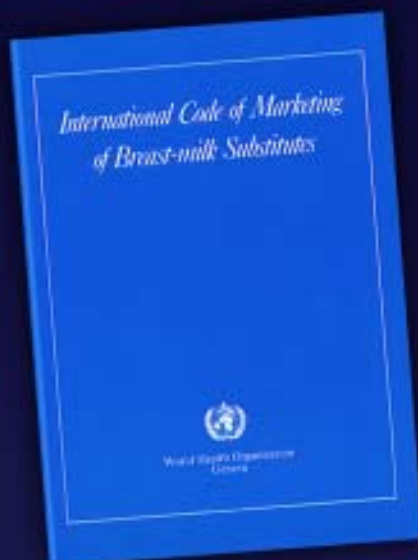


Breaking the Rules Stretching the Rules 2004

**Evidence of Violations of
the International Code of Marketing
of Breastmilk Substitutes
and subsequent Resolutions**



International Baby Food Action Network

Abbott-Ross • Danone • Dumex • Friesland
Gerber • Heinz • Hipp • Humana • Mead
Meiji • Milupa • Morinaga • Nestlé • Nut
Snow • Wyeth • Pigeon • Avent • Chicco
VIOLATIONS • Abbott-Ross • Danone •
Friesland • Gerber • Heinz • Hipp • Hum
Mead Johnson • Meiji • Milupa • Morina
• Nutricia • Snow • Wyeth • Pigeon • A
Chicco • **CODE VIOLATIONS** • Abbott-R
Danone • Dumex • Friesland • Gerber •
Hipp • Humana • Mead Johnson • Meiji
Morinaga • Nestlé • Nutricia • Snow • V
Pigeon • Avent • Chicco • **CODE VIOLA**
Abbott-Ross • Danone • Dumex • Friesla
Gerber • Heinz • Hipp • Humana • Mead
Meiji • Milupa • Morinaga • Nestlé • Nut
Snow • Wyeth • Pigeon • Avent • Chicco
VIOLATIONS • Abbott-Ross • Danone •
Friesland • Gerber • Heinz • Hipp • Hum
Mead Johnson • Meiji • Milupa • Morina
• Nutricia • Snow • Wyeth • Pigeon • A
Chicco • **CODE VIOLATIONS** • Abbott-
Danone • Dumex • Friesland • Gerber •
Hipp • Humana • Mead Johnson • Meiji
Morinaga • Nestlé • Nutricia • Snow • V
Pigeon • Avent • Chicco • **CODE VIOLA**
Abbott-Ross • Danone • Dumex • Friesla
Gerber • Heinz • Hipp • Humana • Mead
Meiji • Milupa • Morinaga • Nestlé • Nut
Snow • Wyeth • Pigeon • Avent • Chicco
VIOLATIONS • Abbott-Ross • Danone •
Friesland • Gerber • Heinz • Hipp • Hum
Mead Johnson • Meiji • Milupa • Morina
• Nutricia • Snow • Wyeth • Pigeon • A
Chicco • **CODE VIOLATIONS** • Abbott-R
Danone • Dumex • Friesland • Gerber •
Hipp • Humana • Mead Johnson • Meiji
Morinaga • Nestlé • Nutricia • Snow • V
Pigeon • Avent • Chicco • **CODE VIOLA**
Abbott-Ross • Danone • Dumex • Friesla
Gerber • Heinz • Hipp • Humana • Mead
Meiji • Milupa • Morinaga • Nestlé • Nut
Snow • Wyeth • Pigeon • Avent • Chicco
VIOLATIONS • Abbott-Ross • Danone •
Friesland • Gerber • Heinz • Hipp • Hum
Mead Johnson • Meiji • Milupa • Morina
• Nutricia • Snow • Wyeth • Pigeon • A
Chicco • **CODE VIOLATIONS** • Abbott-R
Danone • Dumex • Friesland • Gerber •
Hipp • Humana • Mead Johnson • Meiji
Morinaga • Nestlé • Nutricia • Snow • V
Pigeon • Avent • Chicco • **CODE VIOLA**
Abbott-Ross • Danone • Dumex • Friesla
Gerber • Heinz • Hipp • Humana • Mead
Meiji • Milupa • Morinaga • Nestlé • Nut
Snow • Wyeth • Pigeon • Avent • Chicco
VIOLATIONS • Abbott-Ross • Danone •

ACKNOWLEDGEMENTS

The editors would like to thank the countless independent monitors from 69 countries who reported more than 3,000 Code violations to ICDC during the monitoring period.

Africa

IBFAN Africa and national monitors from: Ghana, Kenya, Malawi, South Africa, Tanzania, and Zimbabwe.

Asia

WHO Collaborating Center for Child Health (China); BFHI Hong Kong Association; BK.PP-ASI/YASIA (Indonesia); Breastfeeding Support Network of Japan; JIMFACT (Japan); Persatuan Penggalak Penyusuan Susu Ibu Malaysia; Perak Consumers Association (Malaysia); Thai Breastfeeding Alliance (Thailand).

Middle-East

Breastfeeding Friends (United Arab Emirates).

Caribbean

The Informative Breastfeeding Service (Trinidad and Tobago), Fundashon Lechi Mama Kòrsou (Curaçao, Netherlands Antilles).

Europe

IBFAN Europe and the following national groups: “Confidence” Health (Armenia); Breastfeeding Advancement Group (Bosnia and Herzegovina); Women and Mothers against Violence (Bulgaria); Imetystuki ry (Finland); Claritas (Georgia); Aktionsgruppe Baby-nahrung (Germany); Geneva Infant Feeding Association (Switzerland); Italian Code Monitoring Coalition (Italy); LKEVAB (Latvia); Lithuanian Breastfeeding Support Society; Initiativ Liewensufank (Luxembourg); Center for Family, Motherhood & Childhood Support (Macedonia); Stichting Baby Voeding (Netherlands); Center for Children Care (Serbia and Montenegro); Baby Feeding Law Group (United Kingdom).

Latin America

IBFAN Latin America and national IBFAN groups from Argentina; Colombia, Costa Rica; Dominican Republic; Mexico, Peru and Uruguay.

ICDC is also grateful to its donors and to the UNICEF offices which facilitated national training and monitoring surveys.



Breaking the Rules Stretching the Rules *2004*

Evidence of Violations of
the International Code of Marketing
of Breastmilk Substitutes and
subsequent Resolutions



International Baby Food Action Network

Breaking the Rules, Stretching the Rules 2004

Evidence of Violations of the International Code of Marketing of Breastmilk Substitutes and subsequent Resolutions.

The report was compiled and edited by Yeong Joo Kean and Annelies Allain of the International Code Documentation Centre (ICDC) with contributions from Karyn Chua, Raja Abdul Razak, Jean Pierre Allain, Tracey Wagner-Rizvi, Sita Letchmi Sinnathamby and R. Komala.

Breaking the Rules 2004 is based on results of worldwide continuous monitoring between January 2002 to April 2004, using the Standard IBFAN Monitoring tool, SIM.

The SIM database collection centres were managed by Laura Arcara, Dr. Fernando Vallone, Shanti Kelly and Raja Abdul Razak. IBFAN/ICDC also acknowledges contributions from Lida Lhotska, Mike Brady and HHT Tarimo.

© ICDC May 2004

Any part of this publication may be reproduced provided it is not taken out of context and the source is fully acknowledged.

ISBN 983-9075-10-1

PUBLISHED BY

IBFAN S/B
PO Box 19, 10700 Penang, Malaysia
Tel: +60 4 890 5799
Fax: +60 4 890 7291
Email: ibfanpg@tm.net.my

“Breaking the Rules, Stretching the Rules 2004”
is available from IBFAN Penang.

PRICE

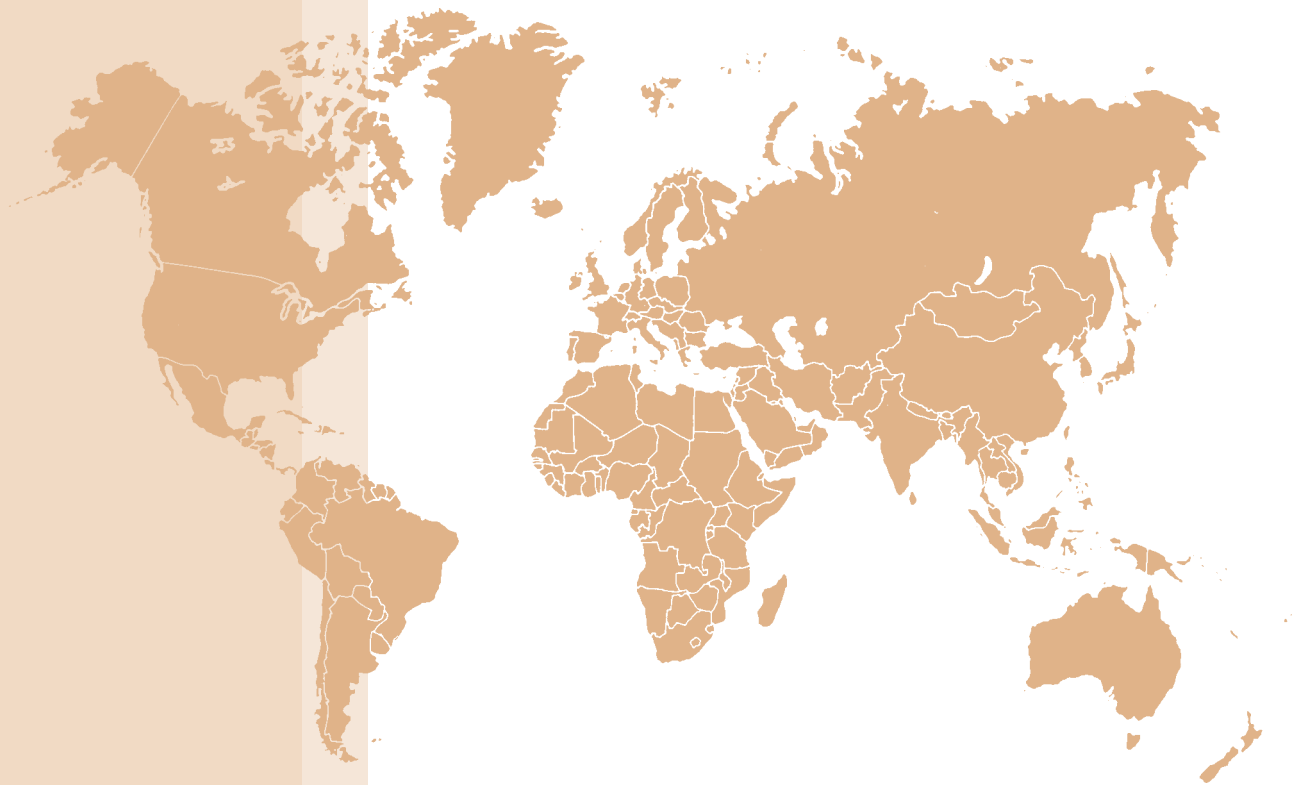
Non-profit groups: US\$ 15.00 inclusive of airmail postage.
Profit groups: US\$ 40.00 inclusive of airmail postage.
Bulk orders: please enquire for discounts.

DESIGN & LAYOUT

William Chow & Raja Abdul Razak

PRINTED BY

Jutaprint, Penang, Malaysia



Contents

<i>Executive Summary.</i>	4
<i>Introduction.</i>	6
<i>International Code Summary.</i>	8

Code violations by baby food company

(in alphabetical order)

Abbott-Ross	10
Danone	16
Dumex	18
Friesland	22
Gerber	25
Heinz	28
Hipp	31
Humana	35
Mead Johnson	37
Meiji	44
Milupa	47
Morinaga	51
Nestlé	53
Nutricia	68
Snow	75
Wyeth	77
 Summary of violations by bottle and teat companies	 84
 Stretching the Rules	 89

Executive Summary

“Virtually all mothers can breastfeed provided they have accurate information, and support within their families and communities and from the health care system”

Dr. Lee Jong-Wook

Director General of WHO in his call on governments to promote, protect and support breastfeeding at the launch of the Global Strategy on Infant and Young Child Feeding
23 March 2004

The Strategy pinpoints the main problems affecting infant and young child feeding and identifies implementation and monitoring of the International Code and subsequent resolutions as a key area requiring action.

Article 44 of the Global Strategy sets out the responsibility of companies:

“Manufacturers and distributors of industrially processed foods for infants and young children... should ensure that... (these products) meet applicable Codex Alimentarius standards... They should (also) ensure that their conduct at every level conforms to the Code, subsequent relevant Health Assembly resolutions, and national measures that have been adopted to give effect to both.”

Every three years, IBFAN publishes a report on compliance with the International Code of Marketing of Breastmilk Substitutes and relevant World Health Assembly Resolutions. The 2004 report, *“Breaking the Rules – Stretching the Rules”*, is organised by company in alphabetical order and follows different Code themes within the write-up of each company. This summary highlights the marketing trends over the past three or four years.

Health facilities still come out to be the preferred avenue for companies to reach mothers. This is especially so in countries which have not implemented the Code or where measures are inadequate. Countries with strong measures which are properly enforced are better at keeping company promotion out of health facilities. The scourge of supplies (donations of formula) and samples remain a major problem area with companies competing to receive equal and sometimes exclusive treatment by hospitals. Distribution and display of company materials is widespread and as in the case of supplies and samples, these are more prevalent in countries where purchasing power is high like UAE, Singapore and Hong Kong.

Closely intertwined with promotion in health facilities is the pursuit of health professionals by companies. One country – Thailand – sticks out with companies vying to entice doctors and nurses with innovative gifts in varieties and numbers not seen elsewhere. Mothers too are deluged with gifts during their stay in hospital and when they return for check-ups. This happens because the voluntary code in Thailand has expired and with no other instrument in place to provide a level playing field, companies compete ruthlessly to expand their market share. All of this comes at a price to the health care system, not to mention the health of infants.

The problem of promotion in health facilities is compounded by the fact that the Code is weak in certain areas. Companies exploit these weaknesses by pushing at the boundaries of what is allowed. One striking example is informational materials for health professionals. Since information to mothers is restricted, companies adeptly mark materials as ‘information for health professionals’, list the required statements and warnings in small print while the text is addressed to mothers. Such attractive company materials are often supplied in bulk to health facilities, testimony to the fact that mothers are intended as the captive audience. One company, Nestlé, even states on its materials that the item is intended for health professionals for distribution to mothers!

Claims which ride on “closeness to breastmilk” abound in advertisements, leaflets and the so-called scientific and factual information for health professionals. The one dominant theme over this period was the emphasis on fatty acids such as DHA/ARA, naturally found in breastmilk, but imitated (derived from fungi, algae or fish oil) and added to formula to purportedly make babies smarter. Eleven out of the 16 international companies included in this report jumped on the bandwagon of selling ‘intelligence in a bottle’. All are cashing in on the emotional desires of parents to have smart children.

In many parts of the world, parents are willing to pay extra for the IQ promise. It is estimated that infant formula supplemented with fatty acids cost parents an additional US\$200 a year as these products are priced 15 to 30% more than standard formula. There are no independent long term studies to substantiate the benefits of added DHA/ARA to formula. Only recently have regulating agencies started to act. In April 2004, Canada's Food Inspection Agency ordered Mead Johnson to stop claims about the effect of DHA & ARA in its Enfamil products. It is expected that other governments will take similar action. Apart from the IQ springboard, companies also harp on how other added ingredients bring a product 'closer to breastmilk' and boost baby's immunity to disease, promote healthy growth, etc. All these misleading claims are promotional in nature and prohibited by the Code.

The issues of conflicts of interest and medical ethics come to head when doctors, nurses, midwives and their professional associations receive handouts ranging from gifts of little consequence to big grants from industry. The impact on professional integrity is far-reaching. Monitoring reveals an increasing number of health professionals becoming addicted to company donations and sponsorship. China with its 19 million new babies annually will be the next unsuspecting target of companies in this respect. The fact that the country has more than half of the world's Baby Friendly health facilities will have little meaning unless the national law based on the Code is properly implemented and enforced.

Although prevalent, Internet advertising did not out-strip other forms of promotion as was initially feared. In a positive development, some companies have actually removed blatantly promotional content from their web-site, and others have restricted their web-pages to health professionals.

Where labelling is concerned, long and tough battles will need to be waged at the Codex Alimentarius Commission before health, functional and nutrition claims which idealise products become things of the past. Several forced recalls of products contaminated with the deadly *Enterobacter sakazakii*, indicate the need for labels to warn that no formula is sterile. Labelling saw greater compliance when Nestlé took a long awaited lead in labelling its complementary foods from "six months"; implementing the global recommendation for six months exclusive breastfeeding. The company, however, needs to prove its sincerity in upholding the WHO recommendation by applying it to all countries and by keeping its Blue Bear complementary food mascot out of health facilities.

Other companies, meanwhile, behave as if the several World Health Assembly Resolutions on "six months" do not exist. This 'head in the sand' approach generally applies to the interpretation of the scope of the Code with many companies sticking to the indefensible stand that the Code applies only to infant formula, not to "other products which are marketed or represented as breastmilk substitutes". This narrow interpretation accounts for a sizeable chunk of violations reported.

Feeding bottles and teats. Unlike the past reports, **Breaking the Rules 2004** gives only illustrations of violations involving feeding bottles and teats and does not give a company by company account. This in no way deflects from the severity of the violations by manufacturers of feeding bottles and teats. A table summarises the performance of 14 major companies vis-à-vis the relevant Code provisions.

The final "*Stretching the Rules*" section features some practices which discourage breastfeeding but do not directly violate the Code. Mostly, these practices involve 'formula for mothers' or 'growing-up milks'.

How does DHA- ARA get into formula?

"Infant formula is currently a commodity market, with all products being almost identical and marketers competing intensely to differentiate their products. Even if Formulaid (the blend of fatty acids, DHA-ARA) has NO benefit, we think it would be widely incorporated into formula, as a marketing tool and to allow companies to promote their formula as 'closest to human milk'."

Note: The company which wrote the above in early 2002 is Martek, the main supplier of oils and other additives to most formula makers. Martek's sales went up 183% in 9 months. It took independent researchers 2 more years to establish that the added fatty acids have no definite benefits.

Introduction

Breaking the Rules, *Stretching the Rules 2004* is based on evidence collected between Jan 2002 to April 2004. The '**Rules**' are the benchmark standard provisions of the International Code of Marketing of Breastmilk Substitutes and related World Health Assembly resolutions.

Contrary to other years, monitoring was not organised by region, nor did it result from a worldwide training of coordinators from selected countries as was the case in 2001. *Breaking the Rules 2004 (BTR)* is the first major outcome of **SIM**, the *Standard IBFAN Monitoring* tool which aims at popularising monitoring, yet maintaining standard questionnaires so that groups and individuals use the same protocol to report evidence from wherever they are. Reporting is flexible. It can be electronic with digital forms and digital pictures or it can be manual with handwritten notes and actual specimen. With **SIM**, everyone can be a monitor. Results were first checked, translated and collated by four collection centres in Europe, Latin America and Asia. They were then merged into one large database and underwent thorough legal and factual checking by ICDC, before being sorted by company and by type of violation. In total, more than 3000 reports were received from 69 countries, some only with very sparse information, others with hundreds of entries each.*

During the period under review, a few countries wanted to do monitoring as a national exercise. Training with **SIM** was provided by IBFAN-ICDC under the auspices of national governments and/or UNICEF field offices. Although the results were primarily meant for national reports, they obviously fed easily into the BTR collection. This was the case for Indonesia, China and Thailand. (See the separate "*Look what they're doing*" reports). IBFAN Latin America held a short training course for volunteer monitors and has published a 20 page "*Look what they're doing in Latin America*" report in Spanish. IBFAN Europe used seed grants to motivate some groups to do monitoring while IBFAN Africa coordinated its own monitoring. All shared their results for this worldwide report.

SIM is not designed to obtain statistical information nor is it meant to provide full information on any one company or any one region. In fact, reports covered a total of 176 companies but many were found to be subsidiaries of transnationals or local distributors. To provide continuity and the possibility of assessing progress, it was decided to continue in this BTR with the same list of the 16 largest companies as in previous reports.

The progress in digital technology meant that many monitors were able to send in scanned pictures and digital photographs. There was such a wealth of images that only about one third could be reproduced and even then they had to be shrunk to fit. For each violation reported, there are at least ten others that went unnoticed. Private deals, pay-offs and agreements escape the public eye completely. And for

"Those who make claims about infant formula that intentionally undermine women's confidence in breastfeeding, are not to be regarded as clever entrepreneurs just doing their job, but as human rights violators of the worst kind."

Stephen Lewis
Deputy Executive Director
UNICEF
April 1999

* All data were reviewed and double-checked. Entries not sufficiently substantiated by evidence were rejected. All efforts were made to verify the accuracy of this report but any errors remain the responsibility of the editors.

each violation reported, one can be sure there are thousands more of the same because companies mass-produce their materials and labels. In other words the contents represent the proverbial ‘tip of the iceberg’.

BACKGROUND

The International Code was adopted in 1981 as a “*minimum*” standard to help protect and promote breastfeeding in all countries. Its preamble explains that “*the marketing of breastmilk substitutes requires special treatment which makes usual marketing practices unsuitable for these products*”. The Code, summarized overleaf, spells out which marketing practices should be discontinued. Since its adoption, the Code has been re-affirmed by the World Health Assembly (WHA) on at least 15 occasions and new Resolutions with the same legal status as the Code have been adopted to clarify certain provisions and to attempt to keep up with changing products and practices. One of the aims of ***Breaking the Rules*** is to inform the WHA of the status of compliance with its recommendations and of the new trends in marketing.

Scientific evidence from hundreds of studies over the past twenty years confirms that breastfeeding — and especially exclusive breastfeeding during the first six months — is the optimal way to nourish and nurture infants. Breastmilk contains all the essential nutrients as well as antibodies that counter infection. No infant formula made of cow’s milk, soy or other ingredients can ever equal this natural way of feeding. Human milk decreases risks for a large number of acute and chronic diseases including diarrhoea and respiratory infection. Breastfeeding provides all necessary nutrients and liquids for six months, it supplies half the baby’s nutritional requirements between six and 12 months and up to one third between 12 and 24 months. Even in the most affluent conditions, where water is clean and mothers are highly educated, an artificially fed infant is more likely to suffer from respiratory illnesses, gastrointestinal infections, and allergies. The risk of HIV infection through breastfeeding certainly exists, but it has been established that *not* breastfeeding can lead to a six-fold increase in infant mortality due to infectious diseases.

IBFAN is often asked whether it is not frustrating to do Code monitoring and keep on finding violations? Yes it is, but without watchdogs the Code would be a mere piece of paper. The network also knows that it does make a difference, a big difference. IBFAN’s evidence is being used by international organisations and ethical investment companies and manufacturers are increasingly being challenged about their social responsibility and observance of human rights. Where there are no laws, or where laws are not enforced, independent monitoring is the only way of putting pressure on companies to behave, the only way of teaching consumers about new tactics, of informing health professionals about the latest propaganda. If there were no independent monitoring, companies would not need to look over their shoulders and promotion would be much worse.

In addition to reporting, monitoring also allows action. Over the past year alone, monitoring has led to at least one conviction in court, (*Wyeth in the UK was fined £60,000 for illegal advertising*) to a change in a big commercial campaign (*Gerber in Trinidad and Tobago*) and to the suspension of another (*Nutricia in China*), to a retraction of claims (*Mead Johnson in Canada*) and to apologies (*Mead Johnson in Malaysia*) as well as to revisions in company materials (*Nestlé in China and Ghana*). Each one of these was started by one individual saying: “Hey, this is not right” and, through IBFAN, knowing that she can rely on others for support and help to build sufficient pressure for change. Governments as far apart as Brazil, India and Iran have demonstrated that strong laws can change labels, that advertising can be stopped and that companies will obey the rule of the land if there is political will to enforce it. IBFAN is committed to continue checking who is “Breaking the Rules”.

Children who are not exclusively breastfed for 6 months are more at risk for the following diseases, illnesses, and conditions:

- About 40% more likely to develop type 1 diabetes.
- About 25% more likely to become overweight or obese.
- About 60% more likely to suffer from recurrent ear infections.
- About 30% more likely to suffer from leukemia.
- About 100% more likely to suffer from diarrhoea.
- About 250% more likely to be hospitalized for respiratory infections like asthma and pneumonia.

These statistics were removed from messages and ads designed to show the risks of NOT breastfeeding during the ***National Breastfeeding Awareness Campaign*** by the US Department of Health.

The percentages and the two references to the risks of leukemia and diabetes were removed, NOT because there was insufficient scientific evidence but because of enormous pressure by Mead Johnson and Abbott-Ross, the two largest American formula makers.

It might make mothers feel guilty, said the companies. If it is the truth, said health professionals, we cannot withhold information from our patients. If we want to encourage people to wear seatbelts, we do also give them information about what might happen if you don’t, so why not with breastfeeding.



WHO

The International Code of Marketing of Breastmilk Substitutes & Subsequent World Health Assembly Resolutions

SUMMARY

‘Inappropriate feeding practices lead to infant malnutrition, morbidity and mortality in all countries, and improper practices in the marketing of breastmilk substitutes and related products can contribute to these major public health problems.’ CODE PREAMBLE

The International Code was adopted by the World Health Assembly on 21 May 1981. It is intended to be adopted as a *minimum requirement* by all governments and aims to protect infant health by preventing inappropriate marketing of breastmilk substitutes.

SCOPE

The Code covers the marketing of *all* breastmilk substitutes (Article 2).

These include:

- infant formula (including so-called ‘special’ baby milks such as ‘hypo-allergenic’ formula, preterm milks and others);
- follow-up milks;
- complementary foods such as cereals, teas and juices, water and other baby foods marketed for use before the baby is six months old.

The Code also covers feeding bottles and teats. (Articles 2, 3 and WHA 54.2 [2001]).

PROVISION OF CLEAR INFORMATION

Informational and educational materials dealing with the feeding of infants and intended to reach health professionals, pregnant women and mothers of infants and young children, should include clear information on all the following points:

- a) the benefits and superiority of breastfeeding;
- b) maternal nutrition and the preparation for and maintenance of breastfeeding;
- c) the negative effect on breastfeeding of introducing partial bottle feeding;

- d) the difficulty of reversing the decision not to breastfeed; and
- e) where needed, the proper use of infant formula.

When such materials contain information about the use of infant formula, they should include:

- a) the social and financial implications of its use;
- b) the health hazards of inappropriate foods or feeding methods;
- c) the health hazards of unnecessary or improper use of infant formula and other breastmilk substitutes.

Such materials should not use pictures or text, which may idealise the use of breastmilk substitutes (Articles 4.2 and 7.2).

NO PROMOTION TO THE PUBLIC

There should be no advertising or other form of promotion to the general public of products within the scope of the Code. There should be no point-of-sale advertising, giving of samples or any other promotional device to induce sales directly to the consumer at the retail level, such as special displays, discount coupons, premiums, special sales, loss-leaders and tie-in sales. Marketing personnel should not seek direct or indirect contact with pregnant women or with mothers of infants and young children (Article 5).

NO GIFTS TO MOTHERS OR HEALTH WORKERS

Manufacturers and distributors should not distribute to pregnant women or mothers of infants and young children any gifts of articles or utensils, which may promote the use of breastmilk substitutes or bottle feeding. No financial or material inducements to promote products within the scope of the Code should be offered to health workers or members of their families. Financial support for professionals working in infant and young child health should not create conflicts of interest (Articles 5.4, 7.3, WHA 49.15 [1996]).

NO PROMOTION TO HEALTH CARE FACILITIES

Facilities of health care systems should not be used to promote infant formula or other products within the scope of the Code. Nor should they be used for the display of products, or placards or posters concerning such products, or for the distribution of material bearing the brand name of products covered by the Code (Articles 6.2, 6.3, 4.3).

NO PROMOTION TO HEALTH WORKERS

Information provided to health professionals by manufacturers and distributors regarding products covered by the Code should be restricted to

International Code Health Assembly Resolutions

UNICEF



scientific and factual matters, and should not imply or create a belief that bottle feeding is equivalent or superior to breastfeeding. Samples of products covered by the Code, or equipment or utensils for their preparation or use, should not be provided to health workers except where necessary for professional evaluation or research at the institutional level (Articles 7.2, 7.4, WHA 49.15 [1996]).

NO FREE SAMPLES OR SUPPLIES

Neither manufacturers nor health workers should give pregnant women or mothers of infants and young children, samples of products covered by the Code. Free or low-cost supplies of breastmilk substitutes should not be given to any part of the health care system which includes maternity wards, hospitals, nurseries and child care institutions. Donated supplies in support of emergency relief operations should only be given for infants who have to be fed on breastmilk substitutes and should continue for as long as the infants concerned need them.

Supplies should not be used as a sales inducement (Articles 5.2, 7.4). Note: Articles 6.6 and 6.7 of the Code have been superseded by WHA Resolutions 39.28 (1986), WHA 45.34 (1992) and WHA 47.5 (1994).

NO PROMOTION OF COMPLEMENTARY FOODS BEFORE THEY ARE NEEDED

It is important that infants be exclusively breastfed for six months and only receive safe and appropriate complementary foods thereafter. Every effort should be made to use locally available foods. Any

food or drink given before complementary feeding is nutritionally required may interfere with the initiation or maintenance of breastfeeding and therefore should not be promoted for use by infants during this period. Complementary foods should not be marketed in ways that undermine exclusive and sustained breastfeeding. Breastfeeding should continue for up to two years and beyond. (Code Preamble; WHA Resolution 39.28 [1986], WHA 45.34 [1992] and WHA 47.5 [1994], WHA 49.15 [1996], WHA 54.2 [2001]).

ADEQUATE LABELS: CLEAR INFORMATION, NO PROMOTION, NO BABY PICTURES

Labels should provide the necessary information about the appropriate use of the product, and should not discourage breastfeeding. Infant formula manufacturers should ensure that each container has a clear, conspicuous and easily readable message in an appropriate language, which includes all the following points:

- a) the words "Important Notice" or their equivalent;
- b) a statement about the superiority of breastfeeding;
- c) a statement that the product should only be used on the advice of a health worker as to the need for its use and the proper method of use; and
- d) instructions for appropriate preparation, and a warning of the health hazards of inappropriate preparation.

Neither the container nor the label should have pictures of infants, or other pictures or text which may idealise the use of infant formula. The terms

'humanised', 'maternalised' or similar terms should not be used (Articles 9.1, 9.2).

CODEX STANDARDS

The Codex Alimentarius Commission must continue to improve the quality standards of processed foods for infants and young children and to promote their safe and proper use at an appropriate age, including through adequate labelling, consistent with the International Code, resolution WHA 54.2, and other relevant resolutions of the Health Assembly (WHA 55.25 [2002]).

COMPANIES MUST COMPLY WITH THE INTERNATIONAL CODE

Monitoring the application of the International Code and subsequent Resolutions should be carried out in a transparent, independent manner, free from commercial influence (WHA 49.15 [1996]).

Independently of any other measures taken for implementation of the Code, manufacturers and distributors of products covered by the Code should regard themselves as responsible for monitoring their marketing practices according to the principles and aim of the Code. Manufacturers should take steps to ensure that their conduct at every level conforms to all provisions above (Article 11.3).

*For the full text, see:
[www.ibfan.org/English/resource/
who/fullcode.html](http://www.ibfan.org/English/resource/who/fullcode.html)*

Abbott - Ross

Miles D. White
Chairman of the Board and CEO
Abbott Laboratories
100 Abbott Park Road,
Abbott Park, Illinois 60064-3500, USA
Tel: +1 847 937 6100
Fax: +1 847 937 1511
URL: www.abbott.com

Products include:

FORMULA:

Similac, Similac Advance, Similac Advance Excel, Similac Advance Follow-On, Similac Excellence Follow-On, Similac Advance With Iron, Similac LF, Similac Gain, Gain, Gain Advance, Gain IQ, Gain Plus, Premilac 1, Premilac 2, Neosure, Isomil, Isomil Follow-Up.

COMPLEMENTARY FOODS:

Abbott Extra Cereals, Similac Cereals.

Logos & Icons:

The Rosco Bear and his comfort blanket promote most Abbott Ross infant and follow-up formula.



Only in Brazil has the law forced Rosco Bear off labels.

Headquartered in suburban Chicago, Abbott Laboratories produces pharmaceuticals, nutritionals and medical products. Abbott Ross markets its products in 130 countries.

In 2002, Abbott achieved record sales of \$17.7 billion and net earnings of \$3.2 billion. The Medical Products Group, which includes diagnostics, hospital products and nutritionals, reached \$8 billion in sales. There has been speculation that Abbott Laboratories would spin-off its nutritional products business in favour of more concentration on hospital products. An analyst with J.P Morgan says *"But the hospital products business isn't nearly as profitable as the nutritionals business"*. The high profitability of the infant food business and intense competition from Mead Johnson are the main reason for Abbott's aggressive marketing campaigns.

Abbott successfully uses 'image transfer' by riding on another organisation's good reputation. For example, in 2004, in the Gulf countries, Abbott bought UNICEF diaries and inserted its company name, mission statement and addresses on the inside front cover and the Abbott logo on the last page with the slogan *"Improving Lives"*. This same strategy was used for a well-known breastfeeding book published in 2002 by the American Academy of Pediatrics (AAP); Abbott bought 300,000 copies and added the Rosco bear to the cover. Mothers and doctors who receive a free copy, get a double message. Does it promote breastfeeding or Similac? The chairman of the AAP breastfeeding committee called it *"Thievery"*. But AAP makes a profit and agreed to sell Abbott another 300,000 copies in 2003. Abbott has continuously nurtured close ties with the AAP by giving grants for its awards and donating at least \$500,000 towards AAP's operating budget. The company also contributes to the \$1 million renewable grant to the AAP by several formula manufacturers. Little wonder that AAP came to the companies' aid when they felt a 2003 US government campaign to promote breastfeeding was too hard-hitting on the risks of formula feeding. The campaign has now been watered down.

In the US, where breastfeeding rates are increasing, Abbott and other formula manufacturers have launched their latest marketing tool to get a larger share of the \$3 billion market: the addition of fatty acids, DHA and AHA into formula products. Abbott's claim, however, that its Isomil and Similac products bolster IQ and eyesight are based on short term clinical trials that merely show short term benefits and no benefits when compared to breastfed children. Abbott's Isomil soy formula has been withdrawn from the market in New Zealand following widespread concern over long term risks to child health.

Promotion to the public

- *Article 5.1 of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.*
- *Article 5.2 and 5.4 of the Code prohibit companies from giving samples and gifts to mothers.*

- In China, company representatives visit mothers and offer samples of infant formula, give infant feeding information by telephone and send promotional materials directly to mothers.

- In Thailand company representatives visit or call mothers at home, give samples and gifts and recommend **Similac** infant formula. Promotional materials are mailed directly to mothers.



Samples, CDs and pouches to promote brand recognition and ensure mother's loyalty.

- Abbott uses parents clubs and coupons to collect addresses and particulars of babies, to direct targeted promotional mailings.



- In Singapore, Rosco Bear invites pregnant women to sign up or recommend a friend to the company's "Join Our Club" programme using an entry form in a booklet about **Similac Advance Follow-On**, **Gain IQ Follow-Up** and **Isomil Soy Protein Follow-Up** formulas.◀

- A sign-up coupon for Abbott's **IQ Club** is handed out at an International Baby/Children Products Expo in Hong Kong. **IQ Club** members receive a free gift, information on infant feeding, discounts on clothes and toys, and invitations to health talks.▼



- Parents in Singapore can fill in coupons in **Similac** ads in a newspaper and **Motherhood** magazine to receive a free 400g tin. The ads compare the product with breastmilk and make claims about brain development. One ad has the heading "The smart formula for smart babies".▶



IQ is it Intelligence? Intestinal? or Eye?

Abbott's IQ stands for any of these depending on where you buy the product



- Babies wearing graduation caps, the mention of brain development and the big letters "IQ" suggest the product will increase "intelligence quotient". In Singapore, tiny words reveal this IQ refers to "Intestinal Quality".



Not so in Hong Kong and Malaysia where in **Gain Ad-**

vance materials the "T" in "IQ" contains the word "eye", suggesting the product will improve vision as well as intelligence. Also in Malaysia, **Gain Plus**, a growing up milk, has the same 'eye' in IQ.

- "IQ: most nutritious, baby totally brilliant." A leaflet in Hong Kong links **Gain Advance** with brain development and claims it will strengthen baby's immunological defence. The large letters IQ and the smart baby imply the baby will be more intelligent. There is no conclusive evidence to back this up but the promotion is very effective in terms of sales.◀



- Coupons in ads for **Gain IQ** in Singapore's **Motherhood** magazine can be redeemed for a 450g tin. The ads promote **Gain IQ** as a growing-up milk but the packshot calls it a follow-on formula.▶



- Abbot offers a free tin of **Similac Excellence Follow-on** to mothers in Singapore who are impressed with the product's claim to be "even closer to breastmilk".



▲ A graph in the centre of the ad shows equivalence with breastmilk – definitely not true and not allowed by the Code.

- An insert in a **Similac Advance** leaflet in Singapore offers samples and a toy – the "Similac sensory bear" – to enhance the development of baby's senses.

- An advertisement in Thailand for **Similac Advance** compares the product with breastmilk. Words like "good immunity", "clever", "good digestion" and "comfortable tummy" idealise its use. An advertorial with the same heading reinforces the ad's messages.



- Members in Abbott's *Parents Club* in Thailand receive a free parent-baby journal, samples, invitations to seminars, other activities and counseling on maternal and child nutrition.
- An advertisement in a Thai newspaper features healthy babies with packshots of **Similac Advance**, **Gain Advance**, **Similac LF** and **Isomil**.

Promotion at point-of-sale

► **Article 5.3 of the Code bans promotional devices at the retail level.**

- Shelf-talkers, posters and leaflets promote **Premilac** infant and follow-up formulas in shops in China. Company representatives promote **Premilac** in some shops.

- Abbott gives discounts and gifts with purchases of **Gain** in Colombia, and discounts on **Similac Advance** in Peru.►



- Special shop displays promote **Similac** in the Dominican Republic and **Gain** in Vietnam, where a large cardboard teddy bear wearing a graduation cap claims added DHA enhances brain development.

- In Curaçao, a display card in a pharmacy shows packshots of **Similac** and five other Abbott brands and describes the situations for which they are recommended, under the heading: "Formulas for all your patients' feeding needs."

Promotion in health facilities

Samples and supplies

► **WHA Resolution 47.5 (1994)** urges an end to free or subsidised donations of products to all parts of the health care system.

► **Article 7.4** allows samples to health workers only for research purposes. Health workers may not pass on samples.

- Abbott gives unsolicited donations to health facilities, (**Similac** in Indonesia and Curaçao, **Similac**, **Similac Advance** and **Isomil** in the Dominican Republic, **Similac** and **Similac Advance** in Peru and the United Arab Emirates, **Similac Advance** and **Gain Advance** in Thailand). Health workers often pass on free supplies as samples to mothers.
- Health facility staff and company reps give mothers samples of **Similac**, **Similac Advance** or **Isomil** in China, Malaysia and the Dominican Republic. In the latter country, they visit health facilities sometimes twice weekly to give samples and flyers. After caesarean delivery, mothers receive samples of **Similac**.
- Mothers of low birthweight babies in Thailand are given **Neosure** samples upon discharge.
- Abbott distributes **Similac** disposable infant nipples to health facilities in the UAE.

Gifts to health workers

► **Article 7.3** provides that there should be no financial or material inducement to promote products.

- Abbott wins favour with health workers through gifts like:
 - calendars in China;
 - clothing and bottles of whisky in the Dominican Republic;
 - jackets and prescription pads in Peru
 - notepads, pens and deodorant pads in Thailand.



◀ Telephone deodorant pads bearing brand names like **Similac Advance** and **Gain**.

Other gifts and materials

- ▶ **Article 6.2** bans the promotion of products within the health care system.
- ▶ **Article 6.3** prohibits the display of products, placards and posters or the distribution of company materials unless requested or approved by government.

- Mothers in Thailand receive gift packs, pouches and promotional materials (**Similac Advance** and **Gain Advance**) in health facilities, sometimes while still in the labour room!
- Abbott products and promotional materials and posters are displayed in health facilities in China.
- **Similac** posters are displayed in health facilities in Indonesia.

- In Indonesia, Abbott supplies health facilities with cot cards bearing the company name and Rosco Bear.▶



- **Similac** leaflets with baby pictures and packshots are displayed in health facilities in Lithuania.
- In health facilities in many countries, **Similac Advance** is portrayed as the formula of the future with this beautiful starry-eyed baby looking into space. In Malaysia, the same “New Era” baby promotes **Iso-mil Plus**, a growing up milk. Rosco Bear and his comfort blanket promote all Abbott formulae.
- Tear-off prescription pads given to health workers in Yemen make it easy to undermine breastfeeding.



- Abbott gives health workers in the UAE notepads showing a **Gain** packshot and two babies.▶



- Nurses in Thailand are recruited to get mothers to complete sign-up sheets. Abbott uses the information to mail music CDs, cassette tapes and samples of **Similac Advance** to mothers.



- In paediatric clinics and maternity wards in Thailand, Abbott displays items featuring Rosco Bear to promote **Similac** and **Gain**.

Labelling

- ▶ **Article 9** of the Code requires labels to **NOT** discourage breastfeeding and to inform about the correct use of the product, the risk of misuse and abide by a number of other points.

- **Similac** labels in Indonesia claim the formula is patterned after breastmilk, and **Isomil** labels fail to indicate that the product is for babies with specific dietary needs.
- In Zimbabwe, **Isomil** tins lack important statements required by the Code and the national law.
- Labels of **Similac** and **Isomil** in Indonesia, **Isomil** 125g samples in Malaysia (below) and **Similac** in Kenya and the Dominican Republic are in English only and not the local languages as required by the Code.



- A bottle and teat and the company's teddy bear mascot appear on **Similac** labels in Kenya.
- In New Zealand where **Isomil** is now withdrawn from the market, the label used to say “*First choice of Doctors*”. The New Zealand Commerce Commission found Abbott guilty of false claims over that statement.

Misleading text and pictures which violate the Code

► **Article 4.2** requires all information material to advocate for breastfeeding and not contain pictures or text which idealises the use of breastmilk substitutes.

► For health professionals, **Article 7.2** of the Code only allows product information which is factual and scientific.

- Leaflets in China, Hong Kong, Lithuania, Puerto Rico, Singapore, UAE and Uruguay compare **Similac**, **Similac Advance**, **Similac Advance Excel**, **Gain Advance** with breastmilk.

- Bottle feeding is idealised by attractive pictures of infants in a Lithuanian leaflet for **Similac Advance** and in Puerto Rico by a picture of a mother bottle feeding a baby in a **Similac** booklet.

- In this leaflet from the UAE titled “*Similac – clinical performance like a breastfed infant*”, **Similac Advance** and **Similac Advance Excel** come out on top when measured against two unnamed brands, with content and infant development comparable to breastmilk.



- An Abbott-Ross handbook on breastfeeding in Curaçao intended for health care workers clearly addresses mothers. The text refers to 3-4 weeks of breastfeeding and mentions **Similac** and **Isomil** twelve times. Four out of its 27 pages are devoted to breastfeeding problems, but not a word about problems caused by bottle feeding.

- A leaflet in Lithuania advertises the Abbott formula line, as well as **Similac** cereals, using a happy baby's picture and packshots. The cereals are recommended for use from four and five months.



- A leaflet in Singapore designed as a baby's letter to Mummy draws comparisons between breastmilk and **Similac Advance** and recommends starting solid foods at four to six months of age.

"Mummy, my future is in your hands... so choose the right formula."



- A “*Child Care Handbook by American Abbott*” in China gives incorrect information about breastfeeding. Mothers are told to feed for 10 minutes on each breast and advised to wash their nipples with hot water. The information given on artificial feeding does not comply with Article 4.2 of the Code.



Abbott products ranging from Formance milk for mothers to **Similac**, **Gain**, **Pediasure** and **Grow**, encircle a happy baby on the back cover.

- A booklet in Singapore promoting **Similac Advance Follow-On**, **Gain IQ Follow-Up** and **Isomil Soy Protein Follow-Up** recommends solid foods from four months.

- In the UAE, an infant feeding booklet promotes **Similac Gain** and gives incorrect advice, such as to give the baby water between feeds, orange juice from three months and other fruit juices and solids from four months.

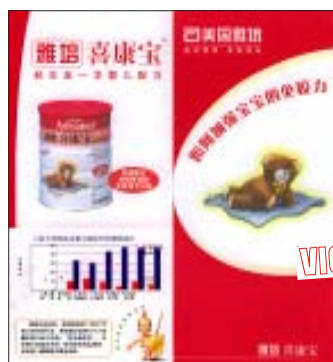


- Leaflets in China promoting **Similac Advance**, **Gain**, **Gain Advance** and **Premilac 1** and **2** make claims about the products such as “*strengthens baby's immunity*”, “*No indigestion with formula made by Abbott*”, “*optimum mental and psychomotor development, strong bones, enhanced immune function*” and “*well-tolerated formula*”.

- Chinese promotional materials use a gold shield to symbolise resistance to infections and immunity to disease, claimed by the T-PAN content in its products.

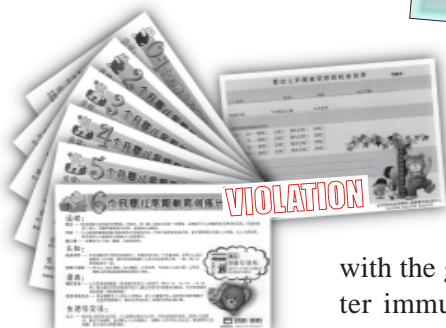


Gold shield T-PAN protection in Premilac 1 & 2.



A baby warrior holds a similar shield in this leaflet on Similac Advance.

- A leaflet in China proclaims: "Babies fed formula by Abbott grow as healthy as those fed by breastmilk."
- A discount price list for a range of products including **Similac Advance** is clipped to a leaflet promoting the product in China.
- A leaflet in Uruguay idealises the use of Abbott breastmilk substitutes with phrases like "adequate cognitive and visual development", "minimum colic", and "best nutritional profile".▶



- A series of cards distributed in a health facility in China shows Rosco Bear with the gold shield for a better immune defence system. The cards give child development information on one side and a baby data form on the other. The series starts from 0-1 month until the baby is 15 months old.

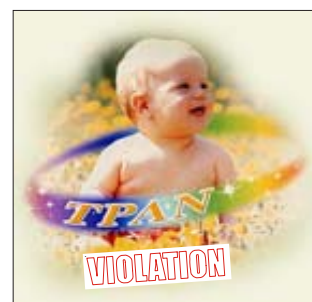
- A booklet in Puerto Rico titled "Infant formulas are not all the same" goes so far as to say **Similac** is equal to or slightly better than breastmilk.

- The cover of a VCD in Hong Kong called *Tender loving story of breastfeeding* says about Abbott products: "helps raise immunity", "achieved by Abbott T-PAN" and "closest to the level of breastmilk".



"T-PAN" is superimposed over a teddy bear head to associate it with Abbott's Rosco Bear.

- Abbott's Thai website contains product information and tips on infant feeding which feign to encourage breastfeeding but contain messages that undermine the practice. For example, a write-up on "Nucleotide (TPAN)", shows a healthy baby encircled by a TPAN banner, and favourably compares babies fed formulas with added nucleotides to breastfed babies.



- The **Similac** Welcome Addition website displays the whole range of **Similac** products and promotional messages: "No matter the need, trust the makers of Similac to have the right formula product for baby" and "... Similac – the name doctors and mothers have trusted for generations".



Danone

Franck Riboud
President and CEO
Danone Groupe
7 rue de Téhéran, F-75008 Paris
Tel: +33 1 44 352020
Fax: +33 1 42 256716
URL: www.danonegroup.com

Products include:

FORMULA:

Blédilait, Alma-Blédilait, Gallia, Actimel, Nursie.

COMPLEMENTARY FOODS:

Blédine, Blédina cereals(8 varieties), Blédina infant juice, Blédine jarred baby food, Blédisoup, Gallia instant cereals, Phosphatine(10 varieties), Zywiec Zdroj bottled water.



This "Blédine, Second Mother" poster is now a vintage collector's item but one wonders if Blédina's attitude to breast-feeding has changed very much since it published this poster around 1920.
(see 2004 website)

The Danone Group was consolidated in 1994 and is now said to be the sixth largest food manufacturer in the world. It is 'big' in yoghurts and biscuits and dominates the mineral water market in several countries. A long chain of acquisitions and mergers led to the Group controlling a great number of older companies. In 1973 Danone - Gervais (Gallia, Bledina) merged with BSN-Evian (Jacquemaire, Fali) and became the leading baby food producer in France. Diépal, Nutripharm, Liga and Vitabis all belong to the Danone Group. Danone markets infant feeding products in other European countries, in Russia, Francophone Africa and in the Middle East.

Little monitoring was done in those regions and this is reflected in the outcome below. Lack of evidence during this period (2001- 2004), does not imply the company is "clean". In France, an October 2001 national monitoring report placed Danone as the worst advertiser, well above Nestlé. These two companies together produced 72 % of all ads for babyfood in France (with 45% by Danone and 27% by Nestlé). In terms of booklets and leaflets, Danone dominated again with 38% while Nestlé took 29%.

The British Medical Journal in January 2003 reported on Code monitoring in Togo and Burkina Faso (West Africa) where it was found that of the 40 commercial breastmilk substitutes that violated labelling provisions of the Code, 21 were manufactured by Danone.

Danone has recently been criticised for its involvement in the EU funded CHOPIN project. This seeks to develop an infant formula which would not pre-dispose the baby to obesity later in life. One of the CHOPIN trial calls for 200 formula-fed and 50 breastfed infants in 5 EU countries. In Belgium and Germany the researchers could not find enough formula-fed babies! Bledina is experimenting on these babies with new formulations of baby milks (www.childhood-obesity.org). Eighty percent of the Programme is publicly funded (EU) while Danone funds less than 20% but clearly sees opportunities for future marketing.

Promotion to the public

► *Article 5.1 of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.*

- The Blédina website "Pas à pas, bébé grandit avec Blédina" (step by step, baby grows up with Blédina) features a message from a "Doctor in Nutrition" who says that "If you chose to bottle feed your baby, you know that the composition of



Blédina website features packshots and a baby bottle feeding (see next page).

infant formula is close to mother's milk". A movie clip on the website shows a busy mother bottle feeding her baby.



- On the same website, Blédina implies equivalence between its products and breastfeeding: “during the first four months breastmilk and babymilk are the only foods adapted to the baby's young and immature digestive system. They satisfy his nutrition needs perfectly...”. A separate paragraph acknowledges that breastfeeding is the best way to nourish the baby...but immediately warns the mother that she has to feed herself with utmost care to have quality milk - no coffee, alcohol or other stimulants and “to keep beautiful breasts, mother must wear a special bra day and night” and finally: “Weaning is the transition from breastmilk to babymilk...”

- In Burkina Faso, **Blédine** jarred baby food, **Blédisoup**, **Blédina** juice and **Gallia** instant cereals are all recommended from 4 months and mostly by feeding bottle.

► **WHA Resolution 54.2 (2001)** advises exclusive breastfeeding for 6 months which means that the recommended age for use of complementary foods cannot be under 6 months.

Promotion in health facilities

► For health professionals, **Article 7.2** of the Code only allows product information which is factual and scientific.

► **Article 6.3** prohibits the display of products, placards and posters or the distribution of company materials.

► **WHA Resolution 47.5 (1994)** urges an end to free or subsidised donations of products to all parts of the health care system.

- In Costa Rica, a Danone **Actimel** leaflet found at a paediatrics congress claims that the product has the “efficiency of fermented milks or acidolactic bacteria in fermented milks for prevention and treatment of infant diarrhea”. It is recommended for infants from three months.
- In Togo, one health facility displayed a large calendar with pictures of mothers and their infants, a teddy bear, and the legend “Danone Baby Food”
- A Blédina leaflet in a United Arab Emirates (UAE) hospital shows a chart recommending **Blédina** products for low-birth-weight, acute diarrhoea, minor di-



gestive disorders and ... from birth! There is no mention at all about breastfeeding. Flipside shows Blédina products with packshots: **Nursie** formula for 0-6 months and cereals from the fourth month.

◀ This Blédina chart recommends everything for baby except breastmilk.

- Also in the UAE, Blédina distributes a leaflet “For a Healthy Growth” to health workers showing packshots of the **Nursie** range of 6 formulas for ages 0-6 months and cereals for ages from 4 months.



▲ Check boxes below each product make it easy for the doctor to tick and pass to the mother.

- Ready-to-feed **Nursie** bottles for newborns are donated to maternities in the UAE.

Labelling

► **Article 9** of the Code requires labels to **NOT** discourage breastfeeding and to inform about the correct use of the product and the risk of misuse.

- In France, the label on **Blédina** infant juice claims that the product “contains water, to hydrate” and recommends that the product be used for babies from four months. The label also advises that the product be used “day to day to ensure the nutritional balance of the baby”, wrongly implying that breastmilk is insufficient for that purpose during baby's first months.
- **Zywiec Zdroj**, a mineral water in Poland controlled by Danone shows a happy, healthy mother and baby, implying the water is to be used for bottle feeding.



Dumex

Mark A. Wilson
President and CEO
The East Asiatic Company
(Dumex Division)
2 Enterprise Rd, Singapore 629814
Tel: (65) 6265-4566
Fax: (65) 6265-7169
Email: dumex@eac.com.sg
URL: www.youngnutrition.net
www.eac.com.sg

Products include:

FORMULA:

Dumex 1, Dumex 2, Mamex, Mamil.

COMPLEMENTARY FOODS:

NutraKids (formerly Protimex).

Logos & Icons:

Like other manufacturers, Dumex has adopted recurring symbols to illustrate and promote its products. Its rattles and feeding cup have come to signify brands.



These promotional symbols are used on labels and repeated in booklets, posters and on T-shirts.

The Dumex brand was created in 1946 by the East Asiatic Company (EAC), a Danish multinational founded in 1897 for the export of pharmaceutical products to Asia. EAC started marketing baby foods in Asia in 1953 under its Nutrition Division. Operations were later consolidated under the International Nutrition Company Ltd., a wholly owned subsidiary of EAC. Dumex products can be found in more than 20 countries throughout Europe and Asia.

EAC Nutrition is headquartered in Singapore and its products are manufactured in China, Denmark and New Zealand. They are sold primarily in Asia, the Caribbean and Eastern Europe.

The company recorded net sales of USD 1 billion in 2002. It says it has “nourished” over 20 million babies in its market areas and that its brands are highly recommended by medical professionals. It recognizes that breastmilk is best for babies, but the company will provide “complete nutrition” during the baby’s first year of life “if breastfeeding is not possible for mothers”.

The International Code forbids all sampling, but Dumex representatives give out plenty. A particularly bad case was found in Cambodia in 2001 where small plastic sachets with just enough formula for one feed were given to new mothers to introduce them to the product. The sachets had no instructions on how to use the product but a sticker with the Dumex brandname was prominent. Mothers in poverty-stricken Cambodia are not expected to be able to buy a lot of formula, so small sachets may be enough to tempt some of them. In countries with higher purchasing power, mothers receive full-size samples.



Promotion to the public

► *Article 5.1 of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.*

► *Article 5.2 and 5.4 of the Code prohibit companies from giving samples and gifts to mothers.*

- Company representatives give free samples of **Dumex 2** to mothers in shops and at home in Thailand.
- Promotional materials are mailed to Thai mothers.
- **Dumex 1** is advertised on TV in China.
- In China, Dumex uses banned promotional tactics in shops: special offers, tie-in sales, gifts of free toys with purchases, posters, shelf talkers and leaflets.
- An ad in Singapore’s *Motherhood* magazine promotes **NutraKids** as “Two-step weaning foods for babies from 4 and from 6 months” and includes a contact number for enquiries.

- An advertisement in the *Motherhood* magazine in Singapore announces a change of brand names from **Protimex** to **Nutrakids**, recommended for use from four months. A coupon offers a free sample of **Nutrakids**. The weak voluntary Code in Singapore allows this, the International Code does not.
- Dumex reps in Thailand visit workplaces to dispense information about infant feeding and recommend specific brands to mothers.
- A poster-sized calendar in an Internet café in Phnom Penh and in many retail outlets promotes Dumex products, including follow-on formula, with packshots and claims such as: 'improved formulation' with OFA (Omega fatty acids), beta carotene and taurine.



Promotion in health facilities, supplies and promotion to health workers

- ▶ **WHA Resolution 47.5 (1994)** urges an end to free or subsidised donations of products to all parts of the health care system.
- ▶ **Article 7.3** provides that there should be no financial or material inducement, to promote products within the scope of the Code.
- ▶ **Article 7.4** allows samples to health workers but only for research purposes. Health workers may not pass on any samples.

- Health facilities in Thailand display items that feature the **Dumex** company and brand name.



- Company representatives in Thailand give mothers in health facilities promotional materials such as leaflets, music tapes and gift packs containing product samples, nappies, feeding bottles and booklets on infant feeding.



- Dumex donates unsolicited supplies of formula to health facilities in Thailand. Dumex and other companies arrange with health facilities to take turns providing free supplies.
- Dumex uses health workers in Thailand to give mothers a form to fill out, enabling the company to send promotional materials later on.
- Thai Mothers receive free samples of **Dumex 1** and **2** from company reps and health workers throughout their stay in health facilities and at postpartum check-ups.
- In Thailand, Dumex gives health workers diaries, newspaper racks, notepaper holders, handbags, pens and notepads bearing the brand name **Dumex**.



- Health workers in a Thai hospital give mothers a leaflet which says **Dumex 1** has nutrients that are important for brain development and the immune system.
- In a Thai hospital leaflets promote **Dumex 2** for babies from 6 months to 3 years.
- Dumex gives health workers in Thailand a booklet called "Secret tricks to help your child become clever".
- Cambodian health workers are given T-shirts by Dumex.▶



T-shirt modelled by IBFAN staff

- Calendars in a Cambodian health facility show images of Dumex products with the slogan “Expert in Infant & Child Nutrition”.
- In a Cambodian hospital, a Dumex height measurement wall chart features the company name together with the rattle and feeding cup found on Dumex labels.
- In China Dumex distributes calendars, posters, weight and height charts for infants, leaflets and stickers bearing the Dumex name. These items are displayed on health facility walls, windows, shelves and notice boards.



VIOLATION



VIOLATION



- A leaflet found in health care units in China announces “new formulation, new package for Dumex infant formula” and claims it is closer to breastmilk, promotes good mental health and strengthens resistance to diseases. Clipped to the leaflet is a free delivery hotline, an application for Dumex’s Baby Club and a company representative’s card.



VIOLATION

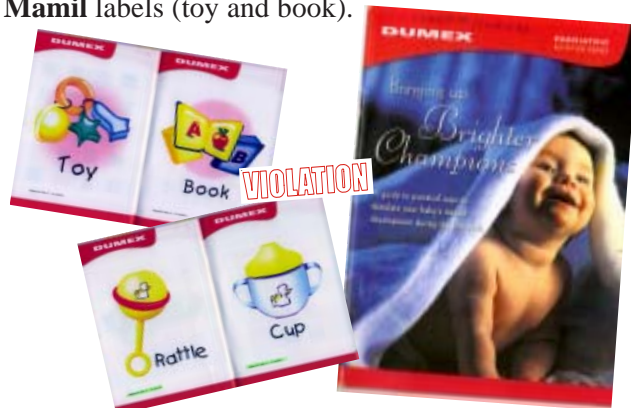
- In China, mothers in health facilities are given cards announcing a Dumex child care hotline.



VIOLATION

- In Saudi Arabia, Dumex distributes to doctors, formula tin-shaped transistor radios labelled as **Pro-timex** (now known as **NutraKids**) on one side and **Mama Plus** on the other.

- A 48-page booklet in a ‘discharge pack’ of a hospital in Singapore contains guidelines “to stimulate your baby’s mental development during the first year” and pictures for visual stimulation from the **Dumex 1** and **2** labels (rattle and feeding cup) and **Mamex** and **Mamil** labels (toy and book).



VIOLATION

- In a hospital in Singapore, discharge bags given to mothers contain a cardboard photo frame which doubles as immunization schedule. A tearaway section invites mothers to fill in a card to receive a “special baby gift” and information regarding “Dumex World benefits”.



VIOLATION

Labelling

► **Article 9 of the Code** requires labels to **NOT** discourage breastfeeding and to inform about the correct use of the product and the risk of misuse.

► **WHA Resolution 54.2 (2001)** advises exclusive breastfeeding for 6 months which means that the recommended age for use of complementary foods cannot be under 6 months.

- In China, **Dumex 1** labels recommend complementary feeding from four months. **Dumex 2** labels contain promotional text such as “Better Basis, Greater Future”, “Promote Resistance against Diseases” and “Raise Winners of Tomorrow”.
- Dumex labels in Cambodia are written in Thai, Malay or English but not Khmer.
- NutraKids** cereals in Malaysia and Singapore are labelled for use from four months.

Misleading text and pictures which violate the Code

► **Article 4.2** requires all information material to advocate for breastfeeding and not contain pictures or text which idealises the use of breastmilk substitutes.

► For health professionals, **Article 7.2** of the Code only allows product information which is factual and scientific.

- A booklet in Singapore entitled *Fine Weaning* recommends breastfeeding for four months. The **Dumex 1** rattle and **Dumex 2** cup appear on alternate pages. The Dumex name beneath three children with a graduation cap suggests the company's products will make children intelligent.



- A card and a leaflet in China show packshots and announce **Dumex** follow-up formula is now fortified with AA and DHA.



- In Hong Kong, a booklet *Dumex – A guide to infant feeding* suggests that solids be introduced from three months and shows a mother spoon-feeding her baby. It claims that **Dumex** is specially formulated to provide suitable nutrients for the different stages of development and features a feeding schedule for breast-fed and bottle fed babies. Included are promotional prices, special offers and a **Dumex** hotline service.



- A Chinese handbook for expectant mothers advertises a full range of Dumex products including **Dumex 1** and **Dumex 2**. There is a column for mothers to fill in and return to the company, facilitating direct marketing. The picture of the children with a graduation cap (shown above) is on the inside back cover.



- In Thailand a *Health guide book for mother and child* promotes **Dumex 1** and **2** as similar to breastmilk, with “best nutrition for highest brain development”. Three babies symbolise the Dumex “3N” slogan (Nature, Nurture and Nutrition).

- A booklet for health workers in Thailand titled ‘3N of brain development’ shows picture of a mother and sister bottle feeding a baby, idealising bottle feeding.



- ‘Add value for life’ is the heading of a leaflet in Thailand which advertises **Dumex 1** and **2** and claims the addition of nucleotides promotes immunity, growth and brain development and that the amount of beta carotene in the formula is the same as in breastmilk, enhancing immunity.
- In Thailand, a leaflet promoting **Mamex** claims the nutrients for brain development in **Mamex** are similar to breastmilk; a table shows that **Mamex** is closest to breastmilk compared to other brands.
- A shelf talker in a supermarket in Malaysia announces a free pack of **NutraKids** infant cereal with every purchase of two packs.►



- A leaflet promoting —“Win the weaning blues”— found at a counter at a *Disney on Ice Show* in Malaysia promotes **Nutrakids** cereal, marketed for use from four months, with packshots and a baby picture.◀

- An advertisement in a Malaysian newspaper and a magazine in Singapore show packshots and baby pictures. A toll-free “Nutri-line” is also given. The product claims to produce “fitter...brighter babies”.►



Friesland

Friesland Coberco Dairy Foods

J.G.M. Priem
P.O. Box 124,
7940 AC Meppel, The Netherlands
Tel: +31 522 276 276
Fax: +31 522 276 444
Email: mail@fcd.com
URL: www.fcd.com

Products include:

FORMULA

Friso, Frisolac, Frisolac H, Frisomel, Frisomel Advance, Frisopep, Frisosoy, Frisovom, Dutch Baby, Dutch Lady, My Boy Eldosoy, My Boy Eldoplus.

COMPLEMENTARY FOODS

Frisocrem.

Logos & Icons:

Formula labels promote bottle feeding with a soft-toy teddy bear and bottle. **Frisomel** follow-on milk and **Frisocrem** cereal labels show a bunny. The catch phrase linking the **Friso** range of products is: “**Friso Triple Care** – Development, Digestion and Resistance.”



Friesland Coberco Dairy Foods increased its production in 2001 by buying up Nutricia's division of flavoured milks and coffee whiteners. Its 2003 turnover was 4.6 billion euros, but net profit decreased by 33% to 56 million euro. Moreover, Dutch trade unions threatened court action in March 2004 because the company has been under-paying its pensioners.

Faced with losses in Europe, Friesland focuses on the profitable markets in South East Asia by intense brand positioning in Vietnam and Malaysia (Dutch Lady), in Indonesia (Frisian Flag) and in Thailand (Foremost). An international brand design consultancy company is creating new 'brand architecture' and packaging. The new labels on infant foods now use a common 'Triple Care' icon. The product designs are currently being rolled out across Asia. Promotional efforts and new label designs in The Netherlands and Greece in 2002 paid off with market shares of respectively 14.7% and 17.3%.

In 1997, Coberco (acquired by Friesland in 2000) lost a lawsuit in Bangladesh where it promoted **My Boy Eldosoy** and **My Boy Eldoplus** in violation of the International Code and the Bangladesh Law. The IBFAN group in Bangladesh reported that the Coberco distributor admitted to the charge and quietly paid its fine.

An IBFAN campaign starting in 1984-1985 managed to change the Malaysian subsidiary's name from “Dutch Baby Milk Industries” into Dutch Lady. The company's infant formula brand, however, remained “Dutch Baby” and delivery vans continued to advertise the formula to the public in violation of the International Code. IBFAN reported on this regularly in its “*Breaking the Rules*” publications from as early as 1985 and as recent as 2001. By 2004, however, the company finally appears to have taken note of the protests. The last “Dutch Baby” van is gone.



Promotion to the public

► *Article 5.1 of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.*

- Friesland collects information for direct promotion by asking parents in Singapore to complete a coupon in an advertisement for free samples of **Frisomel** and **Frisogrow**. The heading “**Frisocare**” and the “**Friso Triple Care**” logo promote the products as being good for mental and physical development.





- In this advertisement in Singapore's *Motherhood* magazine, parents can win a **Frisomel** 'walking bunny' or cash prizes of up to S\$888 (an auspicious number in Chinese communities) with every purchase of 900g **Frisomel** follow-on milk at chain stores. ◀

- A chain store in Hong Kong advertises a special price for **Frisomel Advance** follow-up formula. ▶



- A leaflet in a China supermarket compares **Frisolac H** with breast-milk and claims it promotes intelligence, health and digestion.

- To entice sales in Hong Kong, Friesland distributes flyers offering free delivery of **Frisosoy** and **Frisovom** purchases. A list of phone numbers for placing orders are printed on the flipside of the flyers. ▼



▶ **Article 5.3 of the Code bans promotional devices at the retail level.**

- Toy bears are given with purchases of **Dutch Lady 2** follow-on milk in supermarkets in Vietnam. Promotional leaflets are also distributed in stores.



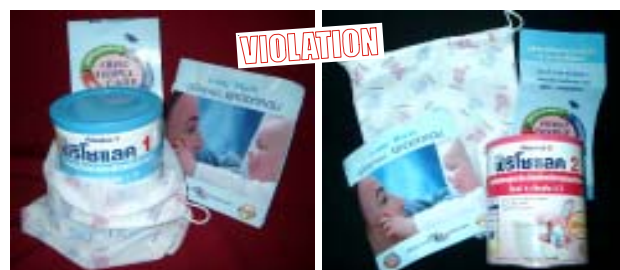
Promotion in health facilities

▶ **WHA Resolution 47.5 (1994).** No donations or subsidised supplies in any part of the health care system.

▶ **Article 5.** No samples or gifts to mothers.

- Unsolicited supplies of **Frisian Flag** infant formula in 200g boxes are delivered to health facilities in Indonesia and distributed to mothers.

- Taking turns with seven other companies, Friesland provides unsolicited donations of **Frisolac 1** and **Frisolac 2** to health facilities in Thailand, which are passed on to mothers as samples.



Samples to mothers in Thailand come in pretty pouches.

▶ **Article 7.3.** No financial or material inducements for health workers.

- Friesland gives health workers in Thailand gifts such as notepads, pens, magnets and tissue boxes bearing the company name and/or the **Frisolac** brand name.

▶ **Article 6.** No product promotion in health care system.

- Posters and leaflets bearing the **Frisolac** brand name, packshots and the "Friso Triple Care" logo are displayed in Thai health facilities.



- Health facilities in Indonesia display cot cards with the **Frisian Flag** company name and logo. ▶



A Friesland baby at birth.

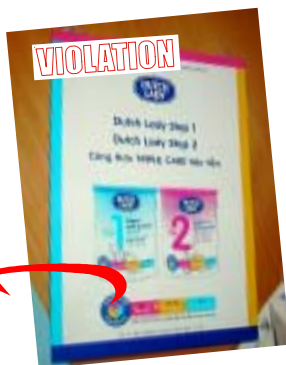


- In a health facility in Russia, a poster entitled "Child Feeding, What? When?" promotes six types of formulas below a picture of a mother and baby. ◀



- A large Friesland teddy bear picture is stuck above a washing sink in a Moscow hospital. ▶

- A 2003 monitoring report by Vietnam's Ministry of Health says Friesland displays posters and leaflets about its products in health facilities, such as the one promoting **Dutch Lady 1** and **2**.



- In Malaysia, the company placed an ad in *The Star* newspaper to recruit nutritional reps whose responsibilities include “regular visits to medical institutions to promote infant related products”.

Labelling



► **Article 9** of the Code requires labels to **NOT** discourage breastfeeding and to inform about the correct use of the product, the risk of misuse and abide by a number of other points.

- In Indonesia, **Frisian Flag** infant formula labels encourage mixed feeding and advise that babies need foods other than breastmilk from four months. ◀

- In Russia, **Frisolac**, **Frisopep**, **Frisovom** and **Frisosoy** labels all show the toy bear together with a large, shiny feeding bottle, idealising the use of formula and discouraging breastfeeding.

(Note: bottles are allowed for illustrating methods of preparation, usually with graphics on the back of the tin).



Misleading text and pictures which violate the Code

► **Article 4.2** requires all information material to advocate for breastfeeding and not contain pictures or text which idealises the use of breastmilk substitutes.

► **Article 7.2** Only factual and scientific info to health professionals.

- In China, promotional materials compare Friesland formulas with breastmilk.
- **Frisosoy** is compared with breastmilk in a leaflet in Thailand.
- In a brochure in Thailand entitled *Alternative way for mother who loves and cares for baby*, a

happily playing mother and baby idealise Friesland cereals and infant and follow-up formulas.

- A leaflet in Thailand claims that with **Frisolac 1**, “Baby will have no constipation and will be healthy”, and that **Frisolac 2** “gives full energy for good development”. A hotline number is also provided.

- In a leaflet in Singapore, Friesland's “Friso Triple Care” logo, bear and rabbit mascots present **Frisomel** follow-on as a trustable solution.



The leaflet cautions, “Look again! If you think you have chosen the best milk for your child”, and uses pseudo-scientific language and a flow chart to idealise the functions of additives in the product.

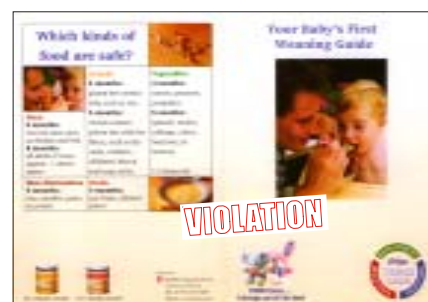


- In this leaflet in China, a loving gaze between mother and baby idealises the use of **Frisolac H**. ◀

- An ad in a magazine on food allergies in the Netherlands promotes **Friso 1** and **Friso 2** as “the complete solution for allergies”. ►



- “Your baby's first weaning guide”, a leaflet in Singapore, recommends complementary feeding from four months. The cover picture suggests that it allows fathers to share feeding responsibilities. Packshots and text promote **Frisocrem**: “Being a nutritiously fortified instant milk based cereal, its convenience is indisputable.” Friesland's bear and rabbit mascots and “Friso Triple Care” logo promote trust and company loyalty.



Gerber

Daniel Vasella
CEO, Novartis
Lichtstrasse 35, CH-4002
Basel, Switzerland
Tel: +41 61 324 1111
Fax: +41 61 324 8001
URL: www.novartis.com

Products include:

COMPLEMENTARY FOODS:

Gerber vegetable, fruit, meat or fish purees, Gerber cereals, Gerber juices, Gerber bottled water.

GERBER FEEDING BOTTLES AND TEATS.

Logos & Icons:

Gerber's website has a story of the woman whose face as a baby became an icon for the company in 1928 and the official trademark in 1931.



"The logo is the essence of who we are," said a vice president for Gerber North America. "It is the epitome of a happy, healthy baby and the symbol of trust we have with parents. It's everything to our company."

Advertising expert, Professor Jim Twitchell agrees: *"There could be better baby foods, but if you own the concept of the beautiful baby, then you're golden. And that's what Gerber owns, and it just made mincemeat out of all its competitors, and I think it was primarily because of what was on that label".*

In 1994, the Gerber Products company merged with Sandoz and then became part of Novartis, a Swiss giant in pharmaceuticals, veterinary products and a leading producer of genetically modified seeds. Gerber, however, keeps its own profile, particularly with its famous baby face which appears on all its labels often together with the slogan: *"Shouldn't your baby be a Gerber baby?"*

Gerber controls between 60% to 90% of the US and Central America baby food markets. Its biggest rival in Europe and Southeast Asia is Heinz. Gerber has recently launched into China in a very aggressive way. Like elsewhere, the baby face is very prominent.

The Gerber baby face has also meant trouble. When Guatemala banned baby pictures on labels and refused to register new Gerber products in 1993, the case went to the Supreme Court. Guatemala was brave but had to buckle under in the face of the combined clout of company lawyers and US government pressure. Brazil, however, is a bigger fish and Gerber wisely chose not to challenge its strict labelling laws but to sacrifice its baby face at the prospect of breaking into the huge new market, dominated by Nestlé. Both companies now abide by Brazil's strict labelling laws and dutifully put on their complementary food labels: *"Breastfeeding must be maintained after introducing new foods into the child's diet, until 2 years or beyond. This product must not be used for feeding infants during the first 6 months of life, except upon advice of a doctor or nutritionist".*

Gerber is pushing product exposure through creative new ways such as contracting the Brazilian Outback restaurant chain to give free Gerber jars and juices to travelling babies while their parents enjoy a steak and a break.

With rising opposition to genetically modified ingredients, Gerber announced in 1999 that it would eliminate GM ingredients from all its products worldwide. Greenpeace and other campaigners rejoiced but in 2001, Greenpeace test results showed that Gerber used genetically engineered soya in its baby food products in the Philippines. The irony is obvious: how can a subsidiary of Novartis which spends millions on promoting GM seeds as safe, turn around and ask farmers to deliver non-GM ingredients for its own baby food?

Promotion to the public

► **Article 5.1** of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.

- Gerber's 75th anniversary was advertised as the *"Forever Young"* campaign in Trinidad's *Guardian* newspaper, on the radio and in leaflets. Two main promotions were announced: anyone who buys two or three Gerber products can win prizes such as baby clothes and can also enter the Anniversary Sweepstakes for US\$1,000 in cash or hampers. Gerber feeding plans and car stick-

ers were freely handed out.►

Note: The “Forever Young” campaign was suspended and then modified after complaints by TIBS of Trinidad and Tobago – an IBFAN group.



- An advertisement in a parents' magazine in Costa Rica promotes Gerber's fortified food products for use after three months and states: “Around the fourth month your baby will recognise your voice...with time he will learn how to relate in various ways... thanks to good feeding”.



- Also in Costa Rica, Gerber gives out pocket diaries that say on the cover: “The only thing we cannot give is mother's love ... All the rest, Gerber gives”►



- A Gerber cereal advertisement in a Venezuelan magazine asks “Do you need a crèche?” and announces a competition to win a place in a crèche with the purchase of Gerber foods.
- The Gerber website promotes its baby foods, Gerber baby water and other products with baby pictures, packshots and slogans: “Shouldn't your baby be a Gerber baby?” and “Join the Gerber Family”.



Promotion at point-of-sale

► **Article 5.3 of the Code bans promotional devices at the retail level.**

- A leaflet in a Shanghai supermarket promotes Gerber vegetable purees as “1st and “2nd Foods” without specific age recommendations. The baby is wearing a maternity wristband, suggesting the product may be suitable from birth.
- In pharmacies in Costa Rica, Gerber displays posters inviting mothers to enter a lucky draw when they buy Gerber products. Winners receive monthly pocket money for varying periods of time.
- Gerber uses tie-in sales at a supermarket in the Dominican Republic to promote their fruit purees.
- Gerber distributes a leaflet *Feeding plan – Gerber Steps* in Dominican Republic supermarkets that promotes *First Step* products for use from 4 months.
- In Mexico Gerber offers up to 30% discount on its products.
- A leaflet in a Beijing supermarket offers gifts with purchases of Gerber products during the company's 75th anniversary celebrations. A form, to be filled in and sent to Gerber facilitates future contact.



Front of leaflet

Flipside of leaflet

- In a leaflet in the same Beijing supermarket, Gerber asks: “Smart mother - have you prepared well? Are you ready?” The leaflet recommends Gerber purees after three months, juices from two months and Gerber spring water for bottle feeding.



- Gifts are offered with Gerber purchases in Peru, Malaysia and Thailand. ►
- Gerber puts up special displays in Uruguay shops to encourage sales.
- Shelf talkers and special displays promote Gerber products in Indonesian supermarkets.
- A “First Step” leaflet in a Mexican supermarket promotes **Gerber vegetable/meat/fruit purees** from four months: “According to modern infant nutrition practices, it is possible to introduce complementary foods as soon as your baby needs additional calories, following his physical development rather than his chronological age.” The leaflet features a crawling baby with packshots of purees and rice cereals.



- Also in Mexico a free jar of **Gerber pear puree** is given with the purchase of one set of products - one jar each of apple, carrots, and rice cereal plus two teats for newborns - all of which are marked “First Step” without a recommended age of use.



Gerber's special offer in Mexico includes teats for newborns and complementary foods.

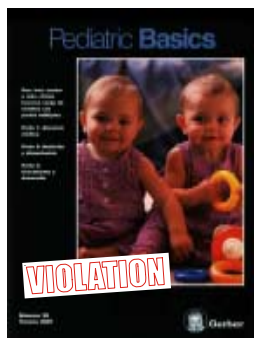
- In a UAE supermarket display of the range of Gerber products, brand name and logo are shown on all sides. This picture tops the display and also appears as an advertisement in a local newspaper.



Promotion in health facilities

► **Article 6.2 bans the promotion of products within the health care system.**

- A Gerber publication in a doctor's office in Costa Rica bears the company logo on each page and features two happy babies on the front cover. The back cover lists Gerber contacts. ►
- In China Gerber products and posters are put in hospital display windows.
- Gerber items are also displayed in health facilities in Thailand and the Dominican Republic.



Labelling

► **WHA Resolution 54.2 (2001) advises exclusive breastfeeding for 6 months which means that the recommended age for use of complementary foods cannot be under 6 months.**

- All of Gerber's labels (except in Brazil) violate the Code because of the baby face logo and because its **First Foods** are recommended from four months. In Brazil, Gerber follows the law and its labels say: not before six months.
- **Gerber Oatmeal** labels in the United States say “the American Academy of Paediatrics(AAP) recommends supplementing baby's diet with iron beginning at 4 to 6 months” and that the product supplies the iron needed by infants. This implies endorsement by the AAP, which in fact recommends exclusive breastfeeding for six months.
- **Gerber spring water** labels in Costa Rica encourage early complementary feeding, saying the product is ideal for preparing porridges, juices and cereals, which Gerber markets for use from three months.



Misleading text and pictures which violate the Code

- In a Singapore *Motherhood* advertisement, Gerber says: “From 4-6 months, a milk diet alone is insufficient”.
- This ad in *The Star* newspaper in Malaysia invites parents to fill in a coupon (which gives the company addresses for direct promotion) to receive a free sample of **Gerber Rice Cereal**. The ad promises a reduced price for two **Gerber Rice cereals** and encourages mothers to go for early complementary feeding; mothers are left to decide when it's “high time”. The age recommendation on several small packshots is not readable.



Heinz

William R. Johnson
President and CEO
H.J. Heinz Company
P O Box 57, Pittsburg
PA 15230-0057, USA
URL: www.heinz.com
www.heinzbaby.com

Products include:

FORMULA:

Nurture Starter, Nurture Plus, Nurture Follow-on, Farley's follow-on.

COMPLEMENTARY FOODS:

Farley's, Farex, Heinz cereals, purees and jarred foods, Heinz infant juices, Heinz All-in-One Cereal and Plasmon.

Logos & Icons:

Heinz categorises its baby food in line with the age of intended consumers, e.g. baby cereals, cereal with formula (infant cereals plus 35% infant formula), beginner foods, strained foods and juices, junior foods and toddler foods. Its products are introduced in stages. Stage 1 begins at 4 months; labels always feature a baby. Its fruit juice bottle doubles as a feeding bottle.



Heinz was established in 1869 and manufactured bottled horseradish, ketchup and pickles. The introduction of baby foods 65 years ago saved Heinz during the depression. Approximately 60% of Heinz's total sales come from outside the United States, making it the most international U.S.-based food company. 2003 sales were over USD 8 billion with a net income of USD 560 million.

Heinz carries some infant formula and a full range of baby foods from 4 months to adult table food, from iron-fortified baby cereal to specially prepared vegetables, fruits and meats for infants, toddler meals, desserts and juices.

Heinz bought Farley's baby foods in 1994 and Earth's Best organic baby foods in 1998.

While Heinz is most known for its own jarred baby foods, it also sells formula and other baby foods under the **Plasmon, Dieterba, Nipiol, Wattie's, Farex and Farley's** brand names in various countries. **Camera** feeding bottles claim to belong to the "Heinz Baby Corporation". Heinz denies any link to **Camera**.

Promotion to the public

► *Article 5.1 of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.*

- A magazine advertisement in China introduces **Heinz's** eight new purees, cereals and juices by featuring each product in its own baby cradle. ►



- A plaque on a Chinese leaflet titled 'Mother trusts Heinz, Baby loves Heinz' states that Heinz is "recommended by Chinese Child Nutrition and Health Research Centre" and that its products are guaranteed by the authorities. An insert pulls out to reveal **Heinz** infant cereals and purees, some recommended from four months. ◀

- A leaflet in China advertises "Heinz Baby Expert On Line", a radio programme on infant and complementary feeding. Heinz products are recommended for use from four months. The leaflet forms a prepaid aerogramme, enticing mothers to submit their name and address to Heinz for direct marketing. ►



VIOLATION

- A TV advertisement in China says **Heinz** infant cereals contain “various nutrients for baby’s growth”, adding that “baby’s healthy growth is your wish”. The ad is accompanied by a jingle from a famous Chinese pop song, “Kissing my baby”.▲

- In China, an immunisation record booklet contains a page that showcases **Heinz** cereals with packshots.▶



VIOLATION



VIOLATION

- An ad titled ‘Infant Nutritionist’ in a scientific journal in China promotes **Heinz** cereals and purees for use from four months and shows a baby with a bib inscribed with the letter “A” for excellence. Scientific symbols of calcium, zinc and iron claim that the cereals are fortified – how much of this will be absorbed by the baby is another question.◀

- Heinz lists events and displays packshots of its cereals and jarred foods, one of which is recommended for use from four months, in an ad in a scientific journal in China titled ‘Heinz, Authority on Infant Nutrition’.▶



VIOLATION

- A UK magazine ad recommends **Farley’s** for use from 4 months and shows a cute teddy bear under the heading ‘Heinz. The New Name Behind Farley’s’.



VIOLATION

- This ad for **Heinz All-in-One Cereal with Infant Formula** at www.heinzbaby.com does not mention breastfeeding as the best. It claims that it “meets 100% of your baby’s daily iron needs” and contains 35% infant formula. “Trust Heinz to give your baby the very best”. ◀
- “Love which feeds” is the theme of a magazine ad for **Heinz** purees in the Dominican Republic that also makes health claims about the product.

- An advertisement in the Malaysian magazine *Parenthood* seeks entries for “The Heinz-Farley’s Rusks Baby Debut Contest”. Parents win a Heinz hamper if their baby’s photo and caption are selected for publication. For Heinz, it is a way to collect addresses for future direct promotion.▶



VIOLATION



VIOLATION

- Another ad for **Farley’s Rusks** in the same magazine features a coupon that mothers can submit for a free information leaflet.◀



VIOLATION

- An advertisement in *Motherhood* magazine in Singapore asks “Isn’t it time to give your child all the important nutrients everyday?” and makes nutrition and health claims about the Heinz products shown.▲

- An ad in an Indian magazine promotes six varieties of **Farex** cereals, with pictures of babies and toddlers and recommends the product from four months.

- A series of ads for **Farley’s Follow-on** in magazines in the UK offer a free sachet by calling the “tinytums careline”. Mothers and babies idealise the use of the product which is claimed to “improve baby’s immune system”.▶



VIOLATION

Promotion at point-of-sale

- ▶ *Article 5.3 of the Code bans promotional devices at the retail level.*

- This supermarket shelf-talker in Colombia has the slogan “Dreams begin with Heinz ... the love that feeds” and shows a baby, a graduation cap, crayons and a black board, implying Heinz produces an intelligent child.



VIOLATION

- Heinz offers a free bib with every purchase of two tins of **Heinz** purees in Colombia.
- A shelf talker in a Beijing supermarket asks customers to “collect starsto get gifts” with purchases of



Heinz cereals, purees and juices. Pamphlets list the gifts available (baby sleeping bag, backpack, household items, toy train).

Shelf talker

- Leaflets in Shanghai supermarkets offer points for Heinz purchases to be collected and redeemed for feeding cups, towels, toys and baby furniture.▶



- Soon-to-expire Heinz products are sold at discount prices in a supermarket in Gambia.◀

- Shelf talkers draw attention to reduced prices on **Heinz Baby Juices** and on **Farley's Follow-on** in the UK.

- **Heinz baby cereal** is sold at a discount at a chain store in Singapore. Redeeming a coupon enters customers in the store's monthly Lucky Draw for a \$100 prize.▲



Promotion in health facilities

▶ **Article 6.2 bans the promotion of products within the health care system.**

- Heinz often hands out gifts to health workers in China.▶
- In a health facility in Trinidad and Tobago a leaflet titled 'Heinz's Infant & Toddler Nutrition FAQ' promotes Heinz foods for use from four months.
- In a UAE hospital, Farley distributes leaflets on weaning: “4-6 months....time to start weaning”. A full range of **Farley's** products illustrates the message.



- In China Heinz infant feeding booklets promote the company's full product range, recommending many products for use from four months. The booklets are supplied in bulk to health facilities and made available to mothers with new-born babies, such as this one.▲



- Heinz displays posters, leaflets and products in health facilities in China.▶



- In New Zealand Wattie's gives health workers info packs that promote **Heinz Nurture** infant and follow-on formulas, using the slogan “Nurturing New Zealand Babies for over 20 years”.▶



Labelling

▶ **WHA Resolution 54.2 (2001)** advises exclusive breast-feeding for 6 months which means that the recommended age for use of complementary foods cannot be under 6 months.

- Heinz product labels in many countries idealise their use with pictures of babies and attractive images.
- Heinz labels recommend products from too young an age: as of four months for most products in most countries. In Mexico and Uruguay, **Heinz** puree labels do not state any recommended age.
- In New Zealand, Wattie's “Guide to Baby Feeding Card” and “Getting started on solids” advise that complementary feeding begin at four months using **Farex** and **Wattie's** products.▶
- The brand name **Nurture** of the Heinz infant formula range in New Zealand idealises the use of infant formula.



Hipp

Mr. Klaus Hipp
General Manager
HiPP GmbH & Co.
Georg-Hipp-Straße 7
85276 Pfaffenhofen, Germany
Tel: 0 8441 - 7 570
Fax: 08441 - 7 574 02
Email: information@hipp.de
URL: www.hipp.de

Products include:

FORMULA:

Hipp Pre, Hipp 1 and 2, Hipp HA, Hipp NE.

COMPLEMENTARY FOODS:

Hipp purees, juices, cereals, ready meals, biscuits, mineral water, "goodnight meals", muesli and teas, Bebevita.

Logos & Icons:

Hipp uses its company name with the three hearts as brand name. The company prides itself on a range of organic baby foods promoted with a "Bio" logo.



Hipp is a family-owned company located in southern Germany. It was founded in 1932 and has established a strong reputation in the organic baby food market. Hipp has factories and subsidiaries in several European countries. It markets mainly in Europe (very aggressively in Eastern Europe) and is now expanding into Asia (Pakistan, Uzbekistan, Taiwan, Japan and China).

In Germany, Hipp gives out videos projecting idyllic unpolluted landscapes and Mr. Hipp among apple trees. The company claims its organically grown ingredients will help prevent allergies. Hipp has received praise from environmentalists for guaranteeing organic ingredients at affordable prices. Recently the Swedish probiotic specialist BioGaia signed an agreement with Hipp. However, Hipp continues to produce non-organic foods under the Bebevita label which does not reveal its connection with Hipp. The company has also been criticised for its heavy-handed entry in the Costa Rica jungles where farmers use unsustainable slash and burn techniques in their rush to grow organic bananas for Hipp.

Article 7.3 of the Code provides that there should be no financial or material inducement to health workers to promote products. Not many baby food companies nowadays dare give bonuses to doctors based on the number of product prescriptions. It was highly disturbing, therefore, to learn that in Armenia, Hipp pays a commission to doctors for each Hipp product mothers buy on prescription.

Hipp received the 1999 Shaming Award from the UK Food Group, for the misguided labelling of its infant teas, purees and juices which encourage an early end to exclusive breastfeeding. The Food Commission (UK) found in 2000 that Hipp biscuits have more sugar (21%) than a jam doughnut (19%) even though the biscuits are labeled "sugar-reduced".

Promotion to the public

► **Article 5.1** of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.

- **Hipp** baby foods use Western babies to advertise in a magazine in China. This ad is entitled 'Babies' tender stomachs need nature's care'. ►



- An advertisement for **Hipp** juices in a mother's magazine in Taiwan and a leaflet for **Hipp** jar foods and juices both feature the "Bio" logo, the slogan "Very Organic, Very Tasty", and a baby eating **Hipp** products. A cut-out coupon in the ad offers free gifts. ◀

- An ad entitled 'For your baby, the most natural is the best' in *Eltern* magazine in Luxembourg asks "After the breastfeeding period of 6 months, what can you offer to your baby?", implying that breastfeeding should cease after six months and that babies should progress to **Hipp 2** as the natural option. ◀



- An ad for **Hipp** infant teas in *Mothers' Journal* in Lithuania encourages bottle feeding with a cartoon baby drinking from a bottle and holding a teddy bear. The heading reads "Be Healthy and Big - With love, Hipp". ▶



- An ad in a scientific journal in the UK uses the popularity of organic products to promote **Hipp** organic infant and follow-up milks. The ad compares the products to breastmilk: "formulated to be as nutritionally close to breastmilk as possible". ◀

- A leaflet in Hong Kong says **Hipp** baby teas can be given 1 week after birth and **Hipp** fruit and vegetable purees 9 weeks after birth. ▼

Flipside of leaflet



Cover of leaflet



- Mothers in Latvia receive coupons for Hipp products and gift packs containing promotional materials and free samples of **Hipp** baby drinks, recommended for use from one week of age. ▶
- Free samples of **Hipp Pre** infant formula are given to mothers by shopkeepers in Lithuania.



- An ad in the UK magazine *Baby & You*, displays the **Hipp Organic** product line and offers a sample and a 'money-off coupon' by calling a local hot-line. In answer to the heading, the advertisement says: "All ingredients are grown naturally... the apples are grown in sunny orchards far away from all polluting influences." ▶



- Hipp car stickers in Armenia, Lithuania and Russia say "Baby with us". ▶



- In the UK, Hipp uses shelf talkers to advertise a discount – four jars for the price of three. ◀

Promotion in health facilities

▶ **WHA Resolution 47.5 (1994)** urges an end to free or subsidised donations of products to all parts of the health care system.

- Hipp donates unsolicited supplies of its infant formula to health facilities in Armenia and of **Hipp** teas and **Hipp** juices in Latvia. Samples are then given to mothers.
- Health workers in Lithuania give mothers free samples of **Hipp Camomile Baby Tea** recommended for use from the first week.
- Unsolicited free supplies of **Hipp** follow-on formula were placed in doctors' waiting rooms in Germany, as many as 20 packs at a time.

► **Article 7.3** provides that there should be no financial or material inducement, to promote products within the scope of the Code.

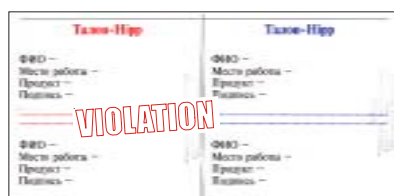
► **Article 7.4** allows samples to health workers but only for research purposes. Health workers may not pass on any samples.

- In Latvia and Lithuania, Hipp gives health facilities clocks, cups, writing pads, sweets and magazines showing the “Hipp Bio” logo and Hipp ball-point pens.►



- In Georgia Hipp gives writing pads to health workers and Hipp booklets on infant feeding to health workers and the public. They contain statements such as: “Use Hipp Pre for infants when mother’s milk is not enough.”▲

- Feeding bottles in a package which advertises Hipp formulas are included in a gift pack for mothers in hospitals in Germany, together with a booklet from Hipp.►



- Doctors in Armenia earn a commission on prescriptions for Hipp products; all they need to do is fill in their name, workplace and signature on special Hipp prescription forms.

- Breastfeeding poster with HiPP logo found on wall of paediatric polyclinic in Armenia.►



- Hipp distributes promotional materials such as booklets and calendars for display at health facilities in Armenia, promoting Hipp products for use from as early as the first week of life. Car stickers and pens with the Hipp name and logo are given to health workers.◀



Labelling

► **WHA Resolution 54.2 (2001)** advises exclusive breastfeeding for 6 months which means that the recommended age for use of complementary foods cannot be under 6 months.

- Hipp baby tea labels in Lithuania show a bottle and recommend use of the product from the first week.
- In Armenia Hipp juice labels recommend use from three months; porridges, vegetable, fruit and meat purees from four months.
- The label of Hipp Pre in Lithuania states that the product is “...good for supplementing when breastfeeding”.

- In Germany Hipp infant meal labels recommend the product for use “after five months instead of a bottle meal”.



- Hipp infant formula labels in Switzerland undermine mothers’ confidence in breastfeeding with statements such as “If you can’t breastfeed or if you can’t do it any longer, you can use Hipp1 from the first bottle”.



The label recommends the use of follow-up formula after four months. The labels of Hipp 1 and 2 look alike and can confuse mothers.

Misleading text and pictures which violate the Code

► **Article 4.2** requires all information material to advocate for breastfeeding and not contain pictures or text which idealises the use of breastmilk substitutes.

- In Latvia, Hipp distributes promotional materials to mothers. Among them are a booklet and a daisy-shaped leaflet which advertise a full range of products under the Hipp Bio range.





- In many parts of Europe, Hipp widely distributes a booklet on infant feeding that introduces its product line. The book is available under various titles, in different languages and with slight variations, but all promote Hipp products with packshots and idealising pictures and recommend complementary feeding from too young an age.

- The booklet from Armenia is detailed below:

- The booklet promotes **Hipp** infant formula, teas, porridges, cereals and puree products, including **Hipp Hypo Allergenic 1** and **2**, **Hipp Pre**, **Hipp 1** and **2**.



- **Hipp Pre** and **Hipp 1** are claimed to be adapted to mother's milk in terms of protein, fat and carbohydrate content.
- **Hipp** juices are recommended to vary the baby's diet, adding that this is "especially important if you are breastfeeding".

- **Hipp** vegetables and fruits are said to be necessary in the child's diet "from 9 weeks".
- **Hipp Goodnight** porridges and cereals and **Hipp Meat** purees are recommended from four months.

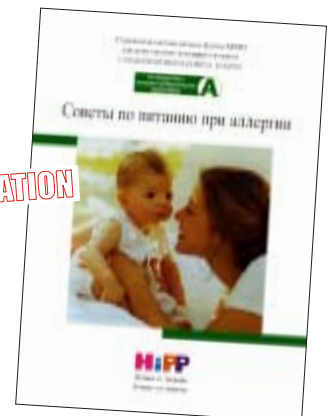


- Another booklet showing the same picture of a happy mother and child on the cover, recommends complementary feeding from three to four months, breastfeeding or bottle feeding only once a day at six to seven months and no breastfeeding at all after eight months. The booklet dedicates four pages to **Hipp Bio** organic products. Similar booklets are seen in Georgia, Latvia, Romania and Lithuania.

- Hipp distributed leaflets and booklets about their products to health workers at a Perinatal Conference in Germany, including a leaflet that claims there is no difference between breastfed and **Hipp HA**-fed babies at the age of six months and another that describes **Hipp NE** as a special formula for the "first days of life". It claims **Hipp NE** is modelled on colostrum and targeted at breastfed babies as a supplement during their first days to prevent hypoglycemia and dehydration.▲



- A leaflet in Serbia shows packshots of **Hipp** formulas, cereals, juices, purees and infant water.◀



- A Hipp booklet in Russian found in Armenia offers "Recommendations for feeding in case of allergy". The booklet contains misinformation and confusing statements. On pages 3 and 6, it states that allergy-prone infants should be exclusively breastfed while on page 8, it implies that exclusive feeding with **Hipp Hypo-allergenic 1** is just as good. Pages 4 and 5 promote bottle feeding, again implying the equivalence with breastmilk. It also promotes **Hipp** complementary foods as of four months.

Pages 4 & 5 of the booklet



Humana

Albert Grosse Frie
Humana Milchwerke Westfalen eG
Bielefelder Strasse 66
32046 Herford, Germany
Tel: +49 5221 1810
Fax: +49 5221 181300

Products include:

FORMULA:

*Humana 0, Humana 1 and Humana 2,
Humana 0-HA, HA1, HA2,
Pre Humana and Humana 0-VLB.*

COMPLEMENTARY FOODS

AND OTHER PRODUCTS:

Amorosa, Humana SL, HA Brei cereal.

Humana, Germany's second biggest producer of milk products, has an annual turnover of €2.53 billion. It sells products under the Humana and Miltina brands. The company has long been criticised because of its misleading company and brand name.

In November 2003, two babies died and fifteen babies fell seriously sick as result of an outbreak of thiamine (Vitamin B1) deficiency in Israel associated with the use of Humana's kosher soy-based infant formula Remedia Super Soy 1. Despite the labels' claim, Israeli Health Ministry officials found less than 10% of the required amount of vitamin B1 in the formula. It had been left out because Humana 'thought' there was enough thiamine in soy! Its absence or insufficiency leads to encephalopathy, a serious form of brain disease in the newborn. Long-term effects may resemble beriberi infection.

After dragging its feet, the company admitted a mistake was made in the production process. Dr. Chessa Lutter of PAHO/WHO said *"the Remedia deaths serve as a powerful reminder that formula is never as safe as manufacturers would have us believe ... Unless there is an easily identifiable cluster of sick infants like in Israel, the fact that formula is responsible for their symptoms is likely to go unnoticed."* Remedia broke its relations with Humana in February 2004. Russia, Georgia and Azerbaijan banned Humana products.

Promotion to the public

► *Article 5.1 of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.*

- An ad for **Humana 2** in a Serbian magazine shows seven babies looking up to the Humana name.►
- A sponsored article in *The Resonance* newspaper in Georgia, about an interview with a paediatrician discussing infant feeding and allergies, describes Humana products as a close substitute to mothers milk when encountering digestive problems.



- Advertisements in the German magazine *Baby* present babies and Humana as "milk specialists", the slogan that also appears on product labels, and show packshots of various Humana infant and follow-on formulas.◀

Inadequate quality control is not the only shortcoming that Humana needs to change. Its cow's milk based formula is called "Humana", misleading consumers into believing it is "humanised". The terms "humanised", "maternalised" or similar ones are banned by the Code. Sri Lanka blacklisted Humana for this reason some 15 years ago.



- A coupon for free samples is included in a German magazine ad for **Humana HA1**, **HA2** and **HA Brei** cereal recommended for use from four months. Packshots show the similarity in design between the formula, follow-up formula and cereal labels, causing potential confusion.

- An advertisement in Germany's *Eltern* (Parents) magazine announces the addition of prebiotics to **Humana** follow-on formulas and says the company was "inspired as usual by breastmilk".



Another ad says Humana makes its products as close to breastmilk as possible. Both ads are placed next to articles related to infant feeding.▲



- Humana displays posters in Georgia and Serbia featuring baby pictures, and promotes its products in pharmacies, markets and grocery shops.◀

Labelling

► **Article 9 of the Code requires labels to NOT discourage breastfeeding and to inform about the correct use of the product and the risk of misuse.**

- On formula labels in Georgia and Serbia, Humana claims to be the "Milk Specialist". The labels are primarily in German with stickers bearing only partial translation into the local language.



primarily in German with stickers bearing only partial translation into the local language.

- Humana's **Amorosa** mineral water label in Italy states in English that it is "recommended for the preparation of baby food" and in Italian that it is a "food for newborns".►



Promotion in health facilities

► **Article 6.2 bans the promotion of products within the health care system.**

- A booklet in Georgia entitled 'For love of the child' promotes Humana products and urges paediatricians to recommend **Humana 0**, **Humana 0-HA** and **Pre Humana** special formulas.►
- A leaflet in Germany promoting **Humana 0-VLB** special formula says it is "conceived for the special needs of pre-term low birthweight babies", but does not mention the superiority of breastmilk.
- Packages containing baby foods and pens with the **Humana** brand name were given to health professionals at a lecture organised by the company in Georgia. The gifts win health workers' favour and samples will be passed on to mothers.
- Health facility waiting rooms in Serbia display posters, leaflets, calendars and pens with the **Humana** company and brand name.►



- A leaflet about pre-term babies features pictures of infants, an "SOS" phone number and a coupon for free samples of **Humana** formula. It says: "If breastfeeding is not possible, pre-term formula is available to cover the special nutritional needs of preemies."
- A Humana booklet on breastfeeding promotes products and discourages breastfeeding, saying it "...excludes the father".
- At a perinatal conference in Berlin, Humana distributed materials to be passed on to mothers, including a leaflet entitled 'For babies who couldn't wait', promoting **Humana 0**, **Humana 0-HA** and **Humana 0-VLB** for low birthweight or pre-term babies.►



Mead Johnson

Peter R. Dolan
Chairman and CEO
Bristol-Myers Squibb Company
345 Park Avenue, New York,
NY 10154-0037, USA
Tel: +1 212-546-4000
URL: www.meadjohnson.com
www.enfamil.com, www.bms.com

Products include:

FORMULA:

Alacta, Alacta NF, Enfamil 1 + 2, Enfamil A+, Enfamil AR, EnfaCare, Enfamil Lipil, Enfamil Lipil with Iron, Enfamil Premium, Enfamil LactoFree, Enfamil Prematuros, Enfamil Soya, Enfalac, Enfalac A+, Enfalac HA, Enfapro, Enfapro 2, Enfapro Premium 2, Prosobee, Pregestimil, O-Lac and Nutramigen.

Logos & Icons:

Since 2001, Mead Johnson has been working with design experts “to upgrade and reposition” its “Enfa” products so that they will be easily recognisable throughout the world. Like its previous sketches of babies, the new brand design encompasses infant formula, cereals and toddler food.



In some markets, Peter Rabbit, Beatrix Potter's famous children's character, is still used as a graphic and idealises bottle feeding.

Mead Johnson, a subsidiary of Bristol-Myers Squibb claims to be the world leader in infant formulas with its Enfamil family of formulas. Worldwide sales reached \$721 million in 2003.

The company is very proud of its Enfamil Lipil infant formula launched in January 2002 and said to be the first to contain DHA and ARA in the US. However, in January 2003, Mead Johnson recalled 505 cases of the product distributed to hospitals, stores and clinics in the US due to contamination by *Enterobacter sakazakii*. In March 2004, Pregestimil HA was recalled in Canada because of an error in scoop size which could lead to over-concentration and hence to diarrhoea and dehydration.

The claims about Enfamil Lipil (and Enfalac A+ and Enfapro Premium) containing DHA & ARA are deceptive. Mead Johnson says they improve eyesight and intelligence... These long chain fatty acids are naturally present in breastmilk in perfect amounts; absorption rates from commercially manufactured fatty acids may not match at all. Canada's Food Inspection Agency (FIA) investigated the truth of these claims and in April 2004, the FIA asked Mead Johnson to terminate the claims forthwith! Prosobee, the soy formula was withdrawn from the New Zealand market several years ago, following widespread concern over long-term risks of its use.

Intense competition with rival Abbott resulted in increased advertising spending. Among the promotions is a sweepstakes offering 20 college scholarships, each worth \$25,000 to be won weekly from January 2004 until May 2004. Parents are to see their paediatrician to enrol in the sweepstakes. The lucrative baby formula market in the US, worth over \$486 million to Mead Johnson, prompted the company to stall a federal breastfeeding ad campaign end 2003. The campaign emphasised the risks of not breastfeeding (different from the usual trumpeting of the advantages of breastfeeding). Mead Johnson and Abbott-Ross joined forces to pressure the government to drop or dilute the campaign. Close ties with the American Academy of Pediatrics (AAP) in the form of annual grants and sponsorship is believed to be behind AAP's support for the industry stand (see Introduction for deletions in the campaign).

Bristol-Myers Squibb committed \$115 million for a 5 year 'Secure the Future' programme which was supposed to aid millions of African women and children in need of AIDS medication. The Washington Post reported that 77% of the money went to US-based charities and medical research institutions mostly in order to silence criticism of the programme. Only a few thousand AIDS victims are said to be reached by the PR effort which may, incidentally, have helped prepare the ground for Mead Johnson formulas.

Promotion to the public

► *Article 5.1 of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.*

- An advertisement for **Enfapro** in a Mexican magazine encourages mothers to buy the product by saying “Your baby is worth everything”. ►





- An advertisement in a Chinese magazine claims that with Mead Johnson's **Enfapro A+** babies' eyesight and intelligence improve.

◀ A product that changes blurred to sharp ...



- An advertisement in Costa Rica claims "Intelligence – You can see it in his eyes" and says that "the magnificent thing of breastmilk is the marvellous thing of **Enfapro Premium 2**".▶

- A leaflet in Hong Kong advertises a 'train' of Mead Johnson formulas starting from **Enfamil A+**, **Enfapro**, **Enfagrow** and ending with **Enfa-kid**. It also contains an entry form for the MJ Mother's Club.◀



- An **Enfapro Premium 2** ad in a parents magazine in Mexico claims the product has DHA & ARA levels similar to breastmilk and shows a picture of a baby's hand on a mouse pad.▶



- Mead Johnson advertises discounts for **Enfapro A+** in the *Ming Pao* newspaper in Hong Kong.◀

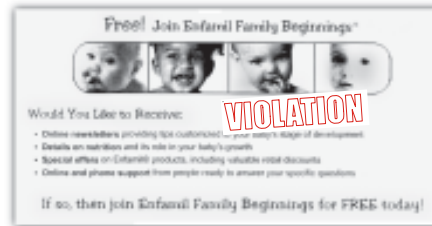
- Mothers who enrol in the Mead Johnson Mother's Club in Hong Kong receive a gift pack with pictures of the entire product range, a set of cards specially designed for babies and the 'Mead Johnson's Three Steps to stimulate intelligence' booklet.◀



- A Mead Johnson webpage in Finland shows a baby happily working on a computer, to prove the intelligence of Mead Johnson babies.▶



- The WebMD site advertises the "Enfamil Family Beginnings" Club with pictures of cute babies and induces visitors to join with offers of retail discounts, nutrition advice, online and telephone support.



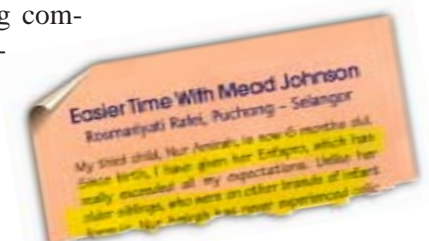
- The www.enfamil.com website advises "if you choose to feed your baby formula, use **Enfamil LIPIL with Iron**" and in much smaller print "if you choose to breastfeed, your baby receives DHA & ARA from breastmilk".

- A leaflet in the US promotes **Enfamil Lipil** as the only formula "that has **LIPIL**, a blend of natural nutrients that may help optimise eye and brain development" and says it is "a blend of DHA & ARA: Nutrients found in breastmilk". It offers savings of up to \$4 by sending contact information and the baby's birth date.▲

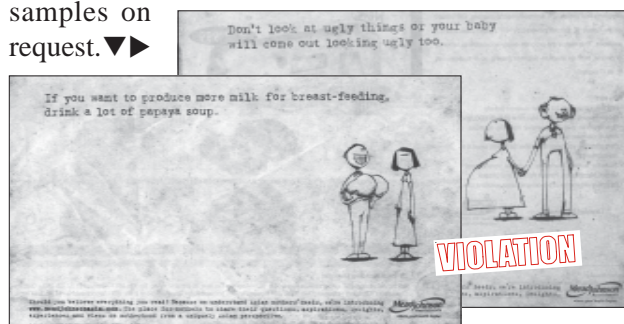


- Mead Johnson reps in Thailand talk to pregnant factory workers and mothers and encourage them to drink **EnfaMama**, distribute the "Smart System" guide on infant care and gift sets with samples of **Enfalac A**.

- Mead Johnson's *Mama to Mama* newsletter in Malaysia and Singapore regularly publishes letters from mothers. One of them stated she used **Enfapro** (follow-up formula) from birth with results which "exceeded all expectations" and that she "found mothering to be much easier and fuss-free with **Enfapro**". Following complaints, Mead Johnson hastened to apologize and blame the terrible mistake on a "typographical error"...



- **Enfapro** is regularly advertised on TV in Hong Kong.
- Clever cartoon ads in Malaysian newspapers entice the public to check out Mead Johnson's website which promotes all the Mead Johnson products. It offers free samples on request. ▼►



- A Mead Johnson gift pack for new mothers in Malaysia contains a 'see-and-touch' flipbook and promotes the range of **Enfa** products.
- In Mexico a promotional letter inside a magazine says "in case you cannot breastfeed your baby for any reason, ask your paediatrician about Mead Johnson products that contain DHA and ARA"
- Vietnam is one of the first countries to advertise the new **Enfa** range icon above shops and in the media.

Promotion at point-of-sale

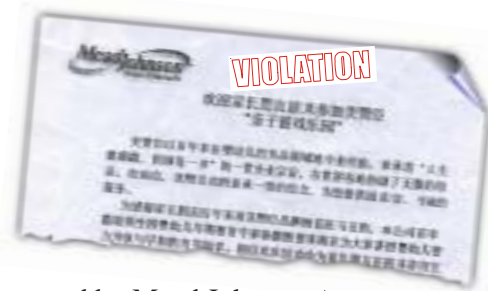


► **Article 5.3 of the Code bans promotional devices at the retail level.**

- Discounts and special sales in Chinese shops promote **Enfamil** and **Enfapro**. ◀
- In China the company mails promotional materials to mothers at home; shops also distribute such materials.
- Also in China the company uses posters, shelf-talkers, special displays and offers of gifts with purchases of its products.



- Company promoters in China use leaflets to praise the benefits of **Enfamil A+**; they also announce child-care seminars sponsored by Mead Johnson. ▲



- In the Dominican Republic, the company promotes **Alacta**, offers discounts in pharmacies and uses special displays to promote **Enfamil**.
- Mead Johnson sponsors at least one neonatology announcement board. It says: "Courtesy of Mead Johnson, where good health is born". ►
- Mead Johnson reps in Thailand give out samples of **Enfapro** to mothers in shops, hold special sales and offer discounts on **Enfalac**, **Enfalac A+**, **Enfapro** and **EnfaMama**.



Promotion in health facilities

► **Article 6.2 bans the promotion of products within the health care system.**

- In Hong Kong, **Enfamil** displayed in health facilities, says that its DHA & ARA levels are similar to breastmilk, while information about **Enfamil AR**, **Prosobee** and **O-Lac** claim that their fatty acid content aids development of brain, eyes and nervous system.
- In a Chinese hospital a Mead Johnson flyer offers a quiz program with prizes of toys or formula for the first 100 parents who answer questions about TV programmes correctly.
- Mead Johnson cot tags were found in an Argentine health facility with the slogan "Mead Johnson – World leader in nutrition – is with your baby from birth".

► **Article 7.3 provides that there should be no financial or material inducements to promote products.**

- Mead Johnson gives fridge magnets with a toll-free number to health workers at medical symposiums in Argentina.
- Mead Johnson gives out growth charts, prescription pads, calendars and folders with the **Enfamil** and

Enfamil 2 brands in health facilities in Peru. Baby ID tags with the company logo are provided and used in hospitals. Mead Johnson prescription pads bear the slogan “The first thing a newborn consumes is love, next our foods”.

- Mead Johnson distributes pens with the **Enfamil** logo and an **Enfamil** questionnaire to doctors at a paediatric congress in Argentina. The prize for correct answers to the question “What is the solution to these problems?” is a set of product samples.▲



Enfamil questionnaire

- An ad in the *Argentine Paediatric Journal* claims the **Enfamil** range is “a complete range of paediatric complements of vitamins and iron so you can be sure that the little one gets all he needs”.



- Mead Johnson distributes many gifts to health workers and health facilities in Thailand, among them calendars, clocks, hand-phones, stationery, posters, educational toys and designs and bags. Many of them carry brand names like **Alacta-NF**, **Enfalac HA**, **Enfalac A+** and **Enfapro**.



Mead Johnson baby posters.



The designs also promote brand names.

► **WHA Resolution 47.5 (1994)** urges an end to free or subsidised donations of products to all parts of the health care system.

- Mead Johnson donates unsolicited supplies of **Enfamil** and **EnfaCare** to health facilities in the Dominican Republic.
- Mead Johnson donates supplies to many health facilities in Thailand. Mothers receive **Enfalac A+** samples and other Mead Johnson gifts from health workers.



- In Indonesia Mead Johnson provides unsolicited supplies of **Enfamil**, **Enfalac** and **O-Lac** to health facilities. Health workers give mothers free samples of **Enfamil**, **Enfapro** and **Enfalac A+** as going-home gifts. Mead Johnson posters are displayed in health facilities, usually with the company logo and **Enfamil**, **Enfapro** brand names.
- In Peru the company sends unsolicited supplies of **Enfalac**, **Enfamil** and **Progestimil** to health facilities. One health facility aspiring to be BFHI certified is still receiving unsolicited supplies of **Enfamil Premium**.
- Mead Johnson's **Enfa** clock found in a Vietnam hospital.►



► **Article 5.2 and 5.4 of the Code** prohibit companies from giving samples and gifts to mothers.

- In Peru company reps visit mothers at health facilities to promote and give samples of **Enfamil Premium** and **Progestimil** via the health workers.

- Company reps and health workers distribute gift packs with samples of **Enfalac**, **Enfalac A+** or **Enfapro** to mothers in health facilities in Thailand. Mothers are required to give their particulars to the company to facilitate future contact.



- An ad in the *Thai Medical Times* claims **Enfalac** is the only formula that research shows can increase MDI (Mental Development Index) scores 7% higher than those in babies not on **Enfalac**.
- Mead Johnson hands out gift bags to mothers at health facilities in Thailand which include the 'Smart System: birth – 6 months' booklet, Smart System Programme Guide, registration form for Smart System and stimulation development materials, and a 200gm box of **Enfapro**.



- When mothers or nurses order **Enfalac** in Malaysian hospitals, the product gets delivered with a gift pack containing samples of EnfaMama, a towel with the company logo, nappies, baby books and leaflets promoting the entire **Enfa** range.▶
- In the Maldives the company distributes calendars, pens, educational materials and free samples to health workers.
- In Trinidad and Tobago free samples of **Enfamil LactoFree** are given to mothers at health facilities. Book marks from "Enfamil Family of Formulas" list the "101 ways to praise a child" and show 6 Mead Johnson formula products.



- In China, health education boards in hospitals bear the Mead Johnson logo. Company reps distribute free samples of **Enfamil** to mothers; calendars with the **Enfamil** and **Enfapro** brands, note pads and pens to health workers.
- Health facilities in the Dominican Republic display products with the **Enfamil** brand and mothers receive free samples of **Enfamil** from health workers and company reps.

Labelling

- ▶ **Article 9 of the Code** requires labels to *NOT* discourage breastfeeding and to inform about the correct use of the product and the risk of misuse.
- ▶ **WHA Resolution 54.2 (2001)** advises *exclusive breastfeeding for 6 months* which means that the recommended age for use of complementary foods cannot be under 6 months.

- In Mexico the label for **Enfamil AR** states that the product is designed specially for infants with physiological reflux problems, whereas breastfeeding is the best method to deal with this problem.▶



- **Enfamil Prematuros** in Peru competes with breastmilk by claiming it is a complete formula which promotes good visual and mental development.
- Mead Johnson's **Enfamil** label in Indonesia encourages mixed-feeding by recommending it to be used to complement breastmilk for infants under 12 months. It also recommends complementary food for babies above 4 months.
- In Puerto Rico and the Dominican Republic the **Enfamil Lipil** label idealises the product by claiming that the DHA and ARA composition is closest to that of breastmilk.▼



- An **Enfamil 1** label insert in China advertises other **Enfa** products starting from EnfaMama to Enfapro, Enfagrow and Enfakid accompanied by pictures of babies. ▼



- **Pregestimil** label in Indonesia is in English only.

Misleading text and pictures which violate the Code

► **Article 4.2** requires all information material to advocate for breastfeeding and not contain pictures or text which idealises the use of breastmilk substitutes.

► For health professionals, **Article 7.2** of the Code only allows product information which is factual and scientific.



- Leaflets full of baby pictures in China promote **Enfamil**, **Enfamil A+** and **Enfalac**

for infants, **Enfapro** and **Enfagrow** for toddlers, **Junior Sustagen** for older children, and **MaMa Sustagen** for mothers.

- In Argentina the company distributes a booklet: “*Regurgitation affects some 50% of all babies*” and a CD to paediatric students in teaching hospitals. The text misleadingly suggests that 50% of babies suffer from regurgitation and that **Enfamil A.R.** can help reduce the occurrence, while ignoring the fact that breastfed babies have less regurgitation and that it is a normal event. An ad with similar wording appears in the Argentine paediatric journal. These ads are neither “scientific nor factual”.



- The following Mead Johnson booklets were distributed at a Paediatric Congress in Argentina:

► **Enfamil** is recommended for pathological problems that can be resolved by breastfeeding.



► **Lactose-free Enfamil:** “provides essential nutrients similar to those of breastmilk and routine formulas”



► **Enfamil Soya:** gives incorrect information on weaning and diarrhoea and does not mention breastfeeding at all.



► **Enfamil Nutramigen:** portrayed as a solution to (cow's) milk protein allergies.



- Company promoters in China recommend EnfaMama to pregnant mothers, distributing leaflets called *New Mother's Health for 280 Days* which also promote **Enfamil** and **Enfamil A+** as “similar to mother’s milk”.



- A baby care booklet in a Hong Kong hospital has pictures of **Enfamil A+** and **Enfapro** on almost every page. ◀



- A flyer in Hong Kong entitled *How to switch milk* advertises **Enfamil A+** for newborns and **Enfapro** for 6 months and above. A similar leaflet promotes **Enfapro 2** describing the wonders of its DHA content. ▶



- A leaflet in Hong Kong promotes **Pro-sobee**, **O-Lac** and **Enfamil A.R.** while another promotes **Enfamil A+** as the only infant formula with ingredients that

fit FAO/WHO recommendations on DHA & ARA and match those found in breastmilk.

- Mead Johnson leaflets in Mexico claim that “*Mead Johnson’s new formula is the only one with DHA and ARA levels similar to breastmilk and the only one that has clinically proven significant improvements in mental and visual development of babies.*”



Early stimulation for babies from 0-6 months

- A leaflet in a Mexican health facility promotes Mead Johnson’s infant formulas as “*Closer than ever*” to mother’s milk.



“Lets help them to be as brilliant as they can be”.

- In Thailand an **Enfalac HA** leaflet says it is the “*latest technology ... with hypo-allergenic formula, the only formula that gives valuable nutrients close to breastmilk*”.
- Booklets entitled *Enfalac A.R.: Nutrition for regurgitation* claim the product contains essential fatty acids similar to breastmilk.
- In Thailand a leaflet showing a baby claims LCPUFA+s content in formula increases baby’s vision and IQ, like breastmilk.
- Another Mead Johnson leaflet in Thailand claims **Enfalac A**, **Enfalac A+** and **Enfapro** contain nutrients for good physical growth, brain development and immunity and that the whey casein protein ratio is the same as in breastmilk.

Mead Johnson: “Always ready” (Argentina). ▶



◀ A Mead Johnson ad in Singapore, “*With ARA and DHA in Enfapro A+, it is not just toys that catch your child’s eye.*”

Any truth in DHA added benefits?

Shigetaro Asano
President and CEO
Meiji Dairies Corporation
1-2-10, Shinsuna, Koto-ku
Tokyo 136-8908, Japan
Tel: 81 (3) 5653-0300
URL: <http://www.meinyu.co.jp/english/>

Products include:

FORMULA:

Meiji FM-T, Meiji FP-T, Meiji Hohoemi, Meiji Step, Meiji FU, Meiji Soft Curd.

Logos & Icons:

Meiji is one of several companies using its name as a brand name for most of its products.



Cartoon characters are on labels and in ads.



In China, Meiji has added a baby bear to its logo and promotes its products by offering door signs for paediatrician's offices and the like.

With annual sales of 732,368 billion Yen (USD 6.7 billion) in 2002, Meiji founded in 1917, is one of the largest Japanese manufacturers. The company's main business is dairy products, baby foods, and pharmaceuticals. It claims to make unceasing efforts to bring its infant formula "as near as possible to the functions of mother's milk."

Meiji's products include formula, complementary foods, beverages and snacks matched to baby's age. It supplies infant formula mainly in Japan, China, Thailand, Taiwan, Malaysia and Pakistan.

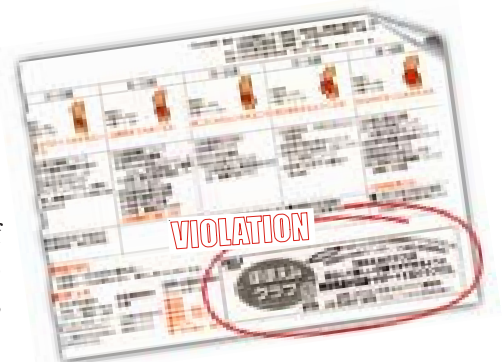
In August 2002, in Japan, the company mislabelled Meiji Step, its follow-on milk, with standard directions for Hohoemi infant formula, causing young babies to suffer diarrhoea and vomiting from consuming the wrong milk for their age. The public outrage reflected in the media resulted in a downturn in sales.

Meiji has engaged in a joint venture in Thailand with the CP Group, and in China it has established a joint venture with a state-run enterprise.

Promotion to the public

► *Article 5.1 of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.*

- A leaflet about the stages of pregnancy, distributed by Tokyo health authorities, contains an ad for Meiji **Hohoemi**.
- In Thailand Meiji mails free samples of **Meiji FM-T** to mothers.
- Meiji advertises **Meiji Step** for babies nine months and older, in a Japanese magazine, with the heading: 'We want to nurture babies and mothers across nations.'
- The Japanese Hohoemi website catalogue compares **Hohoemi** infant formula with breastmilk ("Getting gentler, getting closer to breastmilk") and promotes **Meiji** baby water for use from 2 months.



Promotion at point-of-sale

► **Article 5.3 of the Code bans promotional devices at the retail level.**

- In China, shelf-talkers in stores promote Meiji FM-T and Meiji FU. ►



VIOLATION



VIOLATION

- Meiji towels are offered as gifts with purchases of Meiji FM-T in a China supermarket. ◀

- Leaflets in shops and midwives' stations in Japan offer gifts to mothers when they purchase Meiji Hohoemi formula and submit a form with their personal particulars, enabling future direct contact. ►



VIOLATION



VIOLATION

- Mothers in Japan can collect stickers with purchases of Meiji's follow-up formulas to exchange for a storybook featuring their baby's name as the hero. A similar scheme is used for other Meiji products also. ◀

Promotion in health facilities

► **WHA Resolution 47.5 (1994) urges an end to free or subsidised donations of products to all parts of the health care system.**

► **Article 6.2 bans the promotion of products within the health care system.**

► **Article 6.3 prohibits the display of products, placards and posters or the distribution of company materials unless requested or approved by government.**

- Meiji gives health facilities in Thailand unsolicited supplies of Meiji FM-T and Meiji FU to pass on to mothers as samples. Meiji takes turns with seven other milk companies supplying formula to some health facilities. Meiji products and items are displayed in nurseries, nurses' stations and maternity wards.

- Company reps give mothers in Thai health facilities gift sets that include a Meiji FM-T sample, baby clothes, mittens and Meiji promotional materials.



VIOLATION



VIOLATION

- Gifts such as incubator covers, bags, diaries and calendars with the Meiji logo and brand names are given to health workers in Thailand.



VIOLATION



VIOLATION



- Meiji FM-T and Meiji FU leaflets are given to mothers outside health facilities in China. They contain promotional images and slogans like: "Brain Gold" and "Clever mum's choice" and "Raise an intelligent baby – Choose Meiji". One leaflet claims Meiji products are "suited to Oriental mothers and babies' nutritional needs". "Breastfeeding is best" is superimposed over Meiji FM-T packshots in all the leaflets in an attempt to disguise the promotion.



VIOLATION



- Mothers in Hong Kong health facilities receive card-shaped advertisements promoting **Meiji FU** with a drawing of a toddler wearing a graduation cap and packshots with a cute koala bear on the labels. The text says, “Brighter brain and brighter eyes” and promotes DHA as “Brain Gold”.
- Meiji ad in a Japanese magazine boasts about Meiji’s 80 years of study of breastmilk and pledges to continue producing nutritious and safe milk.



- Meiji gives health workers in Thailand mother booklets that recommend exclusive breastfeeding for only three months and complementary foods from four months. They also recommend formula if a mother cannot breastfeed due to work or insufficient or no milk. Text promotes **Meiji FM-T** and **Meiji FU** as “...complete formulas with nutritious value for good development of children at every age”.

- At a conference in Thailand, Meiji promotes its products in booths and displays.



- A large 2003 calendar with packshots on every page, leaflets and other materials promoting **Meiji FM-T**, **Meiji FU** and Mamilac milk for mothers are commonly on display in clinics and hospitals in Japan.



- A catalogue available at a midwife station in a Tokyo health facility advertises the entire line of Meiji formula, baby foods and several brands of feeding bottles and teats.
- Meiji representatives in Japan give health workers a booklet entitled ‘Maternity Textbook’ to give to mothers. It contains promotional material about Meiji **Hohoemi**, including a comparison with breastmilk.



- A large poster promoting **Meiji FM-T** from birth and claiming it is “Almost a Breastmilk” is found in an Egyptian hospital.

Milupa

Dr. Rainer Siewert
Milupa GmbH
Bahnstrasse 14-30
D - 61381 Friedrichsdorf, Germany
Tel: 06172 / 99-0
Fax: 06172 / 99-1595
URL: www.milupa.de

Products include:

FORMULA:

Aptamil Start, Aptamil Pre, Aptamil, Aptamil HA, Milumil, HN25, Conformil.

COMPLEMENTARY FOODS:

Milupa Cereal, Milubrei, Miluvit, Miluris, Kinder Grieb, Fenchel Milutee, Milupa Infant Foods and Milupa 7 Cereals.

Logos & Icons:

Joining the battle of additives, “LCP Milupan - for healthy development” is the logo and slogan used to describe and promote LCP fatty acids added to Milupa formula products. Its complementary foods are marketed from four months and its juices and teas from as early as the eighth day of life.



Milupa has no strong single set of icons to promote its products. It has dabbled with a cartoon range of sun, moon and stars in the Middle East; its car stickers show a bear, and Milupa babies come and go on hospital posters.

Milupa was founded in 1921 as a family business in a small town in Germany. In 1995 it was bought by Nutricia and became a partner in NUMICO (Nutricia, Milupa, Cow & Gate). Its marketing and labelling remain independent and hence it is reported here as a separate company.

Milupa claims to be the leader in breastmilk composition research by first introducing taurine in 1986, then in 1993 LCPs (long chain poly-unsaturated fatty acids) into infant formulas. After engineering another generation of LCPs in 2001, Milupa went into prebiotics like so many other companies, forever seeking a way of commercial production of natural ingredients in breastmilk so as to exploit it in marketing.

In May 2002, the company's Step 1 baby meal rice cereal was mistakenly filled with Milupa Oatmeal Cereal where gluten content may have adverse effect on those sensitive to gluten. This incident caused the recall of the product in Canada. Then in September of the same year, Milupa's HN25 special formula was recalled in Hong Kong due to contamination by *Enterobacter sakazakii*.

GLOBALISATION IN A NUTSHELL

A label of Milupa Oatmeal Cereal in Canada tells us the product belongs to Nutricia but is distributed by Wyeth, which in Canada belongs to Nestlé.

Promotion to the public

► *Article 5.1 of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.*

- Leaflets at an International Baby/Children Products Expo in Hong Kong contain a “Milupa Mothers Club” entry form that gives Milupa information for direct promotion. The leaflet shows packshots of Milupa cereals and recommends their use from four months. In violation of WHA 47.5, it compares Milupa cereals to traditional porridge in terms of nutritional value, preparation and taste, and says Milupa “wins” on all three counts.



- Milupa cereals are advertised in the *Daily Enquirer* newspaper in the Philippines, showing packshots beneath a picture of a mother feeding her baby cereal. The ad claims: “[Milupa cereals] provide a full range of vitamins and the most important minerals. Two servings of Milupa cereals contain at least 50% of the daily requirements of these micro-nutrients.” It provides an address, telephone and fax numbers and email for more information.
- Milupa's German website contains promotion for all Milupa products, including infant and follow-up formula, and has a baby nutrition advice section for new mothers.

- A father feeding a baby with a Milupa bottle, suggesting relief for mother, idealises the use of Milupa infant formula in ads in both Germany and Lithuania.

- The ad for **Milumil 2**, **Milumil HA2** (for use from four months) and **Milumil 3** (for use from eight months) in the German *Wo Bekomme Ich Mein Baby* magazine also says: “Because **Milumil** is so easy to prepare, Daddy will be happy to substitute for Mama.” It promises that “...your child always gets exact nutrients that it needs for healthy growth”. ◀



Because **Milumil** is so easy to prepare, Daddy will be happy to substitute for Mama.” It promises that “...your child always gets exact nutrients that it needs for healthy growth”. ◀

- In Lithuania, the ad for **Aptamil 3** and **Milumil 3** (both recommended for use from eight months) in a *Tavo Vaikas* magazine is titled ‘The day with daddy’. ▶



- Milupa gives out samples of **Milupa** cereals, recommended for babies below six months, at a roadside stand in Latvia.
- In Serbia, a cute baby picture is used to promote various Milupa products in *My Baby* and *Mama* magazines and in leaflets and posters in Belgrade and Zrenjanin pharmacies and health facilities.



... and here it promotes **Aptamil**, **Milubrei**, **Miluvit**, **Kinder Grieb** all marketed for use from four months, and an assortment of other products for older babies... ▶

The same baby advertises **Aptamil 2** and **Milumil 2** follow-up formulas recommended from four months on posters in Bosnian clinics. ◀



... and here, it promotes **Fenchel Milutee**, an infant tea recommended for use from the second week of life and claimed to prevent colic. The photo insert of this Milupa baby is also used as a poster in health facilities, reinforcing brand recognition. ◀



- An ad for **Miluvit**, **Milumil 2**, **Milubrei** and **Aptamil 2** in *My Baby* magazine in Serbia (left) includes packshots and a phone number for nutrition advice. Similar images appear on height charts (right) in health facilities.



- Milupa exploits breastfeeding in Germany to advertise **Aptamil 2** from four months and **Aptamil 3** from eight months in the magazine *Baby*. The same picture is used on a leaflet for **Aptamil Pre** and **Aptamil HA1** given out at a perinatal conference in Berlin.



Leaflet from Berlin conference

Below the heading “Naturally, we can’t compete with this packaging ...”, the ad (above left) says: “... and breastfeeding is still best for the baby, but when nature does not cooperate, breastmilk-like Aptamil in the blue package will help.” The leaflet (above right) compares the LCP ingredients added to **Aptamil Pre** and **Aptamil HA1** with breastmilk.

- A leaflet inside a maternity wear and baby products catalogue in the UK invites mothers to join Milupa’s mailing list: “...you can expect to receive another precious little bundle – over £50 worth of money-off coupons” Other benefits include: a personalised website to guide mothers through pregnancy and early parenthood, a dedicated careline with mums, midwives and health care professionals offering advice, regular mailings, free samples and monthly competitions. Completed sign-up forms give Milupa information for direct marketing.



- As recently as 2004, the entire range of Milupa formulas are promoted in *Eltern* (Parents) magazine in Germany with claims that prebiotics make **Aptamil** “very close to the original”. ▶



- “Little man. Big business. No problem.” An ad for **Conformil** in *Baby* magazine in Germany says the product can stop loose stools and constipation. ◀

- A leaflet on **Aptamil** and **Milumil** distributed at a perinatal conference in Germany shows packshots and compares the products to breastmilk, saying they are “adapted to breast-milk” and “approach breastmilk”.

Promotion at point-of-sale

► **Article 5.3 of the Code bans promotional devices at the retail level.**

- A booklet in a shop in Serbia promotes **Milubrei** and **Miluvit** products, most for use from four months. ►



- Leaflets given to mothers at a pharmacy in Belgrade, Serbia, advertise **Aptamil 2** for use from four months and offer a free “Milubox” with each purchase. ◀
- In Serbia, Milupa sets up special displays in shops to promote **Milumil** and **Aptamil** and uses tie-in sales and promotional leaflets to boost sales of **Milubrei**.

Promotion in health facilities

► **Article 6.2 - No product promotion in health care system.**

► **Article 7.3 provides that there should be no financial or material inducement, to promote products within the scope of the Code.**

- Milupa gives health workers in Hong Kong towels embroidered with **Aptamil 1**, **Aptamil 2** and **Aptamil 3** and the Milupa logo.
- In Switzerland, health workers give mothers gift boxes that contain samples of **Aptamil HA** and **Aptamil Pre**, Milactin tea for mothers and breast pads.



- Milupa prescription pads in health facilities in Ghana and in Sudan advertise **Aptamil 1** and **Aptamil 2**, other formulas and **Milupa** cereals for infants from four months. Check boxes make prescriptions easy.



The reverse of the leaflet from Sudan suggests strict four-hourly bottle feeds from Day 1. ►



- An advertisement for **Aptamil First** in the *Common Practitioner* scientific journal in the UK compares the **Aptamil** range with breastmilk, makes claims about LCPs and says “**Aptamil** is now Britain’s fastest growing infant milk”.
- In the UAE, Milupa gives health facilities toys and health workers bright red plastic bags with “**Milupa**” in bold on both sides.



- An advertisement in the *Archives of Disease in Childhood* says that “...when a baby is not breastfed, healthcare professionals advise mums to choose an infant milk that contains LCPs”, suggesting infant formula with LCPs is an alternative to breastmilk. The advertisement mentions no brand name but displays Milupa’s name and logo.

- A height chart in a Zrenjanin, Serbia, health facility shows packshots of products, including **Milumil 2** and **Miluvit**, both marketed for use from four months. ►

- In Serbia, items bearing the names **Milumil**, **Milubrei**, **Miluvit** and **Fenchel Milutee** are displayed in health facility waiting rooms.



- In health centres in Sudan, colorful brochures advertise **Milupa** cereals from four months with claims about iron fortification to “prevent anaemia, frequently seen during the weaning period”.
- Doctors in Sudan receive blocks of tear-off sheets about **HN25** as a solution for diarrhoea to give to mothers as “a service of Milupa”.
- A fancy Milupa booklet given out by hospitals in the UAE advocates mixing **Miluris** (as of four months) into breastmilk or formula as a smooth start in weaning. It also promotes **Milupa** teas as of zero months, jarred foods after four months and soluble rusks to be dissolved in breastmilk or formula.

Labelling

► **Article 9 of the Code** requires labels to *NOT* discourage breastfeeding and to inform about the correct use of the product and the risk of misuse.

► **WHA Resolution 54.2 (2001)** advises exclusive breastfeeding for 6 months which means that the recommended age for use of complementary foods cannot be under 6 months.



- **Milutee** (infant tea) labels in Serbia recommend it for use as of one week. The label shows a baby picture and is mostly in German, with only partial translation on a sticker.

- The inside of **Aptamil Pre** boxes in Latvia advertises **Aptamil 1**.
- In Tanzania, **Milupa 7 Cereals** labels recommend use from four months and claim: “The recipe contains pre-biotics which are naturally occurring nutrients similar to those found in breastmilk.”
- **Aptamil 1** and **Milumil 1** labels in Lithuania have no important notices, no mention of the superiority of breastfeeding, and no statement that the product should be used only on the advice of a health worker, yet space is found for graphics to attract mothers.



Misleading text and pictures which violate the Code

► **Article 4.2** requires all information material to advocate for breastfeeding and not contain pictures or text which idealises the use of breastmilk substitutes.

- A leaflet in Ghana compares the protein, fat and carbohydrate content of breastmilk, cow's milk and **Aptamil 1** in a bar graph to show **Aptamil 1** has a “special composition close to breastmilk”. It makes other claims comparing **Aptamil 1** with breastmilk.►



- A leaflet in Macedonia promotes **Milumil 1**, **Milumil 2** and **Milubrei** cereal, saying the products “remove problems in children who eat too fast” and the rich content of complex carbohydrates will make “children relaxed and calm through the night”.

- A glossy Milupa brochure for doctors in the Sudan calls **Aptamil** “the first investment for a child's future” and promotes “An Aptamil for Every Step”: **Aptamil Start**, **Aptamil 1** and **2**.►



- In Ghana, a Milupa poster for its wheat & fruits cereal shows a baby with a bunch of fruits on its head and has the caption “Milupa cereals as natural as nature intended”. The product is recommended for use from 4 months.▼



Morinaga

Akira Ono
Chairman and CEO
Morinaga Milk Industry Co., Ltd.
33-1 Shiba 5-chome, Minato-ku
Tokyo 108-8384, Japan
Tel: +81 3 3798 0152
Fax: +81 3 3798 0107
URL: www.morinagamilk.co.jp

Products include:

FORMULA:

Hagukumi, Chirumiru Ayumi, Morinaga 1, Morinaga 2, Morinaga BF, Morinaga BMT, Morinaga NL33, Chilmil.

OTHER PRODUCTS:

Morinaga Bottled Baby Water.

Logos & Icons:

Morinaga's logo, in some countries still a cow's head, is now supposed to change into a cherub holding the letter "M", except in Japan where the logo consists of a simple but stylised "M" associated with the company's wide range of food products.



In China, Morinaga uses cartoon drawings of elephants on its labels and promotional materials.

Established in 1917 as Nippon Rennyu, the company was reorganised as Morinaga Milk Industry Company in 1949. Morinaga produces mainly dairy products and beverages. It also manufactures agricultural equipment and pharmaceuticals, but food and dairy products accounted for 94% of the company's revenues in 2002.

Morinaga manufactures formula under a 1994 joint venture agreement with Mitsui and Harbin Dairy in China. A chemical license agreement in Indonesia appears to continue but is now with Kalbe Farma since Sari Husada was bought up by Nutricia.

Morinaga Nutritional Foods Deutschland manufactures probiotic cultures (such as *Bifido* bacteria and *Lactobacillus* bacteria), Lactulose (isomerized lactose = prebiotic), Lactoferrin (multi-functional dairy protein) and protein hydrolysates. Many of these go into infant formulas.

In an effort to build a stronger brand, a new corporate image has been forged in 2003 with the creation of a strange-looking 'cherub'.

Sponsorship in Japan of TV programmes and commercials with the new logo started in April 2003.



Promotion at point-of-sale

► *Article 5.3 of the Code bans promotional devices at the retail level.*

- A leaflet about **Morinaga 1, 2 and 3** in supermarkets in China shows the same baby elephant used on the formula labels. The leaflet compares Morinaga formulas to mother's milk.►
- Morinaga uses posters, shelf-talkers and leaflets to promote its products in China. Promoters are sent to shops and discounts are common.



- In Japan a leaflet announces a lucky draw for 45,600 customers of Morinaga powdered milks or baby foods. Prizes include gift cards of up to 100,000 yen for 300 winners and a small can of powdered milk for 12,000 others.◀
- Kalbe Farma, Morinaga's distributor in Indonesia, uses special displays and shelf-talkers, gives samples and offers discounts to promote sales at shopping complexes, where representatives promote **Chil Mil** follow-up formula through direct contact and leaflets.

Promotion in health facilities

► **WHA Resolution 47.5 (1994)** urges an end to free or subsidised donations of products to all parts of the health care system.

► **Article 5.2 and 5.4 of the Code** prohibit companies from giving samples and gifts to mothers.

- Morinaga donates unsolicited supplies of **Morinaga BMT** to health facilities in Indonesia and health workers give them to mothers as free samples.
- In Indonesian health facilities, company representatives obtain mothers' contact information through midwives and call mothers directly to promote **Morinaga BMT** and other company products.
- Morinaga promotional materials are distributed in health facilities in China and Indonesia.
- Morinaga gives baby cots with the company name printed on it to health facilities in Indonesia.

Labelling



► **Article 9 of the Code** requires labels to **NOT** discourage breastfeeding and to inform about the correct use of the product and the risk of misuse.

- Morinaga's **Hagukumi** infant formula labels in Japan have a cartoon drawing of a baby and idealise the product by comparing it to breastmilk. ◀
- The **Morinaga BF** label in China states that "the product is like healthy breastmilk".
- In Indonesia the **Chil Mil** label shows a baby with a bottle and claims the product contains DHA and vitamins for brain development and growth.

Misleading text and pictures which violate the Code

► **Article 4.2** requires all information material to advocate for breastfeeding and not contain pictures or text which idealises the use of breastmilk substitutes.

► For health professionals, **Article 7.2 of the Code** only allows product information which is factual and scientific.

- A leaflet for **Morinaga Baby Water** in Japan encourages bottle feeding, recommending that it be used

to prepare infant formula. It says **Baby Water** "does not break down the mineral balance of formula milk and is therefore ideal for preparing formula". ▶

A cartoon baby appeals: "Mom, make our milk with 'Baby Water', please!"



- An advertisement in a maternity and child health monthly newsletter for health workers in Japan, promotes **Hagukumi** formula by stating "A lot of things we learned from breastmilk".
- In Japan, a maternity health handbook contains an advertisement for Morinaga's **Hagukumi** together with a packshot and the formula's website at:

www.hagukumi.ne.jp



- A leaflet in Japan compares Morinaga's **Chirumiru Ayumi** follow-up formula (for use from nine months) with breastmilk, saying that like breastmilk, it contains lactoferrin to help build resistance to disease. ◀

- In Japan a Morinaga leaflet creates fears and confusion in mothers' minds, warning: "If you feed cow milk, which contains less iron, instead of breastmilk or powdered milk, the risk of iron anaemia will increase ... It might stunt your baby's physical and mental development." It also says: "If you are breastfeeding, it is recommended to continue breastfeeding and start feeding follow-up milk around nine months because iron intake is likely to be deficient around this period."



Nestlé

Peter Brabeck-Letmathe
CEO
Nestlé S.A.
Avenue Nestlé 55
CH-1800 Vevey, Switzerland
Tel: +41 21 9242111
Fax: +41 21 924 2813
Website: www.nestle.com

Products include:

FORMULA:

Aletemil, Alfaré, AL110, Carnation Alsoy, Carnation Follow-up Soy, Alprem, Aletemil HA, Bear Brand, Beba, Beba HA, Beba Pre, Beba Sensitive, Carnation Good Start, Carnation Follow-Up, Lactogen, Guigoz, Nan, Nan AR, Nan HA, Nan Soya, Pre Nan, Nestogen, Nidal, Nidina and Pelargon.

COMPLEMENTARY FOODS:

Alete, Alete HA Brei, Baby Menu, Cerelac, Nestlé Cereal, Nestlé CHE, Nestlé Legumes, Nestlé Bubur Susu, Nestlé Rice, Nestum, Nestlé Prima Infanzia.

Logos & Icons:

Nestlé's trademark family of birds have been fattened up and have now become an icon on formula labels and gift items.



Another new icon, Blue Bear, has invaded hospitals and shops around the world. Blue Bear is conspicuous on all promotion for complementary foods and has become an instantly recognisable mascot even without the company name.



Nestlé claims to be the world's largest and most diversified food company, marketing its products in almost every country in the world. It has grown in the Americas and in Europe, mainly by buying up smaller food companies, by joint ventures and take-overs. In 1985 Nestlé acquired Carnation to win a share of the lucrative US baby food market. Later it bought the Wyeth division of baby foods in Canada.

In Asia, there are fewer companies to take over but Nestlé expects to grow faster on its own steam. At a press meeting in 2003, Nestlé pointed to the 2.4 billion consumers in China and India combined and said it counted on China to become the company's biggest market. Indonesia with 220 million people is a big third in Nestlé's planning.

In terms of product development, Nestlé was quick to have seen the potential growth of 'functional' foods compared to 'normal' foods. "Functional food", Nestlé researchers say, "provides a specific health or performance benefit over that of consuming a normal healthy diet" (sic). Its market grows at about 9% per year, versus 2% for 'normal' food. Instead of creating new brands, Nestlé has been adding a claimed health benefit to existing products and portrays those benefits through branded active ingredients or 'logos' such as "Prebio 1" or "Omega Plus", "Comfort Proteins" and "Bifidus".

In consumer reports, shareholder publications and in reports to the WHO, Nestlé claims to abide by the International Code. Evidence in this report once again shows otherwise. The consumer Boycott of Nestlé products continues in some 20 countries aiming to force the company to fulfill its pledge to comply with the Code. As a first step, Boycott organisers have asked Nestlé to accept that the Code and Resolutions are minimum requirements for all countries. The company refuses to do so.

In 1999 the UK Advertising Standards Authority ruled against Nestlé's claim that it markets infant formula 'ethically and responsibly'. In 2000 the company refused to attend a European Parliament hearing into its marketing of baby foods. In January 2004, the UK Trading Standards Office asked retailers to stop displaying and selling US parenting magazines containing advertisements for infant formula, including Nestlé brands.

Nestle's interpretation of the Code restricts the scope to infant formula and follow-on formula by the same brand name. Even under this very limited interpretation, Nestle 'breaks the rules' as demonstrated by evidence in this report. See Section 1.

Where national measures are inadequate or have expired, as is the case in Armenia and Thailand, Nestle and other companies are quick to return to aggressive and competitive marketing tactics, including free formula supplies to hospitals, samples for mothers, media advertising and seducing health workers with gifts. They only abide by the Code grudgingly when forced.

In September 2001, Nestlé claimed it supported the WHO recommendation of exclusive breastfeeding for six months and would "change labels of complementary foods, including infant cereals and jarred baby foods currently marketed between 4 and 6 months" in more than 150 "developing countries."

**Violations by Nestle have been divided into two sections:
Formulas and Complementary foods.**

Nestle and six months exclusive breastfeeding

Health campaigners have long been concerned about the promotion of products which encourage early weaning. In 1994, the World Health Assembly passed a Resolution calling for action on *"fostering appropriate complementary feeding practices from the age of about six months ... emphasizing continued breastfeeding ... and frequent feeding with safe and adequate amounts of local foods."* This means that complementary foods should not be promoted for use before the age of six months and that local foods can be an adequate complement to sustained breastfeeding.

Because there was little action, in 1996 the World Health Assembly repeated its call and urged that *"complementary foods are not marketed for or used in ways that undermine exclusive and sustained breastfeeding"*. Finally, in 2001 the Assembly issued another recommendation on "six months" and only then Nestlé, as the market leader, announced that it would comply.

In April 2003 the company announced that it had *"completed label changes on complementary foods to follow the six-month recommendation"*. During their general monitoring, IBFAN observers have checked the age recommendations of all companies and provide evidence that the change promised by Nestlé finally occurred in many countries but not in all. See Section 2 for continuing violations.

It is hoped that Nestlé will abandon its double standard and apply the change in all countries, reflecting the universality of the Code and subsequent Resolutions. Other companies would have to follow suit if Nestlé continues a decisive leadership role.

However, at the end of 2003, Nestlé gave a large grant to the American Academy of Pediatrics (AAP) to pay for the cost of sending the AAP 2004 Pediatric Nutrition Handbook for free to over 50,000 doctors. The Handbook reverses AAP's 2000 endorsement of "six months exclusive breastfeeding" by going back to the old "4 to 6 months." The Handbook mentions "4 to 6 months" several times but has only one footnote to say that the AAP Section on Breastfeeding favours the 6-month recommendation. Double standards once again?

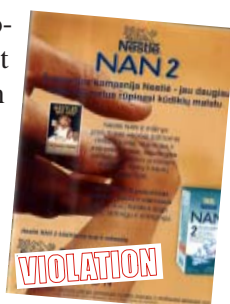
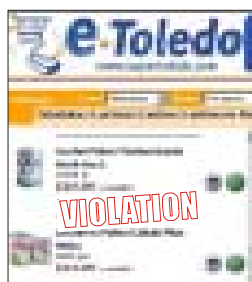
Section 1 – Promotion of formulas

Promotion to the public

► **Article 5.1** of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.

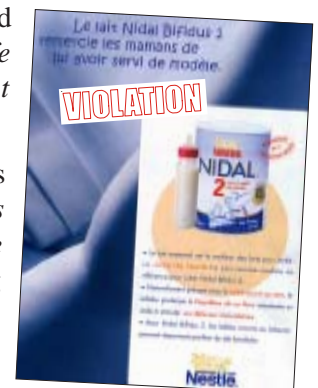
► **Article 5.2 and 5.4** of the Code prohibit companies from giving samples and gifts to mothers.

- In Argentina, a Nestlé distributor uses the Internet (www.etoledo.com.ar) to promote sales of **Nan 1** and **2**, **Nidina** and Nestlé cereals. The text includes an idealising statement which claims **Nan 2** is a "maternalised milk". ►
- Nestlé gives free samples of **Nan 1** in Bulgaria.
- A magazine ad in Lithuania promoting **Nan 2** shows an infant hand reaching for support from an adult. ►
- In Switzerland, an advertisement *Baby Nutrition from Nestlé* in a supermarket magazine promotes **Beba 2** and other products and states that parents can be assured



"...that their child gets, at any step of his development, the nutrition precisely correspondent to his needs. From milk formulas to the delicious little complete menus...". There is a picture of a happy mother and child.

- A parent's magazine in Luxembourg advertises **Beba Sensitive** special formula with the claim that *"Beba is nearly lactose free and suitable for infants who are sensitive to lactose"* and the product gives *"the safe feeling to make the right choice."*
- A French magazine ad says *"Nidal Bifidus 2 thanks mothers for being the model"* thereby equating its formula to mother's milk. ►



Nestlé maintains a US web site: verybestbaby.com

- It promotes **Good Start** formula with the slogan *"It's the Good Start that will last a lifetime."*
- The baby formulas section claims its **Good Start** "Comfort Proteins" are gentle on a baby's tummy and are *"patterned after breastmilk"* containing the *"recommended levels of fat, carbohydrates, vitamins and minerals for baby's first year."*

- The section on “*Choosing a Formula For Your Baby*” idealises bottle feeding by suggesting that “*bottle feeding offers another opportunity for you and other family members to comfort your baby*”. The section ends with a promotional message “*When choosing a routine formula for your newborn, consider iron-fortified Nestlé Good Start Supreme DHA & ARA*”

- **Nan 2** is promoted as Royal feeding in a clever ad in *Kinderen* magazine, Netherlands. “Royal feeding” in Dutch “*Vorstvoeding*” is only one letter away from *Borstvoeding* (breastfeeding). The ad appeared one month after the birth of a princess in the Royal Dutch family. ►



The ad says “*you don’t need to be a successor to the throne to be fed in a princely way.*” “Nestlé. For all little princes and princesses.”

N.B.—Like in other EU countries, the Dutch law is weaker than the International Code and allows for advertising in publications specialising in baby care. The International Code does NOT permit this. Nestlé’s own Instructions forbid promotion of follow-up formula when the brand name is the same as the infant formula name.

- In an amazing flyer obtained on a city bus in **Gaborone, Botswana**, Nestlé violates every article of the Code by showing that it does not! ▼



- * Upon complaint, Nestlé claims that these leaflets were used to “educate their distributors and salespeople in South Africa.”

- In Thailand, Nestlé gives out samples like **Lactogen 1** and **Nan 1** to mothers at home. Samples of **Bear Brand** follow-up formula are given to mothers in an introduction scheme where mothers are asked to provide their friends’ contact information to Nestlé.

Promotion at point-of-sale

► **Article 5.3** of the Code bans promotional devices at the retail level.

- In Armenia, there are special displays of **Nan**. Posters of the blue bear logo have the slogan “*Start with the best.*” ►



- In Malaysia, **Nan 2** sold out quickly when promoted as a special offer. ►



- Nestlé promotes **Nan HA 1** and **Nan 1** by organising special sales in Taiwan. ►



- In Indonesia, a display of **Nan** products is prominently set up near the entrance of a shop in Solo.

- Nestlé sends sales reps to shops and supermarkets in Fuzhou, Nanjing and Wuhan in China to promote **Nan** and **Lactogen**.

- Fortnightly, Nestlé representatives leave promotional materials on **Nan** products at a pharmacy in San Cristobal in the Dominican Republic. Employees receive free samples for themselves and to pass on to customers.

- In Indonesia, Nestlé promotes **Lactogen** and **Nan** through salespeople in pharmacies in Gowa and Sidoarjo. It also offers discounts to customers buying **Nan 1** in shops in Surabaya.

- In Thailand, Nestlé gives out samples of products like **Lactogen 1** and **Nan 1** to mothers in shops.

- A supermarket magazine in Switzerland promotes a range of Nestlé formulas and complementary foods such as **Beba 2** and **Beba 2 HA** and jarred foods all recommended as suitable from four months. ▲



Promotion in health facilities: samples and supplies

► **WHA Resolution 47.5 (1994)** urges an end to free or subsidised donations of products to all parts of the health care system.

- In the Chinese provinces Fujian, Nanjing and Jiangsu, Nestlé donates unsolicited infant formula **Nan 1** to hospitals including Baby Friendly ones.
- In Argentina, mothers receive free samples of **Nan Soya** in health facilities.
- In Armenia, two 450 g tins of **Alfaré hypo-allergenic formula** marked “*sample for professional evaluation*” are routinely given to each patient in a resuscitation unit. Doctors fill up request forms but no evaluation is conducted. ►
- In the Dominican Republic, Nestlé representatives provide free infant formula for display in clinics which the paediatricians will then prescribe to mothers. In one clinic, mothers received **Nan 1** infant formula from nursing staff in the perinatal room and also **Lactogen**, **Nestogen** and **Nestlé Cereals** elsewhere.
- In Peru, Nestlé offers supplies of **Nan**.
- In Indonesia, Nestlé is reported to have donated supplies of **Nan 1** and **Lactogen 1**, either:
 - ❖ unsolicited
 - ❖ or upon request of health workers
 - ❖ or as a sale without collecting payment
 - ❖ or at a hefty discount.



New mother with Lactogen 1 sample in Indonesia

- The company also distributes samples of **Nan 1** and **Lactogen 1** to mothers through Indonesian midwives. Nestlé reps then call on new mothers at home to enquire whether they are still giving their babies Nestlé products. ►

In Thailand,

- Nestlé provides health facilities with free supplies of **Lactogen 1**, **Nan 1**, **Nan HA** and **Bear Brand** follow-up milk. ►



- it actively promotes **Nan 1** and **Lactogen 1** to pregnant women and mothers in health facilities; mothers are given samples purportedly to ‘help them save money.’
- it distributes **Lactogen 1** and **Nan 1** and gift packs through obstetricians, paediatricians, nurses and general health workers who pass them on to mothers. ►
- it recommends the use of its products by distributing promotional materials and samples, offers services and gifts such as special classes on infant feeding and video tapes on pre-natal care such as “*Guide for expectant mother*” to promote company loyalty among women at a time when they are making infant feeding decisions.
- it persuades pregnant women and mothers to fill in forms with their contact information and expected delivery date so that specific product promotion can be mailed out at appropriate stages. Health facilities are asked to distribute samples and sign-up sheets to mothers.



Gifts to health workers

► **Article 7.3** provides that there should be no financial or material inducement, to promote products.

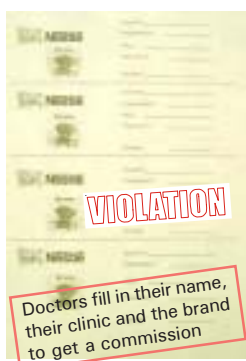
- In Colombia, Costa Rica and the Dominican Republic, gifts such as mouse pads, diaries, clocks, prescription pads and stationeries, all with the Nestlé name and logo, are distributed to health workers.
- In Germany, Nestlé provides health workers with information records used for the transfer of newborns during emergencies. The **Alete** brand logo appears at the bottom of the sheet with the slogan “*All the best for your child*”.

In Armenia,

- Nestlé distributes “Love my mom” baby suits to polyclinics and maternities. ►
- Promotional leaflets on **Nan** are distributed to polyclinics and then passed on to mothers.
- Nestlé distributes prescription forms to doctors in clinics in Armenia. The prescriptions are given to mothers to take to pharmacies where they purchase whatever Nestlé product is prescribed. Doctors then get a commission, reportedly about 10% of the sale. ►
A similar scheme is said to be operating in Bulgaria where the commission is said to be 7%.



The Nestlé Blue Bear mascot is positioned in such a way that the slogan reads “I love my Nestlé mom”



- In Indonesia, Nestlé distributes posters, diaries, calendars, stationery and materials on infant care and nutrition to health facilities which are displayed in waiting rooms, nurseries and doctors’ offices. Many of these materials contain promotional pictures and text for products such as **Nan** and **Lactogen**. Nestlé also provides gifts for distribution to mothers. Gifts vary depending on which class mothers are warded in.
- Nestlé in Nigeria gives out notepads to health workers. Each page reminds them of the Nestlé name and logo with a caption promoting the company as “...the experts in nutrition.” ►
- In Serbia and Montenegro, Nestlé distributes table calendars as gifts to health workers.
- Nestlé wall clocks are displayed in a South African health facility.



Nestlé desk calendar implying medical endorsement



- Nestlé distributes many gifts to health workers in Thailand which feature the company name with and without the logo of the ‘fatted birds’ – organisers, booklets and growth charts, pregnancy cycle cards, candles, paper holders, toys, bags and pens. ▼



Gifts to health workers in Thailand

- In the UAE, Nestlé distributes every year expensive desk and pocket diaries to health workers. ▼



The inside pages of the 2004 diaries promote **Nan 1**, **Nan 2**, **Cerelac** and **Neslac** in the UAE

- In Venezuela, Nestlé distributes aprons with the company name and logo to nurses and other workers in paediatric wards. ▼



Nestlé apron worn by a health worker in Venezuela

Labelling

► **Article 9 of the Code requires labels to NOT discourage breastfeeding and to inform about the correct use of the product and the risk of misuse.**

In most developing countries, Nestlé's formula labels comply with the Code to a large extent although they use small print for the required warnings. Several, however, do violate Article 9 by comparing the product to breastmilk and by using idealising statements such as:

- In China, **Nan 1** labels say "Choose quality food, choose Nestlé" and claim that the product is close to breastmilk. **Nan 1** is idealised by the claim that its low phosphorous content helps calcium absorption and promotes the growth of Bifidus bacteria. ►



- The **Nan** label in Finland claims that it "can be used from birth as an addition to breastmilk or to substitute it" and that the "amino acid composition of the product has been renewed... able to reduce the amount of protein which is now closer to the protein level of breastmilk".
- In Mexico, Nestlé's **Nan 2** label and in Peru **Nan 1** claim the product have "new improved protein efficiency from start."
- In South Africa, the **Lactogen 1** label suggests the product has the same benefits as breastmilk with the claim that it "has all vitamins and minerals required by an infant for growth and development."
- The **Pelargon** label in Tanzania promotes its higher acidic content as being able to aid digestion.

Nestlé occasionally fails to comply with the local language requirement on infant formula labels. In some cases, there is inaccurate translation. For example:

In Armenia,

- the **Alfaré** label has instructions in 13 languages and translation is inconsistent. For example the statement: "Semi-elemental formula with low osmotic activity" in Russian reads as "semi-elemental formula with low asthmatic activity" in Armenian.
- Translation is also inconsistent on the **Nestogen** label. In Russian, there is a statement that breastmilk is the ideal nutrition for a "newborn", meaning a baby below one month, while in Armenian breastmilk is said to be ideal for a "baby".

- Labels on **Pre Nan**, **Nan Hypoallergenic 1**, and **Pelargon** in South Africa are only in English without the local languages as required by the Code.

- Nestlé's **Nan 1** label in Zimbabwe which originates from South Africa is not in the two main local languages which are chiShona and isiNdebele.

- **Nan** and **Nestogen** products in Armenia and Georgia carry images of a large feeding bottle on the label, thus promoting the culture of bottle-feeding. (bottles on labels are only allowed for illustrating the method of preparation). ►



Misleading text and pictures which violate the Code

► **Article 4.2 requires all information material to advocate for breastfeeding and not contain pictures or text which idealises the use of breastmilk substitutes.**

► **For health professionals, Article 7.2 of the Code only allows product information which is factual and scientific.**

Most Nestlé materials are marked "for the medical profession" but they fail to meet the criteria set down under Articles 4.2 and 7.2. The following are examples of materials which fail to meet the mark and are often supplied in bulk and thus made freely available to mothers.

Argentina

- Advertisements in professional journals and leaflets promote **Nan** as "the most complete, balanced and safe range of infant formulas" and "... closest to mother's milk, at lowest price", "nutritive and natural as your love" and "the most economic starter formula". ►



Booklets and brochures for doctors proclaim that breastmilk is best for babies and the warnings about the hazards of bottle feeding are there – in tiny print! – so legally, Nestlé complies with the Code. In practice, promotion dominates by far.

- A **Nan 2** promotion "Nutritionally superior to cow's milk" while **Nan HA** says "Infant formula which prevents allergy". ►



- At a paediatric congress, a Nestlé poster and an advertisement in a scientific journal both claim (liquid) **Nan** is “*The most intelligent choice when it is necessary to replace breastmilk; so intelligent that it even prepares itself.*”



▲
“My first CD” with songs from The Beatles and sounds of laughter of little babies. This CD was distributed at the Argentinean Paediatrics Congress. Inside the case is a coupon to request info about Nestlé’s products for babies.

Huge packshots dominate the congress. ►

VIOLATION



Armenia

- A leaflet found in a paediatric hospital claims **Nan** is a fully adapted infant formula and is close to human milk in content and digestibility.
- Nan** leaflets – *Nan: New with improved quality of proteins* and *Nestlé Nan Acidophilic* - distributed to health workers at a Nestlé conference make broad claims comparing the product with breastmilk and compare the growth of the breastfed child with one who is fed new **Nan**. There are statements which claim that **Nan** promotes formation of bones, brain development and visual acuity.



Promotion for health workers in Armenia

VIOLATION

- A Nestlé Nutrition booklet in Russian promotes the full range of Nestlé infant formula, **Nestogen**, **Nan**, **Alsoy**, **Alprem** and **Alfaré** with a summary of micro and macronutrients added to the products making them closer to breastmilk, closer to nature and fully replacing breastmilk.

Botswana

- An 8-page booklet found in a Botswanan hospital proclaims that “*Growing up is Thirsty Work*” and promotes **Lactogen 1** “for the hungry full term infant” and **Lactogen 2** as “specifically adapted to the needs of infants on complementary food” and “high in bioavailable iron.”



Warnings on back page in small print

- A leaflet 37°C in the shade claims that by using **Pelargon** “diarrhoea and its side effects are counteracted” but fails to explain the risks involved in artificial feeding where water is unsafe.

China

- A leaflet in a Chinese maternity ward, *Nan healthy baby, the future will be even brighter* claims that **Nan 1** is the only formula that is low in phosphorus and closest to breastmilk. The background is similar to a **Nan** label. ►
- Another Chinese leaflet with a similar picture asks “*Why the Nan baby’s bottom is not red?*” Two of the babies suffer red bottoms but the one fed on **Nan** does not, implying that **Nan 2** with Bifidus can prevent sore bottoms.
- An advertisement in a professional journal promotes **Lactogen 1** and **Lactogen 2** by showing a colourful sketch of children playing accompanied by the slogan “*Look! More and More Lactogen Babies Grow Healthily and Happily*”. The advertisement claims that **Lactogen** is the leading brand in China and uses advanced technology in its manufacture. ★ (see page 60)



- A **Lactogen** leaflet starts with the slogan “*the natural smell of milk and DHA content makes your baby healthy and smarter.*” The same slogan also appears on a **Nan** ▲



leaflet. Nestlé denies it portrays bottle feeding as equivalent to breastfeeding and explains instead that DHA oxidises easily and can develop a fish off-taste and that Nestlé’s manufacturing process ensures the natural taste of milk is preserved.*

- A **Nan** leaflet proclaims that “*raising an intelligent child is no longer an impossible dream*” with **Nan 1** and **Nan 2** and that the Bifidus in **Nan** makes “*excellent baby*”.* ►



Dominican Republic

- A **Nan** leaflet in the waiting room of a paediatric clinic says that “*the best infant formulas have a composition qualitatively and quantitatively adapted to human milk*”; “*New Nan – optimum calcium phosphorus ratio ... in quantities closer to human milk*”
- A booklet “*Nucleotides in infant nutrition*” given to mothers in clinics states that “*Nan 1 starter formula has added nutrients to cover the needs of the newborn, among them nucleotides*”. The booklet promotes **Nan 1** as equivalent to breastmilk.
- **Nan 1** booklet *Importance of adequate protein ingestion* found in clinics bears the message - “*Breastmilk: high quality protein; Nan 1: the appropriate alternative*”. There are tables comparing **Nan 1** composition to that of breastmilk. It claims that the stool patterns of babies fed on **Nan 1** are similar to those fed on breastmilk.
- A magazine advertisement for **Nidina** follow-up formula says “*Give him all the protection he needs*” and uses a baby picture to promote the use of **Nidina** as of four months.

Georgia

- A **Nan** leaflet found in a doctor’s office claims that its protein, carbohydrate, amino acid and mineral components are close to mother’s milk.

* Too little, too late – pursuant to complaints made to Nestlé China on the materials marked * on this page and on page 59, the company agreed to either withdraw or amend the materials.

- Leaflets promoting **Nestogen** infant formula featuring a packshot of the product and a huge bottle and teat are found in health facilities, shops and pharmacies.



- In **Finland**, a brochure aimed at health care professionals compares **Nan** baby formula to breastmilk. ►

Germany

- Booklets distributed to health workers at a perinatal conference in Berlin have many phrases discouraging breastfeeding or equating Nestlé products to breastmilk. For example –

- a booklet titled *Allergen-Low Infant Nutrition with Alete* displays a healthy infant on the front page with the motto “*All the best for your child*”.
- booklet for parents has advertisements for **Aletemil HA 1 & 2** and has the **Alete** slogan “*All the best for your child*”. There is a statement claiming that “*Babies need allergen-low nutrition to prevent allergies. If there is not enough breastmilk, Aletemil HA is ... the proven alternative from birth.*”
- A booklet for parents – “*Intensive care unit for infants – advice for parents*” advertises **Alete HA Brei** and features the **Alete** slogan “*All the best for your child*”. Complementary feeding is suggested to start as early as four months.
- A daily nutrition booklet meant for parents recommends the use of **Alete** complementary foods from the fifth month and baby teas from the second week of life.
- A **Beba** booklet claims that it can solve infant colic with its low lactose content.

- A **Beba Pre** leaflet titled “*Nestlé Beba Pre even nearer to the natural model*” equates **Beba** to breastmilk. It also claims to contain proteins “*even closer now to mother’s milk.*”



- A **Beba Pre** booklet uses phrases like “*... history of life-saving Nestlé products*” to catch the attention and confidence of the reader. Text like “*Beba Pre contains nucleotides modelled on breastmilk*” attempts to equate bottle feeding with breastfeeding.

- In **Ghana**, Nestlé reps persuade health workers of a baby-friendly hospital to accept **Lactogen 1** and **2** promotional leaflets on the grounds that HIV+ mothers, orphans, mentally sick or caesarean mothers

would need it. The front of the leaflet shows packshots of **Lactogen 1** and **2**, while under **Lactogen 1** it says “the right choice” and under **Lactogen 2**,

“Two feeds of Lactogen 2 a day provides the daily protection needs of the infant”.



- A booklet titled *I am Breastfeeding my Baby* is endorsed with the statement that it is “Educational materials for mothers for distribution by health professionals only. Presented with compliments of Nestlé.” It contains misleading information on breastfeeding and was



stopped from circulation by Ghanaian authorities in June 2003 after complaints by health workers. In March 2004, the booklet, purportedly revised, is back in circulation but still has misleading information particularly on positioning and attachment.

- A six-page brochure—*Nan 1 – The New Standard: Closer to the reference* – in Ghana is portrayed as scientific and factual information for health professionals. It promotes **Nan** as having “a protein content equivalent to the mean density of mature breastmilk and an increased protein quality closer to the nutrient composition of human milk.”



- A leaflet found in a supermarket in Arkhangelsk, **Russia** promotes **Nestogen** and idealises the use of formula with a large bottle printed on the front and back of the leaflet. Packshots of five other products are shown – **Nan**, **Alprem**, **AL110**, **Alsoy** and **Alfaré**.



- A poster displayed in a pharmacy in South Africa – “The Lactogen range, the specialty range and introducing the range of **Nan**” – shows a row of **Lactogen** and **Nan** products.

- A **Nan** booklet found in a doctor’s office in Serbia promotes its lactose-free formula by implying medical endorsement of the product with a nurse’s cap and a stethoscope ‘worn’ by a **Nan** tin.



- Another Serbian brochure entitled *Nan 2 Follow-Up for Older Infants* shows a beautiful picture of a baby’s hand clutching an adult’s finger together with the Blue Bear mascot on a label of **Nan 2**. It could symbolise bonding. It also equates bottle feeding to breastfeeding by stating that “*Nan is the first choice at the right moment*”.



Thailand

- A **Nan 1** brochure claims to have “new improved protein efficiency” and starts with the statement that “breastmilk is best” with a page showing the face of a baby next to another page showing the mother’s breast. The leaflet opens up to symbolically separate the baby from the breast with a picture of **Nan 1** and the statement that “*Nan 1 is closer now than ever ...*”



- A **Nan 1** brochure found in a Thai hospital claims the product “gives valuable nutrients which have complete benefits for baby from birth to one year.” It also equates the product with breastmilk by claiming that “the amino acid profile of *Nan 1* is close to breastmilk and is suitable for the best growth”. The brochure uses the picture of a lovely healthy baby with the caption “add value with quality protein...”.
- A brochure *Protect your baby from allergy* shows a picture of a healthy looking baby with a happy family. The brochure states that if a mother is not able to breastfeed, the risk of allergy in the baby will increase and the alternative would be to use **Nan HA** formula which is similar to breastmilk.

- Other brochures found in a hospital promote **Nan HA** under different slogans such as “*Protect your beloved baby from allergy*”, “*Nan HA: for baby...there's no risk involved.*” All claim to decrease the risk of allergies in a child because of small molecules of proteins which ease digestion and absorption like breastmilk. A statement boldly equates **Nan HA** to breastmilk by stating that “*If mother cannot breastfeed, risk of allergy will be increased. The other choice is hypoallergenic formula (HA) which is similar to breastmilk.*”
- A leaflet given out at a perinatal conference offers free membership of Nestlé's *Dear Mom Club* which comes with the promise of programmes for mother and child and free gifts.
- A **Nan 2** brochure, part of a set called *Full of Love from Mother's Breast* claims that it contains Bifidus BL which promotes body resistance and prevents infection the same way as in breastfed children. Another brochure in this set promotes **Nan HA** as similar to breastmilk with a statement “*Breastfed baby and/or Nan HA fed baby can reduce the incidence of skin allergy*”. It idealises **Nan HA** with a picture of a healthy baby.
- A leaflet on **Nan HA, Nan 1** and **Nan 2** with a healthy baby picture idealises the use of the products with the caption “*Complete nutrition for healthy growth and development*”.



A selection of the many information materials for health professionals in Thailand – they are not restricted to scientific and factual matters.

- Numerous copies of a leaflet found in a waiting room of a community health centre in **Trinidad and Tobago** describe the “*unique characteristics*” of Nestlé's soy-based **Carnation Alsoy** - “*nutritionally complete*” and **Carnation Follow-up Soy** - “*slightly sweeter taste than soy starter which increases compliance in infants*”. **Carnation Good Start** is “*designed to keep the osmolality similar to breastmilk*” producing “*stool consistency similar to breastfed infants*” and **Carnation Follow-up** is “*enriched with vitamins and minerals for healthy growth and development.*”
- In the **UAE**, a brochure for **Guigoz 1** and **Guigoz 2** for the medical profession specifically targets mothers in the Middle East with claims that the improved formula addresses mother's worries regarding a list of common ailments including “*fever, coughs and colds, colic*” and “*baby not developing normally: weight, walking and talking, etc., baby not sleeping well*”.
- A leaflet on Nestlé **Carnation Follow-up** formula in Trinidad and Tobago claims that the product is a “*nutritionally complete baby formula specially formulated for babies 4 months of age and older to ensure active babies' needs for calcium*” and although “*starter formulas are adequate for the first year; ...Follow-up provides extra nutrition insurance*”. “*Priced to save parents up to 20% compared to Enfamil (Mead Johnson) and Similac (Abbott-Ross)*”, it “*helps promote the continued use of an iron-fortified formula throughout the first year of life*”.



Contrary to what the picture shows, women in the Middle East do not sleep in their head-dress. Guigoz claims credit for the peaceful scene of both mother and baby sound asleep (and far apart).

- Nestlé promotes **Lactogen 1** by distributing a four-page card leaflet in health facilities in **Vietnam**. This leaflet has packshots of **Lactogen 1** with ‘rays’ emanating from a can and arching towards the baby's brain, bones and body implying the product is beneficial to the baby's growth and development.



Section 2 – Complementary foods promoted as breastmilk substitutes

In September 2001, Nestlé announced its support for Resolution WHA 54.2 (2001) which recommends exclusive breastfeeding for six months. The company promised to change its labels in more than 150 developing countries although the Code and subsequent resolutions apply universally. Nestlé's initiative, however was welcomed as it showed goodwill and leadership over other companies which so far have ignored the need for label change.

This section shows, unfortunately, that Nestlé was slow to fulfill its promises. Monitors in a dozen countries still found many labels and ads with the four-month recommendations which undermine exclusive breastfeeding. The evidence recorded here is based only on reports after Nestlé's April 2003 announcement that it had "completed the change."

For reasons of space, we are not reporting on the great number of pre-April 2003 violations of complementary foods promoted as breastmilk substitutes.

Promotion to the public

► **Article 5.1** of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.

► **Article 5.2 and 5.4** of the Code prohibit companies from giving samples and gifts to mothers.

- In Argentina, Nestlé promotes sales of formula and complementary food through (www.etoledo.com.ar). Nestlé purees are promoted as suitable for use as of four months and Nestlé cereals do not have any age recommendation. (30 Oct 2003)



- In shops in Botswana, **Nestum** cereals labelled from four months are sold at a discount and advertised in weekly special sales flyers as newspaper inserts, hand-outs in stores, to homes and on the streets. (Aug 2003). By Jan. 2004, Nestlé cereals in Botswana were still labelled at four months.

In Bulgaria

- An advertisement in a magazine shows a happy couple with their baby on a beach with a pack shot of **Baby Menu** recommended for use from four months (April 2003).►



- Another magazine advertisement shows a toddler and a whole range of eight Nestlé foods: three are recommended from four months and a partially hidden one is labelled from three months. (June 2003)

- In **China**, label changes took effect mid-2003. Even so, in August 2003, an advertisement in a scientific journal shows 15 very young babies (below six months) competing in a global baby competition and with the winner being a baby fed on cereals under the Nestlé Nutrition Plan.



Upon complaint, Nestlé China argues that it is allowed to advertise to health professionals (companies are only allowed to provide factual and scientific information) but agrees nevertheless not to continue with the ad.

In Hong Kong

- Blue Bear stickers with packshots of "Infant Cereal Rice" and "Infant Cereal Milk" both labelled for use from four months onwards are distributed at the Hong Kong Baby Products Expo (Aug. 2003).



- Coupons with an attached application form to join the *Nestlé Caring BB World* are found in Hong Kong. Upon submission of the form, a free bib bearing the name of the baby is given as a gift. Cereals in Hong Kong are marketed for use at four months (Aug. 2003).▼



- A leaflet in Hong Kong entitled *The Nestlé Nutrition Plan* promotes “*The New Improved Formulation of Nestlé Infant Cereals*” from “*Stage 1*” (from four months) “*so that your baby always gets the right nutrition at the right moment of development*”. The Blue Bear mascot is featured with a bowl of cereal. (July 2003) ▼



- Nestlé set up a stall at a Baby/Children Products Expo in Hong Kong to give out coupons which indicate that products are sold at special prices at the exhibition. When mothers fill in forms attached to the coupons they may select to receive samples of **Nestlé Cereal** recommended for use from four months or Neslac growing up milk. (Aug. 2003)
- A community service billboard in Indonesia reminds mothers to send their babies to the community health centre and at the same time, advertises **Nestlé** milk porridge at four months with the slogan “*Growing Moments, Nestlé Moments*”. (April 2003) ►



- A 24-page booklet delivered to Italian homes presents **Nestlé** ready-to-use complementary foods many of which are recommended from four months (April 2003). ►
- In Italy, Nestlé sends out gift boxes of **Nestlé Cereals** or **Nestlé Prima Infanzia purees** by mail to mothers. These gift boxes contain a



“Dear Mom” letter emphasising the need to start baby on complementary foods, either cereals or purees, as of four months. The letter fails to mention the importance and benefits of exclusive and sustained breastfeeding. The gift pack also

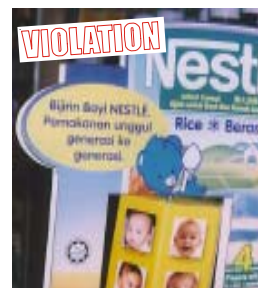
contains a discount booklet with eight coupons worth a total of €4. (April 2003)

- In pharmacies in Milan, Italy, Nestlé aggressively promotes their **Nestlé Prima Infanzia** products through the use of special displays, piles of promotional materials which encourage the use of the products as of four months, special occasion leaflets, special sales, discounts and shelf-talkers. (June 2003)
- A Lithuanian magazine ad offers a free pair of Nestlé Blue Bear socks in exchange for a Blue Bear cut out from **Nestlé** cereal boxes. Some of the products are recommended from four months onwards. (April 2003) ►



In Malaysia,

- Free sample of **Nestlé Rice Cereal** recommends the products as suitable for use as of four months of age. (Nov. 2003)
- Shelf talkers promote **Nestlé Rice Cereal** in supermarkets with the slogan “*Nestlé Baby Cereal, weaning babies for generations.*” Label indicates four months. (April 2003) ►



In Serbia,

- An advertisement in a Serbian magazine recommends weaning with **Nestlé Rice Cereals** from four months. (July 2003)
- A leaflet headed “*Nestlé: Why compromise when it's the question of baby's growth?*” found in a Serbian shop advertises complementary foods from four months with packshots of jarred foods and a picture of the Blue Bear carrying a sign with a big ‘4’ on red background. (July 2003) ►
- A magazine advertisement for cereals with the same slogan induces mothers to submit their particulars on coupons which entitle them to receive free bibs from Nestlé. (July 2003)



- A **Nestum** Blue Bear leaflet from Trinidad and Tobago talks about introducing cereals from six months but one of the packshot labels has a four-month recommendation. (Nov. 2003) ►



- ◀ In Serbia where cereals are labelled for four months, a pharmacy gives out Blue Bear car stickers to mothers.

Promotion in health facilities

► **WHA Resolution 47.5 (1994)** urges an end to free or subsidised donations of products to all parts of the health care system.

- In the Dominican Republic, mothers receive free samples of **Nestlé Cereals** in health facilities (July 2003).



- In Indonesia, Nestlé put up a signboard for a maternity in Indonesia which features the names of Nestlé and the **Cerelac** brand at the entrance of a health facility (April 2003). ◀



- A prescription pad in a United Arab Emirates hospital shows pack shots with check boxes and recommends cereals and other complementary foods from four months (Nov. 2003). ►

Labelling

► **WHA Resolution 54.2 (2001)** advises exclusive breastfeeding for 6 months which means that the recommended age for use of complementary foods cannot be under 6 months.

- **Nestlé Prima Infanzia** puree label in Italy recommends it for babies from the age of four months,

before complementary foods are necessary. **Nestlé's** Blue Bear features on different types of puree. **Nestlé non-milk cereal** label advises that "milk feeding, preferably with breastmilk should continue as long as possible" but recommends the product for babies from four months. (April 2003)



- **Nestlé CHE** cereals in China are recommended for four months and show a large baby picture on label. (May 2003)

- In Malawi, the **Nestum** label carries the age recommendation of four months. (July 2003)
- **Nestlé's** infant juice labels in Switzerland recommend the product for babies from four months. There is a special coupon on the label for collection of "bear points" in exchange for special offers. (July 2003)
- In Vietnam, **Nestlé fruit purées** are labelled as suitable for use from four months. Text on the carton is in French but a sticker in Vietnamese pasted over the bottle's label shows only the composition of the product. (Oct. 2003)



- Similarly, **Nestlé fruit purée** label in Indonesia is packed in a cardboard carton with mainly French and English texts. Worse, the cardboard packaging recommends use from six months but the bottles inside the packaging have labels which recommend four months. (Aug. 2003)



“four months” on its way out ... Blue Bear comes in



The Blue Bear mascot for Nestlé's complementary foods is quickly finding its way into neonatal, maternity and paediatric wards to promote brand recognition and tempt parents to introduce complementary foods early. Several ads address new mothers.

Promotion in healthcare facilities

- Nestlé gives out ball-point pens with the Nestlé name and the Blue Bear mascot to health workers in Armenia. The Blue Bear icon promotes Nestlé's cereal products.

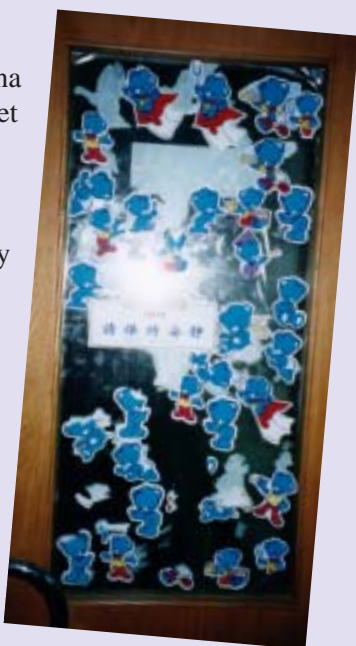


- Many maternity and paediatric hospitals in China have notice boards on infant care and feeding. Those sponsored by Nestlé sport conspicuous Blue Bears.



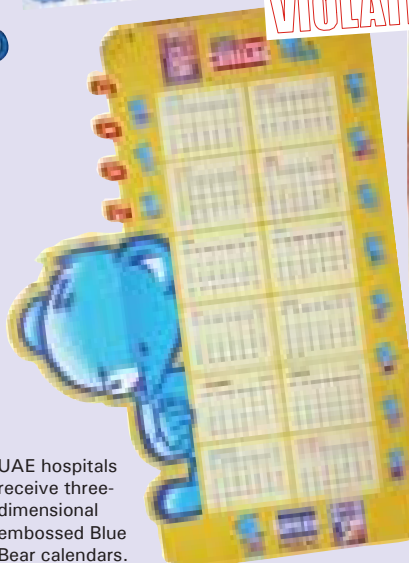
The ubiquitous Blue Bear in a variety of poses adorn boards like this in Chinese hospitals

- Unsuspecting health professionals in China were glad to use sheet after sheet of Blue Bear stickers on paediatric doors and neonatal walls totally unaware that these decorations were clever advertisements for complementary foods which their little patients would not need for at least six months or never. (WHO recommends home-made complementary foods out of local ingredients).



Blue Bear stickers cover the entire glass door to a neonatal ward.

- In Malaysia, Nestlé distributes stacks of notepads to health facilities with company name and Blue Bear mascot in various poses.



UAE hospitals receive three-dimensional embossed Blue Bear calendars.



- Nestlé distributes large Cerelac calendars to health facilities in the UAE and Russia where Blue Bear features as a common denominator. Various packshots promote products. Cerelac is described as "a spoonful of love."



- Free 15gm sachets of infant cereals recommended for use from four months are at the reception of a clinic in Malaysia. There is no limit to the amount that can be taken by patients. Nestlé representatives also visit antenatal classes and distribute door gifts comprising samples and pamphlets of Nestlé Cereals.

- A card “An Invitation to all New Mothers” found in a Singaporean clinic offers mothers to enrol in Nestlé’s *Infant Nutrition Plan*; it requires contact information of mother and baby’s birth details.

It promises a free sample upon enrolment and promotes Nestlé products including four cereals recommended for four months.



VIOLATION



Nestlé Baby News website (top)

- Nestlé gives mothers an introductory copy of *Nestlé Baby News* magazine in maternities in Switzerland and sends updates and promotions by mail. The magazine advertises its website which shows a banner of Nestlé baby services and Blue Bear links to Nestlé’s website.



VIOLATION

- Found in a doctors cabinet in Georgia, a guide for mothers shows pictures of an infant being spoon-fed and a mother bottle-feeding her baby. Blue Bear wearing a bib reminds her of Nestlé cereals. The text discourages breastfeeding
- “If you can’t breastfeed your baby, use specialised infant feeding products, which are very close to breastmilk.”



VIOLATION

- A leaflet distributed at a paediatric conference in Lithuania promotes the use of all Nestlé products except for infant formula. Many Blue Bear cereals, purées and juices are recommended from four months.



VIOLATION

- A leaflet *When Life’s Appetite is On the Rise*, found in a doctor’s office in Serbia, features a child’s impression of Blue Bear. An ‘actual’ Blue Bear is pictured on the front while on the back page is a feeding table advising complementary feeding from four months.



VIOLATION

- A leaflet in a Macedonian doctor’s office shows a range of Nestlé cereals recommended for use at four months. Other products on the leaflet includes fruit juices and purées.

Nutricia

Jan Bennink
Chairman and CEO
Royal NUMICO N.V.
Rokkeveenseweg 49
2712 PJ Zoetermeer
The Netherlands
Tel: +31 79 353 9000
Fax: +31 79 353 9620
Website: www.numico.com

Products include:

FORMULA:

NUTRICIA—Nutrilon, Nutrilon Premium, Nutrilon LF, Nutrilon Soya, Nutrilon AR, Nenatal, Nutriben, Nutricia Soya, Nutriprem, Bebelac, Bebelac EC, Kissing My Baby, Malish, Malutka, Nutricia Infacare, Vital Infantil, KAS 1000, L-K Infantil, Bago Prematura.

COW & GATE—Cow & Gate Premium, Cow & Gate Follow-On, Cow & Gate Step-Up, Cow & Gate Next Step, Cow & Gate 2 Plus, Omneo Comfort.

SARI HUSADA—SGM, Vitalac.

COMPLEMENTARY FOODS:

Cow & Gate jar foods, Cereal Nutricia, Crème Nutricia, Nutrix, Bambix, SGM.

Logos & Icons:

NUTRICIA



Nutricia, the largest Dutch baby food manufacturer, belongs to the Royal NUMICO holding company (1998) coined after Nutricia, the mother company, Milupa, a German baby food manufacturer (bought in 1995) and Cow & Gate, acquired by Nutricia in 1981. The range of Bebelac products (formerly by Lyempf) are now marketed under the Nutricia label. This report looks at all companies under NUMICO, except for Milupa which is analysed separately as it sticks to its own brand names and promotional schemes.

Debt burdened NUMICO has been undergoing a restructuring drive, after an expensive adventure into the North American vitamin business. Divestment activities saw the sale (at a huge loss) of its nutritional supplements subsidiaries, GNC (US), and Vitamex (Sweden). NUMICO now intends to once again focus on baby food and clinical nutrition in order to become a “*high-growth, high-margin specialised nutrition company*”. It offloaded Nutricia India, described as a ‘low-margin start-up dairy and baby food operation’ which saw losses in the first half of 2003 and also discontinued Mococa dairy production in Brazil.

Hoping to save costs on its baby food production in Western Europe, NUMICO plans to reduce its plants from 16 to 9 by 2005. The company wants to take advantage of Poland’s entry into the European Union by tripling production at its Polish plant. Nutricia Polska already exports 30% of its production to non-EU countries but will now increase exports into the EU.

Net sales in the baby food sector increased by 5.6% in 2003 to €1,016 million. The market grew especially in the UK, Ireland and Belgium. The growth outside Europe was even stronger, some 12% with Russia, Turkey and Indonesia being the top buyers. Most of the growth, production-wise, was in formula (7%) while cereals and jarred food only increased by 3%. In 2003, Nutricia Belgium was forced to recall over 100,000 bottles of Olvarit baby food when shards of glass were found in a bottle.

In February 2004, IBFAN was alerted to a commercial campaign by Nutricia in China. The campaign, due to start in March, intended to give away 50,000 CDs with famous children’s songs in order to entice mothers to buy Nutricia baby formula. Nutricia’s Director in China said: (with these CDs)... “*we have gold in our hands*”. IBFAN-ICDC launched a protest as the scheme was a clear violation of the Code as well as the Chinese law. Nutricia promised to modify the campaign “*to comply with Code*” and at the time BTR goes to press, the CD campaign remains suspended.

NUMICO claims to abide by the International Code and has issued “Guiding Principles for the Marketing of Infant Formula”. Unfortunately these Principles only govern the marketing of “*starter infant formula*”. This is clearly in contradiction of the scope of the Code which encompasses “*all breastmilk substitutes*”. The Guiding Principles also fall short of other minimum requirements set by the Code and fails to pay any attention to subsequent World Health Assembly Resolutions which enjoy the same status as the Code.

Promotion to the public

► **Article 5.1** of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.

► **Article 5.2 and 5.4** of the Code prohibit companies

- In Botswana, a store flyer distributed to homes, shops, motorists and pedestrians and as newspaper inserts offers discounts for **Nutricia Infacare** products.
- In China, a magazine advertisement – “Are you sure your baby will be excellent?” – shows 3 rabbits on a race track with 1 rabbit way ahead implying that excellence is due to added DHA and fructose, reasons for mother to choose **Kissing My Baby**, by Nutricia. ►



- An advertisement in a Chinese magazine shows a baby and the slogan “Kissing my baby, giving more confidence” and pack shots of **Kissing My Baby Follow-up** formula. At the bottom of the ad is a form to join the ‘Kissing My Baby’ club. ◀

- Nutricia gives out leaflets in shops in Curaçao about formula products **Nenatal**, **Nutrilon 1** and **2**, **Omneo**, **Nutrilon Lactose Free**, **Nutrilon Soya 1** and **Soya Plus 2**. Other leaflets contain information on 3 different types of Nutricia cereals: **Cereal Nutricia**, **Crème Nutricia** and **Nutrix**; all recommended from 4 months.
- Also in Curaçao, Nutricia offers new mothers a free “Happy Baby Box” which they can obtain by presenting and stamping their baby’s birth certificate at the distributor’s office. The box contains a package of **Nutrilon Follow-on** (6-12 months), **Cereal Nutricia** (four months) **Crème Nutricia** (four months) and gifts, such as a toy bear and a spoon bearing the Nutricia name.



- In Indonesia, company representative in shops claim **Nutrilon** can provide the same nutrients as breastmilk, help the baby gain weight and promote the increase of brain cells.

- Mothers in Indonesia intending to return to work receive samples of **Nutrilon Premium 1**, **Crème Nutricia** recommended from 4 months and leaflets on Nutricia Baby Club. ►



- In China, Nutricia encourages sales of its products with tie-in sales and offers towels with purchases.
- **Cow & Gate Follow-on** is advertised on the Hong Kong TVB Jade Channel.
- In Ghana, special placards for **Cow & Gate Cereals**, recommended for infants as of 4 months are seen in many shops.



Ghana: Poster with two adorable babies shows Cow & Gate brand name and the Nutricia logo to promote brand recognition. The company also offers “Buy 3 get 1 free” promotions for **Cow & Gate Cereals** for four-month old infants.

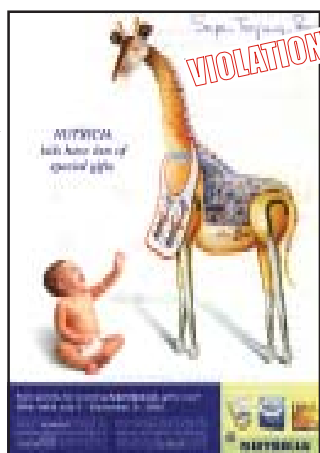
- In Indonesia, Sari Husada promotes its **SGM 1** formula with special displays and shelf-talkers in supermarkets.
- Also in Indonesia, Nutricia sets up special displays at strategic places in supermarkets for products such as **Bebelac**, **Nutrilon**, **Nutrilon Premium** and offers gifts with purchases.

- The *Parenthood* magazine in Malaysia advertises **Crème Nutricia** recommended for 4-8 months.
- An ad for **Crème Nutricia** in the daily *Star* newspaper in Malaysia: “Perfect balance”. ►



- Buy Nutricia baby food and redeem gifts shown in the giraffe! (Malaysian supermarket flyer). ►
- In the Netherlands, Nutricia took advantage of the birth of a Dutch princess to offer special gifts: all babies born on the same date (7 Dec 2003) received a gift pack including complementary food for 8 month-olds. Purchase of 10 Nutricia products (excluding infant formula) allowed for a free gift of royal orange baby slippers.

This may not be a violation of the weaker Dutch law but it contravenes the International Code



- Early weaning advocated on this leaflet for mothers in Serbia: *"Bebelac cereals for the first non-milk feeding at 4 months."* ▲
- **Bebelac** poster in Serbian shop promotes formula. An ad with the same picture is seen in a magazine in Bosnia & Herzegovina. ▲
- In the UK: four **Cow & Gate** baby jar foods for the price of three. The jars are labelled from 4 months. ►



Buy four – get one free!



- A shelf talker in a UK shop offers
◀ *"New lower price"*.

Temporary discounts are promotional and follow-on milks are breastmilk substitutes.

- **Cow & Gate Step-Up and Next Step** formulas (3 for 2 promotion) are advertised in a supermarket in-house magazine (UK). ►



- Cow & Gate takes out advertorials in the UK *Baby & You* magazine which purport to give weaning advice but actually promote its new range of baby drinks promoted from 4 months.
- A tie-in-sale in the UK encourages mothers to buy three Cow & Gate formulas (including **Premium 1** and **2 Plus**) and get one free.
- Another advertorial in the UK *Mother & Baby* magazine appears as a Q&A from a mother but actually promotes Cow & Gate's **Omneo Comfort** which is claimed to be *"specially formulated for babies with sensitive digestive systems."* The article shows a pack shot of the product and asks the reader to enter into a draw to win 'comfort packs' – which includes a baby sleeping bag and cuddle robe.
- The UK parent's website – www.ukparents.co.uk – contains a link to www.readymilk.co.uk/uk2shop.htm – which advertises pre-made Cow & Gate **Premium** formula in sterilised disposable bottles with the heading *"Making feeding easy – Ready Milk"*.



- This advertisement in the UK promotes a new range of drinks which *"introduces your baby to new fruits and flavours, helping them to expand their repertoire of tastes from an early age. Suitable for babies from 4 months..."*. ◀

Promotion in health facilities, supplies and promotion to health workers

- **WHA Resolution 47.5 (1994)** urges an end to free or subsidised donations of products to all parts of the health care system.
- **Article 7.4** allows samples to health workers only for research purposes. Health workers may not pass on samples.
- Health facilities in the Dominican Republic display items, which carry the **Nutrilon**, **Nutricia Soya** and **Nutribe** brand names, in waiting rooms, paediatric wards and on office shelves.

- Nutricia distributes unsolicited supplies of **Nutrilon** to health facilities in the Dominican Republic which are subsequently distributed to mothers. Nutricia presents gifts of calendars, and blocks of notepads to health workers, all of which contains either the **Bebelac 1** or **Nutrilon** brand names and the company name and logo.
- In Argentina, Nutricia Bago provides unsolicited supplies of **Kas 1000**, **L-K Infantil** and **Nutrilon Soya** to health facilities. Health workers pass them on the mothers as free samples.



- A leaflet – “*Diarrhoea in infants*” – found at a clinic in Curaçao (Caribbean) claims that “*Nutricia Infant Formulae are complete: they closely resemble breastmilk, not only composition, but also in absorption characteristics.*” ◀

VIOLATION



VIOLATION



- A maternity clinic in Curaçao distributes ▶ **Crème Nutricia** brochures which promote rice porridge from 4 months. The same facility gives out Nutricia bookmarks with colourful pack shots of 7 different brands of Nutricia formulas. ▶
- Nutricia delivers Christmas hampers as gifts to a clinic in Curaçao. The company also supplies the clinic and a hospital in Curaçao with free formula.



VIOLATION

- Gift for mothers in Curaçao: baby passports have the Nutricia company logo and the slogan “*Nutricia Baby Feeding Specialists*”. The statement on the importance of breastfeeding is included in a separate sheet which will easily fall out of the booklet. ◀

In Indonesia:

- Company representatives visit mothers at health facilities once or twice a month to promote Nutricia products such as **Bebelac**.

- Nutricia distributes many gifts to health workers such as calendars, wall clocks, posters, pens, pencil cases, notebooks and growth charts bearing brand names such as **Bebelac 1** together with the company logo. Most of these items are put up on walls or desks where there are seen by the public.

- Nutricia donates unsolicited supplies of **Bebelac**, **Bebelac 1**, **Crème Nutricia**, **Nutrilon** and **Nutrilon Premium 1** to health facilities. In some cases, supplies are provided at special discounts or invoices are issued but are not followed up with payment collections. Elsewhere, Nutricia obligingly supply health facilities with **Bebelac** and **Nutrilon** upon receiving requests from the facilities.

- **Nutrilon 1** free supplies to this maternity clinic are passed on to mothers after delivery.

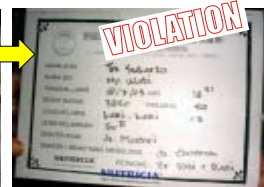


VIOLATION

- In one clinic, mothers are given free samples of **Bebelac 1** on discharge. Company representatives later telephone mothers to ask whether they are still using **Bebelac**.



VIOLATION



VIOLATION

- Baby cot tags and patient number cards are supplied by Nutricia to health facilities and bear either the **Bebelac** or the **Nutrilon** brand name.



VIOLATION

Baby mattresses stamped with the Nutricia name are also given.



VIOLATION

VIOLATION

▲ A Bebelac health record card

Health facilities display clocks, calendars, posters and other information advertising Nutricia products in waiting rooms and on health workers' desks.



- Sari Husada frequently donates gifts such as baby cot tags, baby feeding schedules, beddings, briefcases, information materials, leaflets, immunisation tables, growth charts, wall clocks, water dispensers, posters, notebooks and stickers to health workers. These items carry brand names of formulas such as **Vitalac 1** or

2 or **SGM**. One finds them in waiting rooms, examination rooms and in front of delivery rooms.

- Sari Husada also provides health facilities with unsolicited supplies of **SGM**, **SGM 1** and **Vitalac 1**. These are then passed on to mothers. What brand of formula mothers receive depends on the ward class they are in. Mothers in first class wards receive more expensive brands.



- Health facilities display products such as **Nutrilon** and **Nenatal** in wards, health worker's offices and, ironically, in breastfeeding rooms for mothers.◀

- In Malaysia, Nutricia provides unsolicited supplies of **Bebelac 1** and **Bebelac EC** to private clinics which then distribute them as free samples.▶



- In one health facility, a *Nutricia Parents' Guide on Entertaining and Educating Young Children* advertises **Crème Nutricia** starting from 4 months as "the perfect balance" (back cover).◀

- In Peru, Bago Sancor donates unsolicited supplies of **Bago Prematura** and **Sancor Bebe** to health facilities, including BFHI accredited ones, and mothers receive free tins of **Sancor Bebe** from health workers.



- In Mexico, a poster in a health facility shows a picture of a baby and states "*Bebelac, the number one for your baby*".◀



- In Serbia, health facilities display posters featuring the **Bebelac** brand.▶
- Health workers in Serbia receive gifts such as desk calendars, pens, diaries and notepads featuring the **Bebelac** or **Bebelac EC** brand names.
- A Nutricia **Infacare** poster which says "*That special closeness*" is displayed in South African health facilities in reception areas.
- Nutricia provides health professionals in the UAE with **Bebelac** and **Nutrilon** prescription pads. These show pack shots and brand names with little check boxes for the doctor to tick. The flipside of the pads contain more promotion and claims such as "Nutricia Prebiotics" produces a "*bifidogenic effect similar to that of breastmilk*".



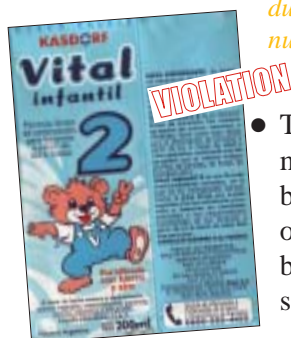
shades of the five different **Bebelac** labels.▲

- A brochure on **Bebelac 1** in UAE claims the product has "a unique vegetable fat mix for superior infant development" and that "*early supplementation of vegetable fats can determine the infant's IQ level.*"▶



Labelling

► **Article 9 of the Code** requires labels to **NOT** discourage breastfeeding and to inform about the correct use of the product, the risk of misuse and abide by a number of other points.



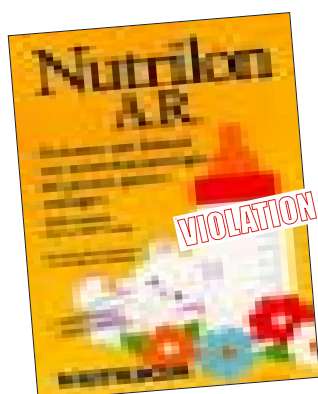
- The **Vital Infantil 2** follow-up formula label discourages continued breastfeeding by suggesting that as of 6 months, babies no longer get breastmilk so require a special transition milk food “like this one ...” ◀

- In Indonesia, **Vitalac**’s label does not contain a warning about the health hazards of inappropriate preparation of the formula and that it should only be used on a health worker’s advice.

- Labels on **Malish** and **Malutka** in Georgia and **Malish** in Armenia do not contain the important notice that breastfeeding is best nor a warning on the health hazards of inappropriate preparation.



- The label of **Crema Nutricia** in Costa Rica indicates it is suitable for infants from 4 months.
- The **Bebelac 1** label in the Dominican Republic and Mexico discourages exclusive breastfeeding with a statement that the product should be given “when breastfeeding is not possible or is insufficient”
- **Nutrilon Soya** infant formula advises on its label in the Dominican Republic that complementary foods should be introduced as of 4 months. **Nutrilon 2** in Indonesia does the same.
- Sari Husada’s **SGM 1** label in Indonesia recommends complementary feeding as of 4 months and promotes the use of its **SNM** porridge.
- In Argentina, the labels of **Nutrilon Soya**, **Nutrilon Premium**, **Kas 1000** and **L-K Infantil** and **Vital Infantil 1** do not have a warning about health hazards of inappropriate preparation and the statement that the product should be used only on the advice of a health worker.



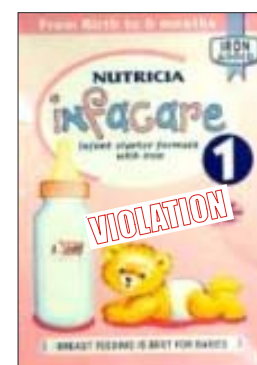
- In Italy, the **Nutrilon AR** label shows a large feeding bottle and does not have a warning on the health hazards of inappropriate preparation. ◀

- In Luxembourg, the **Bambix** non-milk cereal displays a picture of a baby and recommends the product for “1st age” babies. On the back panel, it says it is “ideal for bottle-feeding from four months.” ►



- The label of **Bebelac** infant juice in Serbia recommends the product for use from 4 months. ◀

- Labels on **Infacare 1** in South Africa and Tanzania claim it is a “...scientifically constituted powdered infant formula. It is based on analysis of breastmilk to support your baby’s healthy growth”. The text is only in English, not, as required, in the local languages. ►



- The label on Cow & Gate’s **Omneo Comfort** in South Africa compares the product with breastmilk: “Stools of an infant fed with breastmilk are soft and lighter in colour” and “when using **Omneo Comfort**, if changing from another formula, you may find that baby’s stool become softer and lighter”. The text is only in English.

Highlights of text and pictures in company materials which violate the Code

► **Article 4.2** requires all information material to advocate for breastfeeding and not contain pictures or text which idealises the use of breastmilk substitutes.

► For health professionals, **Article 7.2** of the Code only allows product information which is factual and scientific.

- A **Nutrilon** booklet on prebiotics in Argentina makes **Nutrilon** out to be similar to breastmilk and claims that “prebiotics stimulate the growth of the intestinal flora, predominantly bifidus bacteria, promoting normal stool consistency”.





- Nutricia gives out mouse pads to health workers in Argentina containing a Nutricia Bago logo and the text “Doctor, you see? Both in infant nutrition as when you work on your computer, I am your best support”. ◀

- A booklet on **Vital Infantil 1**, showing the same doctor and the text “We know you care for all kids as if they were your own” claims “goodness of easily digested and absorbed fats, similar to those in breastmilk”. ▲



- The bulletin of the Argentine Perinatal Association shows a well known doctor with three pack shots of **Vital Infantil 1** and claims the products to be “the safest formula that provides essential nutrients, easily digestible fats, etc...”. ◀

- Another ad on the back of the same publication says “**Vital Infantil 1: the formula with a strong impact on infant feeding from birth**”. The Vital bear breaks through a barrier and proclaims that “if baby takes this milk, he will also be strong...”. ▲



- Nutricia distributes **Nutrilon Omneo** leaflets at a scientific congress in Costa Rica which shows pictures of babies and the promotional message “...stools of optimal consistence, similar to those of breastfed infants” and claims it is a “balanced food in case of gastrointestinal troubles”.
- A **Nutrilon** booklet in a Dominican Republic health facility says “In many cases, it is recommended to replace breastfeeding with bottle feeding, following a weekly progression” without stating specifically in what situation this is required.



- In Ghana, Cow & Gate prescription pads recommends four cereal products from four months. Free samples of cereals are given to health workers. ◀

- “**Complete balance begins here**” – an ad in the Indonesian *Ayahbunda* magazine promotes **Crème Nutricia** beginning from 4 months. ▶

- A Nutricia calendar in an Indonesian health facility promotes products for infants, pregnant or lactating mothers. A picture of a happy infant accompanies the slogan “Always there at every step of a mother’s and baby’s life”.



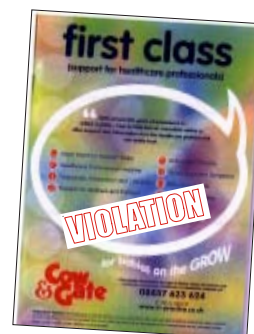
- An **Infacare** ad in India says “Now I can tickle my baby’s taste buds with some great nutrition”.

- “Nurturing a healthy little baby” is how this Nutricia leaflet from Hong Kong promotes **Cow & Gate Follow-On 2**. ◀

- In Hong Kong, Nutricia invites mothers to join the Cow & Gate baby club and receive gifts. ▶



- Cow & Gate company representatives give free samples of cereals to Ghanaian health workers
- Also, a **Nutriben** leaflet in the Dominican Republic claims the formula is similar to breastmilk in terms of its lipids profile, calorie distribution, carotene and taurine content.



- An Indonesian leaflet on **Bebelac 1** claims it is as good as breastmilk and that babies fed on the product will be healthy and bright.

- A Cow & Gate ad in the *Community Practitioner* in the UK invites health professionals to contact them. ◀

- Ad in the same journal promotes **Cow & Gate Premium** as “nutritionally complete” with a “unique calcium : phosphorous ratio for healthy bones for life” ... “the first choice to promote healthy growth when not breastfeeding”. ▶



Snow

Kohei Nishi
President and CEO
Snow Brand
13 Honshio-cho, Shinjuku-ku
Tokyo 160-8575, Japan
Tel: +81 3 3226 2158
Fax: +81 3 3226 2150
URL: www.snowbrand.co.jp

Products include:

FORMULA:

*Snow Brand A1, Snow Brand F,
Snow Brand F2, Snow Brand F Plus,
Snow Brand P7L Beta, Smart Baby 1,
Smart Baby 2.*

Logos & Icons:

Snow products and materials bear the same Snow logo. Bunny and Bear icons appear on labels of some products and promotional materials.



Founded in 1925, Snow Brand is one of Japan's major baby milk companies. It produces a wide range of products, from dairy to alcoholic beverages and livestock feed. Snow does biotech research and is reported to have cloned a calf from its mother's milk.

Snow uses its company name as a brand name on most of its products, promoting brand recognition every time the company name is used. It introduced the Smart Baby and Smart Kid brands to capitalise on parents' desire for smart children.

Snow has been involved in a record number of Japan's food scandals. In 2000, thousands suffered food poisoning from Snow Brand milk which caused a huge public outcry and was Japan's worst contamination case for over 30 years. In 2001 Snow was discovered to have purchased 13.8 tonnes of Australian beef, repackaged it as Japanese beef and then claimed compensation from the Japanese government for having excess beef that could not be sold. In 2002 the company admitted fiddling with the expiry dates on 760 tonnes of frozen butter. No wonder that many supermarkets pulled all Snow products from their shelves.

In an attempt to regain consumer confidence, Snow is said to have joined forces with Nestlé Japan to produce baby foods. In 2002, Snow was still in financial trouble and reported to seek additional loans from the Norinchukin Bank. By 2003, the market was 'up' again. Snow Brand bought Bean Stalk from a pharmaceutical company and was doing well selling Bean Stalk Pocar baby isotonic drinks. Clever marketing convinces mothers that their babies need such re-hydration drinks to replace electrolytes lost during perspiration!

Promotion in health facilities

- ▶ **WHA Resolution 47.5 (1994)** urges an end to free or subsidised donations of products to all parts of the health care system.
- ▶ **Article 7.4** allows samples to health workers but only for research purposes. Health workers may not pass on any samples.
- ▶ **Article 6.3** prohibits the display of products, placards and posters or the distribution of company materials unless requested or approved by government.

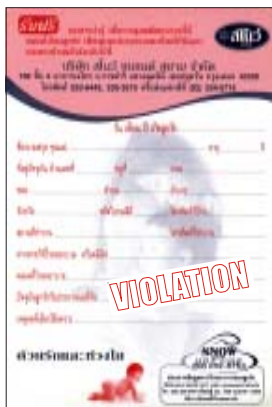
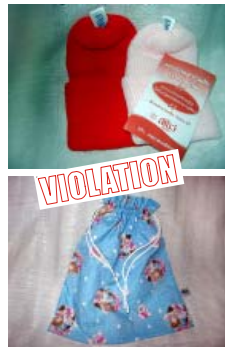
- Snow gives health workers in Thailand gifts such as clocks, calendars, pens and notepads featuring the **Snow Brand** company and brand name.▶



- Health facilities in Thailand display **Snow Brand** posters and other promotional materials.◀
- In Thailand Snow donates supplies of **Snow Brand P7L Beta** to health facilities, both on request and unsolicited.



- Snow seeks direct contact with mothers at health facilities in Thailand to recommend **Snow Brand** products and to give samples and gifts. Typical gift pouches contain a tin of **Snow Brand P7L Beta**, a baby's bonnet, and a booklet titled *7 interesting topics for your beloved child*, reinforcing the "7" in the brand name.



- Snow gives health workers in Thailand sign-up sheets to distribute among mothers, enabling the company to contact them directly with future promotions.◀
- Company representatives in Thailand give health workers **Snow Brand F** and **Snow Brand P7L Beta** samples that are passed on to mothers.

► **Article 7.3** provides that there should be no financial or material inducement, to promote products within the scope of the Code.

- Snow gives cash grants to health facilities in Thailand and pushes its products and promotional materials at professional meetings.►



Promotion to the public

► **Article 5.1** of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.

► **Article 5.3** of the Code bans promotional devices at the retail level.



- In Hong Kong a discount on Snow's **Smart Baby 2** is advertised in the local *Ming Pao* newspaper.◀
- In Thailand Snow provides shops with baby gloves and baby socks to give out when customers buy Snow products.

Misleading text and pictures which violate the Code

► **Article 4.2** requires all information material to advocate for breastfeeding and not contain pictures or text which idealises the use of breastmilk substitutes.

► For health professionals, **Article 7.2** of the Code only allows product information which is factual and scientific.

- Promotional materials in Thailand compare Snow products to breastmilk, such as this booklet that claims the composition of **Snow Brand P7L Beta** is based on research on the breastmilk of Japanese mothers. Another booklet compares its ratio of omega 3 and 6 with that of breastmilk.►



- Several brochures in Thailand claim **Snow Brand P7L Beta** encourages good bowel movements with the addition of oligosaccharide. This example tells mothers "Don't let your baby get constipation" and shows a packshot of **Snow Brand P7L Beta**.◀

- Promotional materials in Thailand contain messages that undermine breastfeeding like "when formula is necessary", "when a mother cannot breastfeed" and advice on supplementing breastfeeding with bottle feeding.
- Bad advice in a booklet entitled *Hello Baby* in Thailand claims that weight gain slows when baby is one month old and mothers should know that their milk is not enough and start giving formula.
- A leaflet in Hong Kong features on the front page the cartoon teddy bears from Snow's **Smart Baby 1** label and the slogan "Especially for newborn". It also shows a packshot and a mother and baby and outlines the product's nutrient composition.



Wyeth

Robert Essner
Chairman, President and CEO
Wyeth (American Home Products)
P O Box 8616, Philadelphia
PA 19101, USA
Tel: +1 610 902 4100
Fax: +1 610 688 6228
URL: www.wyeth.com

Products include:

FORMULA:

S-26, S-26 Gold, S-26 Promil, S-26 Promil Gold, S-26 HA, SMA, SMA 1, SMA White, SMA Gold, SMA Wysoy, Infasoy, Promil, Promil Gold, Progress, Progress Gold. Store Brands: Baby basics, CVS, Home Best, Healthy Baby, Kozy Kids, Hill Country Fare, HEB, Little Ones, Parent's Choice, Safeway Select, Walgreen's.

Logos & Icons:

Wyeth promotion in Asia and South Africa uses cartoon carrots, wearing baby booties and gloves, and cropping up in advertisements, printed materials, on clocks and signboards. The carrots seem to have taken over from Wyeth's cartoon babies which used to dominate advertisements.



Wyeth started as a small drugstore around 1860 in Philadelphia, USA. As Wyeth Laboratories, it later became the first to 'advance manufacture' frequently prescribed medicines in bulk. In 1931, American Home Products (AHP) bought the rights to Wyeth, which had been bequeathed to Harvard University.

SMA is said to be the first commercial 'infant formula', produced in 1921. By 1933, Wyeth introduced Beta-carotene in formula (brand designers returned to the carrot-image in the next century) In 1961, the company launched its whey-dominant infant formula, S-26, claiming it was close to breastmilk. Promil started in 1981, as the first 'follow-up milk' (6 months – 1 year) in North America. It was followed by Progress (1 year to 4 years) in 1993.

While S-26 was doing well in export markets, competition was tough in the US where Mead-Johnson and Abbott Ross control 86% of the national market. To undercut the two giants, Wyeth went into "store brands". These are formulas produced for large supermarket chains who apply their own label and sell the formula for up to 40% less than the established Enfamil and Similac brands.

Wyeth produces and markets formulas in more than 100 countries. Its subsidiary in the UK was renamed SMA Nutrition, mixing company and brand names. All of Wyeth's major brands: SMA, S-26, Promil and Progress tout a "Gold" line with claims that added fatty acids promote brain development, immunity and growth. They also use the catch phrase: "Never so close to breastmilk".

Like most of the other large companies, Wyeth has cashed in on the presumed benefits of adding LCPUFAs (long chain polyunsaturated fatty acids) to its formulas. A prominent feature of its promotion are pictures of babies (and carrots) wearing a mortarboard, signifying intelligence and academic excellence following intake of DHA and AA, the fatty acids Wyeth has added to its formulas. Recent studies have shown that these claims are bogus and Mead Johnson has already been forced to withdraw them in Canada.

In August 2001, Wyeth recalled SMA Gold and White formulas in the UK after a severe case of infant botulism was linked to contaminated SMA Gold. While the recall was widely publicized in the UK and Ireland, the same batch of formula had also been distributed in Sri Lanka, Thailand, Ghana and Nigeria and it is not clear whether the public in those countries was alerted. Then, in December 2002, Wyeth recalled 1 million tins of both milk and soy-based formulas expiring in 2005, after FDA found *Enterobacter Sakazakii* in samples it tested. Another 500,000 tins of the same batch (all destined for US store brands) had not yet left the factory in Vermont, USA.

In July 2003, SMA Nutrition, the UK subsidiary of Wyeth, was found guilty by the Birmingham Magistrates Court on six separate counts of illegal advertising and ordered to pay £60,000 in fines and costs. In arriving at a guilty verdict on all six summonses, the judge said that the company has deliberately "crossed the line" in an effort to advertise directly to a vulnerable section of society. The initial charges were brought by the Trading Standards Department of Birmingham City following complaints by mothers who felt that SMA's advertising broke the UK Law as well as the International Code.

Promotion to the public

► **Article 5.1 of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.**

- In Argentina, Wyeth advertises **S-26** via the radio.
- In Botswana, store flyers advertising discounts for **S-26** are put into newspapers and distributed as junk mail.
- Posters, shelf-talkers and leaflets promote Wyeth products in shops in China. The “Wyeth Golden Star” is a contest for babies who have been fed **S-26** for more than 6 months.



- In China, company reps visit shops to promote **S-26**.
- Baby nappies, napkins, toy bricks and picture books are given with purchases of **S-26** in China.
- In China, Wyeth mails promotional materials and newsletters to mothers. A Chinese leaflet promotes **S-26** with the slogan “Wyeth baby, great future” and shows a picture of a baby.
- Discounts on products are advertised in a Hong Kong newspaper.



- A **Promil Gold** leaflet in Hong Kong offers a free gift with every purchase and includes a portion to sign up for membership with Wyeth's baby club to receive further promotions.



- Wyeth runs advertisements on Chinese TV showing a young girl putting **S-26** in her mother's shopping cart, with the commentary “the reason why a bright 4-year old girl can speak 4 foreign languages,... (is that she) drinks **S-26** for 3 years and 9 months”.



- An advertisement for **Promil Gold** in the *Motherhood* magazine in Singapore shows a baby correctly fitting shapes into their corresponding holes, and claims the product is “Enriched with preformed AA, DHA, natural carotenoids, nucleotides & selenium that help mental and physical development”. Wyeth idealises the formula by saying “your dream of a future scientist in the family may not be just a dream”.

- An advertisement in Singapore's *Motherhood* magazine “Win! Wyeth Promil Gold and Progress Gold milk powder worth \$1190.40” asks mothers to submit coupons to be among 48 readers to win a tin of each product.



- Special displays in Indonesian shops promote **S-26** and **S-26 Gold**. Sales reps encourage mothers to try **S-26** or **S-26 Gold** by claiming their added DHA & AA content makes the products similar to breastmilk. Mothers can give their address to receive more ‘information’ materials.
- A Mexican website promotes **SMA Gold** and **Promil Gold**. It advises that breastfeeding or formula feeding provide all that baby needs in the first months of life (equating their formula to breastfeeding).
- In Mexico, promotional trays for **SMA Gold**, **Promil Gold** and **Progress Gold** bears the slogan “Feeding the hopes of the future”. **SMA Gold** infant formula is represented merely by the word “Gold” following Wyeth's narrow interpretation that the Code applies only to infant formula.





- In the UK, shelf-talkers announce discounted prices offered for **SMA Gold** and **SMA Progress**.▶

- **S-26 Gold** is displayed in pharmacy shop windows with price discount offers in Uruguay.◀



- In Peru, Wyeth gives discounts to customers who purchase **S-26** infant formula.



- In Mexico, Wyeth distributes leaflets to mothers in shops, promoting **SMA Gold** as “Closer to mother’s milk” and “the most natural after mother’s milk” recommended “when your baby is 6 months old. Congratulations!”◀



- A supermarket flyer in Hong Kong advertises **Promil Gold** with a \$5 discount if purchased together with Huggies diapers.▶
- Wyeth holds special sales for its **S-26**, **S-26 Promil** and **S-26 Promil Gold** in Thai department stores.



aid physical, mental and emotional development and well-being”. Leaflets in a dietitian’s office use the same picture.

- An advertisement in the UK magazine *Baby & You* shows three cute babies of different races and the phrase “**SMA Progress** is as individual as they are” and makes the claim “**SMA Progress** is the only one with the optimum balance of iron and Vitamin C”.▶



Promotion in health facilities, supplies and promotion to health workers

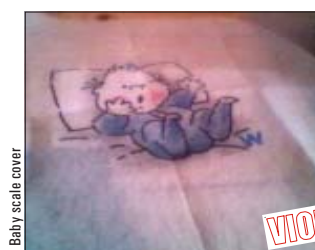
- ▶ **Article 6.2** bans the promotion of products within the health care system.

- ▶ **Article 6.3** prohibits the display of products, placards and posters or the distribution of company materials unless requested or approved by government.

- **S-26** key chains given to health workers in Argentina come with fridge magnets proclaiming “Look how easy and fast you can prepare **S-26 Gold**” and show a mother bottle-feeding an infant. The magnet is put up for display in the health facility.▲



- In Argentina, Wyeth donated baby scale covers with a drawing of Wyeth’s cartoon baby, as well as cot covers with a big **S-26** logo in the middle.▼



Baby scale cover



Cot cover

- **S-26** promotional materials are displayed in maternity wards and on notice boards and shelves in health facilities in China.



Stickers



Leaflets

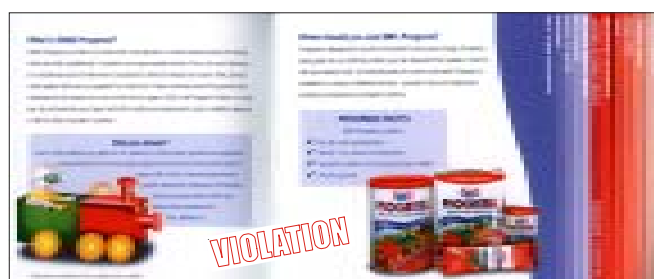


- A bookmark found in a Hong Kong health facility shows a packshot of **S-26** and a baby wearing a graduation cap. ◀
- Health workers in Indonesia give samples of **Promil** follow-up formula to breastfeeding mothers even though their babies are only 3 months old.

- Posters advertising a range of Wyeth products are displayed in South African health facilities.
- Wyeth posters, booklets on baby care, immunisation cards and other materials can be found in health facilities in Malaysia.
- Wyeth distributes note and prescription pads with mixing instructions for **S-26** to health workers in Trinidad and Tobago. ▼▶



- In China, Wyeth donates display shelves and calendars with the **S-26** brand and the company logo to health facilities.
- A table toilet paper dispenser in a Thai health facility is made to resemble a can of **S-26**. ▶
- In Thailand, company reps visit mothers in health facilities to gather addresses and to recommend the use of their products.
- Company reps visit mothers at health facilities in Thailand to distribute samples of **S-26**.
- UK health facilities display booklets promoting **SMA Progress**. ▼



- Company reps give out product brochures to mothers at Thai health facilities. Sometimes, gift packs containing a tin of **S-26** and brochures are given.



- The company distributes calendars and stationery with the company name and logo or the **S-26** brand name or both to health workers in Thailand.
- In Peru health workers receive **S-26** calendars and notepads with the **Promil** brand name.
- In South Africa, Wyeth distributed the “Wyeth Nutritionals Reassurance Beyond Nutrition” folder to participants at the Sensitive Midwifery Symposium. The inside cover has an advertisement for a wide range of Wyeth infant formula products.



- In Uruguay, Wyeth gives health workers prescription pads with pictures of a mother and her baby, of **S-26 Gold** and a baby holding a tin of **S-26 Gold**. ◀
- In the UAE, Wyeth gives watches with the company logo to health workers.
- In Colombia, health facilities get a discount on **S-26** formula when ordered together with other products.
- Health workers in the Dominican Republic and Peru give free samples of **S-26 Gold** and **SMA** to mothers.
- Wyeth donates cot tags, posters and other items with their name and logo to health facilities in Peru; other items are displayed in obstetric stations and paediatric emergency areas.
- In Uruguay, an **S-26 Gold** advertisement in a scientific journal claims the product “contains long-chain polyunsaturated fatty acids, the same as breastmilk”.
- Clocks and other items with the Wyeth logo and brand names are displayed on nurses counters, in paediatricians’ offices, waiting rooms and maternity wards in Thailand.





► **WHA Resolution 47.5 (1994)** urges an end to free or subsidised donations of products to all parts of the health care system.

- Wyeth regularly donates unsolicited supplies of **S-26**, **S-26 Gold** and **Promil Gold** to health facilities in Thailand. The company takes turns with other milk companies to provide free supplies to health facilities. ◀
- In Indonesia, Wyeth sometimes invoices health facilities for supplies of **S-26**, but does not collect payment. Wyeth also gives unsolicited free supplies of **S-26** to health facilities. In one hospital first class patients receive a gift pack which includes a sample of **S-26** infant formula. Some health facilities receive supplies of **S-26** at discounted prices.
- In the Dominican Republic, Wyeth donates unsolicited supplies of **SMA** to health facilities.
- Many health facilities receive unsolicited free supplies of **S-26** and **S-26 Gold** from Wyeth in Peru.

Labelling

► **Article 9 of the Code** requires labels to **NOT** discourage breastfeeding and to inform about the correct use of the product, the risk of misuse and abide by a number of other points.

- **SMA Gold** labels in Kenya are in English only and say “Now even closer to breast-milk”. ►
- **S-26** and **SMA White** labels in Kenya are in English only. The latter say “More satisfying for hungrier babies” implying breastmilk is insufficient. The same message appears on labels in the Gambia.
- **SMA-Wysoy’s** label in Kenya shows a picture of a feeding bottle and teat.
- In Malawi, labels of **SMA** are not written in the national language and omit the statement that the product should only be used on the advice of a health worker.
- The label of **S-26** in Indonesia claims that it contains important nutrients vital for optimal growth and development, but does not mention the benefits of breastfeeding nor the need to consult a health worker.



- A range of Wyeth Nutritionals products in South Africa including **S-26 1**, **S-26 Gold**, **S-26 Promil**, **SMA 1** and **Infasoy 1** carry statements like “Breastfeeding for babies is best from birth to 6 months” or “Breastfeeding for babies is best from 6-12” which may confuse mothers and others.

- In Mexico, a free sample of Wyeth’s **Promil Gold** has an insert under the lid showing a baby and slogans like - “Now the future of your baby can be as brilliant as gold” and “For babies that devour the world”. ►



- Labels of **S-26** in Tanzania claim it is “closer to human milk in its nutritional values when compared to other formulas...” and contain confusing age recommendations. ◀
- In Tanzania, the **SMA Gold** label states that it is “...even closer to breastmilk”, claims that “...the balance of milk proteins are similar to that found in breastmilk” and advertises other SMA products.

Misleading text and pictures which violate the Code

► **Article 4.2** requires all information material to advocate for breastfeeding and not contain pictures or text which idealises the use of breastmilk substitutes.

► For health professionals, **Article 7.2 of the Code** only allows product information which is factual and scientific.

- An advertisement in “Community Practitioner” in the UK shows packshots of **SMA Gold** and **SMA White** against a backdrop of a pool of milk with drops of ‘nucleotide’ falling into it. The accompanying text reads “always looking for ways to bring our infant formula closer to breastmilk”.





- In Singapore, a leaflet entitled “*Promil Gold - 7 IQ points advantage*” promotes the IQ advantage of the product over other foods and milks. It claims to be Singapore’s first follow-on formula fortified with both AA & DHA. ◀

- The Wyeth Golden Baby, high achievement in the future leaflet given out at the International Baby/Children Products Expo in Hong Kong claims **Promil Gold** contributes to a child’s intelligence. It urges mothers to change to **Promil Gold** at 6 months to “supplement nutritional deficiencies of older infants” after weaning. ▼

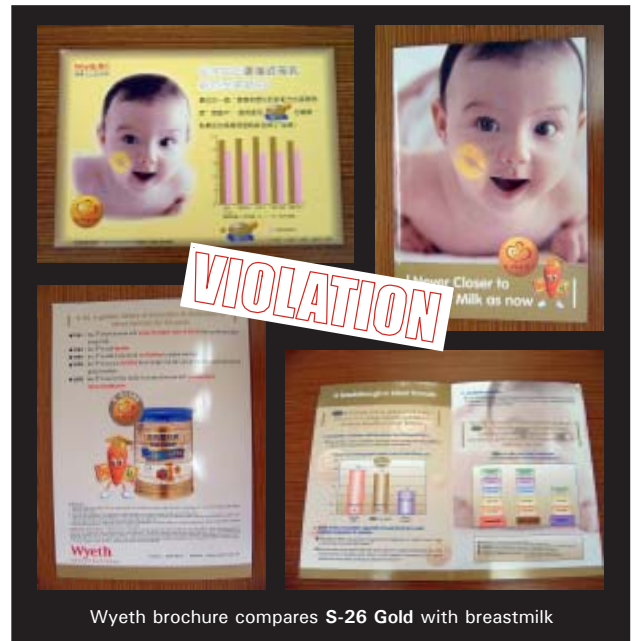


- A leaflet in Hong Kong claims “*breakthrough in infant formula*”, showing a graph comparing breastmilk, S-26 and one Brand A+. S-26 appears most similar to breastmilk.
- Another **S-26 Manual for health professionals** in the Dominican Republic claims that “*S-26 for premature babies has a higher nutritional concentration than ordinary formulas or mature breastmilk*” and is “*just like human milk and contains whey-predominant protein*” with “*LCPUFA levels similar to breastmilk*”.
- The *My baby book* in the Dominican Republic says “*Your doctor recommends a Wyeth formula (S-26 or SMA). Wyeth provides essential nutrients closest to those of mother’s milk*”.



- In Hong Kong, the leaflet *How to prevent allergies to milk protein for your baby* promotes **S-26 HA** “as preventing genetic allergic reaction to milk protein” and “*nearer in resemblance to breastmilk*”. ◀

- Brochures promote **S-26 Gold** in health facilities in Hong Kong with the slogan “*Never closer to breastmilk as now*” and a baby’s face with a ‘golden kiss’ on its cheek. ▼



Wyeth brochure compares S-26 Gold with breastmilk

- The same baby picture is found on fans given to health workers, bearing the “Alpha” protein logos identified with S-26 Gold. ▶



- The *Handbook for complete development in all directions from birth - 6 months* was distributed at the Thai Perinatal Society Conference. It contains claims that formula with added carotene, Omega 9 and other nutrients will promote immunity levels and brain development similar to that of a breastfed baby.
- A pamphlet in China promotes **Promil Gold** and **Progress Gold** with a picture of a graduate carrot with blocks of DHA and AA. Infant formula is indirectly promoted by the figure “1”. ▼



- In Thailand, the **S-26** range leaflets given to health workers bear claims that the products have “complete nutrients closest to breastmilk” or have “biofactors for 3-dimensional development” and “the best complete thing that a mother could give her baby”.
- The brochure *The best start, start here* in Thailand promotes Wyeth’s **S-26 Gold** and **S-26 Promil Gold** with DHA & AA content levels closest to breastmilk.



Wyeth brochures and leaflets in Thailand use the intelligence theme to idealise its (DHA-AA enriched) products.

- In the UK, the *Taking Good Care of Mums and Babies* leaflet draws a similarity with breastfeeding by saying “giving your bottle fed baby a milk that’s closest to breastmilk is just one way to get a good start in life – so at SMA Nutrition we give you more”. ▼

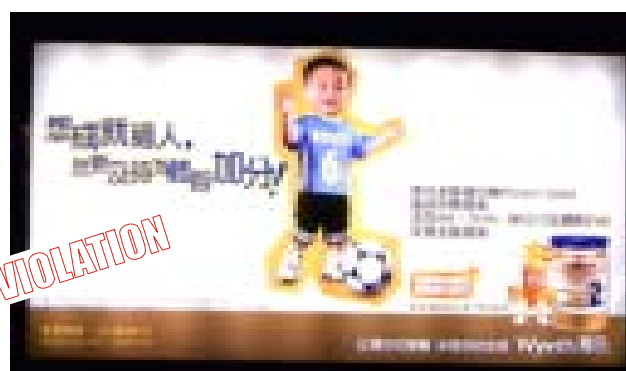
Front of flyer



Flipside of flyer



- A leaflet in Peru given to mothers during their visit to health facilities contains information on the stages of the baby’s growth and says “S-26 closest to mother’s milk”.
- In Trinidad and Tobago, pregnant women who come for a check-up are given a packet with a booklet of helpful tips for parents-to-be. The envelope and introductory letter show packshots of **SMA**’s range of formulas.
- A metro station billboard in Hong Kong promotes **Promil Gold** with the slogan “Wyeth with the best nutrition, in exchange for the best development”. The ad prompted protests by breastfeeding advocates. It has since been removed. ▼



CODE VIOLATIONS BY COMPANY

Bottle & Teat Companies



poster Dierenbescherming Netherlands, 1996
(animal-rights' protest against Nutricia's genetic engineering)

Feeding Bottles & Teats

Feeding bottles and teats come under the scope of the International Code of Marketing of Breastmilk Substitutes. Manufacturers are allowed to sell but may not advertise or promote their products in any way.



Their labels may not discourage breastfeeding. Monitoring has again revealed that manufacturers and distributors of these products consistently violate the Code. They are either unaware of their obligations or choose to ignore that the Code applies to their marketing practices as much as to those of manufacturers and distributors of baby foods. Promotion of feeding bottles undermine efforts by governments and NGOs to protect, promote and support breastfeeding. Since these companies ignore their social and moral responsibilities, the situation can only be corrected by government regulation and through concerted action by consumers.

Promotion to the public

► **Article 5.1 of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.**

Advertising, a practice forbidden by Article 5 of the Code forms the bulk of violations. Advertisements of feeding bottles and teats are usually found in parenting magazines, promotional leaflets and through websites. In shops, special displays are common. Most of these materials contain idealising text which claim the products have characteristics similar to the mother's breast or nipple. Invariably, the text is misleading and intended to discourage breastfeeding.

A selection of pictures below illustrates.



This **Avent** Naturally ad is found in magazines in many countries, including Italy, Lithuania, Mexico, Singapore and the UK. The slogan "*the bottle that helps you to breastfeed longer*" is accompanied by text claiming that **Avent** designs its feeding bottle to be "*as close to nature as possible*".

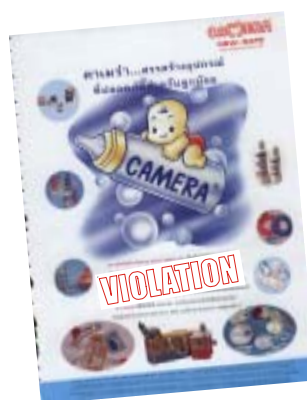
Avent ads in parenting magazines in the Dominican Republic, Germany, Serbia and Trinidad & Tobago compares the "*natural shape*" of mother's breast to the product and says it "*mimics a mom*".



Avent, Babelito and Chicco advertise on Argentinian websites.



Babelito, which produces difficult to clean feeding bottles (right), paints a mural (top) to promote its products on a pharmacy wall in Uruguay.



A **Camera** ad in a mothers' magazine in Thailand makes a sweeping claim that the product "*is safe for baby*", ignoring the risks associated with bottle feeding.



An Argentinian ad in a store magazine announces it takes babies "*from breast to teat, through Chicco*".



Curity ad in a parenting magazine in Mexico claims it is “recommended by the Mexican Paediatric Association”, implying medical endorsement.



Height measures advertising **Curity** bottles to Mexican crèches.



(R) **Dr. Brown's Natural Flow** feeding bottle ad entices mothers with the slogan “Your baby deserves the best!” in *Motherhood* magazine (Singapore)

(L) An ad in *Baby and You* magazine (UK) announces: “There used to be more questions than answers... Now there is a feeding bottle that provides one simple answer - The Dr. Brown's Natural Flow”.



A Honduran **Evenflo** billboard advertises feeding bottles by showing a picture of daddy bottle feeding his baby and the slogan “with love for the baby”.



Johnson & Johnson have discontinued their own line of feeding bottles but their online store, www.Babycenter.com (accessible through Johnson & Johnson's website) hosts and promotes several brands of feeding bottles and teats.



Huki manages to find seven similarities between its rubber teat and a human breast in this Indonesian ad.



This Mexican leaflet says “for best growth, Gerber is more than you imagine”. In Costa Rica, an ad in pocket diaries given to mothers highlights the convenience of the product by saying “you can feed him even though you are not with him”, and in the Dominican Republic, a **Gerber** ad promotes its teats because baby “will enjoy his food”.



The caption above baby's hand in a **Mister Baby** ad in Italy says “I want it exactly like this”.



A blatant promotional ad for **Mister Baby** from a mother's magazine in Taiwan.

In Italy, a **Mister Baby's** ad comparing breastfeeding with a conventional teat and the **Mister Baby** variety shows poor attachment to the breast and over-simplifies the complex movements inside the mouth that makes breastfeeding so different from bottle feeding.



A **Nuk** ad for its feeding bottles and teats in a Japanese magazine reminds “Mothers, please start

thinking about regular teeth before a baby's first tooth comes out” and claims products are modelled “on mother's nipples where a baby has to use its chin and tongue” and “its unique shape is ...the result of .. research on how a baby trains its nose to breathe...”

“No more crying babies!” shouts this Singaporean advertisement in the *Motherhood* magazine to “parents who really care.”





Cute gurgling babies are used by **NUK** to hard-sell bottles and teats in Armenia. An advertisement in the *lo e il mio bambino* magazine advertises **NUK** bottles as “*Nuk a natural philosophy ... the best alternative to mother’s breast.*” The advertisement shows a mother bottle-feeding her baby and portrays **NUK** teats as equivalent to mother’s nipples.



An interesting juxtaposition of the pseudo with the real thing. This time a two-page spread from **Pigeon** in Japan shows how satisfied and happy baby can be even when its not mummy.



The breast as an icon? This hard-cover **Pigeon** book in Japan uses cartoons to discuss breastfeeding, but contains erroneous and misleading information.



The baby in this **Pigeon** magazine ad in Indonesia says “*My friend won’t make me choke*”. An illustration draws similarity between the **Pigeon** teat and mother’s nipple.



Tommee Tippee ad in the UK talks about “*a teat so close to the real thing, it could be mummy*”. Indeed.



“*Bottoms up!*” - **Tolly Joy** in Singapore borrows the famous phrase among drinkers to sell feeding bottles.

Other types of promotion

- **Article 5.3** of the Code bans promotional devices at the retail level.
- **Article 5.4** of the Code prohibit companies from giving samples and gifts to mothers.

Manufacturers, distributors and retailers occasionally offer gifts and special discounts to induce sales.



“*Perfect for the new mom*” discount given by an online baby store for **Avent** products.

To boost sales, manufacturers and distributors are increasingly joining forces with parenting magazines to offer gifts of bottles and teats to subscribers. This type of promotion is similar to sampling.



A **Pigeon** ad in *Parents Guide* magazine in Indonesia offers the first 20 subscribers **Pigeon** gift packs which include feeding bottles. Other subscribers will get up to 35% discount on **Pigeon** products.

The *Parenting* magazine in Mexico offers a **Curity** bottle as a gift with a one-year subscription to the magazine.

Other methods of promotion are through special displays and baby clubs.



NUK Baby Club application forms were distributed at an expo in Hong Kong.

Snoopy, the famous cartoon character pushes **NUK** in Serbia.

Promotion in health facilities

► **Article 6.2 bans the promotion of products within the health care system.**

There are also reports of samples of bottles and teats being given to health care facilities by **Huki** in Indonesia and **Pur** in Thailand. These are then given as gifts to mothers.

Pigeon actively promotes its products in health facilities in the UAE by offering gifts and booklets which contain bad breastfeeding advice. For example it starts by asking "how to know if breastmilk is sufficient" and advises weighing before and after nursing. It worries mothers by saying that dried breastmilk may cause bacteria and mould! 'Change your Pigeon breastpad every 3-4 hours'. It stresses the need for breastpumps because of likely abnormalities of the baby's mouth or the mother's nipple, flat breasts, inverted nipples, baby can't suck properly, breast too hard, etc.



Huge boxes of these packs have been given to a hospital in UAE to be distributed in maternity and paediatric wards.

Labels

► **Article 9.1 of the Code requires labels to NOT discourage breastfeeding and to inform about the correct use of the product, the risk of misuse and abide by a number of other points.**

The Code requires that labels should be designed to provide the necessary information about the appropriate use of the products, so as not to discourage breastfeeding. Monitoring reveals that information on labels of most feeding bottles and teats contain claims of similarity with mother's nipple or breast and have misleading information or statements which idealise bottle feeding.



Chicco labels in Indonesia have a picture of a baby and offer an extra teat for every purchase. The label claims its design and function are similar to a mother's breast and will promote the growth and development of the baby's jaw and teeth. It claims to prevent choking, vomiting and indigestion.



The label of this **Pigeon** teat shows how similar it is to mom's nipple so that "baby can switch from breastmilk to infant formula smoothly." ►

◀ In Malaysia, **Doctor Baby** claims its teats are shaped like mother's nipple and are non-carcinogenic.



◀ **Evenflo** label in Mexico claims its feeding bottle and teat is "just like Mom", "natural ...like you"

Label of **Pigeon** feeding bottle and teat in Indonesia features two cute cartoon babies and claims to have an anti-choke regulator. ►



Code compliance by selected feeding bottle companies

Space constraints mean many violations are excluded from this report. The chart below summarises the performance of 14 companies in relation to applicable Code provisions based on data collected from January 2002 to March 2004.

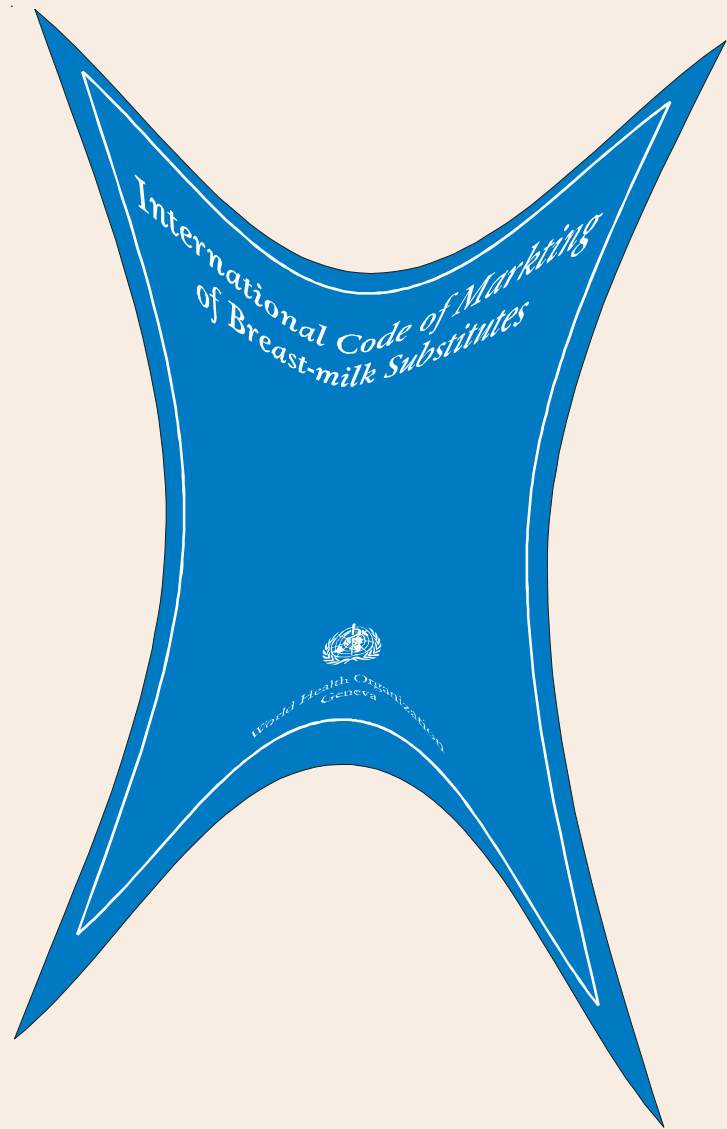
COMPLIANCE WITH THE CODE

~ Partial Compliance
X Substantial Violation
? Compliance Unknown
= Not Applicable

Companies	No promotion to the public	No promotion in healthcare facilities	Adequate labels
Avent/Cannon (UK)	X	~	X
Babelito (Argentina)	~	?	?
Camera (Taiwan)	~	~	X
Chicco (Italy)	X	~	X
Curity (USA)	~	~	?
Evenflo (USA)	X	?	~
Gerber (USA)	X	?	~
Huki (Indonesia)	X	~	~
Japlo (Malaysia)	~	?	~
Johnson & Johnson (USA)	X	?	=
Mister Baby (Italy)	X	?	?
Nuk (Germany)	X	~	?
Pigeon (Japan)	X	X	X
Tommee Tippee (USA)	X	?	~



The Rules



Stretching the Rules

Products such as ‘formula for mothers’ and growing up milks (GUMs) are not within the scope of the Code. Nevertheless, the aggressive promotional tactics used for such products serve to undermine breastfeeding. IBFAN monitors reported on these and other practices which are not banned by the Code but which give rise to conflicts of interest and clash with messages which promote breastfeeding.

Familiarity boost sales

The marketing of formula for pregnant women and breastfeeding mothers give baby food companies direct access to mothers and gives them an excuse to be present in health facilities. The Code prohibits such access for marketing conventional baby foods such as formula and other breastmilk substitutes. Moreover, formula for mothers is unnecessary and undermines their confidence.

Growing-up milks or 1-2-3 milks (GUMs) were also invented to bypass the restrictions of the Code especially in terms of advertising and promotion in clinics and hospitals.

Both formula for mothers and GUMs use brand names and designs or pictures and logos which are identical or very similar to those of products covered by the Code. The promotion of the one links the mind of the consumer to the other, creating brand awareness and extending brand loyalty into another range of products.



- For years New Zealand Milk Ltd. only sold **Annum** formula for pregnant and lactating mothers in South-east Asia and the Middle East. Since this was not a breastmilk substitute, its marketing was not regulated by the Code. Because of this, Annum gained access into health facilities where it became popular with both health workers and mothers. After entrenching the brand in hospitals and clinics, in 2003, the company introduced an infant and follow-up formula range called **Annum Infacare** in Malaysia. Promotion of **Annum** formulas for mothers now also promotes infant formula because it has the same name.

Formula for mothers ... and for baby



‘similar ...

very similar...



same brand name!

- Mead Johnson (Enfa range), Wyeth (S-26 range), Hipp and others all exploit the value of similar brand names by selling a product to mom during pregnancy and thus promoting the sale of baby foods once the baby is born.



- The name and the packaging of **SGM 3**, a GUM manufactured by Sari Husada (Nutricia) in Indonesia, is very similar to that of the company’s infant formula and follow-up formula.

An advertisement – “Baby’s needs increase as he grows” – in the *Ayahbunda* magazine in Indonesia promotes **Nutrilon 3 Step-up** as a food that claims to meet the nutritional needs of a child 1-5 years old. Implicitly, this advertisement also promotes **Nutrilon 1** and 2.



Nutricia also markets **Bebelac 3** or **Delilac** which are GUMs but look very much like **Bebelac** infant formulas. The similarity is intentional, and very profitable too!

Exploiting women's fears and aspirations

Companies are aware of every pregnant woman's desire: comfortable pregnancy, safe childbirth and healthy, intelligent babies. More than happy to fill this wish, companies flood the market with expensive formulas that promise everything from smart foetuses (*milk for pregnant women*), to superior breastmilk (*milk for breastfeeding mothers*), to blue-ribbon babies (*growing-up milk*). The aggressive promotion of such products deliberately hides the fact that a balanced and sustainable diet of local foods, available at a fraction of the cost, will supply the nutrients required for a healthy pregnancy and successful breastfeeding.

For example, Abbott promotes **Formance** for mothers or mothers-to-be in China with a leaflet proclaiming "*Before delivery, nurture the foetus; after delivery, boost milk production*" and claims that it improves upon the quantity and quality of mother's milk. Such messages undermine mothers' natural ability to breastfeed.



A wall poster for **Formance** seen inside a pre-natal clinic in China gives mothers the impression that the product is necessary for a safe and healthy pregnancy



In Hong Kong, Wyeth insinuates that **S-26 Mama**, an unnecessary product, will nurture an intelligent child in the womb.



Capitalising on the same intelligence theme, promotion in Singapore and Vietnam claim that **Annum** has important nutrients that support the growth and development of baby's brain during the early stages of pregnancy.



Similarly, a shelf talker in a Malaysian supermarket advertises **Annum** as "*healthy for baby's brain development*." Illustration projects the image of a pregnant woman envisioning the healthy growth of the baby from foetus to full grown baby.



In Thailand, a Mead Johnson ad shows a mother using earphones to allow her foetus to listen to classical music. Simultaneously the ad shows how Mead Johnson's formula flows to her foetus' brain. A similar ad in Malaysia says "*Beethoven can stimulate your developing baby's brain from the outside. Now, EnfaMama can help develop his brain from the inside*."



Testing the limits of decency: as if the previous ads were not aggressive enough, this one (in Thailand) goes further to show a foetus holding a can of **Annum** like a prized possession.



Cashing in on the goodness of breastmilk and parental love

In an attempt to outdo each other, milk companies are claiming that their GUMs (growing up milks) contain properties similar to breastmilk which are required to "*help develop brain and visual acuity*". Another recurring claim is increased immunity against sickness and disease provided by GUMs. For example, an advertisement in *Ayahbunda* magazine in Indonesia promotes Morinaga's **Chil Kid** for children one year and older with a picture of a toddler saying, "*Mom ... mom, now I don't easily fall sick.*" The label resembles **Chil Mil** follow-up formula.

Some ads even resort to psychobabble by comparing their products with mother's love. Claims like "*good as your love*" are used with reckless abandon.



A bewildering array of claims – these ads attempt to emotionally link the product with intelligence and parental love

Baby clubs: entry to Direct Marketing

Hospitals used to give companies lists of new mothers' addresses as a routine. They now know better. So the companies had to find a new way to get mothers' particulars. Most have set up baby clubs, parenting clubs and online networks as a way of reaching out to mothers everywhere. Advertisements and coupons in hospitals extend invitations to mothers to sign up with such clubs and networks in their early stages of pregnancy. Through this, companies are able to gather personal data about mothers (and babies) and can thus directly promote the entire range of products, starting with milk for mothers, followed by breastmilk substitutes and then GUMs. The Code forbids company personnel from contacting mothers but through the clubs, the companies argue, that mothers contact them.



The "Asian Mom Network" is an attempt by Mead Johnson to reach mothers through cyberspace. Applicants will receive a free sample.

For mothers who were not 'captured' by product promises early enough, milk companies have created other clever schemes to get them hooked on GUMs. These programmes emphasise growth and development urging mothers to 'catch up' and join the company bandwagon.



Similar ...



Very similar ...

Half of the leaflet is a "response card" allowing for the mother's contact information and the baby's current formula brand to be sent to the company for more 'information' and free samples of **Frisogrow**



Gift packs for mothers who enrolled in Mead Johnson's Mother's Club at an expo in Hong Kong. Inside the pack is a "Mead Johnson A+ 3 steps to stimulate intelligence" booklet and a pack of educational cards. Indirectly, these promote Enfamil's A+ formula.

Expert advice from company-friendly professionals

To boost credibility (and sales), companies team up with the media and promote their products via sponsored advertorials on maternal and child nutrition. Often written by health professionals or the company's in-house nutrition team, these advertorials directly or indirectly endorse a particular product or brand.



Hipp advertorial in German magazine. Note the similarity in design of labels of growing-up milk (centre) and formula (right)



This advertorial in a parenting section of a Malaysian newspaper has an accompanying advertisement for a "Super Discount Saver" which offers a 40 sen discount for each jar of Gerber "World's No. 1 Baby Jar Food". The advertorial talks about the different Gerber foods required for different stages of baby's growth and method of preparation. It also asks readers to take advantage of the discount offer to try out all the different flavors of Gerber jar foods.

Sponsorship

Almost all companies involved in the baby food business sponsor seminars, conferences or training sessions for health workers or sponsor individual health workers' attendance at such events. Although the Code allows for such funding (provided it is disclosed to the relevant parties), the acceptance of financial incentives from milk companies will convey conflicting messages. What is more disturbing (but not surprising) is that companies use these functions to promote their products in the name of scientific information. Participants at these events often receive gifts, a practice prohibited by the Code.



Nestlé makes its presence felt in a paediatric conference in Argentina.

And in Thailand. ►



Abbott sponsorship of a perinatology conference in Thailand.



Product promotion from Wyeth and Mead Johnson pervade the exhibition area of the same perinatology conference in Thailand.



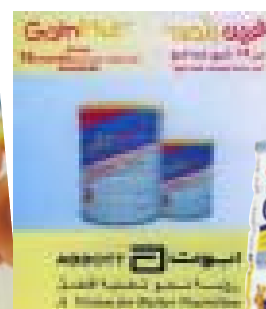
What better way for Nutricia to imprint its name with health professionals in Indonesia than conducting a course for them? With an excellent lunch, of course.

Other practices worth noting

Depending on how stringent the Code or the marketing law of a particular country is, Abbott Ross will either market **Gain Plus** as a follow-up formula or as a growing-up milk.



In Hong Kong, **Gain Plus** – 6 months



In the UAE, **Gain Plus** – 18 months



In Malaysia, **Gain Plus** – 1 to 3 years.

Same brand, same company, different ages...
How can mothers not be confused?



Abbott Ross demonstrates the tricky art of adaptive reuse. The tactic to advertise a breastmilk substitute by promoting a GUM is evident – the same ad used to advertise **Similac Advance** infant formula in one country is reactivated to promote **Isomil Plus** growing-up milk in another. Why reinvent the wheel when you can rehash? The baby does the marketing.

- A Nestlé calendar which advertises **Nido GUM** in the Dominican Republic promotes the culture of bottle feeding by showing a picture of a young girl busy feeding her doll.



Nestlé starts them young!

The ultimate conflict of interest

Companies which necessarily compete with breastfeeding because they produce substitutes, must not be allowed to advertise their names or logos under the pretext of promoting breastfeeding.

- Friesland distributes breastfeeding posters to health facilities with the slogans “*The best beginning for life*” and “*More than just a mother’s love*” showing its own company name and logo as well as that of

IDAI, the Indonesian Paediatric Society. The IDAI collaboration is tantamount to medical endorsement of Friesland products and sends conflicting messages to mothers.



This poster from a UAE maternity associate breastfeeds with Nestlé’s name and logo.

Feeding Bottles and Teats

Like manufacturers and distributors of baby foods, bottle and teat companies are finding that it pays to fund health workers for conferences and research. Although these are allowed by the Code subject to disclosure, the ethical issue of conflicts of interest remains unresolved and health workers who are mindful of their responsibilities to promote and protect breastfeeding should be careful not to involve themselves with companies which are Code violators.



Strange bedfellows – a signboard acknowledging Avest and Playtex sponsorship of a breastfeeding convention in the USA



An Avent leaflet found inside a breastfeeding book promoting AVENT’s sponsorship of a competition for the best breastfeeding study and the best breastfeeding promotion project.

YOU can be a monitor and help
protect infant health!!!



MONITORING THE CODE

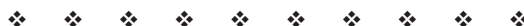
IBFAN continuously compiles violations and welcomes your input.

Have you noticed any company practices lately which violate the International Code or subsequent resolutions? Or which discourage breastfeeding? If so, help us collect the information by photocopying and completing the form below and sending it to –

IBFAN-ICDC, P.O Box 19, 10700 Penang, Malaysia. E-mail: ibfanpg@tm.net.my

Name Which IBFAN group, if any:
Address
E-mail

The above information is necessary to enable IBFAN-ICDC to double-check the information you have given, if necessary. Your identity will be kept confidential.



Description of Code violation (please answer all questions, especially the when, where, who, what and how)

1. Short Description
(Include heading or slogan found on company materials.)
2. **When** was the violation observed? (dd/mm/yyyy)
3. **Where?** (place, city and country)
(For newspapers and periodicals, please indicate the name and date of publication.)
4. **Who** is violating the Code and **how**?

Company	Brand	Type of product ¹	Type of violation ²

¹Type of product: **A.** Infant formula, **B.** Follow-up formula, **C.** Complementary food, **D.** Bottle & Teat, **E.** Other (please specify)

²Type of violation: **A.** Advertisement, **B.** Commercial promotion in health facility, **C.** Company contact with mothers, **D.** Donation of products to health facilities, **E.** Free sample, **F.** Gift to health worker, **G.** Gift to mother, **H.** Inadequate labelling, **I.** Promotion in shops, **J.** Sponsorship, **K.** Other (please explain, use another sheet of paper if necessary)

If specimen or picture is attached, tick here ☐

5. Observation / Details (Please use another sheet of paper if necessary):

- This form may be returned to IBFAN/ICDC by post or via email as a Word, PDF or JPEG file. An electronic version of this form can be obtained from IBFAN/ICDC at ibfanpg@tm.net.my or can be downloaded from the IBFAN website at www.ibfan.org
- Where possible, include actual specimen, photographs or scanned images of Code violations with your form.
- Samples should be identified and matched to the correct forms, especially when you do more than one report.

Thank you!
Together we are strong.

