

SUMMARY OF CONCERNS



Examples with this stamp appear to break the law, so enforcement authorities may be able to issue an *Improvement Notice* or prosecute. They are summarised below.

Aldi markets its own-brand Mamia infant formula. The labels break the prohibition on idealising text and images.

It promotes infant formula in-store with price cuts and shelf-talkers, despite assuring Trading Standards in 2013 that it would stop doing so.

. Breaks the Code . . Strengthen the Law .

Examples in the *Breaks the Code - Strengthen the Law* box are not permitted under the *International Code* and Resolutions adopted by the World Health Assembly. These measures cover more products than the UK law.

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.

The promotions that Aldi has run for feeding bottles break the Code, but not the current UK law.

Aldi promotes complementary foods for use before 6 months of age. This is against government policy and the Code, though not current UK law.

Baby Milk Action has sent this profile to the company and will update it if action is taken.

Company details for enforcement officers:

Matthew Campbell Barnes
Chief Executive Officer (UK and Ireland)
Aldi Stores
Holly Lane
Atherstone
Warwickshire
CV9 2SQ

COMPANY HISTORY

Aldi in the UK is part of the German firm Aldi Sud, created when the original Aldi split in two in 1960 due to disagreements between the Albrecht brothers who founded it (Aldi is an abbreviation of Aldi Discount)¹.

Aldi entered the UK market in the 1990s. It became an online retailer in the UK in 2016.

OWN-BRAND FORMULA LABELS AND PROMOTIONS

In 2016 Aldi extended its own Mamia baby products line into infant formula (already available in Australia).

The product is currently at least £4.00 cheaper than leading popular brands, which pass the cost of multi-million pound advertising campaigns on to consumers or use a higher price to portray the brand as a premium product.



Castle Bromwich, December 2016

All formulas have to meet the same composition requirements set in the law. Mamia formula does not comply with labelling requirements in the law as it includes an animal image, idealizing text ("*unique blend*"). It also encourages "combination" feeding.

To avoid cross-promotion, a different brand name should have been used for the infant formula. As it is part of a range, the text for the type of formula should be at least as big as the brand name to avoid confusion with other milks.

Aldi is following established formula companies in offering parenting advice to promote the formula brand.

¹ <http://www.telegraph.co.uk/finance/newsbysector/retailandconsumer/10343032/Aldi-a-history-of-the-low-cost-supermarket.html>

A Twitter chat using the #MAMIANIGHTFEED hashtag was advertised in the *Loved By Parents (LBP)* online Magazine in October 2016, just as its formula started appearing in stores.



Loved By Parents, October 2016

Aldi is also following other companies in promoting the formula brand name through cause related marketing. For the first time, it sponsored Barnardo's *Big Toddler* in 2016, aimed at parents with children under 5 years of age. Barnardo's *Big Toddler* in Ireland has been sponsored by Danone in the past to promote its Cow & Gate formula.



Barnardos, January 2017

IN-STORE PROMOTION OF INFANT FORMULA

The UK law prohibits point-of-sale promotion of infant formula. Aldi uses both price-cut promotions and "new" signs to promote formula brands (shelf-talkers are generally displayed above products in Aldi stores, not below, as with its own-brand formula on the previous page and most of the examples shown right).

These examples from around the country in 2015 and 2016 demonstrate that Aldi did not deliver on an earlier promise to stop this practice (see box below).

Abergavenny, October 2016



Castle Bromwich, March 2016



Halesowen, March 2016



Bebington, October 2016



Stockton, March 2017



Romford, April 2015



Glossop, January 2015



Cheadle Heath, February 2015



POINT-OF-SALE PROMOTION CONTINUES DESPITE ASSURANCES TO TRADING STANDARDS IN 2013

Mike Brady of Baby Milk Action raised point-of-sale promotions with Aldi in 2013 (Stoke-on-Trent example below). Aldi's response is given here. Its assurances have not been reflected by reality. The *Improvement Notices* regime introduced in July 2016 could be applied to more recent examples.

Stoke-on-Trent, February 2013



Dear Mr Brady

14 February 2013

Thank for your email regarding the incorrect promotion of SMA infant formula in the Aldi, Stoke-on-Trent store.

We are aware of this matter and have been working with Trading Standards to ensure compliance with the 'Infant Formula and Follow-on Formula Regulations (2007)' across all of our stores nationwide.

Trading Standards are satisfied that we are working with stores to ensure the correct promotion of the SMA infant formula and that we are rectifying any instances of non-compliance.

We are reminding our trading teams of the correct in-store promotion procedures and the need to remove any incorrect price cards and shelf-talkers. We will of course take immediate action to ensure the correct point of sale is displayed in the Stoke-on-Trent store.

Thanks again for contacting us about this matter and please let us know if we can help with anything further.

Kind regards

The Aldi Buying Team.

. Breaks the Code .

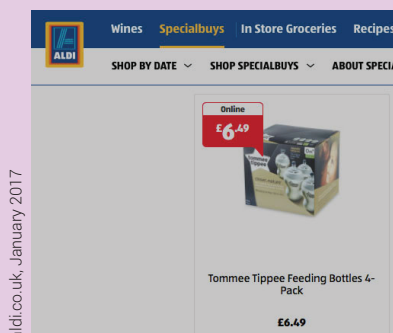
. Strengthen the Law .

. Breaks the Code .

. Strengthen the Law .

PROMOTION OF FEEDING BOTTLES

Aldi exploits the lack of restrictions on feeding bottle promotion by including these as special buys in the Baby and Toddler section of its new online store.



It promoted a nursing pillow in its instore magazine with the headline "Baby's first sips", showing a mother bottle feeding her baby, with an advertisement for Tommee Tippee "closer to nature" bottles underneath.



MARKETING BABY FOODS FOR TOO EARLY AN AGE

The online magazine *Loved By Parents* (LBP) promoted the Mamia range of infant foods on Facebook. The pictured product is labelled for use from 4 months of age.



WHO and the NHS recommend that infants be fed only breastmilk or infant formula until 6 months of age.

Foods promoted for use before 6 months come within the scope of the Code and should not be promoted.

Aldi sponsors LBP. As well as recommending Aldi products and #MAMIANIGHTFEED Twitter chat to the public (previous page), LBP named Aldi its "supermarket of the year" in 2016, not for the first time.



. Strengthen the Law .

. Breaks the Code .

. Strengthen the Law .

. Breaks the Code .