

Campaign for ethical marketing

23/09/2009 Philippines

WHO estimates that “Some 1.5 million children still die every year because they are not adequately breast fed” [1]. This figure brings into account children who are fed inappropriate, unhygienic, and nutritionally poor foods such as rice water, sugar water, cassava or other starchy material which are not infant formula and which are wholly inadequate nutritionally. Our studies have shown that, in developing countries, infant formula is overwhelmingly purchased by the middle and upper classes, and working women who have to leave their infants with others for long periods in order to support their families. For these infants, formula is a vital product, and a factor which enables the mother to earn income necessary to purchase food for the rest of the family preventing them from suffering malnutrition and starvation.

[1] WHO Global Strategy for feeding infants and young children, WHA Resolution 54.7, 2001.

While Nestlé does not promote infant formula in the developing world, we have found that in countries such as Pakistan, India, and Bangladesh, infant formula sales have been increasing over time and this is happening at the same time that infant mortality is decreasing. When used properly, infant formula saves lives.

The International Code of Marketing of Breast Milk Substitutes cannot be a ‘requirement’ for all countries: no policy of WHO is such. Rather WHO adopted the Code as a recommendation to countries to set policy and legislation according to each country’s specific health needs and socio economic conditions. While former WHO General Secretary Gro Harlem Brundtland has stated that the WHA resolutions have the same weight as the WHO Code, they do not override nor replace the Code. Thus where the WHA resolutions are in conflict with the WHO Code, there is a gap in understanding. Until such gaps can be filled, the WHO Code should stand as the gold standard. Something which seems to be neglected is that one of the aims of the Code is to “ensure the proper use of breast-milk substitutes, when these are necessary, on the basis of adequate information and through appropriate marketing and distribution”.

Presence of infant formula at the Nestlé annual General Assembly

The Nestlé General Assembly is an annual gathering of persons who hold shares in the company.

As is generally the case at shareholder meetings, participants are provided with information and data about the company’s operations, product portfolio, business prospects, community projects and other information. Shareholders, who are in fact the owners of the company, know that infant formula is part of our product portfolio and have a legitimate interest in being informed of scientific advances in it. Our shareholder meetings are not events for the general public. Therefore the presence of infant formula cannot be associated to a marketing practice nor to an effort on Nestlé’s part to ‘push infant formula’, even less to ‘undermine breastfeeding’.

Infant formula is a vital product when breast milk is unavailable, and WHO recognises that infant formula is the single product that is appropriate for nourishing non breastfed infants.

Philippines Supreme Court

Nestlé hails the decision of the Philippines’ Supreme Court to back the Department of Health regulations on formula marketing. Nestlé was never a part of the legal challenge referred to that was instigated by other companies. To the contrary, Nestlé fully encouraged the Department of Health’s efforts to implement the revised regulation, and had written a letter supporting this work to the

Secretary of Health and to UNICEF at that time. Nestlé supports strong enforcement of national codes to protect mothers and children and to create a level commercial playing field.

Baby Records

The “My Baby Records” booklet referred to in the Philippines is made available to health care professionals upon their request. It contains information on immunization schedule, growth chart, diagnosis, medications and is a useful tool for doctors and mothers if the doctors have chosen to provide it to her. It contains explanations and WHO’s recommendations on breastfeeding. There is also guidance on correct weaning practices and information on Nestlé infant cereals which are recommended for 6 months of age or beyond. Infant cereal for children after the age of 6 months is not a breast milk substitute and does not fall within the scope of WHO Code.

The fact that mothers receive this booklet only from health care professionals, never from Nestlé personnel, is fully in line with Art. 4.3 of the WHO Code, which allows donations of informational and educational equipment or materials by manufacturers, to be distributed through the health care system. This activity is also completely consistent with the Philippines Regulations.

The Nestlé Club

The Nestlé Club exists for consumers who wish to receive communication on various homemaking topics such as household management or culinary applications. It relates to food and beverage products that do not fall under the scope of the WHO Code like coffee, flavoured drinks, cooking aids, breakfast cereals, powdered milk (for grown-up children and adults), or growing up milks (given to children over 1 year of age). Feedback from consumers who subscribe to the Club shows that they appreciate the information on topics ranging from recipes to homemaking tips, nutrition, health and wellness advices and events being held. There is no communication about breast-milk substitutes in any of the information sent to or requested from the Nestlé Club members. This activity does not contradict in any way the articles of the WHO Code.

Infant formula in Malawi

There is no question about breast milk being the best start a baby can have in life. But when mothers are not able to breastfeed, it is critically important that a safe, effective, high-quality alternative be made available.

Nestlé makes significant investments in R&D and technology to deliver innovative products with scientifically proven nutritional benefits. While our infant nutrition products meet the needs of non-breastfed babies during the first critical months of life, the functional benefits that are encapsulated in the ‘Protect’ logo are scientifically substantiated - the result of many years of intensive research on how best to improve the formula composition to stimulate the infant’s immune system. The logo helps distinguish this particular formula from other less advanced products but does not claim in any manner that infant formula is superior to breast milk.

In line with the WHO Code recommendations, the label content is translated into the national language and reminds mothers of the superiority of breast milk. In actual fact, Malawi is a country where breastfeeding is overwhelmingly practiced and overall usage of infant formula very low, even in comparison with other African countries. Nevertheless, mortality of infants and young children is still very high, according to UNICEF’s statistics. This means that main causes of health problems and mortality of babies are not related to infant formula. All stakeholders need to be constructively engaged in the search for effective policies to help infants and young children in countries like Malawi.

End of aisle display of Nestlé formula

Nestlé policy prohibits promotional display of our infant formula in retail outlets, such as “end of aisle” displays. We take pains to explain this to distributors of our products and we ask them to sign contracts to respect these policies which are in line with the WHO Code. However, sometimes among the many thousands of retailers and shopkeepers who sell infant formula, there are some who have not yet understood, or who make mistakes.

Article 11.4 of the WHO Code states that persons and organizations monitoring infant formula marketing practices should inform manufacturers when and where violations are taking place so that corrective action can be taken. Had we had information about the retail outlet in Malawi that displayed infant formula in this incorrect fashion, we could have taken steps to correct it. Be this as it may, we are trying to identify the store and will definitely renew information to our distributors about marketing practices at shop level, that are in line with the Code recommendations.