

k6. Code for Marketing of BM Substitutes and the Kenyan breast Milk Substitutes Act 2012

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An International health policy framework to regulate the marketing of breastmilk substitutes in order to protect breastfeeding

Why?

1. Vulnerability of babies in their early months
2. Risks involved in inappropriate feeding practices
3. Aggressive marketing of breastmilk substitutes

Action

- Following years of growing concern about the aggressive marketing of BMS, the code was adopted in may 1981, by the World health Assembly meeting to protect and encourage BF and to control inappropriate marketing practices to sell products for formula feeding.

The Member States of the WHO

- Affirming the right of every child and every pregnant and lactating woman to be adequately nourished, as a means of attaining and maintaining health
- Conscious that BF is an unequalled way of providing ideal food for the healthy growth and development of infants
- Recognising that the encouragement and protection of BF is an important part of the health, nutrition and other social measures required to promote healthy growth and development of infants and young children.
- Consider that, when mothers do not breast feed, or only do so partially, there is a legitimate market for infant formula
- Recognizing further that inappropriate feeding practices lead to infant malnutrition, morbidity and mortality in all countries, and that improper practices in the marketing of Breast-milk substitutes and related products can contribute to these major public health problems.
- Convinced that it is important for infants to receive appropriate complementary foods, usually when they reach 6m of age, and that every effort should be made to use locally available foods, and convinced, nevertheless, that such complementary foods should not be used as Breast Milk Substitutes
- Affirming that health care systems, and the health professionals and other health workers serving them, have an essential role to play in guiding infant feeding practices, encouraging and facilitating breast feeding, and providing objective and consistent advice to mothers and families about the superior value of breast feeding

AIM of the CODE

- To contribute to the provision of safe and adequate nutrition for infants by the **protection and promotion of breastfeeding**, and by ensuring the proper use of breast-milk substitutes, when these are necessary, on the **basis of adequate information, and through appropriate marketing and distribution**

Scope of the CODE

- Applies to the marketing, and practices related there to, of the following products: breast milk substitutes, including infant formula, other milk products, foods and beverages, including bottle fed complementary foods, when marketed or otherwise represented to be suitable, with or without modification, for use as a partial or total replacement of breast milk, feeding bottles and teats.

Provisions of the Code

Information and Education

- Ensure that objective and consistent information is provided on infant and young child feeding for use by families
- Informational and educational materials, whether written, audio, or visual, dealing with the feeding of infants and intended to reach pregnant women and mothers of infants and young children, should include clear information on:
 - Benefits and superiority of breast feeding
 - Maternal nutrition, and the preparation for and maintenance of breast feeding
 - The negative effect on breast feeding of introducing partial bottle feeding
 - The difficulty of reversing the decision not to breast feed
 - Social and financial implications of its use and the health hazards of inappropriate foods or feeding methods.
- Donations of informational or educational equipment or material by manufacturer or distributors should be made only at the request and with the written approval of the appropriate government authority

The general Public and Mothers

- There should be no advertising or other form of promotion to the general public of products within the scope of the code
- Manufacturers and distributors should not provide, directly or indirectly, to pregnant women, mothers or members of their families, SAMPLES of products within the scope of this code.
- Feeding with infant formula, whether manufactured or home - prepared, should be demonstrated only by Health Workers, or other community workers if necessary, and only to the mothers or family members who need to use it.
- There should be NO point-of sale advertising, giving of samples, or any other promotion device to induce sales directly to the consumer at the retail level, such as special displays, discount coupons, premiums, special sales for products within the scope of this Code.

Health Care Systems

- Manufacturers and distributors should not distribute to pregnant women, or mothers, or infants and young children any gifts of articles or utensils which may promote the use of breast-milk substitutes or bottle feeding
- Take appropriate measures to encourage and protect breast feeding and promote the principles of this code, and should give appropriate information and advice to health workers in regard to their responsibilities
- No facility of a health care system should be used for the purpose of promoting infant formula or other products within the scope of this code
- Facilities of health care systems should not be used for the display of products within the scope of this code, for placards or posters concerning such products, or for the distribution of material provided by a manufacturer or distributor.
- Marketing personnel, in their business capacity, should not seek direct or indirect contact of any kind with pregnant women, or with mothers of infants and young children.
- Donations or low-price sales to institutions or organizations of supplies of infant formula or other products within the scope of this code, may be made but ONLY for infants who have to be fed on breast milk substitutes

Health Workers

- Health workers should encourage and protect breast-feeding. Information provided by manufacturers and distributors to health professionals regarding products within the scope of this code should be restricted to scientific and factual matters.
- **NO FINANCIAL or Material inducements to promote products within the scope of this Code should be offered by manufacturers or distributors to health workers or members of their families, nor should these be accepted by health workers or members of their families**

- Samples of infant formula or other products within the scope of this code, or of equipment or utensils for their preparation or use, should **NOT** be provided to health workers except when necessary for the *purpose of professional evaluation or research at the institutional level*
- Health workers should NOT GIVE samples of infant formula to pregnant women, mothers of infants and young children, or members of their families.
- Manufacturers and distributors of products within the scope of this code should disclose to the institution to which a recipient health worker is affiliated any contribution made to him or on his behalf for fellowships, study tours, research grants, attendance at professional conference, or the like. Similar disclosures should be made by the recipient.

Labelling

- Manufacturers and distributors of infant formula should ensure that each container has a clear, conspicuous and easily readable:
 - A statement of the superiority of breast feeding
 - A statement that the product should be used only on the advice of a health worker as to the need for its use and the proper method of use
 - Instructions for appropriate preparation, and a warning against the health hazards of inappropriate preparation
- Food products within the scope of this code, marketed for infant feeding, which do not meet all the requirements of an infant formula (e.g. sweetened condensed milk) should carry on the label a warning that the unmodified product should not be the sole source of nourishment of an infant

Quality

- Food products within the scope of this code should, when sold or otherwise distributed, meet applicable standards recommended by the Codex Alimentarius Commission and also the Codex Code of Hygienic Practice for Foods for infants and children.

Monitoring

- Governments should take action to give effect to the principles and aim of this code, as appropriate to their social and legislative framework, including the adoption of national legislation, regulations or other suitable measures
- The director - general shall report in even years to the world health ????

The Kenyan Breast Milk Substitutes Regulation and Control Act 2012

10 provisions of the BM Substitutes Control Act 2012

1. No Advertising products under scope of the Act to the Public
2. No free samples to mothers
3. No promotion of products to health care facilities, including free or low cost supplies
4. No contact between BMD company and families
5. No gifts to health workers. Health workers should never pass gifts to mothers
6. Information to health workers should be factual
7. No words or pictures to idealize artificial feeding
8. All information on artificial feeding should explain the benefits of breastfeeding and the costs and hazards of artificial feeding
9. Unsuitable products such as sweetened condensed milk should not contain instructions on how to modify them for infant feeding
10. Manufacturers and Distributors should comply with the BMS Act which is now Law

Nutrition Interventions

Important contact points

- Prenatal care
- Delivery
- Post partum care
- Immunization contacts
- Well baby visits
- Sick child care