grateful for grants from the A Team, S.E. Franklin Deceased Charity, Network for Social Change, OXFAM, Save the Children and SCIAF. **Baby Milk Action accepts no commercial funding.**

Update 45 was written by Mike Brady and Patti Rundall. *Update* is free to members and affiliates. It is available electronically at:

www.babymilkaction.org

Editorial

Plotting the path to protection for babies and families



Mike Brady,
Campaigns
Coordinator

IBFAN's World Breastfeeding Conference took place in New Delhi in December 2012, organised by our partners the Breastfeeding Protection Network of India.

It was an inspiring event, done with no commercial sponsorship, yet bringing together over 700 people from more than 80 countries,

including many famous names from the breastfeeding and campaigning world. (See pg.4).

The latest IBFAN World Breastfeeding Trends report was launched, measuring progress in protecting, promoting and supporting breastfeeding in 54 countries. Also launched was a paper costing how to achieve optimal infant and young child feeding. This would improve infant survival, quality of life, reduce health inequalities, and save resources. Surely a worthwhile investment! (See pg 9.)

Under existing international agreements, it can be argued that mothers and babies have a right to breastfeed and that governments are duty bound to protect and deliver this right, while others should respect it. (See pg.13.)

In the last year Kenya, South Africa and Vietnam have introduced new legislation implementing the *International Code of Marketing of Breastmilk Substitutes* and subsequent, relevant Resolutions of the World Health Assembly. South Africa's law follows nine years of struggle against intensive industry pressure and covers products marketed for children up to two years of age. There was a struggle too over Kenya's law that covers products up to three years of age including the unnecessary formulas for older babies - so-called "growing up milks." These products often share the same branding as formulas for young babies but circumvent the restrictions that apply them. Kenya came under particular pressure from GAIN, (the Global Alliance for Improved

Nutrition), as it continued to open up markets for its partner companies (including Danone). GAIN is on the lead group of SUN - Scaling Up Nutrition. In November We published a discussion paper outlining IBFAN's concerns about how SUN and GAIN are encouraging governments to partner with business. The idea that food corporations can be useful partners in hunger campaigns was taken to a bizarre extreme in Mexico - with the launch of a Crusade Against Hunger in partnership with Pepsi (providing formulas for children and nursing mothers) and Nestlé teaching 15,000 women how to sell desserts and give nutrition advice! (See pg 6.)

In the Philippines companies, led by Nestlé, threatened to cancel a US\$400 million of investment if its regulations are not weakened. Which brings us back to India where Nestlé products were seized for breaking labelling laws. The Indian formula market fails to grow. Meanwhile in the UK, we won cases against misleading advertising and stopped a Baby Know How roadshow planned by Pfizer Nutrition (since taken over by Nestlé). With the poor UK law and Nestlé now entering the market, we are seeing more aggressive practices.



Patti Rundall, Policy
Director
Co-Chair IBFAN

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India hosts the world - and leads by example

Baby Milk Action's Mike Brady and Patti Rundall were guest speakers at the **World Breastfeeding Conference** in New Delhi, (6 - 9 Dec. 2012)

The event was organised by IBFAN's **Breastfeeding Protection Network of India (BPNI)** in partnership with the **Indian Ministry of Women & Child Development** and **Ministry of Health & Family Welfare**. Its slogan was **"Babies need mom-made not man-made"** and called on people to **"Join the Fight"** against promotion of formula over breastmilk.

The Conference was chaired by **Dr Arun Gupta** of BPNI and Coordinator of IBFAN Asia, and officially opened by **Anwar Fazal**, former President of *Consumers International* and founder of the *World Alliance for Breastfeeding Action*, IBFAN stalwart **Helen Armstrong**, IBFAN Coordinating Council Chair, **Joyce Chanetsa**, UNICEF representative **Nicholas Alipui** and representatives of the Indian Government and US Embassy.

Among the many memorable moments: The **Directorate of Health Services, Haryana, India** explaining how they seized Nestlé products that broke labelling laws - and were themselves labelled as "activists" by the company. **Elisabet Helsing**, who helped create Norway's supportive breastfeeding culture through her writing and founding of the mother-to-mother support group *Ammehjelpen* in 1968. Elisabet reminded the conference that the battle was not over and that even in breastfeeding cultures mothers need support, policy makers need educating and formula companies need to be kept at bay. Learning from **Dr Homayoun Ludin's** presentation that **Afghanistan** has something to teach the world on protecting mothers and babies, as it removed idealising baby food billboards (right, centre) across the country after introducing marketing regulations and put up others promoting breastfeeding.



Dr Gupta lights the Conference flame with Smt Krishna Tirath, (Minister for Women and Child Development), Mr Louis-Georges Arsenault (UNICEF Country Chief for India), Arwan Fazal, Helen Armstrong and Mr Salman Khurshid (Minister of External Affairs). Smt Krishna Tirath told Conference the Government was shortly introducing a trial system of payments for new mothers to enable even those in the informal sector to have time off work.



Above: Nestlé Cerelac billboard before being removed in Afghanistan. Below: Session on Holding Companies to Account, Baby Milk Action and Philippines campaigners.



Right: **Mike Brady** with campaigners from the **Philippines**, **Velvet Escarlo-Roxas**, **Alessandro Iellamo**, and **Ines Fernandez**.



Marketing offenders report exposes new trends



A new monitoring report was launched by BPNI at the Conference. It shows that companies continue to advertise

baby formulas when they think they can get away with it. For example, in **Canada**, **Mead Johnson** advertises *Enfamil* with the headlines: "You want



her to be healthy... Patterned after breast milk for your baby's normal, healthy development."

In the **Ukraine**, **Danone** advertises follow-on milk for use from 6 months with the claim "Immunity is strengthened" (right).

Most companies are investing heavily in promoting so-called growing up milks, unnecessary products that are claimed to benefit health. Health claims are increasingly being used on baby foods too. **Ghana** has a strong baby milk marketing law, so there **Nestlé** claims its *Cerelac* porridge "Helps Strengthen Babies' Natural Defenses" (right).



Nestlé's Creative Storytelling Venture at shareholder AGM



Nestlé's 146th shareholder meeting was held in Lausanne, Switzerland, on 11 April 2013 and Chairman **Peter Brabeck-Letmathe** launched his latest CSV report.

This refers to **Nestlé Creating Shared**

Value Initiative, though critics suggest **Creative Storytelling Venture** is more appropriate and released an analysis with this title. For example, Nestlé claims it had to act on few baby milk

marketing violations, neglecting to say it rejected 97% of those reported by IBFAN.

The Nestlé Critics call on those wishing to improve Nestlé behaviour to look at what the company actually does, not just what it says it does. As the analysis explains, Nestlé Public Relations (PR) strategy for diverting criticism was developed in the 1970s by PR guru **Raphael Pagan** and continues to be followed to this day, with modifications involving sometimes underhand practices, such as spying on campaigners (a Swiss court ordered Nestlé to pay damages and costs to Attac Switzerland in January 2013 after it infiltrated the group).

The analysis can be downloaded free of charge or purchased as a printed copy. (See pg 27.)



Mexico's Crusade Against Hunger



Some of the 50+ media reports on the criticism of the Nestlé/Pepsi deals. From top: *El Reforma*, Marcelo Melchior, President of Nestlé Mexico, and Rosario Robles, Secretary of Social Development signing the deal; Cartoon of Robles in *La Jornada* - showing her dressed as Marie Antoinette saying "Are you Hungry? Have a Pepsi." Patti Rundall being interviewed by Carmen Aristagui on CNN. April 2013



The idea that global food businesses can be useful partners in hunger campaigns took a bizarre turn in April when the Mexican government launched a **Crusade Against Hunger**. Baby Milk Action's Policy Director Patti Rundall was invited by El Poder del Consumidor (Consumer Power) to a series of meetings with Senators, Parliamentarians and the media to raise awareness about Conflicts of Interest.

We were about to congratulate the **Secretary for Development, Rosario Robles**, for including breastfeeding protection in the Crusade when two partnerships were announced, before any academics or NGOs had been consulted. Among other worrying ideas, **Pepsi** would provide fortified formulas for pregnant and nursing mothers and **Nestlé** would create a programme called *Mi Dulce Negocio Nestlé* (My Sweet Business). This would involve teaching 15,000 women how to sell desserts and give nutrition advice in Mexico's poorest regions.

While Nestlé's plan is the last thing the world's

largest junk food company should be doing - Pepsi's scheme could be even more dangerous. We know formulas for mothers undermine women's confidence in breastfeeding and have been used by other companies such as **Fonterra** to pave the way for the introduction of formulas for babies. (See ICDC Briefing on Fonterra p25.)

About half of Mexico's 115 million population is classified as poor, with about 12 million of those living in extreme poverty. But Mexican people also have one of the world's highest rates of obesity and diabetes - diseases that are largely driven by the marketing of ultra-processed foods. Instead of helping small farmers and producers, the Crusade will empower large corporations and facilitate the penetration of their unhealthy foods deeper into the Mexican market, under the perfect philanthropic guise of conquering malnutrition. The scheme also threatens Mexico's unique food culture and ecosystem, which has been declared by **UNESCO** as an *Intangible Cultural Heritage of Humanity*.

Nestle and Pepsi to teach nutrition

Dr Marcos Arana, of the National Institute of Nutrition and IBFAN Latin America's Policy Council, with young mothers in Chiapas, where the infant mortality rate is, according to some estimates, as high as 27 per 1000. "Nestlé's plan to train 15,000 women to sell desserts and do education could represent one of the biggest violations of the International Code and Resolutions. Direct or indirect contact with mothers is forbidden by the Code for very good reasons. In my region of Chiapas, every day I see how bad infant feeding results in malnutrition and infant deaths." Mexico's breastfeeding rates are appalling. From 2006-2012, exclusive breastfeeding under six months decreased from 22.3-14.4%, with a 50% drop in rural areas.* Small wonder when many key aspects of the *International Code* are voluntary, health claims abound, in some private hospitals less than 4% of births are normal, babies are routinely separated from their mothers and free/low-cost supplies of formula continue on a rotation system. There is just one Baby Friendly Hospital in Mexico City!



Photo: CESC

Alvaro Urreta Fernandez, President of the Union of Producers and small merchants, Mexico City, said: "The uncontrolled growth of these multinational corporations has a negative economic and social impact, harming small producers of fruits and vegetables, encouraging an increase in the consumption of junk foods and dramatically decreasing the consumption of fresh fruits and vegetables."

with local products that are not processed and legislation to protect breastfeeding, insisting that the proposals are carried out independently of the companies.

Secretary Robles welcomed the ideas and as we go to press has also agreed to discuss the international concerns with Patti Rundall. Let's see....

International and national NGOs join forces

The media coverage helped raise awareness among NGOs. A petition, organised by **LLL Mexico**, quickly attracted 3,000 signatures. LLL also joined 10 other leading international NGOs such as the **International Obesity Task Force**, **ILCA**, **IBFAN** and **Consumers International** in an open letter to **President Nieto**, placed in 2 major newspapers. Meanwhile Mexican NGOs are organising **Policy Forums** and media events, keeping the issue alive. 27 NGOs met **Javier Guerrero**, the **National Vice Coordinator** of the Crusade in **Chiapas**, expressing unanimous opposition to the corporate involvement. Later the **National Institute of Nutrition** met **Secretary Robles** and asked her to support three proposals: access to potable water; a healthy market system

Brazil's Zero Hunger strategy

The inspiration for the Mexican Crusade was said to be Brazil's **Zero Hunger** strategy. However several critical points were ignored: namely that it was a fully thought-out development agriculture programme that followed extensive consultation with civil society. Public policies were in place to protect and strengthen breastfeeding and food systems and only civil society and government representatives - not conflicted industries - took part in its policy design and implementation. As a result, the national school feeding program is 100% publicly funded, with at least 30% of the food purchased from local producers at least 70% unprocessed products. Because of industry lobbying some conflicted industries are involved, but so far to a limited extent.



World Breastfeeding Conference Declaration (extract)

We, the participants from 82 countries coming from diverse groups including governments, breastfeeding organisations, health providers, people's organisations and movements, international NGOs and individuals... recognize that protection, promotion and support of breastfeeding and optimal infant and young child feeding is a human rights issue and should be entrenched in the public policy and programmes as a necessary condition needing resources.

We call upon all concerned to take the following actions:

- 1 Adopt a human right-based approach to the protection, promotion and support of breastfeeding and infant and young child feeding at international, national, sub-national and community levels.
- 2 Establish institutional mechanisms to avoid and manage conflicts of interest in health and nutrition decision-making and programme implementation.
- 3 Support all women with a comprehensive system of maternity protection at work, including the non-formal sector, with a provision of financing.
- 4 Ensure appropriate and adequate education and training of all health care professionals and allied health and community workers both in pre-service and in-service, and in all sectors, to counter widespread ignorance.
- 5 Establish clear budget lines for breastfeeding and infant and young child feeding policy and programme interventions to ensure adequate human and financial resources in order to enhance optimal practices.



6 Invest in the Baby Friendly Hospital Initiative including mother friendly practices and link it to community initiatives. Further this should be rooted in all maternal and neonatal health programmes, and with due attention to low birth weight babies.

7 Publicise widely the multiple risks of artificial feeding, bottles and teats as well as early complementary feeding through all kinds of media campaigns.

8 Ensure universal access to accurate information and counselling on breastfeeding and infant and young child feeding to all mothers, and to do that provide skilled counsellors in the health facilities and in the community so that they are available for any situation.

9 Monitor and track the Global Strategy for Infant and Young Child Feeding in every country using World Breastfeeding Trends Initiative (WBTi) and advocate to bridge the gaps.

10 Protect breastfeeding from commercial sector, by strictly enforcing the International Code of Marketing of Breastmilk Substitutes and subsequent related World Health Assembly Resolutions and prohibit all kinds of promotion of commercial foods for children for two years or beyond.

commercial foods for children for two years or beyond.

11 Promote the use of affordable and diverse, locally grown, indigenous foods for timely and appropriate complementary feeding after six months along with continued breastfeeding.

12 Enhance and support breastfeeding related research with public funding.

Full declaration available at:
www.worldbreastfeedingconference.org

Scaling up breastfeeding - what will it cost?

Breastfeeding saves lives. Millions of people who would have died during their first year had they been fed on formula are alive today because they were breastfed. Many more lives could be saved if breastfeeding rates improved. A paper was prepared for the **World Breastfeeding Conference** calculating how much it would cost governments and donors to support all mothers to breastfeed optimally.

It is said that breastfeeding is free because breastmilk is produced naturally without manufacturing and transport costs and does not require bottles or sterilising equipment to deliver. The best food in the best packaging.

According to the **WHO/Lancet Child Survival Series**, improving breastfeeding rates could prevent 13% of under-5 deaths in the 42 countries where most of these occur. That is, improved breastfeeding (not even universal breastfeeding) could save 1.3 million lives every year as well as reduce illness and the associated health care costs, as well the cost in human suffering. Yet the goal of improving breastfeeding rates seems to lag behind the goals of providing

vaccinations, safe water and adequate sanitation, which even combined would save fewer lives than breastfeeding. Is it because breastfeeding is "free" that it is undervalued?

Or is it the fact that baby milk companies offer employment and tax income to governments that sees them being subsidised, as in Ireland at present? (See pg 19.)

BPNI presented a discussion paper called *Scaling Up Breastfeeding/Infant and Young Child Feeding Interventions: What will it Cost?* This calculated the budget to enable 100% of mothers and babies to breastfeed in the first hour after birth and then optimally, covering all countries for all births in a 5-year period. The total cost of protecting, promoting and supporting breastfeeding **US\$ 4 billion**, or about 20% of the cost of staging the Olympic Games. If provision was made to pay all mothers below the poverty line US\$ 2/day for 6 months, this would add nearly US\$ 52 billion to the five-year budget. *"The cost of not acting is measured in needless suffering and death, lost workdays caring for children and health care costs - while companies count their profits and encourage governments to think of investment and tax."*



Farewell to two gentle giants

Andy Chetley (right top) and Zef Ebrahim (right below) who both played a huge role in establishing IBFAN and Baby Milk Action. We miss their wise advice enormously.





We know how to improve breastfeeding rates, but is action being taken - or are our babies falling through the gaps?

Every year close to **136 million** babies are born all over the world. Of them as many as **92 million** are not able to experience the WHO's recommended optimal feeding practices: beginning breastfeeding within one hour, being exclusively breastfed for the first six months, and timely and appropriate complementary feeding with continued breastfeeding after 6 months, up to 2 years. This is in spite of the risks to children's health, development and survival and to their long-term health and prevention of non-communicable diseases.

In order to increase the rates of optimal feeding practices, WHO and UNICEF developed the *Global Strategy for Infant and Young Child Feeding*, which provides a framework for action to scale up breastfeeding and infant and young child feeding interventions. They also developed a tool to monitor these inputs. Based on these tools, the **Breastfeeding Promotion Network of India/ International Baby Food Action Network (IBFAN)**, Asia, developed the **World Breastfeeding Trends Initiative (WBTi)**, which measures inputs and generates national action.

The WBTi includes assessment, action, and advocacy. It is an innovative web tool giving universal access to this information, and leads to colour coding and objective scoring to make it easily understandable for the policy makers. It is the central strategy of the global **Breastfeeding Initiative for Child Survival (gBICS)**, jointly launched by the IBFAN and the **World Alliance for Breastfeeding Action (WABA)** in 2008.

The WBTi was earlier launched in 2004-05 in South Asia, and its success led to its introduction in other regions of Asia, Africa, the Arab world and Latin America in 2008, and in Oceania in 2010.

Introduced in 82 countries, the WBTi has led to 51 countries being assessed, ranked and colour-coded based on their scores (see right).

Five **South Asian** countries have done their 3rd assessment since 2004-05 and two countries in the **Latin America** and **Caribbean** region have completed their 2nd assessment since 2008-09. Many countries in **Africa** and **Asia** are in the process of conducting trend analysis with their 2nd assessment. (Work has also started in the UK.) This shows that the interest is growing to find the gaps and bridge them.

Extracted from *Are our Babies Falling through the Gaps: The State of Policies and Programme Implementation of the Global Strategy for Infant and Young Child Feeding in 51 Countries*:

www.worldbreastfeedingconference.org

WBTi indicators

MEASURING PROGRESS

The indicators for the 10 areas of action include:

- National Policy, Programme and Coordination
- Baby Friendly Hospital Initiative (Ten Steps to Successful Breastfeeding)
- Implementation of the International Code
- Maternity Protection
- Health and Nutrition Care Systems
- Mother Support and Community Outreach - Community-based Support for the Pregnant and Breastfeeding Mother
- Information Support
- Infant Feeding and HIV
- Infant Feeding During Emergencies
- Monitoring and Evaluation

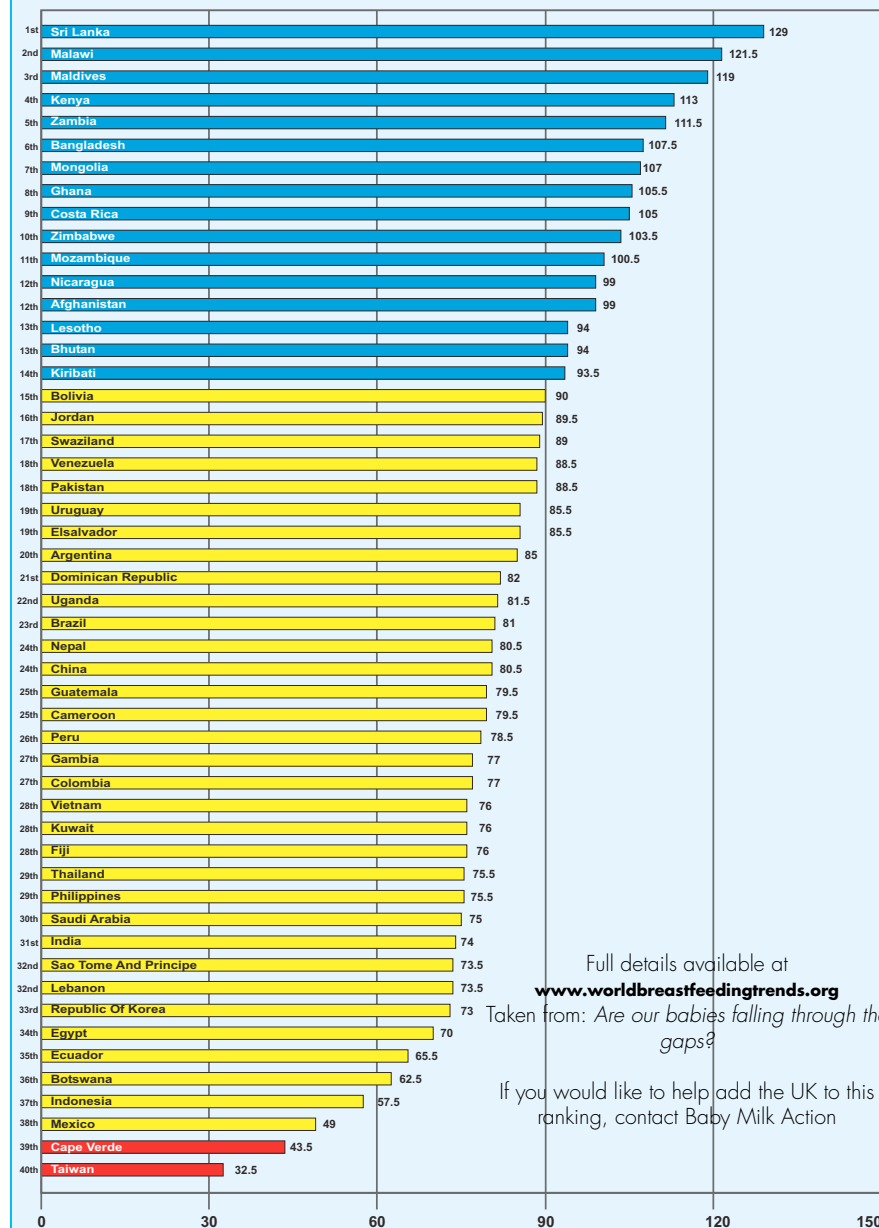
HIGH FIVE

The indicators for five optimal IYCF practices include

- Initiation of Breastfeeding (within 1 hour)
- Exclusive Breastfeeding (for first 6 months)
- Median Duration of Breastfeeding
- Bottle-feeding (<6 months)
- Complementary Feeding (6-9 months)



Fig. 5: The State of Breastfeeding in 51 Countries measured on a scale of 150



Full details available at
www.worldbreastfeedingtrends.org

Taken from: *Are our babies falling through the gaps?*

If you would like to help add the UK to this ranking, contact Baby Milk Action



Breastfeeding is a human right

Mike Brady reflects on what it means to say breastfeeding is a human right. Human rights apply universally and it is the responsibility of governments to deliver and protect these rights.

The right to breastfeed is an interpretation of existing rights, such as the right to adequate food in the *Universal Declaration of Human Rights*, the *International Covenant on Economic, Social and Cultural Rights*, and the *Convention on the Rights of the Child*, amongst others.

Professor George Kent of the University of Hawaii wrote in a paper on *Human Rights and Infant Nutrition* prepared for the World Alliance for Breastfeeding Action Global Forum in 2002:

"The principles are based on the concept that mothers should not be legally obligated to breastfeed, but rather they should be supported in making their own informed choices as to how to feed their infants."

Protecting the right to breastfeed does not force mothers to continue breastfeeding if they want to stop. We have the right to free speech, but that does not mean we are forced to give an opinion on every subject under the sun; if we want to speak, that right is protected.

In the UK, 90% of women who stop breastfeeding before six weeks do so before they wish to (Bolling et al, 2007 cited in UNICEF, 2012 - full *Infant Feeding Survey* details available at <http://www.ic.nhs.uk/pubs/ifs2005>). If the Government had protected the right to breastfeed, might the situation have been different?

To protect breastfeeding and empower mothers, we need to provide an environment that makes breastfeeding possible. Many societies present obstacles to breastfeeding, rather than remove them. Maternity leave for working women needs to be sufficient, at least for the recommended period of 6 months exclusive breastfeeding (so those who wish to do so, can do so), and working conditions must be conducive to continued breastfeeding into the second year of life and beyond. Convention 183 (2000) of the International Labour Organisation states:

"A woman shall be provided with the right to one

or more daily breaks or a daily reduction of hours of work to breastfeed her child... These breaks or the reduction of daily hours of work shall be counted as working time and remunerated accordingly."

Not all countries have ratified the Convention. The UK has not yet done so.

Mothers also need protection from aggressive marketing of breastmilk substitutes. Ensuring parents have the required information and support on breastfeeding as called for by the *Convention of the Rights of the Child* entails implementing the *International Code of Marketing of Breastmilk Substitutes* and subsequent, relevant Resolutions of the World Health Assembly, which also aims to protect mothers who use breastmilk substitutes, who also have a right to accurate, independent information.

The Committee on the Rights of the Child now routinely looks at how governments have implemented the *International Code* and Resolutions when assessing their progress in complying with the Convention. The Committee commented in 2008 on the UK: *"it is concerned that implementation of the International Code of Marketing of Breastmilk Substitutes continues to be inadequate and that aggressive promotion of breastmilk substitutes remains common"*.

To promote breastfeeding and inspire mothers and their families may require investment in social marketing.

In the UK, the coalition government scrapped the Infant Feeding Coordinator posts at the Department of Health, even though these posts are called for in the *Global Strategy on Infant and Young Child Feeding*.

It is also short sighted if the intention is to save money. UNICEF UK issued a report this year on the unnecessary illness that could be prevented and costs saved if breastfeeding rates increased, if the mothers who stopped breastfeeding earlier than they wanted were able to continue for longer.

The theme of the World Breastfeeding Conference was *"Mom-made, not man-made"*. Perhaps *"Mum-made, not manufactured"* works better in our culture and helps us to highlight that the European Union prioritises trade and growth over health.

So we see the Irish Government's Enterprise Ireland and Danone announcing investment of Euro 50 million in a baby milk factory to boost the economy by exporting formula around the world. According to Enterprise Ireland *"98% of the output from [the] Macroom [facility] will be exported and commercialized in more than 60 countries worldwide"*. This will inevitably displace breastfeeding in other countries as well as its own.

To benefit its economy, the Irish Government could instead invest in mothers, the *"real milk"* producers, in a country where less than half (47%) of mothers are breastfeeding on discharge from maternity services (NPRS, 2008 cited by the Health Service Executive).

To support breastfeeding requires provision of health care services, a supportive environment and counselling services, particularly in countries where breastfeeding is not entrenched and visible.

As Prof. George Kent comments with regard to the right to adequate food :

"There is increasing recognition at the international level that good nutritional status is an outcome that depends not only on good food but also on good health services and good care. Health services consist of a broad range of measures for the prevention and control of disease, including the maintenance of a healthy environment."

In the UK we have the National Health Service, free at the point of use, and an increasing number of hospitals are entering the UNICEF Baby Friendly Initiative, which aims to ensure support is provided to pregnant women and mothers in

hospital and in the community. However, there are growing concerns about the way health workers are being targeted in the UK and other countries by baby milk companies, including through funding training and other events. (See pg 17.)

Mother support groups provide counselling services in the UK and the Department of Health does provide a grant towards the National

Breastfeeding Helpline operated by a coalition of them. This is one example of the Government acting on its human rights obligations. However, a coherent approach is needed as the failure to adequately regulate the baby food industry means companies encourage pregnant women and

mothers to contact company-branded telephone "carelines" for support on infant feeding and to sign up to their mother and baby clubs for information. There is an intrinsic conflict of interest in baby milk companies with products to sell making direct and indirect contact with pregnant women and mothers, and this is prohibited by the Code. The fact this is a marketing strategy was demonstrated in Nov 2012 when Baby Milk Action won a case against Pfizer/Wyeth before the Advertising Standards Authority (ASA) over its illegal advertising of infant formula when ostensibly providing breastfeeding support. (See pg 18.)

A human rights approach requires action on many fronts. It helps us to think coherently and logically about what is required to protect and deliver the rights in question.

Further reading

Breastfeeding: A Human Rights Issue? Development, Vol. 44, No. 2 (June 2001), pp. 93-98. <http://www2.hawaii.edu/~kent/breastfeedingrights.pdf>

Global Obligations for the Right to Food, edited by Professor George Kent, with a chapter on *Holding Corporations Accountable* by Mike Brady.





South Africa - scope to three years of age

South African health campaigners are celebrating the adoption of the *Regulations Relating to Foodstuffs for Infants and Young Children*. This covers the marketing of products for children up to three years of age and was gazetted on **6 December 2012**, a great way to mark the start of the World Breastfeeding Conference in India. (See pg 4.)

Implementation of the *International Code of Marketing of Breastmilk Substitutes*, adopted by the World Health Assembly in **1981**, was diverted in South Africa when in **1986** the industry agreed a voluntary code of conduct with the Department of Health. This was ineffective and the industry responded to calls for regulations by forming the *Freedom of Commercial Speech Trust* in **1997** to argue that it was against their constitutional rights to prohibit advertising of products (Update 21).

The first draft of the new regulations was produced in **2003** and it took **nine years** to bring them into force in the face of constant pressure from the industry. In 2003, Nestlé attempted to buy a photo-opportunity with **Nelson Mandela** by offering to present a £500,000 cheque to him for his **Children's Fund** via film director and actor **Richard Attenborough** (Update 33). The Fund turned it down, telling the media (iAfrica) that it was not the first time, "given the Nestlé debacle in relation to HIV/Aids infected mothers and their campaign on promoting formula milk as opposed to breast milk and the disadvantages they put out publicly regarding breast feeding, the Nelson Mandela Children's Fund declined the donation." Nestlé took British MPs on a free trip to visit South Africa in **2008** and one, **Tom Levitt** from Buxton, where Nestlé bottles water, (who also accepted gifts of sports tickets from the company) took to defending the company publicly (Update 41, 43).

IBFAN has gathered evidence of aggressive marketing practices throughout this time and more than once Baby Milk Action supporters have sent messages of support to the South African Government to counter industry lobbying. In the final consultation on the regulations just adopted, the industry again claimed they were unconstitutional, tried to limit them to products up to one year of age and opposed the ban on baby food company sponsorship. In parallel with this, the industry tried to recruit health workers to their cause, saying they would gain *Continuing Professional Development* points from company-sponsored events if the law allowed them. Now the Regulations are in force, the harm caused by aggressive marketing can start to be reversed.

Vietnam - scope to two years of age



Photo: Martien van Asseldonk, Vietnam

In June 2012 the Vietnamese National Assembly voted overwhelmingly (90% in favour) for the new Advertising Law which prohibits the advertising of baby milks for children up to two years of age and complementary foods up to 6 months of age.

- The US Embassy in Hanoi wrote to the President of the Assembly and Government Ministers urging against a ban on advertising formula milk products for babies above the age of 12 months.



Kenya - scope to three years of age

Kenya's new Law, the *Breastmilk Substitutes (Regulation and control) Act 2012*, finally came into force on 26 October 2012. As in many other countries, this is a story of concerted action by civil society and UN bodies to encourage policy makers to take action, and delays as they were diverted towards voluntary codes by the industry. In the final stages, as the Law awaited the President's signature, Kenya came under pressure to weaken the proposals from GAIN, the Global Alliance for Improved Nutrition, who in a lobby paper suggested that proceeding with the law would threaten "Kenya's ability to meet its commitments as a Scaling Up Nutrition (SUN) country." (See pg 25.)

The following chronology is based on a presentation at the World Breastfeeding Conference (pg 4).

1981: Kenya supports the adoption of the *International Code of Marketing of Breastmilk Substitutes* at the World Health Assembly.

1983: Civil society through the Breastfeeding Information Group (BIG) supports the Ministry of Health (MoH) to draft first *Breastmilk Substitutes Bill*. However, this becomes a voluntary standard under the Kenya Bureau of Standards

1984 - 2001: Attempts to translate the marketing requirements into law are unsuccessful.

2002: MoH is supported by UNICEF to train an Attorney General lawyer on the Code.

2003-2007: Several more unsuccessful attempts to progress with legislation.

2008: Small core team formed of MoH UNICEF, WHO, IBFAN (Kenya), University of Nairobi. Attorney General provides a new lawyer to redraft with new WHA recommendations

2010: Draft Bill submitted to cabinet by Minister for Public Health

- **10th August 2012:** Draft Bill gazetted for public review (10 days)
- **29th August:** First reading in Parliament
- **12th September:** Second reading – debate
- **20th September:** Committee of the full house, motion was passed with few amendments
- **26th October:** His Excellency President Mwai Kibaki assented and published the law as *The Breast milk Substitutes (Regulation and Control) Act 2012*.

The law prohibits the promotion of designated products, which includes infant formula and follow-on formula (defined as milk for use up to two years of age, including milks for special medical purposes) and complementary food products (defined as products for infants from 6 - 36 months of age).

A **National Committee on Infant and Young Child Feeding** is established to oversee the law, which shall not include "a person who has a direct or indirect interest in the manufacturing, distribution, marketing, advertisement or promotion of a designated product or complementary food product". It also prohibits all forms of company samples, gifts, sponsorship, grants, conferences and courses to health workers. Sanctions include up to three years in prison.



Nestlé and co's US\$400 million threat against the Philippines

Campaigners in the Philippines are exposing a threat levelled at the economy by Nestlé and other transnational companies if baby milk marketing regulations successfully defended in 2007 are not replaced.

Nestlé and its partners are pushing for a new, weak law to be introduced, which will allow them to advertise milks for use from 6 months of age (with the same branding as milks for use from birth) and target mothers directly.

The **Department of Trade and Industry** has been lobbying legislators on the industry's behalf, writing to Members of Congress: *"The proposed ban on advertising for milk products jeopardizes multinationals' plan to invest \$400 million."*

Meanwhile the **Department of Health**, WHO and UNICEF have said in joint statement that the draft bill: *"aims to support multinational companies while damaging the Filipino society: families, the mothers and children."*

Campaigners have organised events such as protests outside congress (above right). They point out that elections for congress take place in 2013 and they have been hearing politicians warned that investment in their constituencies will

be cancelled if they do not back the bill.

Nestlé has formed the **Infant & Pediatric Nutrition Association** of the Philippines with formula companies **Abbott Laboratories**, **Fonterra Brands**, **Mead Johnson Nutrition** and **Wyeth** (which it now owns) to lobby against the existing



marketing requirements - yet Nestlé and other companies cite anti-trust regulations when called on to mutually agree to stop violations of the international minimum standards adopted by the World Health Assembly.

If Nestlé's law is passed it will no longer have to put clear notices on labels about the benefits or breastfeeding, as shown left.

The Department of Trade and Industry told Congress: *"The benefits derived from the performance of the infant formula industry in terms of government revenues and employment opportunities cannot be overemphasized."*

- In the Philippines the industry is arguing that no country regulates the marketing of products for children over 6 months of age, falsely claiming this goes beyond the Code and Resolutions. In fact many countries have laws covering products for children to two or three years of age. (See pgs 14 and 15 for recent additions to the list.)

Fiji's *Marketing Controls - Foods for Infants and Young Children* which was gazetted in May 2010 and was presented at the World Breastfeeding Conference by Ateca Kama, a Senior Nutritionist at the National Food and Nutrition Centre, Ministry of Health, covers products for children up to **five years of age**.

Latest trends: baby clubs, social media and health workers

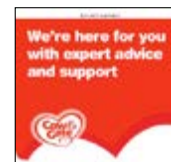
Baby Milk Action's *Look What They're Doing* 2013 monitoring report exposes latest strategies for targeting mothers in the UK. **Danone's**

Facebook strategy to promote its **Cow & Gate** brand of formula, for example, invites mothers to "Ask, chat, share & laugh!"



It has content-specific advertising placed on sites and

websearches relating to infant formula and childcare and attempts to supplant health workers and mother support groups as the source of information on childcare by offering "expert advice and support".



Leaflets on pregnancy are placed in health facilities and displayed alongside NHS leaflets on diabetes and giving up smoking. Outside there is the subtle Cow & Gate heart logo. Inside, pregnant women are encouraged to contact Danone's Cow & Gate-branded "Careline", visit its websites and sign up for information - including on formula.

In May 2012, following a Baby Milk Action campaign, Danone promised to stop distributing materials intended to reach the public through health care facilities, not just in the UK, but around the world. This is an important victory, but perhaps shows how the other strategies are taking over. Danone's main aim is to get mothers to use its own website, offering information, film clips, advice, free gifts and more. It claims 3,000 mothers are signing up every week. Mother support groups have to compete if they want to

reach mothers with unbiased information.

Once on the list, the emails come. One for pregnant women nearing their delivery dates promotes the Cow & Gate starter kit: *"Compete peace of mind for the first 48 hours"*. Mothers who opt out of receiving information on milks are sent a weaning mailing when their children are 3 months old, encouraging spoonfeeding purees - undermining the recommendation to begin complementary foods at about 6 months.

Perhaps most worrying of all, health workers

are actively working with Danone. For example, *Community Practitioner* magazine distributes the Cow & Gate-branded *Feeding for Life* supplement, which promotes a website linking to information on formulas. The **Infant and Toddler forum**



for health workers and parents is a partner in the government's **Public Health Responsibility Deal** - the website is owned by Danone, which sponsors events. Of course, all of this is paid for by premiums on the formula price. (See *No promotion - Cheaper formula* campaign pg 18.)

Danone free booklet undermines home-grown organic foods.



This booklet boasts about Cow&Gate's quality assurance. Someone asks if it is safe for children to eat home-grown organic vegetables. Stephan (from Cow&Gate) answers: *"Do you know if the soil on your vegetable patch contains heavy metals, or what pesticides may have been used in the past?"*
"No I don't....there's a thought...."



Holding Wyeth/Pfizer to account: SMA advertising ruled misleading, email marketing condemned and...



In a national billboard, print and online advertising campaign in March 2012, Wyeth (part of Pfizer) promoted its formula in a series of advertisements showing mothers with young children under headlines: "What's the best milk after Kate's?", "What's the best milk after Lisa's?" etc.

Following complaints by Baby Milk Action and other groups and individuals, the Advertising Standards Authority (ASA) has ruled the answer is NOT SMA formula.

In a ruling published on 19 September it warns Pfizer not to repeat the advertisements after finding: "the ads misleadingly implied that follow-on milk was the best alternative to breast milk" and "the ads misleadingly implied that SMA Follow-on milk was superior to other follow-on milks".

However, there is no requirement under the UK Advertising Code for companies to run corrections when they have misled the public and no fines.

On 28 November, the ASA upheld another complaint brought by Baby Milk Action, this time against an email campaign. The email headed "How is feeding going?" was aimed at mothers with four-week-old babies and played on fears about milk intake and possible problems with breastfeeding before asking "Thinking of bottle feeding?" and promoting SMA infant formula with a claim it contains a fat blend closer to breastmilk. The ASA ruling states:

"The ad must not appear again in its current form. We told SMA [sic] not to produce marketing communications for infant formula except in a scientific publication or, for the

purposes of trade before the retail stage, a publication of which the intended readers were not the general public."

[SMA is the brand, the company was Pfizer].

This is a significant ruling and we are calling on Nestlé, which has now completed its purchase of Pfizer Nutrition/Wyeth to stop all infant formula marketing communications. (See pg 20.)

These rulings are welcome, but Wyeth continues to promote its formula to health workers with the claim "Drop for drop, no other formula comes close" safe in the knowledge that the ASA refuses to investigate advertising in health journals.

- See Baby Milk Action's briefing *How the Advertising Standards Authority fails to protect babies and their families in the UK*.

No promotion - cheaper formula



The millions companies spend on advertising, gifts, courting health workers etc. is added to the price of formula, which is already overpriced - see the calculation on Baby Milk Action's website and the No Promotion - Cheaper Formula petition, a campaign supported by Mumsnet and others.



...the SMA Baby Know How roadshow stopped

Pfizer/Wyeth cancelled its much promoted SMA Baby Know How roadshow in June 2012 after shopping centres pulled out of the event. The roadshow was to have run through June and July, including during National Breastfeeding Week.

The stated purpose was to launch new packaging for SMA formula, while enticing mothers with the offer of advice, free mother-and-baby photographs and other inducements.

Members of the public sent messages of protest to the shopping centres in support of a Baby Milk Action 'Stop Wyeth' campaign.

The first event at Lakeside shopping centre on 14 June was cancelled the day before, meaning a planned demonstration did not have to go ahead.

The second event at Bluewater scheduled for 21 June was cancelled on 16 June, though Wyeth continued to advertise it until announcing the roadshow as a whole was 'postponed' on 20 June after other shopping centres also pulled out.

Baby Milk Action is calling on the shopping centres to put in place policies to respect baby milk marketing requirements to prevent a repeat.

Irish Midwife of the Year refuses to be branded with SMA

Baby Milk Action was pleased to support a campaign in Ireland in November against baby food companies sponsoring awards to health workers organised by Maternity and Infant magazine. The main sponsor of the event for the past five years is Pfizer/Wyeth, which uses the awards to promote its SMA brand of formula.

Last year Pfizer/Wyeth received a Maternity and Infant Award itself for SMA, which it then used in its advertising without mentioning it sponsored the awards. The Irish Advertising Standards Authority upheld a complaint from rival Danone. In 2012 Danone, manufacturer of Aptamil and Cow & Gate products, was allowed to be a sponsor to promote its own formula brands.



Philomena Canning from Dublin, refused her award when she learned that it would brand her the SMA Midwife of the Year and instead organised a demonstration (left).

In December a letter signed by over 100 members of The Nurses and Midwives Board of Ireland called on the Board to remind members that the Code of Professional Conduct states, "The nurse should avoid the use of professional qualifications in the promotion of commercial products..." CEO Maura Pidgeon replied announcing a review of the Code was underway, including a consultation of professionals and the public.

The SMA Baby Know How roadshow began in Ireland in April 2012, before the attempt to launch it in the UK. The website yourroadshow.com explains how the specially adapted bus contains a mini cinema and bottle preparation and nutrition advice areas and more units are planned.





Nestlé loses spying case - ordered to pay damages to victims

A Swiss court has ordered Nestlé and Securitas to pay damages and legal costs to members of ATTAC Switzerland for violating their privacy. Nestlé contracted Securitas to recruit spies who infiltrated the group when it was producing a book on Nestlé's harmful business practices in 2003 (Baby Milk Action spoke at the launch in Nestlé's home town of Vevey, Switzerland in June 2004, Update 35).

In typical media management style, Nestlé responded publicly to the court ruling saying it would study the Judge's ruling and, *"If it should turn out that a Nestlé employee had acted negligently, we shall take appropriate measures."* Fortunately *Le Courier* newspaper was not so naive as to fall for the "over-enthusiastic rogue employee breaking the rules" spin, commenting (26 January 2013):

One may recall that the [Nestlé] defense attorneys had worked diligently to present the ATTAC members as potential criminals in order to better justify "the preventive observation" of

their activities. They had also declared that owing to their militant commitment, they could not "claim such an extended protection of the private sphere" as an ordinary citizen.

In other words, Nestlé's defense was campaigners are fair game to be spied on.

The operation reported to Nestlé's head of security - a former employee of the British Secret Service MI6 (made famous by the James Bond stories). Nestlé and Securitas claim the operation ended in 2005. Yet ATTAC Switzerland claim they detected another Securitas employee attending meetings as late as 2008 and are going to pursue the case. (See pg 28 for the book, *Secret Manoeuvres in the Dark*.)

Nestlé completes takeover of Pfizer Nutrition/Wyeth

Nestlé announced it was purchasing Pfizer's nutrition business in April 2012, having won a fierce battle with Danone, the world's second largest baby milk company.

It paid US\$11.9 billion for the company and had obtained regulatory approval in 85% of markets at the time it announced the deal was complete on 1 December. Mexico blocked the takeover, fearing price hikes, and anti-trust authorities in South Africa, Kenya and five Latin American countries had not yet approved the deal, according to *Dairyreport* (3 December)

Pfizer Nutrition was formerly known as Wyeth in some countries and markets formula brands S-26, SMA and Promil. The purchase brings Nestlé into the UK market, where it previously had only specialist formulas after trying unsuccessfully to enter the general infant nutrition market three times in recent years (see past *Updates*).

However, Nestlé says its interest in the business is because "85% of its sales are in emerging markets". It is in countries where breastfeeding rates are currently high, but formula marketing regulations are not yet in place where the industry sees maximum potential for growth.

Nestlé centre monitors digital communications

Reuters reported in October 2012 that Nestlé has been running a **Digital Acceleration Team** for the past year from its Vevey Headquarters:

"It looks like mission control: in a Swiss market town, an array of screens in Nestlé's headquarters tracks online sentiment. Executives watch intently as California wakes up, smells the coffee - and says whether it likes it."

"If there is a negative issue emerging, it turns red," says Blackshaw [who manages the centre], indicating a screen powered by software from Salesforce.com Inc., which is also used by such brands as Dell computers and delivery company UPS. It captures millions of posts each day on topics of interest to Nestlé."

*Insight - At Nestlé, interacting with the online enemy:
Reuters 26 October 2012.*



WHO speaks out against PAHO - Nestlé link

A Reuters Report (19 October 2012) revealed that the **Pan American Health Organisation (PAHO)** had accepted funding from various companies, including **Coca Cola** and **Nestlé**, prompting WHO to issue a clarifying statement: *"The World Health Organization (WHO) recognizes the importance of working with the private sector. However since part of our work involves setting norms, standards and guidelines for public health, we have very strict guidelines for accepting money from the private sector. WHO does not accept funds from the food and beverage industry for its noncommunicable diseases work. It is unfortunate that the Pan American Health Organization (PAHO-WHO) has accepted money from the food and beverage industry. PAHO - while it is a WHO regional office for the Americas - is, unlike the other regional offices, also the health agency of the Organization of American States. Therefore in some areas, PAHO has its own operating guidelines. Not all PAHO guidelines are aligned with WHO. One such area is collaboration with the private sector."*



Campaigners in the region launched a petition on the Care2 site and the logo shown left - <http://bit.ly/QWyp1k>

Seven distinguished nutrition scientists, members of the **World Public Health Nutrition Association**, sent an open letter to **Carissa Etienne**, PAHO's new director calling for **No more deals with Nestlé please**.
http://www.wphna.org/2013_mar_hp1_paho.htm

Nestlé weakens its formula marketing policy

Nestlé's policy and instructions fail to respect the Code and subsequent, relevant Resolutions of the World Health Assembly.

Although monitoring evidence shows that Nestlé breaks its own weaker instructions, previously these claimed that Nestlé would not promote (in countries of its own choosing): *"a) all infant formula and b) all follow-up formula products except in the rare instances where they have brand/label design which is distinctly different from infant formula."*

In the version of the Instructions introduced in July 2010, Nestlé has weakened this by limiting the scope of its instructions to products up to 1 year of age: *"They also apply to follow-up formula products which are marketed for consumption by infants up to 1 year of age."*

This came to light as Nestlé is increasingly promoting its formula brand names through milks for older babies, as in this example reported

in Armenia. This is one of Nestlé "high risk" countries and so would not have been permitted under its old Instructions.



Change prompted by FTSE4Good?

Nestlé made the change shortly before FTSE introduced weakened criteria for its FTSE4Good ethical investment index in September 2010. Nestlé was added to the Index in March 2011 even while violating the World Health Assembly marketing requirements. FTSE assesses companies against their own policies rather than the *International Code and Resolutions*.



Taming the Nestlé monster at the last Croydon demo

Campaigners gathered for the annual boycott demonstration at Nestlé (UK) HQ in Croydon, prior to the company's relocation to Gatwick and faced the Nestlé monster - a costume dinosaur representing the company, which tramples on the rights of mothers and babies - unless we take action to stop it. Look out for the film clip online.

Campaigners distributed "Fight the Nestlé monster" leaflets with ten facts executives do not want people to know. The leaflet included an QR code for smartphones to access further details

Nestlé tries to undermine International Nestlé-Free Week with KitKat pledge

In an attempt to divert attention from International Nestlé-Free Week (29 October - 4 November 2012), Nestlé announced that its two-finger KitKat chocolate bars will bear the Fairtrade logo from January 2013. International Nestlé-Free Week is a time for people who boycott Nestlé over the way it pushes baby milk to do more to promote the boycott - and for those who don't boycott to give it a go.

According to statements from Nestlé and the Fairtrade Foundation a total of 7,000 farmers will provide cocoa for KitKat under Fairtrade terms, up from the 6,000 announced in 2009 when only the four-finger KitKat had the Fairtrade mark (though, curiously, the latest statements claim the initial number of farmers was 2,500).

The 9,600 tonnes of cocoa Nestlé says it will buy through the Fairtrade scheme amounts to 2.6% of its annual cocoa purchase (about 364,000 tonnes). It has been criticised for failing to deliver on its 2001 commitment to end child slavery and child labour in the supply chain as a whole within five years. Baby Milk Action has produced a leaflet explaining "Why boycott Nestlé Fairtrade KitKat" with key facts on the baby milk issue, as well as concerns about Nestlé's sourcing of cocoa and other business practices.



The next Nestlé-Free Week will be **28 October - 3 November 2013**. For resources see: info.babymilkaction.org/nestlefreeweek



Rachel's Dairy added to Nestlé boycott list

Rachel's Dairy has been added to the Nestlé boycott list for the UK as it is now owned by Lactalis Nestlé Chilled Dairy (LNCD). Lactalis purchased Rachel's Dairy in August 2010. In May 2012 the organic yoghurt and dairy product company was moved into LNCD, which is a joint venture with Nestlé. Lactalis owns 60% of LNCD and Nestlé 40%.

US Girl Scouts shamed by association with Nestlé

US Girl Scouts put its name to a Nestlé candy bar marketing campaign that ran in August 2012 to boost sales in September. Campaigners called on Girl Scouts to ditch Nestlé and send a message of solidarity to women in the Philippines instead. (See pg 16.) Nestlé was also criticised for breaking a commitment in the US not to target children with junk food advertising, but claimed that although the adverts featured a Girl Scout they were aimed at adults.

Inconvenient truth? Everyone agrees that malnutrition is a shameful world problem that must be tackled. However, the idea that the answer is giving micronutrient supplements to all children, regardless of whether they are needed, is risky. Marketing them freely to all even more so. The study from Pakistan below shows some of the problems and urges caution. Like all studies this needs to be evaluated and corroborated - but such evidence should not be overlooked just because it's 'inconvenient.' The film from Cambodia* shows the importance of

nutritious foods from local ingredients.

A bit of history on 'Sprinkles' Dr. Stanley Zlotkin did the research to develop a micronutrient powder called 'Sprinkles' in 1996 and owns its patent. He went on to commercialise them globally in conjunction with the H.J. Heinz Company and Foundation in 2001. He has been an infant feeding consultant for Nestlé and Mead Johnson and in Canada has pushed iron supplementation for all breastfed babies.

Effect of provision of daily zinc and iron with several micronutrients on growth and morbidity among young children in Pakistan: a cluster-randomised trial.

This Gates-funded trial in Pakistan shows that Infants and young children given micronutrient powders (containing iron; folic acid; and vitamins A, C, and D, with or without additional zinc) had more bloody diarrhoea and more respiratory symptoms than controls. The authors have called for a closer look at safety before distribution is scaled up. *"Use of micronutrient powders reduces iron-deficiency anaemia in young children. However, the excess burden of diarrhoea and respiratory morbidities associated with micronutrient powder use and the very small effect on growth recorded suggest that a careful assessment of risks and benefits must be done in populations with malnourished children and high diarrhoea burdens."* Soofi, Bhutta et al The Lancet - 18 April 2013: 10.1016/S0140-6736(13)60437-7

WHO Guideline: Use of multiple micronutrient powders for home fortification of foods consumed by infants and children 6–23 months of age does recommend the use of these powders - but with provisos: "Programmes involving the use of multiple micronutrient powders for home fortification of foods should be preceded by an evaluation of the nutritional status among children under 5 years of age ...to ensure that the daily micronutrient needs are met and not exceeded." whqlibdoc.who.int/publications/2011/9789241502047_eng.pdf

*Improve the food security of farming families affected by volatile food prices" by the Food and Agriculture Organisation (FAO) and the EU See pg 26

Profits and pandemics: prevention of harmful effects of tobacco, alcohol, and ultra-processed food and drink industries.

This study assesses the effectiveness of self-regulation, Public Private Partnerships (PPPs), and public regulation and concludes that unhealthy commodity industries should have no role in the formation of Non-Communicable Disease (NCD) policy. On our request this was discussed at the European Platform Plenary meeting in February. Discussing the merits of product reformulation *"in low-income countries, benefits are less obvious, and the dangers are very apparent. In such countries, consumption of ultra-processed products is low. These countries are therefore the prime targets of transnational corporations."* An increase in the overall consumption of ultra-processed products would *"undermine long-established dietary patterns based on fresh or minimally processed foods."* The Lancet, Volume 381, Issue 9867, Pages 670 - 679, 23 February 2013 www.thelancet.com/journals/lancet/article/PIIS0140-6736%2812%2962089-3/abstract

Call to end early cord cutting

UK Medical bodies, senior doctors and the National Childbirth Trust (NCT) are calling for an end to clamping of a baby's umbilical cord as soon as it is born. Newborn babies deprived of vital blood from the placenta are more at risk of iron deficiency - all the better for the companies selling fortified formulas and supplements!



IBFAN Concerns about Public Private Partnerships

Right: US Secretary of State, Hilary Clinton, and the singer Christina Aguilera watching a presentation of the World Food Programme in partnership with the 'YUM' (KFC, Pizza Hut, Taco Bell) brand. Far right: IBFAN's discussion paper.



Update readers will know that we have been worried for some time about the rise of Public Private Partnerships (PPPs) and alliances such as the **Global Alliance for Improved Nutrition** and the **Scaling Up Nutrition Initiative** called SUN. SUN emerged from a **World Bank** initiative in 2009 and calls itself a global 'movement' that unites governments, civil society and businesses in an effort to end undernutrition.

While IBFAN supports SUN's call for multi-sectoral action on nutrition and support and protection for breastfeeding, we have many concerns about one of SUN's aims, which is that governments set up multi-stakeholder 'platforms at country level. A *Sun Business Network* was set up in December to increase business involvement on these platforms.

We have long experience on the **EU Platform on Diet and Physical Activity** and know the risks well. In November, after much consultation, including with SUN members and leadership, we published a **Discussion Paper** outlining our concerns and

"Because of the move to 'product-based' solutions, funding is already drying up for most infant and young child feeding support programs and for community-based approaches that teach and promote skills to make nutritious family foods from local indigenous ingredients. I fear that once this runaway train leaves the station there will be no stopping it." Malang Fofana, the head of the Gambian delegation, Codex Nutrition.2011

The **Special Rapporteur on the Right to Food**, Olivier de Schutter calls on SUN and other initiatives to "begin by regulating the marketing of commercial infant formula and other breastmilk substitutes and not to "overlook the entitlements that have been established under international law for women, children, minorities, refugees and internally displaced persons..." *2011



SUN's lack of adequate safeguards on conflicts of interest, without which conflicted corporations can gain unprecedented opportunities to influence health policies. We believe the SUN approach conflicts with World Health Assembly Resolutions. WHA Res.65.6 specifically calls for safeguards against conflict of interest in policy development and implementation of nutrition programs. Surely businesses should only be involved once policies are decided?

In response to these concerns SUN leaders are now stressing breastfeeding and the need for initiatives to be 'government-led' more. We hope this will signal the need for proceeding with **caution** rather than **confidence**. For sure, if children are to be protected they need more than words and they need SUN to pay attention to what GAIN and others do at Codex and at government level.(See pg 25.)

● The **Global Social Observatory** will do a *Consultation Process on Conflict of Interest in the SUN Movement*, to be funded by the **Gates Foundation**, which is also a funder of SUN. Let's see...

The **Global Alliance for Improved Nutrition** is an especially worrisome entity. On the Lead Group of SUN it is in a key position to influence SUN policy development. GAIN often presents a benign image as a non-profit NGO that is only interested in reducing malnutrition through local foods and small companies. However, those of us who are involved in advocating stricter marketing controls see a different side. For example:

● Lobbying at Codex

For the last 3 years we have witnessed GAIN's lobby against World Health Assembly Resolutions at **Codex Alimentarius** meetings where global food standards are set. GAIN is clearly trying to open up markets for fortified foods and supplements for its **Business Alliance** members such as **Danone, PepsiCo, Coca Cola, Britannia**. (See above and pg 26.)

● **Lobbying Kenya** In October, GAIN challenged the Kenya's draft law that proposed strict controls on baby formulas and foods. In its lobby paper GAIN implied that proceeding with the law would threaten "Kenya's ability to meet its commitments as a *Scaling Up Nutrition (SUN)* country." We have asked how SUN can claim to be government-led when a member of its Lead Group is doing such lobbying. Kenya went ahead with the Law. (See pg15.)

● **World Health Assembly** GAIN has been involved in WHO's work on micronutrients and in 2012 applied for official NGO relations status. This would allow it to make interventions at Assembly meetings. The **WHO Executive Board** in January 2013 did not approve the application, pending answers to questions about GAIN's



Some of GAIN's Business Alliance members

relations with global corporations and allegations about its lobbying against WHA Resolutions on baby foods. (See EB Res.132.R9. Jan 13)

● **Monitoring** The first report of the GAIN sponsored **Access to Nutrition Index (ATNI)** was published in March 2012. The report scored 25 of the world's largest food and beverage manufacturers on the basis of their written policies and statements, rather than on independent monitoring of their actions on the ground.

The highest scores went to the companies that have invested most in using Public Relations strategies to counter criticisms. **Danone, Unilever, Nestle, PepsiCo, and Kraft** reaped the reward as media reports described them as the "best large firms worldwide when it comes to offering products that address both the problems of obesity and poor nutrition..." (USA Today) ATNI criteria are the perfect

whitewash because they reward companies for all the wrong things: the promotion of fortified foods, consumer 'education' about healthy diets and active lifestyle, and engagement with 'stakeholders' in public private partnerships.

● **Lack of transparency** The **British Medical Journal** wrote to **Veena Rao** about her opinion piece entitled, "Law on infant foods inhibits the marketing of complementary foods for infants, furthering undernutrition in India" "In this online Personal View ..Veena Rao, did not declare any competing interests. She has now told us that she has been "a member of the Advisory Board on the Britannia Nutrition Foundation (a non-profit trust) since 2009." ...**Britannia Industries** is represented on the Lead Group of SUN and the Board of GAIN. Its stated purpose is to "Help people enjoy life through healthy snacking." Encouraging all day snacking on 'slightly better for you' junk foods seems to be one of the food industry's Top Strategic Priorities.



No claims at Codex

We joined the IBFAN team, representing IACFO (the International Association of Consumer Food Organisations) at the Codex Alimentarius Nutrition meeting in Germany in December. GAIN and the baby food industry failed in an attempt to legitimise health claims in the *Guidelines on Formulated Supplementary Foods for older infants and young children*. At the request of the **Botswana** delegate the FAO/EU film (see right) was shown to everyone. It was also shown at the *Save the Children* workshop on *Infant and Young Child Feeding in Emergencies* in June. There was much debate about when supplements are needed and how they might undermine local family foods.

Whether the Codex *Follow-on Formula Standard* should be revised was also a hot topic with the baby food industry keen to open up the market - not just for formulas for 6-12 months, but for the potentially huge market for older babies and young children. WHO, supported by many governments, including the US, called for a review on whether there was any need for these products or indeed a separate standard.

European Union The EU has been discussing much the same questions during the reform of **PARNUTS**, the Framework Directive that determines how baby formula and food legislation is formed. MEPs called for much stricter rules on marketing and the use of the precautionary principle. The Greens called for no advertising of foods for infants and young children. MEPs, like most health professionals are worried about formulas for older babies and young children, not just because of the cross-branding but the excess sugar levels. The **European Food Safety Authority** (EFSA), which has revised its rules on Conflicts of Interest, will review these products and the nutritional needs of infants and young children. Among other changes, baby pictures and idealised images and text on follow-on formula labels will end and promotion of specialised formulas will be reviewed and possibly curtailed.

See Policy Blog: <http://info.babymilkaction.org/EUFOODLAW>

WHO Reform, Non-communicable



Improve the food security of farming families affected by volatile food prices. This short but important film by the Food and Agriculture Organisation (FAO) and the EU gives a different message to those suggesting that all babies need micronutrient supplements. The film shows children in Cambodia getting healthier as parents learn how to provide nutritious meals from readily available local ingredients alone.

www.youtube.com/watch?v=OrUX6FZieVY

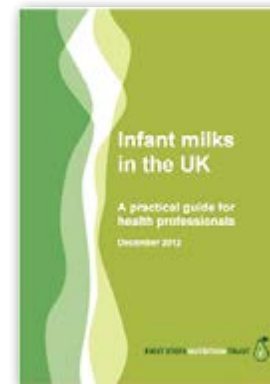
The IBFAN group in Indonesia, AIMi, made another useful film (cartoon with english subtitles), with the support of Save the Children. AIMi also managed to stop an unethical industry funded formula trial going ahead in January.

<http://aimi-tasi.org/benarawalnya-lancar-menyu-suinya/>

Diseases, Conflicts of Interest and WHO's interactions with "Non State Actors" have been key cross-cutting issues that we have followed at WHO's meetings and consultations throughout the year as members of IBFAN, the **Conflict of Interest Coalition** and **Democratising Global Health**.

WHO's Director General, Dr Margaret Chan, is now repeatedly stressing the need to protect WHO's 'norms and standards' setting process. A WHA Resolution (65.6) passed in May 2012 called for safeguards against conflict of interest in policy development and implementation of nutrition programmes. Whether WHO will adopt a coherent and effective policy to protect itself and its policy making process from undue influence remains to be seen. Resolution 65.6 also addressed breastfeeding and the marketing of complementary foods. (See stories on PAHO pg 21 and GAIN pg 25.)

Free downloads and hard copies of these papers can be accessed through the online version of **UPDATE** or from www.babymilkaction.org/shop/



Three above from www.firststepsnutrition.org



2013 Calendars now reduced.
Also available packs of past years.



Complementary Feeding: Nutrition, Culture and Politics
by Gabrielle Palmer, author of *The Politics of Breastfeeding* (and one of the experts appearing in the *Infant Formula Explained* DVD). This thought-provoking book provides an important perspective to the debate about the role of fortified processed foods

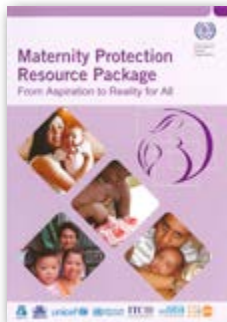
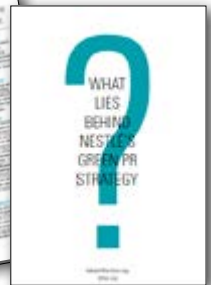
Secret Manoeuvres in the Dark

by Eveline Lubbers. This disturbing book is about undercover operations by companies - it has a chapter on Nestlé. - it has a chapter on Nestlé.



Nestlé Monster T Shirts
Thanks to Rebecca Clark for this image, also available on a reusable shopping

What lies behind Nestlé's Green PR Strategy?
New campaign leaflet.



New Maternity protection kit
an invaluable resource that has taken years to produce - a joint effort by the International Labour Organisation, IBFAN and many others. Women.

Infant Formula Explained DVD and iPhone app

The DVD has a 25-minute film for health workers, where experts explain about formula and answer typical questions from parents and carers, a 7-minute film for use with parents and carers who have decided to formula feed (and health workers with less time available) and a 10-minute film showing how to make up powdered formula in line with WHO guidance. The last two films are included in the IFE iPhone app.



MyMeter iPhone app

Thanks to Nigel Harrison for developing the. The dial and tone indicate when you are getting closer to the item/person you are detecting. Set it to display "Nestlé Product!" and see what happens when the alarm goes off. Give your target an updated Nestlé boycott product list cards as compensation.



Diary dates: 2013

28th October - 4th November:
International Nestlé-Free Week

Membership Offer

Baby Milk Action is an independent voice to protect babies and their families because we take no funding from companies. Members are essential for us to carry out the work described in this newsletter. Please join us via the Virtual Shop or one of our reply forms