



Nestlé's Epode 'nutrition education' program in Spain is called 'Thao' and is also sponsored by Ferrero Rocher and Orangina Schweppes. This photo from the Thao website shows children wearing Nestlé branded T-Shirts. Other photos show branded posters and other promotions - all in violation of EU Commission rules. Since Thao is for 0-12 year-olds it violates the International Code too. <http://goo.gl/WWE0Y1>

EU 'no sponsorship' rule.....

Member States of the European Union have passed an important **Action Plan** that for the first time calls for an end to food and drink sponsorship in schools. Since 1992 Nestlé has been sponsoring nutrition education programs in schools all over the world. Together with other NGOs, we have been calling for an end to such promotion which blurs the boundaries between education and marketing and sends a confusing message to children. It builds 'trust'

in companies and diverts attention away from irresponsible marketing. Nestlé has admitted that a key purpose of these activities is to improve the company's reputation and that it uses its Nestlé branding to "legitimately communicate its social responsible intentions to adults." The European Commission has confirmed that such activities should not be branded either with product names or with company brand names. The only promotion allowed is in Corporate Social Responsibility reports. The Member States Action Plan goes further calling for no sponsorship by food and drink companies in schools (pg 7).

Governments take the 'drivers' seat' on child obesity.....

A carefully worded EU Action Plan on Childhood Obesity, initiated one year ago under the Irish Presidency, was adopted at the Greek Presidential Conference in Athens on 26th February.¹ The Plan reflects the political complexity of the 27-member EU and aims to 'demonstrate a shared commitment to addressing childhood obesity.' The priority actions in 'a possible toolbox of measures for consideration' respect Member States' 'roles and freedom of action in counteracting childhood obesity.'²

In January and February the food and advertising industries and NGO members of the EU Commission's **Platform for Action on Diet and Physical Activity** were invited to comment and submit commitments for possible inclusion in the Annex of the Action Plan. The industries tried to weaken the proposed actions, arguing for greater consultation on the basis that they knew better than most about the 'realities.' Their suggestions for actions would most likely have done more harm than good. (See pg 6, *Nestlé in schools.*)

Thankfully EU Member States insisted that as 'executors of the process' they must be in the 'drivers' seat.' The Commission also stated that 'stakeholder consultations' can only go 'so far.' The final plan includes hardly any of the industry commitments. Instead Platform members have been invited to develop new commitments, 'linked to their core businesses' - i.e. to focus on changing products and reducing harmful marketing.

IBFAN joined the Platform in 2007 to raise awareness of the risks of the 'multi-stakeholder' approach and discourage partnerships with corporations. We have been calling on the EU Commission and EU Member States to act in the public interest and take much greater control of the process. After eight years of operation, it has failed to curb the food industry's promotion of unhealthy foods and risky unproven 'education' commitments predominate. We argued that if such commitments were included in the Action Plan's Annex its purpose would be negated.

The toolbox of 8 'doable' actions

- Support a healthy start in life (breastfeeding support, monitoring of marketing etc.)
- Promote healthier environments especially in schools and preschools
- Make the healthy option the easier option (no food and drink sponsorship in schools)
- Restrict marketing and advertising to children (defined as 0-18)
- Inform and empower families
- Encourage physical activity
- Monitor and evaluate
- Increase research.

Obesity in Europe.....

Obesity has more than tripled in many European countries since the 1980s, with 7% of health budgets now spent on associated diseases. Evidence is mounting about the importance of very early life feeding and behaviour. The chances of children sliding into or out of obesity are diminished as they grow older.³ (See pg. 24.)

WHO's data on the 'Prevalence of exclusive Breastfeeding' in the EU mixes 'under or at 6 months of age.' It shows wide variation in the region: Denmark at the top with nearly 60%; the UK 7th from the bottom with less than 2%!

A few weak spots: The Plan calls for timely introduction of complementary foods but uses both 4 and 6 months as indicators. Also it calls for monitoring of the *International Code 'in line with Directive 2006/141'* which is much weaker. Since this Directive is currently being discussed by Member States, hopefully the Action Plan will be used to rectify its many shortcomings.

● **Good news from Mexico:** In October Mexico passed a 10% tax on soda drinks and an 8% tax on junk food (see Update 45).

1 <http://goo.gl/oZ3vTA>

2 The Netherlands (supported by Sweden) is currently not supporting the Plan because 'most of the actions lacking cross-border elements and having a dominant national character, thus falling under national responsibility.'

3 *N Engl J Med* 2014;370:403-11. DOI: 10.1056/NEJMoa1309753

EFSA research renews calls for a ban on claims

The European Food Safety Authority (EFSA)¹ published the preliminary work it will use for its forthcoming evaluation of essential formula ingredients. The review is part of the ongoing overhaul of all EU baby food legislation.



The findings have prompted renewed calls from socialist MEP **Glenis Willmott** (above) to ban health and nutrition claims on follow-on formulas. An extensive literature review found no scientific evidence, or insufficient evidence, to support the inclusion of many of the ingredients commonly used in formulas.

Speaking to **EU Food Policy**, Ms Willmott said: *'If there are no scientifically proven benefits then we should not be allowing advertising of follow-on formula and we certainly should not allow companies to use health claims which guilt trip parents into buying more expensive formula unnecessarily.'*

In 2011 Ms Willmott led the call in the European Parliament to veto a claim that DHA improved eyesight: *'Whilst I received the support of a majority of MEPs, it was not enough to stop them going ahead. With EFSA's evidence now agreeing there is no benefit, the Commission must urgently revise its approach.'*

Together with the **Baby Feeding Law Group** we have been calling for an end to *'optional ingredients'* because they open the door for claims that are both misleading and highly promotional, incorrectly suggesting that a formula could be better than breastfeeding. If an ingredient is essential it should be in all formulas.

The Commission is holding regular meetings with Member States to discuss the legislation. Under the new rules MEPs can attend as observers. EFSA will publish its final opinion in April and will hold a open consultation in June.

The External report for EFSA:

- Compared the effects of different additives (protein, probiotics, DHA/ARA, cholesterol, selenium iron etc) on growth and health;
- Compared various formulae with breastmilk;
- Assessed research as being **moderately biased** if fully or partially funded by industry, and **severely biased** if it had epidemiological flaws.

It concluded that there was:

- **No evidence** of any beneficial effect for different amounts of **protein, DHA/ARA, probiotics, probiotics, cholesterol, palm oil, selenium or nucleotides**;
- **No evidence** of serious, general or specific nutrient deficiency in Europe;
- **No need** for general supplementation of iron, iodine, selenium etc;
- **No evidence** that formulae enriched with these nutrients would have any effect, except maybe in vulnerable subgroups.

'We find the case for labelling infant formula or follow on formula with health or nutrition claims entirely unsupported. If an ingredient is unequivocally beneficial as demonstrated by independent review of scientific data it would be unethical to withhold it for commercial reasons. Rather it should be made a required ingredient of infant formula in order to reduce existing risks associated with artificial feeding.'

UK Scientific Advisory Committee on Nutrition 2007

¹ Preparatory work for the evaluation of the essential composition of infant and follow-on formulae and growing-up milk <http://www.efsa.europa.eu/en/supporting/pub/551e.htm>