

Mothercare

Evidence of violations of the *International Code of Marketing of Breastmilk Substitutes* and subsequent, relevant Resolutions

Notable marketing claims

Effectively combine breast & bottle feeding

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.

Mothercare promotes formula feeding to new mothers through direct marketing to its email lists. As a retailer of infant formula, this is an attempt to induce sales and so may be covered by the law.

Other marketing emails use follow-on formula or carelines to promote infant formula brands, which the *Guidance Notes* to the law says should not be done.

The example of the Mothercare email promoting the SMA brand was reported to both Trading Standards (via the Citizens Advice Bureau system) and the Advertising Standards Authority. However, the results of their investigations are still awaited.

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.

Mothercare promotions of follow-on formula, baby clubs and feeding bottles and teats are not permitted by the Code, even if they did not promote infant formula brands.

Marketing emails directing parents to Nestlé's careline are not permitted either. Manufacturers and distributors of products within the scope of the Code should not seek contact with pregnant women or mothers of infants and young children, directly or indirectly.

Contact details for enforcement action:

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COMPANY HISTORY

Mothercare opened its first store in 1962 in Surrey. It became a public company in 1972 and began to expand internationally in 1984. It purchased the Early Learning Centre business in 2007.

PROMOTING BOTTLE FEEDING TO CUSTOMERS

Mothercare sells infant formula, feeding bottles and teats. It promotes formula feeding instore and through email and social media marketing.

For example, Mothercare sent a targeted email to a customer on its email list with the subject, "*Claire, your baby at 3 weeks old*". This is an age when mothers may be concerned about how breastfeeding is going.

Mothercare's message? "*A useful guide to formula feeding*".

The mother had signed up to receive emails when buying baby clothes and did not request information on formula.

The law prohibits advertising of infant formula. If the unsolicited information on formula in this email is viewed as educational materials, then it does not contain the facts required by the law. As a retailer, Mothercare is encouraging customers to purchase any formula brand it stocks. Therefore, it may be relevant to issue an *Improvement Notice* to warn Mothercare not to use its mailing lists to encourage customers to purchase formula.

my mothercare

nursery | pushchairs | car seats | feeding | toys | clothing

Claire, a useful guide to formula feeding

Before you start making up your first formula feed, it can seem daunting. All equipment used to feed your baby must be sterilised. Bottles, teats and any other feeding equipment need to be cleaned and sterilised before each feed to reduce the chances of your baby falling sick. Good hygiene practices in preparing and sterilising equipment when feeding your baby with a bottle and teat (whether using breast or formula milk) is extremely important.

[find out more >](#)

top tip
ensure your baby's feeds are made up using freshly boiled water

advice
follow the manufacturers instructions for the specific formula you use

[find out more >](#)

a useful guide to formula feeding >

Mothercare email, January 2017

Mothercare sent members of its baby club an email in December 2016 on the importance of nutrition “from the start of pregnancy to a child’s second birthday”. This used the NCT’s “first 1000 days” slogan.

The email promoted Nestlé’s SMA formula brand and its experience in “early life nutrition”. It encouraged customers to contact the SMA-branded careline for childcare information, so undermining independent sources.

The email pictures SMA follow-on formula. However, the Department of Health *Guidance Notes* to the UK law make it clear that doing so is insufficient to bypass the prohibition on promoting infant formula brand names.



Email, December 2016



Email, December 2016

Mothercare claims SMA follow-on formula is “Helping to build a nutritional foundation for life” and is “tailored” to babies’ “nutritional needs”. Yet it is an unnecessary product.

Asked by Baby Milk Action on Twitter to stop misleading parents, Mothercare responded:



WHO and the NHS advise against these products. Countering that advice is not supporting parents.

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PROMOTING FEEDING BOTTLES AS A CURE FOR COLIC - TO PARENTS WHO BOUGHT CLOTHING

Mothercare has a clothing-specific email list.

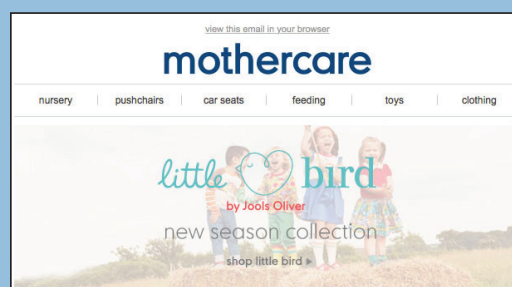
The footer to this “Little Bird” email from 10 September 2016 promotes a feeding bottle to prevent colic.

Such claims are not currently regulated under UK law. It is a case of “buyer beware”.

Promoting feeding bottles is prohibited by the Code.

Promotions such as this also undermine breastfeeding as they encourage parents to introduce feeding bottles if their baby suffers from colic.

There are no statements on the benefits of breastfeeding or the difficulty of reversing a decision to introduce feeding bottles as these are only required by current law in the context of infant formula.



Email, September 2016

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TARGETING FATHERS TO SELL BOTTLES AND FORMULA

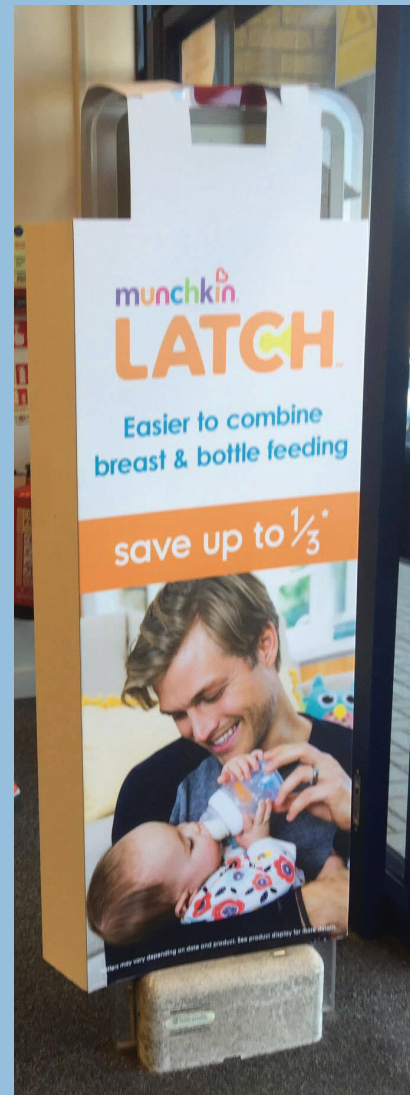
Mothercare promotes bottle feeding as something for fathers to do – as with its “guide to formula feeding” shown on the first page of this profile.

In August and September 2016, Mothercare promoted the *Latch* feeding bottle with in-store advertising placed at the entrance to stores on the security tag detectors and on bollards outside some stores.

The advertising shows a father feeding a baby and offers savings of up to 1/3. Introducing bottles undermines breastfeeding as it is the baby suckling at the breast that stimulates the mother’s milk production.



Basingstoke, September 2016



Telford, September 2016

ENCOURAGING MOTHERS TO INTRODUCE BOTTLES

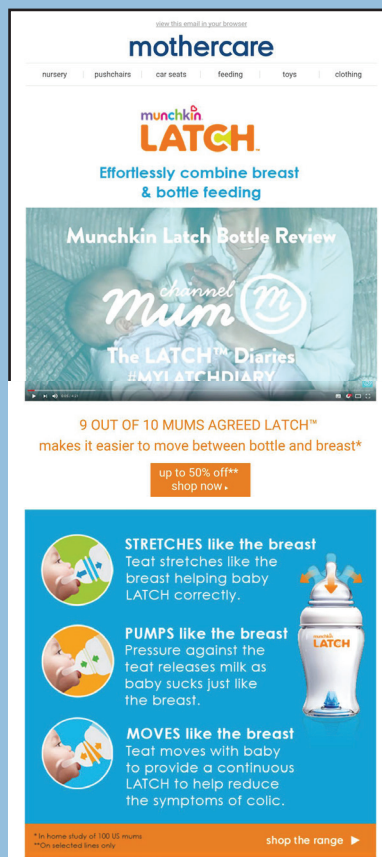
Mothercare takes advantage of the lack of controls on the marketing of feeding bottles and teats to promote them as equivalent to breastfeeding.

Its marketing email in September 2016 (right) encourages breastfeeding mothers to introduce *Latch* bottles to “Effortlessly combine breast and bottle-feeding”.

Mothercare cites an “In home study of 100 US mums” to support a claim that 9 out of 10 mums agreed the bottle makes it easier to move between bottle and breast.

It claims the Munchkin Latch Bottle STRETCHES, PUMPS and MOVES like the breast and suggests it will “help reduce the symptoms of colic”.

No reference is made to any peer-reviewed, published study.



Facebook, September 2016



Bluewater, September 2016

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