

**MARK THOMAS PRODUCT
Vera Productions Ltd**

“Naughty Nestlé”

Broadcast 5th October 1999, Channel 4, UK.

Mark Thomas: Hiya ..

Thank you very much for coming along. Tonight’s show is about Nestlé and its about breastmilk substitutes, its about baby milk powder.

Nestlé are the largest, the biggest food manufacturer in the world, their annual budget for advertising, promotion, PR around the globe is 7 billion dollars - you could have adverts every day for seven billion dollars with Bill Clinton and Monica Lewinsky there on telly with Nescafé going “I always like to wash my mouth out with a nice cup of coffee” ... **SEVEN BILLION DOLLARS** and these companies and Nestlé lay a lot of importance on brand loyalty - right you buy one product, you buy all of them, you know, its brand loyalty - and you think - how, how, HOW can I be loyal to a bar of chocolate.

The show is also not just about Nestlé, its about PR and advertising I suppose .. and PR and advertising for whatever company is weird because they will only tell you the bits that they want to use to sell the product, they don’t tell you any of the reality of it, you know, you don’t turn on the telly and there’s a bloke who’s pissed himself, covered in vomit going “she’s f*****g left me, she’s left me the bitch” - *Carlsberg*.

There’s a problem with baby milk powder, there’s nothing actually wrong with the product of baby milk powder, it’s how it’s used. The World Health Organisation and UNICEF say that if you could reverse the downward trend in breastfeeding you could actually save one and a half million children’s lives and the problem is if it’s not clearly marketed, if it’s not clearly labelled, if you haven’t got the instructions, if you can’t read it, if it’s in a foreign language, if the health warnings aren’t there for you then you can misuse the product and that might actually result in infant mortality so in 1981 the World Health Organisation developed a thing called the WHO Code which isn’t anything to do with Roger, swinging microphones and trout-fishing .. and it was about the advertising and marketing of breastmilk substitutes and Nestlé signed up to the Code and said “yes”, in fact they went one step further they’ve got a little Charter here, which they give to members of the public and it says:

“Nestlé does..” as you can see (*reading from a copy of the Nestlé Charter*) .. “Nestlé DOES, comply with both the letter and the spirit of the World Health Organisation’s International Code of Marketing of Breastmilk Substitutes,” .. I thought hurrah.. it says: “it does support efforts by governments to implement the International Code through legislation..” I thought.. FANTASTIC .. they also said “Nestlé invites government officials, health professionals and consumers to draw to its’ attention any Nestlé infant formula marketing practices in developing countries which they consider are not in conformity with the above Code.

So when we found a few bits and pieces that questioned it .. it was my moral duty to bring it their attention. What we did we got a few letters from Southern African countries that raised a question mark on it and we found out that Nestlé were having a big launch

party in Piccadilly Circus on the day of the eclipse to sort of launch their new Nescafé stuff ...

Music starts with count down to the eclipse and a film clip of Piccadilly Circus with crowds, including demonstrators (11th August 1999):

MT: “Martine, Martine .. are you aware of the health problems about baby milk advertising ..?”

(“Excuse me, excuse me can you step back please” - security staff surrounding Martine McCutcheon, former soap star and popular singer) ..

MT: “and are you aware of those? are you aware of the health problems Martine of baby milk advertising - the way Nestlé market their products in the developing world? Have they told you about it Martine ..?”

MT to woman employee of PR company IMPACT hired to put on the launch:

“oh, right so is there any problem there? .. It’s just we got the invite and we thought we’d come along ..”

IMPACT employee: “Absolutely no problem at all ..can you bear with me because I actually need to go ..”

MT: “It’s just .. yeah sure, well actually, it’s just, what I’ve got here .. you know it says here that you’ve got .. because it Nestlé are in breach ..”

MT to another PR company employee “were you asking the photographer to take some shots of the demonstrators?”

IMPACT employee: “No, no .. absolutely not, we’re just taking photographs of everything that’s happening ..”

MT: “ .. right, so there’s no shots of the demonstrators or anything like that..?”

IMPACT employee: “I’ve no idea ..”

MT: (to photographer) “Hiya .. have you been photographing for Nestlé?”

Photographer: “I don’t wish to talk to you, if you don’t mind.”

MT: (to Nestlé employee) “Are you from Nestle?”

Nestle employee: “Yeah”

MT: “Lovely, what it is .. can you give us your name?”

Nestle employee: “No, I think you ought to speak to Marion.”

MT to Marion Irving, Chief Press Officer, Nestlé, UK):

“Your Charter is wrong .. your Charter is fibbing here” (*points to Charter*)

Marion Irving: “Well, we obviously don’t feel the Charter is fibbing ..”

Followed by another clip of MT trying to speak to Martine McCutcheon who is surrounded by huge security guards and staff from Impact who are leading her away:

“.. are you aware of that Martine? Did they tell you about that Martine? .. Martine?”

Marion Irving: “We don’t believe in conflict, we believe in trying to work together”

MT: “I’ve just been sandwiched by a couple of security guards .. and you don’t believe in conflict ..”

IMPACT employee: “I don’t work for Nestlé ..

MT: “do you work for Impact then?”

IMPACT employee: “Yes, I do”

MT: “Oh, right I see .. do Impact have like an ethical policy or do they just work for anyone?” (Woman thinks for a long time, puzzled look on her face ..)

Cut to:

Marion Irving: “We abide by that Charter and we believe that we behave ethically.”

Cut back to:

Impact employee: “Try me one more time on that ..” thinks again, doesn’t give an answer then walks away..

Marion Irving: “If people can actually come to us with definite evidence then we will act upon it .. but people don't come up with any evidence ..”

MT: “Well this has been sent to you ..” (*showing letter*)

Marion Irving: “Well, that’s grand .. but as I say, that’s all about different interpretations of the Code and it is very complex but at the end of the day we wouldn’t be publishing that Code if we didn’t believe in it.”

(End of film clip, back in studio)

MT: So we went away and we started phoning up some of the Southern African countries and we phoned up Zimbabwe and got put through to the Health Minister.

I said to him that Nestlé say that you support them - that basically Nestle are saying that Zimbabwe say that you comply with the WHO Code and he said well they do comply

with the original 1981 Code but they don't necessarily comply with the subsequent resolutions which are equally important.

I said, oh really, what about supporting governments through their process of putting the Code into legislation because its just a voluntary code .. are you trying to make it law?
He said oh yes:

Voice of Dr Timothy Stamps, Minister of Health for Zimbabwe and Vice President of the World Health Assembly:

Dr Stamps: "They called a meeting of parliamentarians and oddly enough only three turned up (laughs) to try to tell the parliamentarians that if we went ahead with putting the Code into legislation they would remove themselves from Zimbabwe. We knew this to be an idle threat."

MT: There's a thing called the Prima Baby Show, the mother and baby show at Olympia. The idea of a baby show is just weird anyway, a whole load of them on the wall .. "I'll have that one.."

Nestlé have got a stall there and part of their new marketing logo is this Blue Bear and so we thought, right, we should try and sneak in ...

Prima Baby Show, Olympia, London, August 1999

(Teddy's Bear picnic music)

MT in a grey bear costume (to small child): "No, I can't eat you up .. you're too lovely .. this is Blue Bear and I am Grey Bear .. what's your name?"

"Corry"

"Hello, Corry .. I'm the grey bear of truth."

At the Nestlé stand:

MT: "Hello, who can I speak to?"

Nestlé employee: "You can talk to me."

MT: "Excellent .. this is .. you know on the back of the Nestlé Charter it says report incidents .."

Nestlé employee: "I think you have had contact with the company, haven't you?"

MT: "Yes, I have but I've found more .. I've found more things .. if you listen to this."

(Switches on child's tape player with music)

Nestlé employee: "I think what I would like you to request is that you speak to a contact in the office tomorrow ..they'll be very pleased to .."

MT: "This is Zimbabwe and this is the Health Minister, this is like Frank Dobson ..shall I turn it up for you?"

Nestlé employee: "No it's OK, thank you"

MT: “Because what he’s saying is that Nestle tried to economically blackmail Zimbabwe”

Nestlé employee: “I’m very busy at the moment.”

MT: “I know, but I’ve come here as a bear so its nice and friendly to match with your lovely Blue Bear.”

Nestlé employee: “Thank you very much, that’s very kind ..”

MT: “I love bears, do you like bears?”

Nestlé employee: “I do too. As you can see we’re up to our eyes and if you could perhaps just wait till tomorrow when the office is open again and you can contact ..”

MT: “But the suit hire runs out ..”

Back in studio

MT: We then discovered .. we got a tin from Mozambique .. here’s the tin, this is from Mozambique, here it is and as you can see it’s all in English on the back there, its all in English. Now there are thirty-three languages and dialects recognised in Mozambique, English isn’t one of them so I felt duty bound and morally obligated to go and tell Nestlé about it .. I am brand loyal, I’ve taken an oath of allegiance to my chocolate .. I’ve recently bonded in a bizarre pagan ceremony with some Smarties, I must go.

Film clip of Nestle Headquarters and Museum in Vevey, Switzerland

Nestlé UK had said “No, we’re not going to talk to you on camera, we’ll fax you our answers, so we thought right we’ll go to the top, so we went out to Switzerland and Nestlé have got a food museum which is *fascinating*, which is five minutes away from their headquarters in a place called Vevey. So, we went into their food museum, we had a few little bits and pieces and just set up a little stall and put the tins on display and then started phoning up the Chief Executives and because the Swiss are so anally retentive and respectful of authority, no-one in the museum thought for a moment that we hadn’t got permission.

Voice of Geoffrey Fookes, Head of Corporate Affairs, Nestlé Suisse:

MT: “Ah, Geoffrey Fookes, hello there .. Mark Thomas here ..”

GF: “Ah, the famous Mark Thomas”

MT: “From Channel 4, hiya, we’ve just got some examples of Nestlé breaking the Code, the WHO Code and ..”

GF: “I’m sorry, I’m sorry .. I do not give interviews on the telephone.”

MT: “Oh well, that’s fine because we’re down at the Nestlé museum and I’ve got the examples here with me ..”

GF: “I’m sorry, did you hear what I said ..?”

MT: “Yes, I know, but would you like to ..?”

GF: “Did you hear what I said ..?”

MT: “I did hear what you said, but ..”

GF: “Good, I said I do not give impromptu interviews over the telephone.”

MT: “Is there someone that we could talk to .. who will talk to us about these examples here of Nestlé breaking the Code?”

GF: “Well if you have some examples why don’t you submit them to us?”

MT: “Well we’re just round the corner .. where are you Mr Fookes .. hello?”

GF: “I .. am .. in .. my .. office”

MT: “ .. in Vevey?”

GF: “Yes, I am ..”

MT: “I can bring them round to you if you like.”

So we get in the car, drive round, five minutes away .. HUGE Headquarters. The car comes in, the car stops, we’ve got out of the car, I’ve gone to the boot and suddenly two blokes just next to us go:

“This way please gentlemen ..”

“Oh, what ..”

“No filming please, no filming, this way please gentlemen.”

“Oh, right are we expected ..?”

“This way please gentlemen.”

“Is anyone waiting for us ..?”

“This way please gentlemen. Please go to the lady just through on the other side of the door.”

.. and there’s a woman standing just on the either side of the door and it’s like f*****g hell I’ve walked into a cuckoo clock .. and as we walk into the room, someone leads us in and the door, when you open the door it goes “*phum, phum,*” right, it doesn’t go “*eeerr*” - (creaking door sound) “*phum, phum*” is posh and powerful. If you ever hear a door go “*phum, phum*” it means someone important is about to do a bad thing.

So, we’re sitting down in this room and it’s just a concrete room with this view right down onto Lake Geneva and I’m thinking I bet they’ve got underground bunkers .. with loads of blokes running around in orange or white boiler suits and there’s a monorail system and some little Minnimokes and some oil drums and somewhere right in the middle there’s a machine going “five days and three hours till countdown.”

And eventually, this guy Mr Renke, just walks in “*phum, phum.*”

Mr Renk, Nestlé, Suisse S.A.

Mr R: “OK ..”

MT: “Oh, hello pleased to meet you..”

Mr R: “Mr Renke”

MT: “Lovely, thank you ..”

And we start chatting to him and explaining because we’ve set up the exhibit up in the room and we start talking him through it and he says:

Mr R: “ .. right, OK”

.. and we say well this tin here, we think it’s a breach of the Code, the World Health International Code and he said

“that’s your interpretation”

.. right ... 3 days and 4 hours ...

Alright, then we discovered this little tin, this tin is from Malawi and this tin, you can see is in English and French. What happened was in 1994 the Malawian government asked Nestlé to put Chichewa up there which is the language that they speak in Malawi and Nestlé still haven’t managed to do that yet since 1994 so it’s taken them five years to do it. So we thought we should have a word with Nestlé but obviously, they’re not talking to us so we thought we should try to find a way to talk to them and we found out that Nestlé had a stall at the Lib Dems Conference in Harrogate.

Liberal Democrat Party Conference, Harrogate, September 1999

Mark Thomas dressed as a tin of Nestlé Lactogen 1 infant formula from Malawi, approaches the Nestlé stand and speaks to two Nestlé employees:

MT: “I wonder could you just see what language we have here .. yeah, can you tell us which ones? Do you see any Chichewan?”

Nestlé employee: “I don't know the Chichewan language ..”

MT: “So you’ve just got two languages?”

Nestlé employee: “I say, I don’t know.”

MT: “Well, you’ve only got English and French. Actually this is from Malawi, this is a copy, you can have a copy of this. There you are, that’s a tin label from Malawi.”

Nestlé employee: “If you say so.”

MT: “It is from Malawi, it’s all proper and vouched for .. do you want to take that because you can present that because in your Charter I know it says you’re particularly

keen for people to, sort of like, bring to the attention when there are breaches in the WHO Code..”

Nestlé employee: “Oh, absolutely, yes.”

On the Malawi tin they did say, yes, now listen, they did approach us in 1994 and we did agreed that we would put Chichewa on the tins but Nestlé say they’ve had some difficulty dealing with the Malawian government which has caused the delay and they intend to get the tins actually printed and out on the market on the next two weeks.

So, we said that’s fine but do you think you’ve been in breach of the WHO Code at any point in that five years up until you put that thing on the label? And they haven’t answered that one yet.

More film of Lib Dem conference

MT: “Mozambique, I don’t know if you know this, has thirty-three recognised languages. Now, obviously Nestlé can’t be expected to put 33 languages on the tin but the one language that isn’t on that 33 list is English which is the only language on the tin, which is a bit bad isn’t it really? Now, what Head Office have said is that this is a rogue tin, they’ve said it’s a rogue tin that’s got in ..”

Nestlé employee: “It’s a complex issue and we hope that you will ..”

MT: “No, well it’s very clear, you print the labels in appropriate languages, if they’re not there then you break the Code and if you break the Code then you’ve broken your Charter.”

Nestlé employee: “Well, I’ll check out the details on those for you.”

MT: “Thank you very much.”

Back in studio:

So the thing was they actually said, this was their response to the tin from Maputo, from Mozambique - they said:

“it’s a rogue tin,” they said, “well look, this is from South Africa, it was smuggled across the border into Mozambique to avoid paying the customs duty on it and they smuggle it over and sell it there and we don’t market in Mozambique.” and we said:

“.. ah, but you do have an agent there” and they said “yes, but this tin is from South Africa and that’s how it got there” so we said:

“.. if it is from South Africa why is there no Afrikaans, Zulu or Xhosa on it” and they said:

“the South African authorities have okayed this” and we said:

“it doesn’t matter if the South African authorities have okayed it - it’s the WHO that says appropriate language, your Charter says the WHO Code, your Charter says ‘comply.’

“Well” they said “there’s not enough room on the tin - this is a very small tin, it’s only 250g” - we said:

“ah, ah, ah the Charter doesn’t exempt on issues of size, size doesn’t matter when it comes to baby milk and appropriate languages,” but they said:

“.. but it’s too small” and we said “funny you should say that, because we’ve got some tins from Switzerland which are 300g tins, which are 50g more than that one and they’ve got Italian, French and German on them - you’ve managed to squeeze all that on haven’t you? Could you give us a response to that?”

They haven’t got back to us on that one.

This one’s weird (*holds up another formula tin*):

This one’s another one from Malawi, this time all the instructions on the back, on this panel here, are in English, Afrikaans and Zulu, which is great, very good, and we think that’s very good but why have you got a South African tin in Malawi and anyway if it is for South Africa, very well done about the Zulu, very well done about the Afrikaans - why is the warning only in English - why is the warning here only in English:

“Breast milk is best for babies, before you decide to take any infant formula consult your doctor or clinic for advice-” - why is that only in English?

Then on this bit it says: “ .. only use scoop for this can, consult feeding table,” - why is that only in English we thought to ourselves and so we asked them about that as well, and they haven’t got back to us about that.

Then we started getting some other stuff in .. and we’ll start off with this one here:

(*holds up packet of al 110 infant formula*):

.. it’s from Pakistan - not a little bit of Urdu on it at all, not a bit of Urdu. But they said:

“ah, but the Urdu, the instructions are inside in a leaflet,” ah, but we said “ah, but that’s not very good because it’s about the packaging and it’s too late then, if you’ve got to consult a doctor or a clinic before you use it, then it’s no good buying it and finding out afterwards,”

.. and they said “ah, but it’s too small to actually print Urdu on it, there’s not enough room.”

Well, what about this bit here *..(points to blank space on front of packet)*

.. looks like you could probably scribble something on it doesn’t it - and they didn’t get back to us about that either.

Then, we found out about these two - these two are from Pakistan as well - Nan 1 and Nan 2 which are infant formula and follow on formula. Infant formula should not be confused with follow on formula, follow on formula should not be given to new born infants and you think well there’s no appropriate language here, there’s no sort of proper

Urdu here, there's just a bit of Urdu down at the bottom and then we discovered this .. and this bit of paper says:

“These products shall be labelled in an appropriate language and in such a way as to avoid any risk of confusion between infant formula and follow on formula and that's and EU Directive - I don't think they do that.

So, we thought this is quite interesting and I was talking to the person who was doing the bulk of the research on this and suddenly said “oh, look this has been prepared in The Netherlands and is therefore subject to EU Regulations” and we went:

“Oooh” except in a more triumphant way.

I phoned up this Labour MP in Bournemouth and said “can I come and talk to you about Nestlé and show you some bits and bobs” and she said:

“Yeah, funny you should say that - I'm meeting up with Hilary Parsons, Head of Corporate Affairs from Nestlé”

I said “are you?”

She said “yeah.”

I said “where's that?”

She said “the Bournehall Hotel in Bournemouth”

I said “any particular time?”

She said “4 o'clock on Thursday”

I said “oh, that's good,” I said “can I interview you say, half four?”

She said “yeah, that's not a problem.”

So, I then phoned up this MEP, this Labour MEP, who's a lovely man and I said:

“Can I come and interview you and talk to you about European Directives and Nestlé?”

and he said “yeah, it'll be a pleasure,” he said “where do you want to do it?”

I said “Bournehall Hotel?”

He said “yeah, alright,”

I said “round about 4 o'clock.”

He said “fine.”

Film clip:

Bournehall Hotel, Bournemouth Labour Party Conference, Sept 1999.

When we walked into the room, there's two booths on the side of the wall and this Labour MP, Tess Kingham is sitting there, her assistant is sitting there and Nestlé are sitting with their backs to the room and there's another booth directly on it and as we walk in I just thought "ah, f**k it" and directed the MEP to sit right back to back with the Nestlé people and we start doing this interview and after the interview, I've finished and we've explained all this stuff to him, I said:

"Shall we show it to Nestlé?" and he said "Yeah" so we just walked round

MT (to Hilary Parson, Corporate Affairs Manager, Nestlé UK):

"Are you going to admit you're in breach, are you actually going to take that thing from your Charter which says we fully comply because that's misleading people ..?"

HP: "We will respond fully to all the points that you raise .."

MT: "Will you do that? If you're in breach will you take it off your Charter saying you comply?"

HP: "We will respond fully to all the complaints that you've made .. we're committed to getting things right."

Richard Howitt, MEP to Hilary Parsons:

RH: "In your Code it says that you will discipline staff if they are in breach .."

HP: "We regard it extremely seriously .."

RH: "Have you ever done that though?"

HP: "We would regard it extremely seriously .."

RH: "But have you ever done that though?"

HP: "We would take appropriate action."

RH: "Have you ever done that though?"

HP: "As I say I will take all these things back to our Head Office and we will come back with a full response."

MT: "Sorry to hammer this on but it is a really simple fact here, you're in breach, you say you're not, what are you going to do to actually tell the truth?"

HP: "We do tell the truth, when things are raised with us, we get back with correct information."

MT: "So members of the public get this Charter that say we fully comply with the letter and spirit of the WHO Code."

HP: "That explains to them what our responsibilities are and what we aim to do .."

MT: “No, no, no it actually gives a commitment - you said we fully comply, that’s a commitment on behalf of Nestlé.”

HP: “ .. and that is what we aim to achieve”

MT: “No, no, no it’s not about whether you aim to achieve it or not, I think it’s great that you aim to achieve it, it’s the fact that you state that you achieve it and you don’t .. but all I’m asking Hilary is if you’re wrong will you just hold your hands up to it ..”

HP: “If there is a mistake then we will explain that to people and we will put that right.”

MT: “No, I don't want the explanation, I want you to hold your hands up to it ..”

HP: “ .. well, I have already said that this is an organisation that ..”

MT: It’s no good saying we’ll explain it because then you don’t except any responsibility do you .? .. if you say we will explain it you’ve automatically assumed the role of innocence.”

HP: “Of course, of course we accept responsibility, these are our products and we accept full responsibility for them and we are committed to getting them right.”

MT: “Could you get me an answer then of whether Nestlé, UK will remove from their Charter the information that you fully comply with the Code if you have breached it .. I’m not looking for an explanation, I’m looking for a yes or a no to that one.”

Back to studio:

Nestlé do say that they are, you know, the world’s biggest manufacturer, they’re a large organisation, they are committed to the Code, they’re committed to getting it right and also they say that they don’t breach it, so that’s what they say .. but then you have to say that if all this stuff is coming up and it doesn’t breach the WHO Code, what is the point of the WHO Code?

What’s the point of having it? IF the WHO Code has been breached by Nestlé on some of these examples, then what can you do about it and when are Nestlé going to hold their hands up to it.

Well, two of the things that we thought we might try .. is em, Tess Kingham, who is the Labour MP there is going to take Nestlé to the Advertising Standards Authority on their Charter with all these bits and bobs and also .. can we just show the last bit with Richard (he’s such a lovely cuddly bunny).. if you could just show what Richard’s going to do:

(Film clip from interview with Richard Howitt, MEP in Bournemouth)

RH: “I undertake to raise it on the floor of the European Parliament and to make a formal request to the European Commission to undertake an investigation with a view to infringement proceedings.”

Cut back to studio

You have to decide for yourself what you think of the Charter, you have to decide for yourself what you think, if they're breaching the Code and if you can have such a thing as brand loyalty you also can have such a thing as brand disloyalty.

Thanks very much for coming along tonight.

End