

## SUMMARY OF CONCERNS



Unfortunately current UK marketing regulations do not cover feeding bottles and teats.

However, the *Infant Formula and Follow-on Formula Regulations (2007)* do state that “No person shall produce or publish any informational or educational material, whether written or audiovisual, dealing with the feeding of infants and intended to reach pregnant women and mothers of infants and young children, unless that material includes clear information...” The list of information includes “the possible negative effect on breast-feeding of introducing partial bottle-feeding”.

Accordingly, it may be possible for enforcement officers to issue *Improvement Notices* or bring prosecutions over NUK information that does not include the required information.

Certain claims in advertisements are misleading and Baby Milk Action has registered cases with the Advertising Standards Authority.

### Breaks the Code . Strengthen the Law .

Examples of advertising in the *Breaks the Code - Strengthen the Law* boxes are not permitted under the *International Code* and Resolutions adopted by the World Health Assembly. These measures do cover feeding bottles and teats and state “there should be no advertising or other form of promotion to the general public of products within the scope of this Code”.

Companies should follow these standards independently of national measures, but the specific provisions need to be included in UK law to make them legally binding.

## RESPONSES

The ASA informed Baby Milk Action on 29 March 2017 that Mapa Spontex had agreed to drop false claims from future advertising (see box on next page). A response from Trading Standards is awaited.

Baby Milk Action received a letter from Marc Matthews, Managing Director, Mapa Spontex UK Ltd, on 7 April. This did not acknowledge its agreement to remove the misleading claims, but accused Baby Milk Action of bias in criticising its advertising and promotion. The full letter is available on our website and as an annex to the printed report. The letter correctly points out many of these practices are not illegal, but does not acknowledge they break the Code.

## COMPANY HISTORY

NUK is a brand of feeding bottles and teats from Mapa Spontex UK Ltd, which became part of the French company Jarden Home & Family International in 2010. Jarden merged with Newell Rubbermaid in 2016, to form the US-registered company Newell Brands.

## “NATURAL CHOICE” AND “OPTIMAL” CLAIMS

NUK feeding bottles are marketed as the “natural choice”. The UK legislation that prevents such claims for formula does not currently apply to feeding bottles.

NUK encourages breastfeeding mothers to introduce feeding bottles for “complementary” feeding, in its product labelling, advertising and health advice.

Advertising claims NUK First Choice Bottles & Teats are “clinically proven for an optimal combination of breast and bottle feeding”. The logo claiming “clinically proven” for “combined feeding” also appears on packaging. These claims are not proven by the study presented as a reference (see box on next page).

Baby Milk Action has asked the British Dental Health Foundation if it critically appraised the study before allowing its “Approved” logo to be used in the advertisements. NHS endorsement is implied by another logo stating: “Widely used in hospitals”.

**. Breaks the Code .** **. Strengthen the Law .**

See the NUK Test in action today: 

**Why choose NUK First Choice+?**

NUK First Choice+ Bottles are clinically proven for combined feeding...



The NUK Test mimics the shape of a mother's nipple during breastfeeding, it encourages latch on and aids the transition between breast and bottle feeding. NUK Teats are clinically proven for combined feeding.

**Bottles & Teats you can trust**

NUK Teats are approved by the British Dental Health Foundation for promoting healthy development of baby's teeth and jaw.

NUK Teats are widely used in UK Children's Hospitals.

NUK Bottles have the approval of the people that matter most: the parents that use them!

**NUK's Anti Colic Air System reduces the risk of infant colic**

A clever valve allows air into the bottle during feeding. This prevents an air vacuum and allows baby to feed continuously without swallowing air.



Visit [www.nuk.co.uk](http://www.nuk.co.uk) and enter 'NUK25' as a voucher code at the checkout

**25% OFF**

**. Strengthen the Law .** **. Breaks the Code .**

**. Breaks the Code .** **. Strengthen the Law .**

**Disney PIXAR FINDING DORY**

**Just keep swimming this summer with NUK**



**. Strengthen the Law .** **. Breaks the Code .**

## REFERENCE DOES NOT SUPPORT CLAIMS

The NUK *First Choice* adverts shown here reference a research paper *BMC Pediatrics 2010 10:6* as providing clinical proof that the teat enables "optimal combination of breast and bottle feeding".

The title of the study (link below) is not given in the advertisement, but it is: "Mechanics of sucking: comparison between bottle feeding and breastfeeding".

The NUK teat was the only teat used. No comparison was made to evaluate different types of teat. There is no basis for the "optimal", "First Choice" or "Clinically Proven" claims. In fact, the study found babies sucked differently when breastfeeding and when bottle feeding using the NUK teat. There was no investigation into how this impacted on lactation.

The Advertising Standards Authority (ASA) informed Baby Milk Action on 29 March 2017:

*We have now resolved the case with the advertiser. They have agreed to remove the study from their advert and will no longer use the phrase "Clinically proven."*

The ASA refused to investigate the "First Choice" claim, telling Baby Milk Action it is the name of the teat and permitted "marketing puffery".

<https://bmcpediatr.biomedcentral.com/articles/10.1186/1471-2431-10-6>

Another promotional strategy is to present bottles as if they are children's toys, with colourful patterns and designs. This includes tie-ins with Disney films.

## ADVISING MOTHERS TO INTRODUCE BOTTLES

The NUK website gives "5 reasons for combining breastfeeding and bottle-feeding" from "the UK's leading breastfeeding expert".

Number 3:

### *You need your baby to take bottles too*

*Sometimes babies who are entirely breastfed can be reluctant to take a bottle – at just the wrong moments. For example, you're returning to work, need to spend time away from your baby or have been prescribed medication that prevents you breastfeeding.*

*If you need your baby to be versatile, Clare advises introducing a bottle once breastfeeding is properly established – this could be when your baby is a week old if they're feeding happily and efficiently. Or by the time they're six weeks old at the latest.*

The company's suggestion that breastfed babies have to adapt to bottles undermines its claim they mimic breastfeeding. There was none of the required information about possible negative effects on breastfeeding of introducing bottles is not given on this page alongside the advice to introduce bottles.





## INFORMATION MISSING FROM NUK WEBSITE

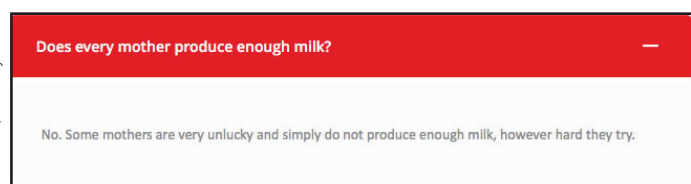
Although UK legislation does not cover the marketing of feeding bottles, it does cover materials about infant feeding aimed at pregnant women and mothers of infants and young children.

Regulation 24 of the *Infant Formula and Follow-on Formula Regulations (2007)* requires that such material should include information on: the benefits and superiority of breast-feeding; the possible negative effect on breast-feeding of introducing partial bottle-feeding; and the difficulty of reversing the decision not to breastfeed.



There is some information on benefits of breastfeeding on the NUK website, but it highlights that *"some mothers are very unlucky and simply do not produce enough milk, however hard they try."*

nuuk.co.uk, January 2017



It proposes feeding with formula as *"a good, practical alternative"*, with no suggestion to seek help from a peer-support group or breastfeeding specialist.

Those seeking breastfeeding support on the website are directed to other NUK products.

nuuk.co.uk, January 2017

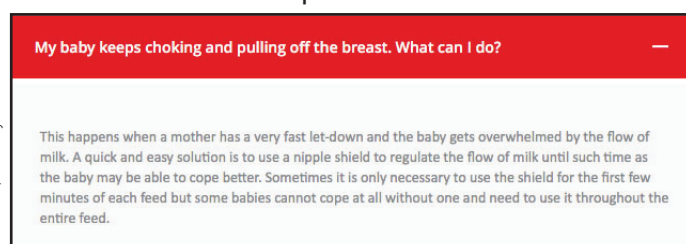
### Breastfeeding

We all know that "Breast is Best" but the reality is that many mothers struggle to establish pain-free, successful breastfeeding, mothers can however be enormously helped by breastfeeding aids which is why NUK has developed a range of breast pumps, breast pads and nipple shields to aid successful breastfeeding.

The NCT and other not-for-profit groups provide information to help mothers establish breastfeed. It also has information for mothers who wish to introduce feeding bottles, with a correct explanation of the pros and cons.

While suggesting some mothers do not produce enough milk, the NUK site also suggests some mothers produce too much milk, choking their babies. The proposed solution is another NUK product.

nuuk.co.uk, January 2017



Advertising, product labels and the NUK websites claims the teats *"reduce the risk of colic"*. Presenting bottle feeding as a solution to colic undermines breastfeeding.

## RESPONSE FROM MAPA SPONTEX

Baby Milk Action sent a preview version of this profile to Mapa Spontex, manufacturer of the NUK brand, on 23 March 2017. The Managing Director responded with a letter on 7 April 2017.

The full text of this letter is available on the Baby Milk Action website, with analysis, at: <http://www.babymilkaction.org/monitoringuk17>

Surprisingly Mapa Spontex did mention in its letter that it had agreed with the Advertising Standards Authority to remove unsubstantiated claims from future advertising (see box on previous page).

Instead it accused Baby Milk Action of bias and stated:

*The NUK website expressly indicates that breastfeeding is the best for babies and outlines the benefits of breastfeeding. In addition, we explain how the breastfeeding process works, as NUK strongly believes that mothers should be fully informed before making their decision as to how they want to feed their babies. That's why we even warn mothers of the possible negative effects on breast feeding of introducing bottle feeding and the difficulty of reversing the decision not to breastfeed. In addition, our website encourages mothers who encounter difficulties to seek the assistance of medical aid, such as midwives and pediatricians.*

The original profile reported the site contained information on benefits of breastfeeding (as left). Baby Milk Action has requested further directions to information on the possible negative effects of introducing bottles as this was not located, certainly not alongside the *"clinically proven"* for *"combined feeding"* and *"optimal"* claims or the advice to introduce bottles by 6 weeks of age.

The letter correctly points out that many of the practices featured are in accordance with UK law. It does not acknowledge its responsibility of the company to abide by the Code independently of national measures.

On the claims regarding colic it states:

*The claim "reduces the risk of colics" clearly refers to the fact that NUK bottles have a specific system preventing an air vacuum and thus the swallowing of the air while bottle feeding. This system enables a relaxed drinking and creates a regular flow, reducing the potential risk of colics as it is recognized swallowing air whilst eating can be a cause for colics which may occur with bottles that do not have a similar system. Therefore, we disagree with your view that our claim undermines breastfeeding.*