

Global Congress on Implementation of the Code of Marketing of Breast-milk Substitutes June 2023

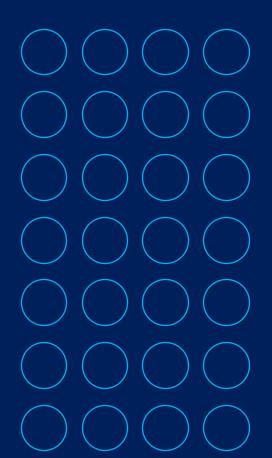
## Welcome!

Please take your seats.

The program will begin shortly.





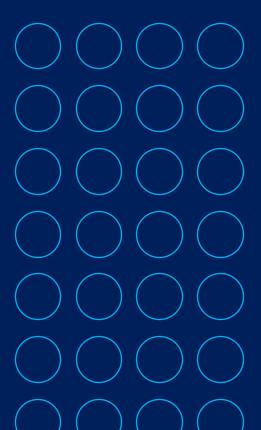




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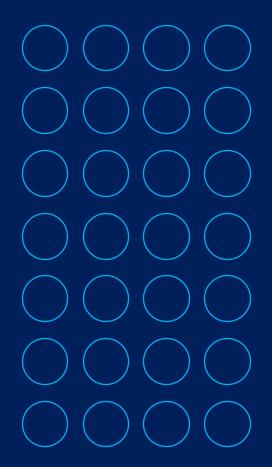


## Marion Nestle

Paulette Goddard Professor, of Nutrition, Food Studies, and Public Health, Emerita
New York University









# Identifying and Managing Industry Interference: The Industry "Playbook"

Marion Nestle
Professor of Nutrition, Food Studies
& Public Health, Emerita
New York University
June 20, 2023





#### By Product Type

#### By Form

#### **By Distribution Channel**

- Infant Milk Formula
- Growing-up Milk Formula
- Follow-on Milk Formula
- Specialty Baby Milk Formula

- Powders
- Concentrated Liquids
- Ready-to-Use

- Specialty outlets
- Online stores
- Supermarkets/Hypermarkets
- Others





### Breastmilk or infant formula? Content analysis of infant feeding advice on breastmilk substitute manufacturer websites

Jennifer L Pomeranz<sup>1,\*</sup>, Xiangying Chu<sup>1</sup>, Oana Groza<sup>1</sup>, Madeline Cohodes<sup>1</sup> and Jennifer L Harris<sup>2</sup>

<sup>1</sup>School of Global Public Health, New York University, New York, NY, USA: <sup>2</sup>UConn Rudd Center for Food Policy and Obesity, University of Connecticut, Hartford, CT, USA

Submitted 23 March 2021: Final revision received 13 July 2021: Accepted 10 August 2021: First published online 14 September 2021

#### Abstract

Objective: To evaluate messages about infant feeding on breastmilk substitute (BMS) manufacturer websites directed at US caregivers and compare information and portrayals of breast-feeding/breastmilk with that of infant formula (IF) feeding. Design: We conducted a content analysis of US BMS companies' websites. A codebook was created through an iterative process to identify messages and images about breast-feeding/breastmilk and IF feeding, including benefits or issues associated with each, and direct-to-consumer marketing practices that could discourage breast-feeding.

Setting: Data were collected in 2019–2020 and analysed in 2020–2021 for US websites of five IF manufacturers.

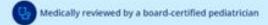
Participants: The websites of Similac, Enfamil and Gerber, which collectively represent approximately 98% of the US IF market, and two US organic brands, Earth's Best and Happy Baby.

Results: Websites contained more messages about breast-feeding/breastmilk than IF but were significantly more likely to mention benefits to baby of IF (44%) than breast-feeding/breastmilk (<26%), including significantly more statements that IF provides brain, neural and gastrointestinal benefits; 40% of breast-feeding/breastmilk content was dedicated to breast-feeding problems (e.g. sore nipples). Twice as many screenshots compared IF brands favourably to breastmilk than as superior to other brands. Certain companies displayed images indicating ease of IF feeding and difficulty of breast-feeding.

Conclusions: Substantial messaging on BMS manufacturer websites encouraged IF feeding and discouraged breast-feeding. Health professionals should discourage their patients from visiting these websites and the US government should regulate misleading claims. Companies should refrain from providing breast-feeding advice and align their US marketing with the International Code of Marketing of Breast-milk Substitutes.

## Choosing to Formula-Feed

Many moms choose formula-feeding. Learn more about choosing to formula-feed and what to look for in a formula.





Keywords infant health infant formula breast-feeding/breastmilk BMS marketina









## Omega-3 DHA like that found in Enfamil has been clinically shown to:



#### 9-12 months

Improve attention span, problem solving, and visual development\*1,2,3



#### **DHA to Nourish Brain Development**



**Nutrients to Support Immune Health** 



## **Ingredients**

Corn Syrup Solids; Partially Hydrolyzed Nonfat Milk and Whey; Protein Concentrate Solids (Soy); Vegetable Oil (Palm Olein, Soy, Coconut, and High Oleic Sunflower Oils); Less than 2%: Mortierella Alpina Oil, Schizochytrium sp. Oil, Choline, Taurine, L-Carnitine, Vitamins & Minerals.

The Perils of Ignoring History: Big Tobacco Played Dirty and Millions Died. How Similar Is Big Food?

KELLY D. BROWNELL and KENNETH E. WARNER

Yale University; University of Michigan

Context: In 1954 the tobacco industry paid to publish the "Frank Statement to Cigarette Smokers" in hundreds of U.S. newspapers. It stated that the public's health was the industry's concern above all others and promised a variety of good-faith changes. What followed were decades of deceit and actions that cost millions of lives. In the hope that the food history will be written differently, this article both highlights important lessons that can be learned from the tobacco experience and recommends actions for the food industry.

Milbank Q. 2009 Mar; 87(1): 259-294.

## The "Playbook"

- Blame personal responsibility
- Urge self-regulation
- Influence (fund) science
- Create front groups
- Create public-private partnerships
- Demand seat at policy table
- Lobby, Litigate





#### Novo Nordisk

3,500 payments £ 21.7 million

- Obesity charities
- NHS trusts
- Doctors
- Health educators
- Lobbyists

# Revealed: experts who praised new 'skinny jab' received payments from drug maker



Observer investigation finds Novo Nordisk gave millions to obesity charities and healthcare professionals, including expert who advised Nice

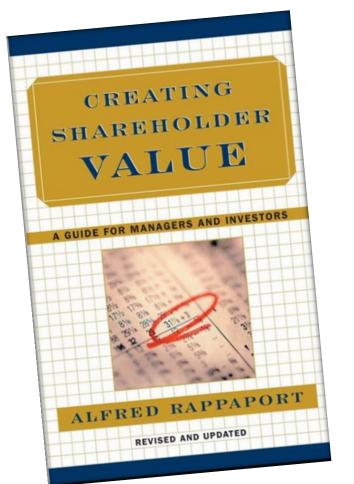
**Shanti Das** *and* **Jon Ungoed-Thomas** 

Sun 12 Mar 2023 03.00 EDT

'Orchestrated PR campaign': how skinny jab drug firm sought to shape obesity debate



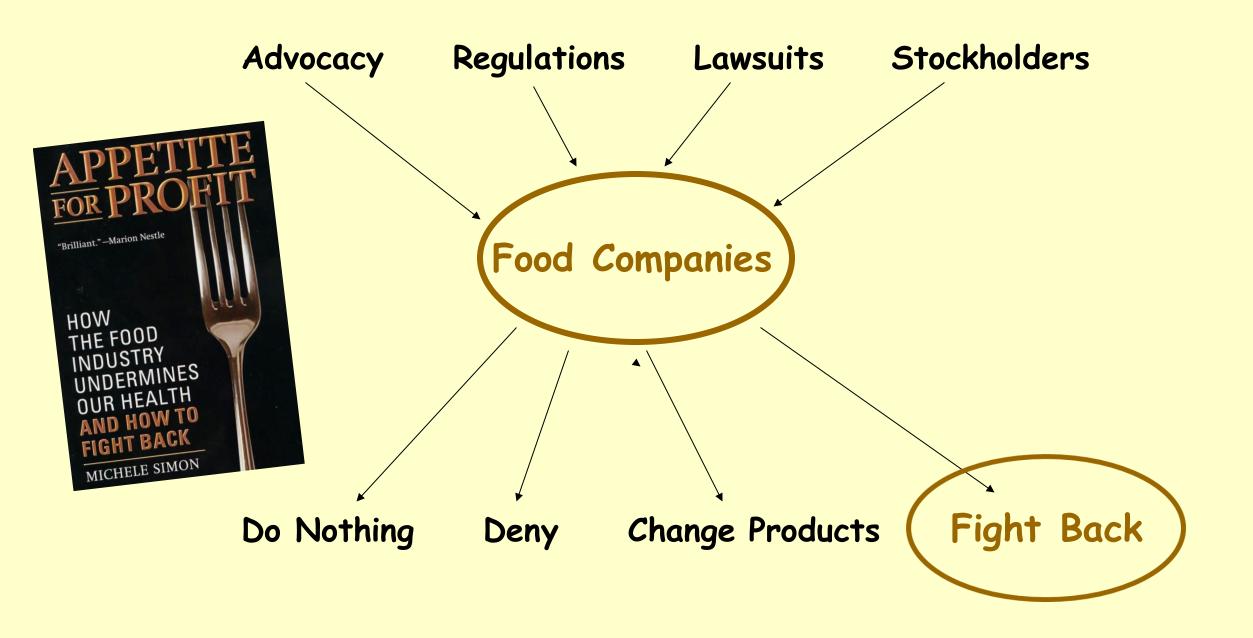
The only corporate social responsibility a company has is to maximize its profits











## Concerned Scientists

## The Disinformation Playbook

How Business Interests Deceive, Misinform, and Buy Influence at the Expense of Public Health and Safety

Published Oct 10, 2017 | Updated May 18, 2018



### Alcohol Industry Funds Government Study

A \$100 million study on the health effects of moderate drinking was shut down after revelations of inappropriate contact between investigators and the alcohol industry.

## The Fake

Conduct counterfeit science and try to pass it off as legitimate research





Industry Groups Used Cherry-Picked Science to Avoid Regulation of Chromium

## The Blitz

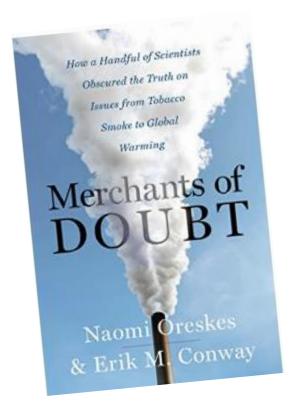
Harass scientists who speak out with results or views inconvenient for industry 2

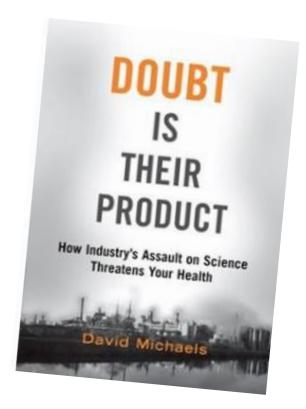


Syngenta Harassed the Scientist Who Exposed Risks of its Herbicide Atrazine

## The Diversion

Manufacture uncertainty about science where little or none exists







Corn Refiners Association Used Front Groups to Spread Disinformation about Sugar and Health **BMJ Global Health** 



## Etiquetage nutritionnel en Europe : une bataille explosive, entre nationalismes, lobbying et menaces

Par Mathilde Gérard , Allan Kaval (Rome, correspondant) et Virginie Malingre (Bruxelles, bureau européen)

Publié le 26 décembre 2022 à 05h37, modifié le 17 février 2023 à 18h16

Le Monde

A study is 21 times more likely to find unfavourable results about the nutrition label Nutri-Score if the authors declare a conflict of interest or the study is funded by the food industry

Stephane Besancon, David Beran , Malek Batal

Besancon S, et al. BMJ Global Health 2023;8:e011720. doi:10.1136/bmjgh-2023-011720



## The Screen

Buy credibility through alliances with academia or professional societies

The New York Times

Coca-Cola Funds Scientists Who Shift Blame for Obesity Away From Bad Diets

BY ANAHAD O'CONNOR AUGUST 9, 2015 5:25 PM





How Coca-Cola Disguised Its Influence on Science about Sugar and Health

# And Now a Word From Our Sponsors



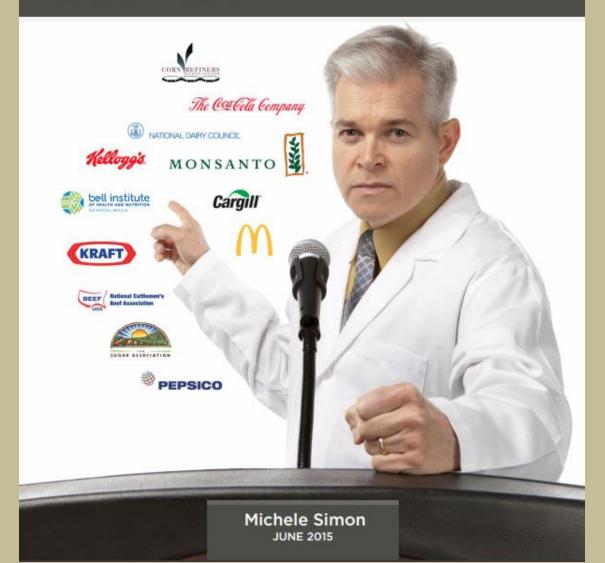
Are America's Nutrition Professionals in the Pocket of Big Food?

**Michele Simon** 

JANUARY | EATDRINK

## Nutrition Scientists on the Take from Big Food

Has the American Society for Nutrition lost all credibility?





Three of the four leading makers of infant formula

#### With thanks to our 2023 Sustaining Partners

Abbott Nutrition

Ajinomoto Health and Nutrition North America Kyowa Hakko U.S.A., Inc.

Almond Board of California Mars Inc.

Bayer HealthCare Mondelez International

Balchem National Cattlemen's Beef Association, a contractor to The Beef

Checkoff

IFF

National Dairy Council

National Pork Board

Council for Responsible Nutrition

DSM Nutritional Products, LLC

California Walnut Commission

**Egg Nutrition Center** 

**Brightseed** 

ChromaDex

General Mills Bell Institute of Health and Nutrition

**GSK Consumer Healthcare** 

Hass Avocado Board

Herbalife Nutrition

Pharmavite LLC

**Nestle Nutrition** 

Potatoes USA

**Reckitt Benckiser** 

The Peanut Institute

The Sugar Association

**Traverse Science** 

## The Fix

5

Manipulate government officials or processes to inappropriately influence

policy

\*\*Example 1.5\*\*

0% of the world's largest corporate food producers and processors disclose political giving across the countries they do business in.



## www.foodpolitics.com

March 2015 to March 2016

168 Studies 156 Favorable 12 Unfavorable

- Convenience sample
- Unsystematic



by Marion Nestle



#### Industry-sponsored research: this week's collection

Here is my latest roundup of industry-sponsored research producing results or opinions that favor the sponsor's commercial interests.

Sugars and obesity: Is it the sugars or the calories? Choo FL, Ha V, Sievenpiper JL. Nutrition Bulletin, May 19, 2015. DOI: 10.1111/nbu.12137

**Conclusion**: The higher level evidence reviewed in this report does not support concerns linking fructose-containing sugars with overweight and obesity.

Conflicts of interest: All three authors report scholarship or research support from such entities as the Canadian Sugar Institute, PepsiCo, Coca-Cola, Dr Pepper Sapple, Corn Refiners Association, World Sugar Research Organization.

Cranberry Juice Consumption Lowers Markers of Cardiometabolic Risk, Including Blood Pressure and Circulating C-Reactive Protein, Triglyceride, and Glucose Concentrations in Adults. Janet A Novotny, David J Baer, Christina Khoo, Sarah K Gebauer, and Craig S Charron. J. Nutr. 2015; 145:1185-1193 doi:10.3945/jn.114.203190.

**Conclusion**: LCCJ [low-calorie cranberry juice] can improve several risk factors of CVD [cardiovascular disease] in adults, including circulating TGs [triglycerides], CRP (c-reactive protein], and glucose, insulin resistance, and diastolic BP [blood pressure].

**Sponsor**: Ocean Spray Cranberries, Inc. and the USDA. JA Novotny received funding from and C Khoo is employed by Ocean Spray Cranberries, Inc.



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#### NEXT PUBLIC APPEARANCE



#### Cuernavaca, Mexico: National Institute of Public Health

The third lecture in this series: Conflict of interest in nutrition research, programs, and healthy eating recommendations: how to identify and manage." 3:00 p.m., Aula Magna room.

#### **SEARCH**

#### TOPICS FOR THIS POST

Conflicts-of-interest, Sponsored-research

## Makers and producers Gr

Artificial sweeteners

Blueberries

Canned foods

Cereal

Chewing gum

Citrus fruits

Chocolate

Coffee

Corn

Cranberries

Dairy

Dietary supplements

Eggs Garlic Grains

Infant formula

Juices

Meat

Nuts

Oats

Olive oil

Pears

Potatoes

Pulses

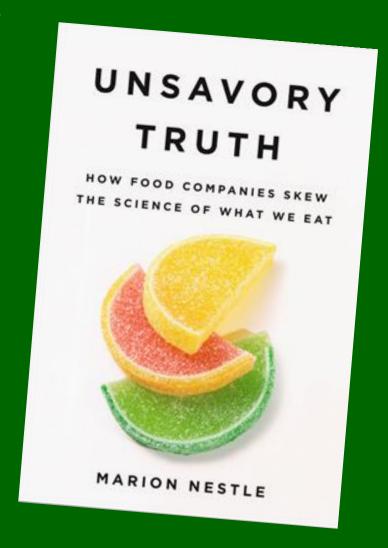
Raspberries

Soft drinks

Soy foods

Sugar

Yogurt



## Before you read another health study, check who's funding the research

Food companies have a bad history of funding biased research to support their products. We took a look at a few egregious recent examples

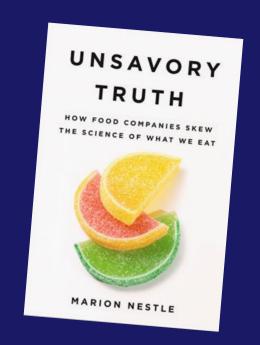


▲ New York University nutrition professor Marion Nestle began informally tracking studies funded by food and beverage companies, as well as trade groups, in 2015. Her research uncovered 168 such studies in that year alone, and of those, 156 showed biased results that favored the sponsor's interests Photograph: Alamy

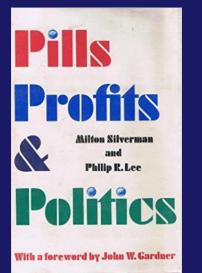


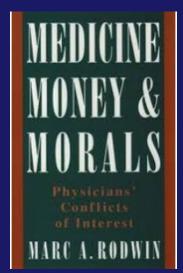
## Research on Drug Industry Influence

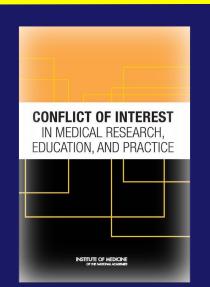
- Influence: Pervasive, Effective
- But: Unconscious, Unintentional, Unrecognized
- Justifications for Ties: Not Evidence-Based
- Disclosure: Necessary, Not Sufficient
- Prevention & Management: Essential

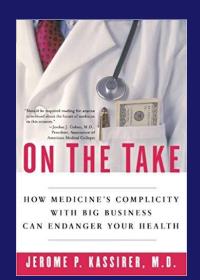


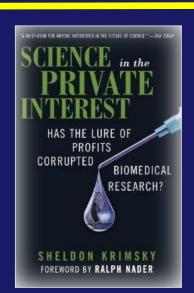
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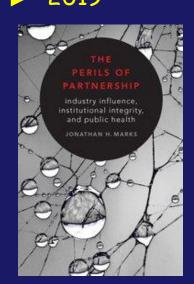












2019

#### January 2019

## THE LANCET

January 2019

ww.thelancet.com

The Global Syndemic of Obesity, Undernutrition and Climate Change: The Lancet Commission report







Milken Institute School of Public Health

A Policy Brief for national and municipal governments, civil society, funders, businesses, and international agencies

## Food systems: Prevent

- Hunger
- Obesity
- Climate change

Triple duty

## "Consumptogenic" economic systems

- Prioritize corporate economic power
- Promote privatization
- Externalize costs
- Neglect risks



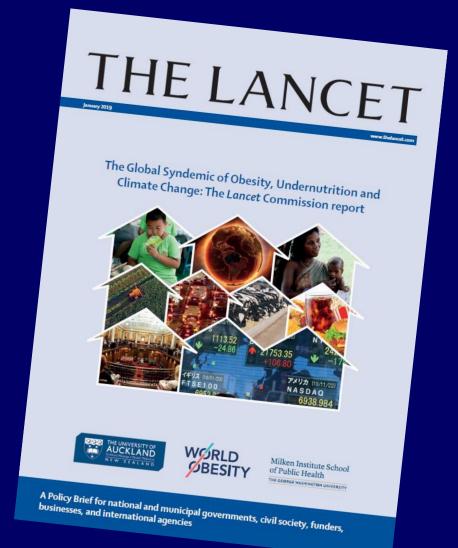
## Policy inertia

- Weak governance, "captured"
- Powerful food industry opposition
- Weak civic demand



To overcome the (perhaps unconscious) power of industry influence

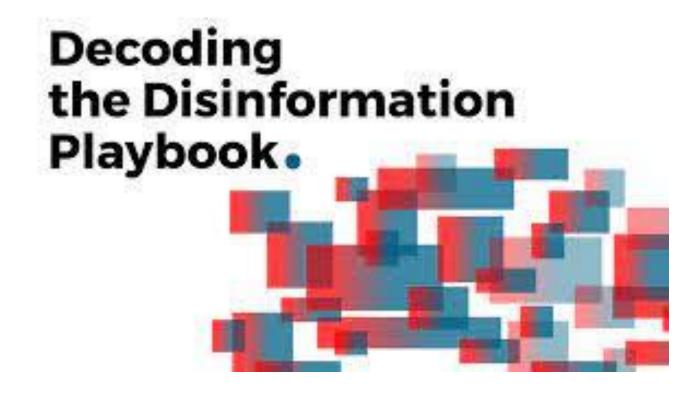
- Avoid public-private partnerships
- Set firewalls
- Regulate marketing
- Exclude industry from policy
- Require industry transparency

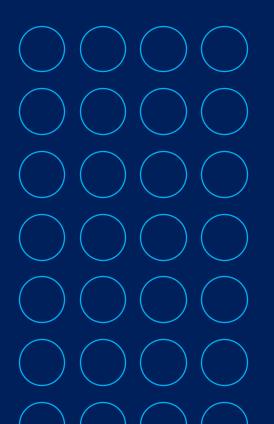


## Evidence: The Playbook applies to:

- Tobacco
- Pharmaceutical drugs
- Fossil Fuels
- Chemicals
- Food
- Infant formulas

  Baby food

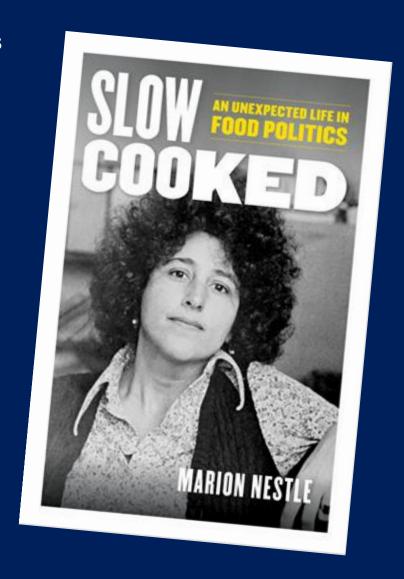






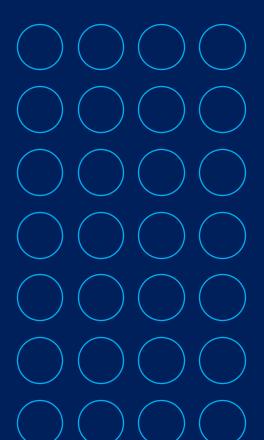
Thank You!













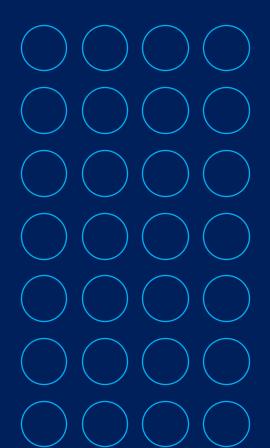
## Phillip Baker

ARC Future Fellow / Senior Research Fellow at the School of Exercise and Nutrition Sciences; member of the Institute for Physical Activity and Nutrition

Deakin University, Melbourne, Australia









Global Congress on Implementation of the Code of Marketing of Breast-milk Substitutes
June 2023

# Political interference by the baby food industry and what we can do about it



@PhilBakerNZ

### **Dr Phillip Baker**

ARC Future Fellow, Institute for Physical Activity and Nutrition, Deakin University, Melbourne, Australia

**Acknowledgements:** I would like to thank Julie Smith, Katheryn Russ, David McCoy, Nigel Rollins, Monique Boatwright, Paul Zambrano, Roger Mathisen and others

**Declarations:** I declare no conflicting interests. My travel to this Congress was supported by WHO. The research presented in this talk was funded by the Department of Maternal, Newborn, Child and Adolescent Health, WHO. My salary is provided by the Australian Research Council, a government body.





# How does the baby food industry undermine worldwide Code implementation?



## The power of industry lobbying

#### Breastfeeding 3

#### THE LANCET

The political economy of infant and young child feeding: confronting corporate power, overcoming structural barriers, and accelerating progress

Philip Baker, Julie P Smith, Amondine Gorde, Lourence M Grummer-Strawn, Benjamin Wood, Gita Sen, Gerard Hastings, Rafoel Pérez-Escamilla, Chee Yoke Ling, Nigel Rollins, David McCoy, on behalf of the 2023 Lancet Breastfeeding Series Group\*

Despite increasing evidence about the value and importance of breastfeeding, less than half of the world's infants and young children (aged 0–36 months) are breastfed as recommended. This Series paper examines the social, political, and economic reasons for this problem. First, this paper highlights the power of the commencial mills formula (CMF) industry to commodify the feeding of infants and young children; influence policy at both national and international levels in ways that grow and sustain CMF markets; and externalise the social, environmental, and economic costs of CMF. Second, this paper examines how breastfeeding is undermined by economic policies and systems that ignore the value of care work by women, including breastfeeding, and by the inadequacy of maternily rights protection across the world, especially for poorer women. Third, this paper presents three reasons why health systems often do not provide adequate breastfeeding protection, promotion, and support. These reasons are the gendered and biomedical power systems that deny women-centred and culturally appropriate care; the economic and ideological factors that accept, and even encourage, commercial influence and conflicts of interest; and the fiscal and economic policies that leave governments with insufficient funds to adequately protect, promote, and support breastfeeding. We outline six sets of wide-ranging social, political, and economic reforms required to overcome these deeply embedded commercial and structural barriers to breastfeeding.

Philippines: Industry lobbyists targeted the President, members of Congress, officials in the health, trade, and industry sectors, the US Philippine Embassy, UNICEF's international and regional headquarters.

South Africa: A new regulation took 9 years, with many setbacks from industry interference. Lobbyists challenged the Department of Health during the drafting process, requiring detailed responses, legal advice and a major work burden for staff.

United States: Between 2007 and 2018, the largest six US CMF manufacturers together spent US\$184.2 million on lobbying the US Government, of which \$55.1 million (30.0%) was declared as BMS-related.

## The power of industry lobbying

Baker et al. Globalization and Health (2021) 17:125
https://doi.org/10.1186/s12992-021-00774-5

Globalization and Health

RESEARCH

Open Access

Breastfeeding, first-food systems and corporate power: a case study on the market and political practices of the transnational baby food industry and public health resistance in the Philippines

Phillip Baker \* Q. Paul Zambrano \* Q. Roger Mathisen \* Q. Maria Rosario Singh-Vergeire\*. Ana Epefania Escober\*, Melissa Mialon \* Q. Mark Lawrence \* Q. Katherine Sievern \* Q. Cherie Russell \* Q. and David McCoy \* Q.

#### US Chamber of Commerce 2 President of the Philippines

"[The regulations]... would have unintended negative consequences for investors' confidence in the predictability of business law in the Philippines...If regulations are susceptible to amendment without due process, a country's reputation as a stable and viable destination for investment is at risk."

## Pharmaceutical and Healthcare Association of the Philippines President of the Philippines

"[Raising]...questions and protests regarding the constitutionality, legality and validity of certain provisions...which make the [regulation] susceptible to a temporary restraining order and... the government to possible sanctions imposed by the WTO."

## Pharmaceutical and Healthcare Association of the Philippines Chairman of the Committee on Trade and Industry:

"... the [regulation] will discourage investment consideration in the Philippines. Two of our members are poised for expansion of their facilities and have investment approval to proceed. However, some reservations are now being raised..."

#### Leveraging global trade rules



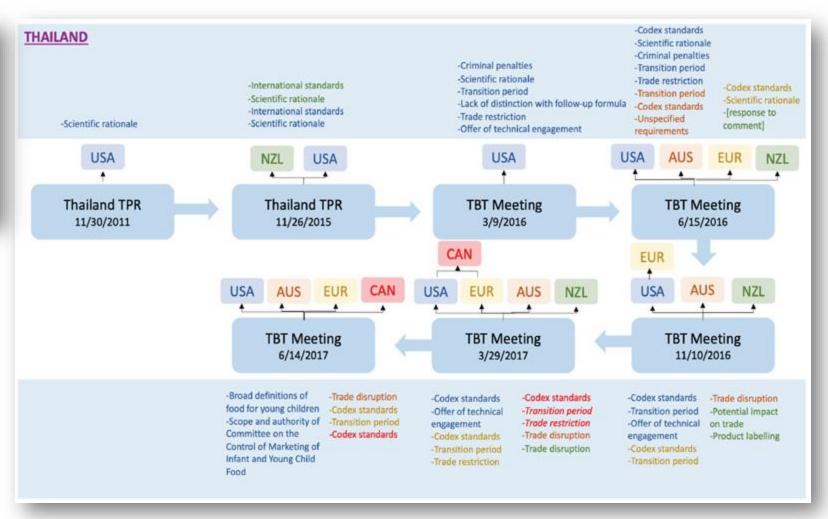
Katheryn Russ<sup>10</sup>, Phillip Baker<sup>10</sup>, Michaela Byrd', Manho Kang<sup>10</sup>, Rizki Nauli Siregar<sup>10</sup>, Hammad Zahid', David McCoy<sup>10</sup>

#### Abstrac

Buckground: International food standards set by the Codex Alimentarian Commission (CAC), have become more prominent in international trade politics, since being referenced by various World Tinde Organization (WTO) agreements, We examine how this impacts implementation of the World Health Organization (WHO) International Code of Marketing of Broat-wilk Sofutitation.

Methods: Using trade in communical milk formulas (CMFs) as a case study, we collected detailed data on interventions across various WTO hodies between 1995 and 2019. We used language from these interventions to enable data collection

Article History: Becelvel: 13 January 2021 Accepted: 17 August 2021 ePublished: 24 August 2021

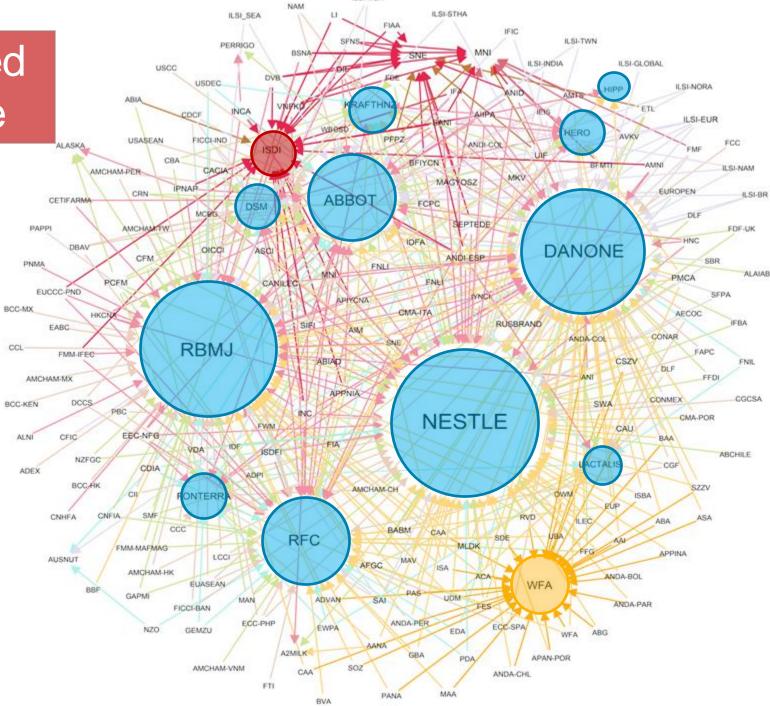


## A globally coordinated network of influence

#### RESEARCH Open Access

Globalization, first-foods systems transformations and corporate power: a synthesis of literature and data on the market and political practices of the transnational baby food industry

Phillip Baker<sup>3</sup> O. Katheryn Russ<sup>2</sup>, Manho Kang<sup>2</sup>, Thiago M. Santos<sup>3</sup>, Paulo A. R. Neves<sup>3</sup>, Julie Smith<sup>4</sup>, Gillian Kingston<sup>5</sup>, Melissa Mialon<sup>6</sup>, Mark Lawrence<sup>1</sup>, Benjamin Wood<sup>7</sup>, Rob Moodie<sup>8</sup>, David Clark<sup>9</sup>, Katherine Sievert<sup>10</sup>, Monigue Boatwright<sup>10</sup> and David McCoy<sup>10</sup>





#### Supporting breastfeeding







Has Nestlé lobbied to oppose breastfeeding policies?

We strongly support breastfeeding and have not wavered on this position. We have not, nor would we ever, lobby any governments - ncluding the <u>US</u> government - to oppose breastfeeding policies anywhere in the world.

https://www.nestle.com/ask-nestle/health-nutrition/answers/why-does-nestle-support-breastfeeding#:~:text=Has%20Nestl%C3%A9%20lebbied%20to%20oppose,breastfeeding%20is%20best%20for%20babies



SDG 17: PARTNERSHIPS FOR THE GOALS

STRENGTHEN THE MEANS OF IMPLEMENTATION AND REVITALIZE THE GLOBAL PARTNERSHIP FOR SUSTAINABLE DEVELOPMENT

Engagement of Danone: Major Focus

OUR VISION: DANONE, ONE PLANET, ONE HEALTH

## **Externally monitoring**

our practices

FTSE4Good and ATNI



**Responsible Marketing** of Breast Milk Substitutes 2021 Report



enerations to come.

In improving nutrition

science is key



Global Clinical Development Lead,





Transforming our dairy supply chains







DOI: 10.1111/mcn.13301







'The second mother': How the baby food industry captures science, health professions and civil society in France

Mélissa Mialon<sup>3</sup>

Fonterra launched. Fonterra Brands Philippines, makers of Anmum, the doctor-truste Key Opinion Leaders who will partner with them in educating mothers, doctors, and pregnant and breastfeeding mothers and their babies through the creation of seminar Annabels restaurant in Quezon City. Photo shows (standing from left) Forterra's Vince Dorog & Brenda Miranda. (seated from left) Anmum KOU's Eloi Villanaza, Nutritionist and Dr. Raul Quillamor; Dr. Leslie Rigor and Dr. Mabei Cagayan.

Open access

Research

FORMULA MILK

BMJ Open Sponsorship of national and regional professional paediatrics associations by companies that make breast-milk substitutes: evidence from a review of official websites

> Laurence M Grummer-Strawn, 1 Faire Holliday, Katharina Tabea Jungo, 3 Nigel Rollins<sup>4</sup>

Magobe

REPORT BACK

#### **Pediatric** Nutrition in Practice

Nestlé Nutrition Institute is the provider of CPEUs. One CPEU is approved for each module through the Commission on Dietetic Registration (CDR), the credentialing agency for the Academy of Nutrition and Dietetics, nestlenutrition-institute.org

#### Abstract

Most babies in France are fed with infant formula and then commercial complex foods, many of which are ultra-processed and harmful to health. Internationally, opposition by the baby food industry to the introduction of public health policy











#### nature food

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Analysis Published: 05 August 2022

A realist review of voluntary actions by the food and beverage industry and implications for public health and policy in low- and middle-income countries

Agnes Erzse , Safura Abdool Karim, Louise Foley & Karen Joanne Hofman

Nature difficult to evaluate due to vague language and a lack of enforcement mechanisms. The

review found no evidence indicating that VAs are effective in safeguarding public health. Yet

their implementation has resulted in weaker responses and policy substitution, and so we

suggest that VAs have the potential to negatively influence public health and policy. The

United Nations should rescind their endorsement of industry involvement and mandatory

measures should be favoured over VAs.

Responsible Marketing of Breast Milk Substitutes 2021 Report

L POLICY RKETING FORMULA



## **Special Rapporteur on the Right to Food 2016**

"Recognizing that industry self-regulation is ineffective, Governments **should impose strong regulatory systems** to ensure that the food industry does not violate citizens' human rights to adequate food and nutrition. It is recognized, however, that such efforts may face **formidable resistance** from a food industry seeking to protect its economic interests."

Marketing of Breast-Milk Substitutes



# What can we do to counter industry interference?



Recognize that there is a fundamental and irreconcilable conflict of interest between the baby food industry and public health objectives.

#### Safeguard public health policies

- 1. Exclude companies and industry from policy development and drafting.
- 2. Ensure regulatory processes are transparent and open to public scrutiny.
- 3. Strengthen regulatory agencies to ensure independence and oversight.
- 4. Adopt mandatory laws NOT voluntary regulations or partnerships.
- 5. Support strong regulation of corporate lobbying, including public registries, disclosure, and stand-down periods.
- 6. Require disclosures of actual or potential conflicts of interest by those involved in decision-making to
- 7. Establish codes of conduct for public officials involved in regulating the baby food industry.

### Challenges under international trade law



INTERNATIONAL TRADE AGREEMENTS AND IMPLEMENTATION OF THE INTERNATIONAL CODE OF MARKETING OF BREAST-MILK SUBSTITUTES

Frequently Asked Questions

WHO/UNICEF Information Brief



#### Royal college Calling time on professional conflicts of interest

BMJ 2019; 364 doi: https://doi.org/10.1136/bmj.l342 (Published 22 January 2019)

Cite this as: BMJ 2019;364:1342

BMJ 2019; 364 doi: https://doi.org/10.1136/bmj.l1279 (Published 21 March 2019)

Cite this as: BMJ 2019;364:1127

Article

1. Reverse and resist over-medicalised health care.

Gareth lacobucci

**Due dilige** 

**BMJ Global Hea** 

- 2. End financial relationships with industry.
- 3. Establish clear codes of conduct and disclosure rules.
- 4. Promote independent research and funding.
- 5. Health professional education, including on the Code, and preventing commercial conflicts of interest.

integrity of health professionals from institutional conflict of interest

milk substitutes

Genevieve Ellen Becker O, Constance Ching O, Tuan T Nguyen O, Jennifer Cashin . Paul Zambrano . Roger Mathisen

Catherine Pereira-Kotze O, Bill Jeffery O, Jane Badham, Elizabeth C Swart 0.4 Lisanne du Plessis 0,5 Ameena Goga 0,6,7 Lori Lake <sup>0</sup>, <sup>8</sup> Max Kroon, <sup>9</sup> Haroon Saloojee <sup>0</sup>, <sup>10</sup> Christiaan Scott <sup>0</sup>, <sup>11,12</sup> Raul Mercer O, 13 Tony Waterston O, 14 Jeffrey Goldhagen O, 15,16 David Clark, 17 Phillip Baker 0,18 Tanya Doherty 01,19

DOH: Breast milk still best for babies

Create powerful breastfeeding coalitions

Mothers and families + civil society + political leaders + government agencies + health professionals + media and journalists + international organizations

Leadership – sustained over the long term

Capacities and resources - including financial, human, technical and strategic

FREE from commercial conflicts of interest

#### MOTHER KNOWS BEST

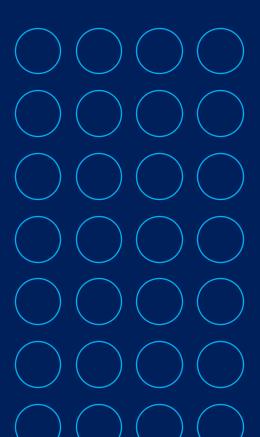
Tessa Prieto-Valdes (4th from left), Inquirer columnist, businesswoman and interior designer, is the first "Idol sa Breast-Feeding" of the Department of Health for showing that a woman can breast-feed and juggle a busy work and social schedule at the same time. Valdes is shown with daughter Athena and, from left, Inquirer chair Marixi Prieto, Howard Sobel and Alex Ieliamo of the World Health Organization, Health Secretary Francisco Duque III and Inquirer president and CEO Alexandra Prieto-Romualdez with son Nico during the award rites. National Breast-feeding Week will be

Gloria Macapagal Arroyo poses with several mothers and their babies at the opening of World Breastfeeding Week in Malacañang with the theme 'Breastfeeding: The First Hour, Save One Million Babies.' (Richard Viñas)

### Thank you!

phil.baker@deakin.edu.au





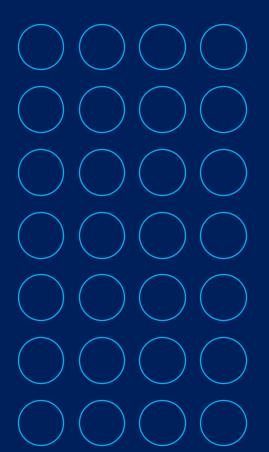


### Hon. Aiah David Shek Kassegbama

Parliament of Sierra Leone









# Industry interference in Sierra Leone

Hon. Aiah David Shek Kassegbama Parliament of Sierra Leone 20 June 2023





## Sierra Leone has one of the strongest Code laws in the sub-region of West Africa

 Parliament of Sierra Leone passed into law the Breast Milk Substitute Act, in July 2021.

 It was a long journey after several failures from the past parliaments.



#### How it all started

- Sub-regional learning and exchanges
- Dedicated capacity building support on Code
- Formation of Code Committee
- Engagements with all stakeholders from the three arms of government (the executive, judiciary and legislative) and involvement of other line ministries:
  - Popularization of the exclusive breastfeeding and importance of the Code with relevant ministries: Agriculture, Health, Trade and Social



## How did the industry try to interfere with the process?

- Industry lobby groups targeted leadership of parliament and parliamentary committees such as:
  - Health
  - Legislative
  - Agriculture and food security
  - Trade
  - Gender and children's affairs
- Incentives/funds to groups such as trade union and civil societies



## What were the targets of the industry influence?

 Influence the president not to sign the Bill into a legislation

 Reduction of fines within the legislation

 A flexible legislation to allow industries continue promotion activities of BMS



## How did we overcome the industry interference?

- Pressure from CSO's, Leadership and Members in the House of Parliament on the office of the President.
- Several engagement by the technical arm (Ministry of Health – Directorate of Food and Nutrition and its partners) with the parliamentary committee chairpersons and its membership.
- Support provided for Members of Parliament to carry out nationwide community sensitization on the enactment of the Breastfeeding bill.



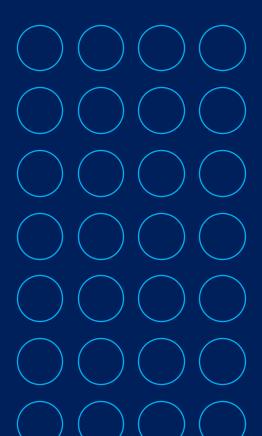
## What other countries could learn from our experience?

- Strong political will
- Working with the 3 arms of government
- Creation of a multisectoral code committee and technical code work group
- Nutrition Champions



### Thank you







# Camila Maranha Paes de Carvalho

Universidade Federal Fluminense, Social Nutrition Department







#### Dr Camila Maranha Paes de Carvalho

Adjunct professor, Fluminense Federal University, Niteroi, Brazil

**Acknowledgements**: I would like to thank Marina Rea, Renata Ferreira, Fabio Gomes, Mayara Quintanilha, Inês Rugani.

**Declarations**: I declare no conflicting interests. My travel to this Congress was supported by WHO. My salary is provided by the Fluminense Federal University, a government body.



Global Congress on Implementation of the Code of Marketing of Breast-milk Substitutes June 2023

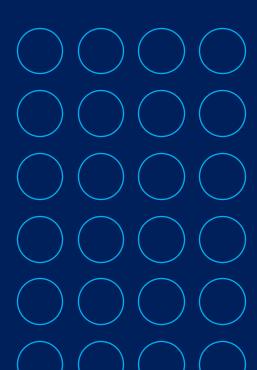


### Brazil case

A critical look at conflict of interest in respect to the Brazilian Code







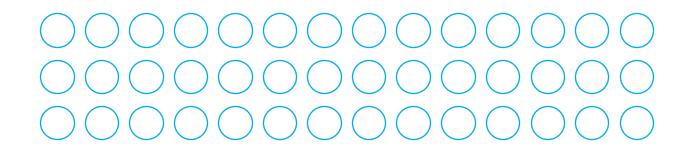


### The scenario

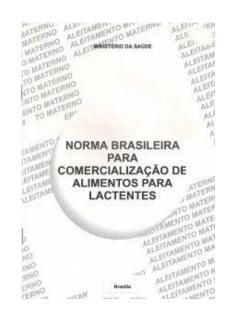


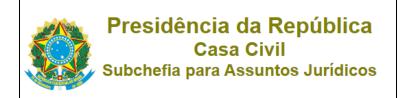


#### NBCaL: Brazilian Code



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DGRAMA NACIONAL DE INCENTIITAMENTO MATERNO PROGRAMENT NORMA BRASILEIRA AO DE PARA COMERCIALIZAÇÃO
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**LEI N° 11.265, DE 3 DE JANEIRO DE 2006** 

1988 1<sup>st</sup> edition 1992 1<sup>st</sup> revision 2000 2<sup>nd</sup> revision 2006 Law

2015 Regulated

#### **NBCaL: The Brazilian Code**

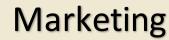




**Products** 

GRÁTIS

**Donations** 



**Penalties** 





Label Sponsorship















http://www.ibfan.org.br/site/nbcal

#### Research

## Oficial documents

#### **Wiley Online Library**



SUPPLEMENT ARTICLE | ① Open Access | ⓒ (i)

Global evidence of persistent violations of the International Code of Marketing of Breast-milk Substitutes: A systematic scoping review

Genevieve E. Becker, Paul Zambrano , Constance Ching, Jennifer Cashin, Allison Burns, Eva Policarpo, Janice Datu-Sanguyo, Roger Mathisen

First published: 21 March 2022 | https://doi.org/10.1111/mcn.13335 | Citations: 12



#### Temas de actualidad / Current topics

Norma brasileira de comercialização de alimentos para lactentes e crianças de primeira infância: histórico, limitações e perspectivas

Renata Monteiro<sup>1</sup>

#### Revista de Saúde Pública

Assédio da indústria de alimentos infantis a profissionais de saúde em eventos científicos

Ana Carla da Cunha Ferreira Velasco<sup>1</sup> (10), Maria Inês Couto de Oliveira (10), Cristiano Siqueira Boccolini (10)

#### Revista de Saúde Pública Journal of Public Health

Proteção do leite materno e ética
Protection of mother's milk and ethics

Marina Ferreira Rea e Tereza Setsuko Toma

Instituto de Saúde da Secretaria de Estado da Saúde de São Paulo, São Paulo, SP, Brasil

#### Civil society











idec

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Q

Pesquisar















Idec processa Nestlé, Mead Johnson e Danone por promoção cruzada entre fórmulas infantis e compostos lácteos

Produtos Nestle







Fórmulas Infantis

Composto Lácteo

**Produtos Danone** 

Produtos Mead Johnson











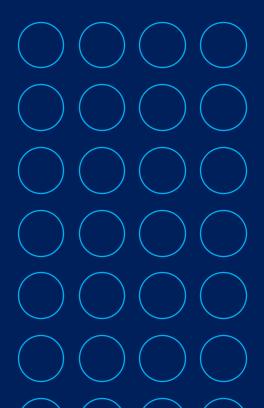


Fórmulas Infantis

Composto Lácter

Fórmulas Infantis

Composto Lácteo





### Challenges related to Col





### **NBCaL: The Brazilian Code**

#### Conflict of interest?





**Products** 

Marketing

**Donations** 

**Penalties** 





Responsabilities

GRÁTIS

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Samples















http://www.ibfan.org.br/site/nbcal

## Examples o joio e o trigo

LOBBY

Jornalismo investigativo sobre alimentação, saúde e poder

The Intercept\_ Brasil





Farmacêutica leva pediatras para micareta com mascote, open bar e

abadá para promover remédio Festa realizada pela Mantecorp Farmasa durante congresso de pediatria escancara 'promiscuidade' das relações entre médicos e a indústria farmacêutica. Foto: Reprodução/Facebook



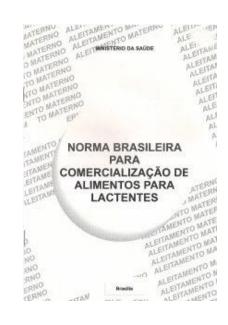
O ano em que Nestlé e a Sociedade de Pediatria renovaram os votos de uma longeva parceria

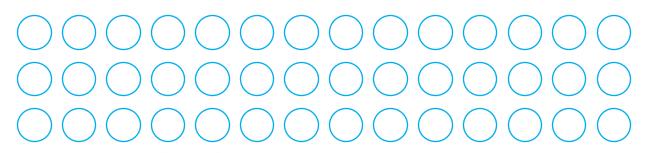
Examples

#### NBCaL: Brazilian Code

DGRAMA NACIONAL DE INCENTI

ITAMENTO MATERNO PROGRAI
ENTIVO AO ALEITAMENTO MATE
CERNO PROGRAMA NACIONAL E
DGRAMA NACIONAL DE INCENTI
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ENT NORMA BRASILEIRA AO
D PARA COMERCIALIZAÇÃO
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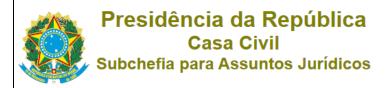








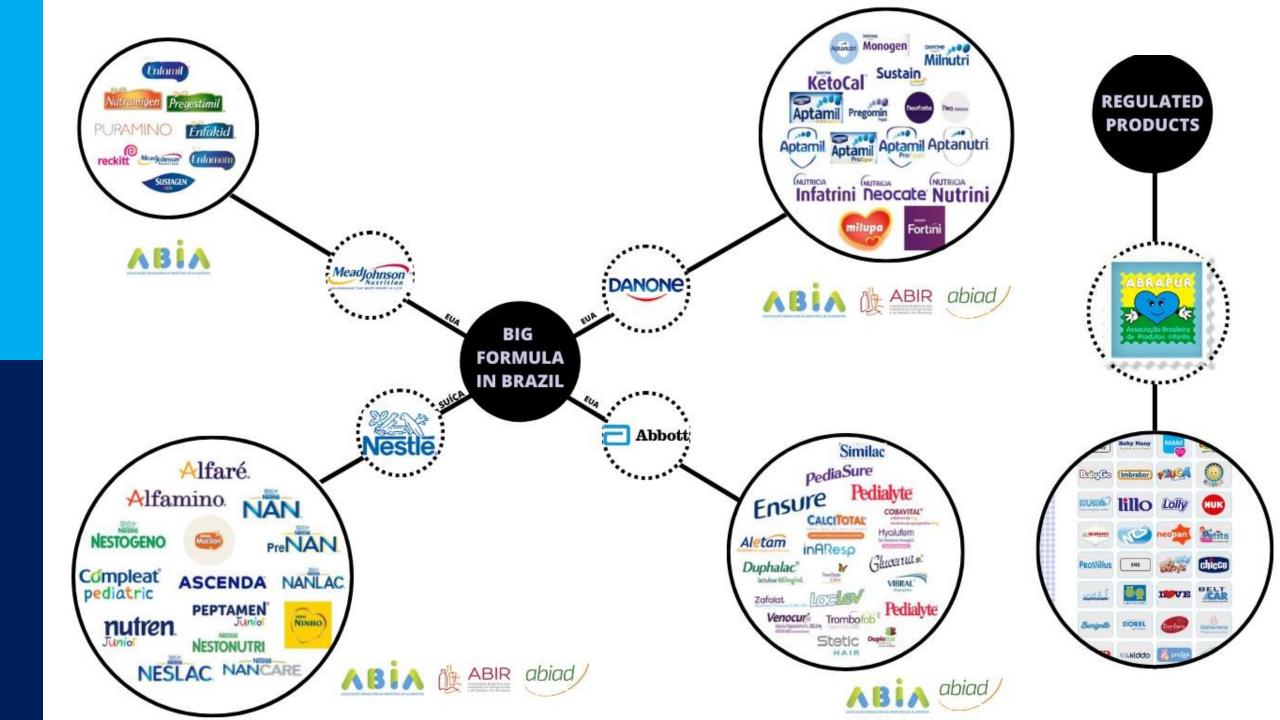




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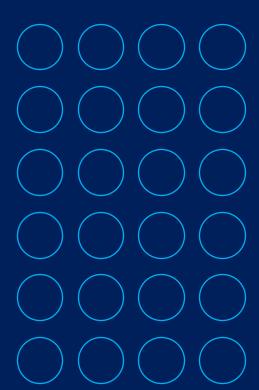
2015 Regulated



#### Examples

Art. 8th "Manufacturers, importers and distributors of the products dealt with in this Law may only grant financial or material sponsorship to scientific teaching and research entities or to **nationally recognized associations of pediatricians and nutritionists**, with any and all forms of sponsorship being prohibited for individuals".

§ 1 "The beneficiary entities will ensure that companies do not carry out commercial promotion of their products in events sponsored by them and limit themselves to the distribution of technical-scientific material."



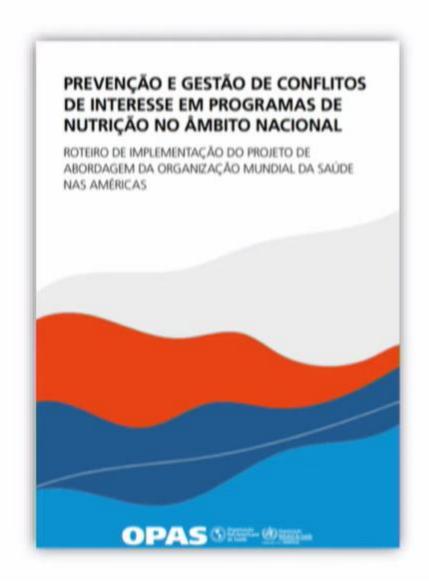


### Necessary (Re)Action





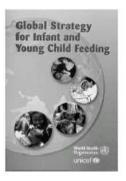
### Possible ways forward



#### Conflicts of Interest and Policy Implementation

Reflections from the fields of health and infant feeding

**Judith Richter** 

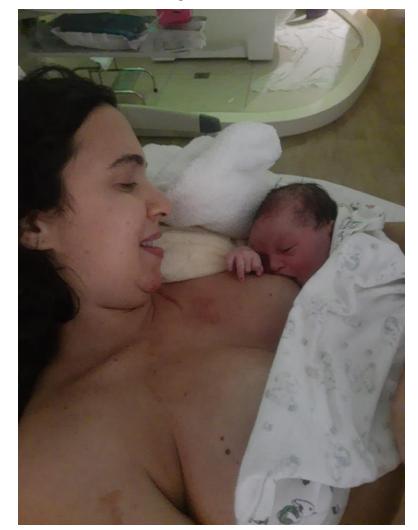








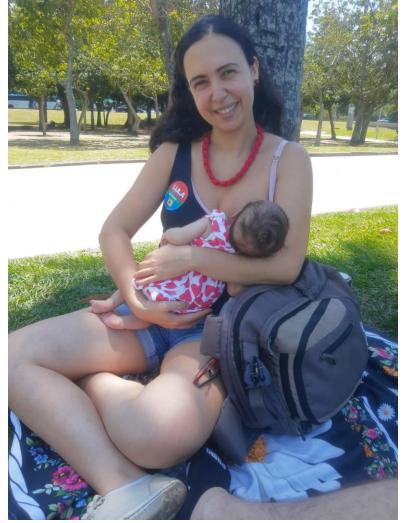
#### Thank you!





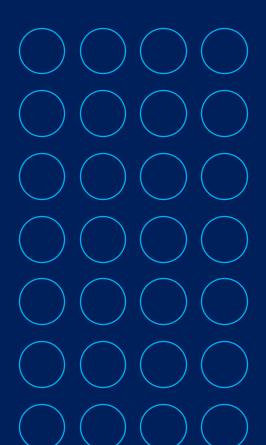
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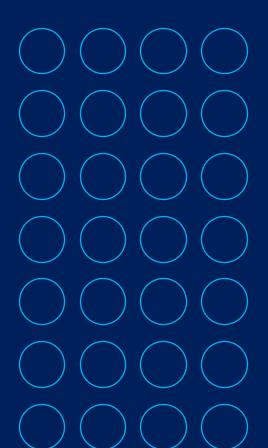




8. Renata Ferreira video.mp4









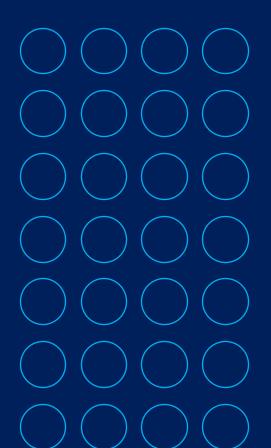
9. Marina Rea Video.mp4





### Breakout Room Assignments Tuesday

Africa (English)	Auditorium left side / Z1
Africa (French)	Room V
Mideast & North Africa (Arabic)	Room X
Asia (English)	Auditorium right side / Z4
America & Caribbean (English)	Room T
Latin America (Spanish)	Cafeteria
Europe & Central Asia (English)	Room U





TIGERS TRAILER









Global Congress on Implementation of the Code of Marketing of Breast-milk Substitutes June 2023

# Coffee break + group work

15:00 - 15:30

Please return to your group by 15:30 to start on time.



