

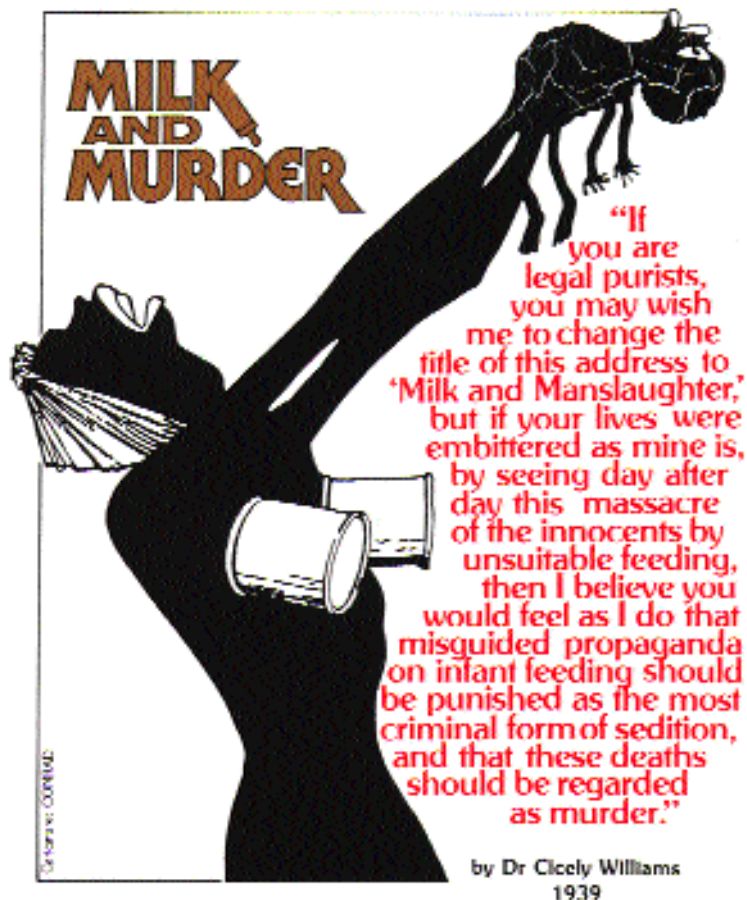
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# A LONG ROAD

A history of the campaign to protect infant health.

1939

- ◆ Cicely Williams presents a talk on bottle-baby deaths and condensed milk to the Singapore Club. Using the title *Milk and Murder* she said that “*misguided propaganda on infant feeding should be punished as the most criminal form of sedition, and that those deaths should be regarded as murder.*”



1968

- ◆ Dr Derrick Jelliffe coins the term ‘commerciogenic malnutrition’ to describe the impact of industry marketing practices on infant health.

1970

- ◆ The UN Protein-Calorie Advisory Group (PAG) raises concern about industry practices.

1972

- ◆ International Organisation of Consumers Unions (IOCU) submits a draft code of practice on the advertising of infant foods to the UN’s Food and Agriculture Organisation (FAO)/ World Health Organisation (WHO) Codex Alimentarius Commission.

1973

- ◆ *New Internationalist* magazine has cover story on *The Baby Food Tragedy* which calls for an action campaign to halt unethical promotion of baby milks.
- ◆ The UN PAG states that promotion to mothers in hospital immediately after birth is inappropriate.

1974

- ◆ War on Want publishes *The Baby Killer*, a report on infant malnutrition and the promotion of artificial feeding in the Third World.
- ◆ Bern Third World Action Group (AgDW) translates *The Baby Killer* and publishes it in Switzerland as *Nestlé tötet Babies* (Nestlé Kills Babies). Nestlé sues AgDW for libel.

1975

- ◆ First hearing in the Nestlé libel lawsuit.
- ◆ International Council of Infant Food Industries (ICIFI) formed. Cow & Gate, Dumex, Meiji, Morinaga, Nestlé, Snow Brand, Wakado and Wyeth join.

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colour versions of these images can be seen on the online version of this pack: [www.babymilkaction.org/spin](http://www.babymilkaction.org/spin)

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## 1976

- ◆ The US Sisters of the Precious Blood file shareholder action against Bristol-Myers regarding the threat to infant health caused by the company's promotion of baby milks.
- ◆ The judgement in the Nestlé lawsuit finds AgDW guilty of libel for the title only. AgDW is given a token fine and Nestlé is warned to change its marketing practices.

## 1977

- ◆ Papua New Guinea bans advertisements for feeding bottles and puts bottles and teats on prescription.
- ◆ The Nestlé boycott is launched in the US by INFACT (Infant Formula Action Coalition) to protest against Nestlé's unethical marketing. Nestlé boycott launched.

## 1978

- ◆ Baby Milk Action Coalition is formed in the UK.
- ◆ Nestlé boycott spreads to Australia, Canada and New Zealand.
- ◆ Bristol-Myers settles lawsuit with the Sisters of the Precious Blood out of court and agrees to halt all direct consumer advertising of baby milks and to end promotion to mothers by the use of company representatives acting as mothercraft nurses.

*"Can a product which requires clean water, good sanitation, adequate family income and literate parents to follow printed instructions, be properly and safely used in areas where the water is contaminated, the sewage runs in the streets, poverty is severe and illiteracy is high?"*

Senator Edward Kennedy at the US Senate hearings, 1978; photo: UNICEF



- ◆ US Senate Hearings held by Senator Edward Kennedy on the inappropriate marketing of baby milks in developing countries.
- ◆ Nestlé issues what is to be the first of many policy statements which do little to address the genuine concerns of its critics. Nestlé uses the statements to try and improve its public image.

## 1979

- ◆ WHO/United Nations Children's Fund (UNICEF) host an international meeting on infant and young child feeding. The meeting, which includes representatives of governments, health organisations, companies and campaigning groups, calls for the development of an international code of marketing, as well as action on other fronts to improve infant and young child feeding practices.
- ◆ Baby Milk Action is founder member of the International Baby Food Action Network (IBFAN), formed by six of the campaigning groups at the meeting. IBFAN starts to grow as other groups are recruited or formed.

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Advertisements like this have been outlawed in India because of the International Code and IBFAN's work



## 1980

- ◆ In testimony at a US Senate Hearing, Nestlé and three US companies admit that they do not intend to abide by WHO's interpretation of the recommendations of the 1979 WHO/UNICEF meeting.
- ◆ The 33rd World Health Assembly adopts recommendations of the 1979 WHO/UNICEF meeting and charges these bodies with drafting a code and conducting widespread consultation.
- ◆ Nestlé boycott launched in the UK by Baby Milk Action.

## 1981

- ◆ Nestlé boycott launched in Sweden and West Germany.
- ◆ Writing as President of ICIFI, Nestlé Vice President, Ernest Saunders describes the draft marketing code as unacceptable, restrictive, irrelevant and unworkable.
- ◆ IBFAN meets in Geneva and resolves to campaign for the implementation of the marketing code and to monitor the industry. Breaking the Rules reports are published at intervals over the coming years.
- ◆ The 34th World Health Assembly (WHA) adopts Resolution WHA34.22 which includes the *International Code of Marketing of Breast-milk Substitutes* as a "minimum requirement" to be adopted "in its entirety." WHA calls on the WHO Director General to make a report in even years. 118 nations vote in favour with only the US voting against.
- ◆ European Parliament votes for the preparation of a Directive based on the International Code.

## 1982

- ◆ Peru becomes the first country to adopt the International Code as national legislation.
- ◆ The 35th World Health Assembly recalls that the International Code is a "minimum requirement" to be implemented "in its entirety" and urges Member States to give it renewed attention.
- ◆ The European Commission (EC) begins work on a draft directive looking to a draft code of practice prepared by IDACE (Association of Dietetic Food Industries of the EEC) rather than the International Code.
- ◆ Nestlé Infant Formula Audit Commission (NIFAC) set up to monitor Nestlé's marketing practices using Nestlé's guidelines rather than the Code. Former US Secretary of State, Edmund Muskie, is chair.
- ◆ The Nestlé boycott is launched in France.

## 1983

- ◆ European Parliament again passes a strongly worded resolution in favour of the Code.
- ◆ Nestlé boycott spreads to Finland and Norway bringing the total to 10 countries. Boycott in North America intensifies.

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## 1984

- ◆ January – Nestlé agrees to implement the International Code in developing countries.
- ◆ February – Boycott groups agree to suspend the boycott for six months to allow Nestlé time to put its promises into practice.
- ◆ October – Nestlé boycott is suspended. Monitoring has shown that Nestlé has stopped some of its more blatant malpractice and top management undertakes to resolve other concerns including applying the International Code in Europe and abiding by WHO policy on free and low-cost supplies.
- ◆ The Association of Infant Food Manufacturers (IFM) is formed, replacing ICIFI.
- ◆ The 37th World Health Assembly renews its call for implementation of the International Code, a call which is repeated with every Resolution relating to the Code. The WHA calls for an emphasis on using “foods of local origin.”

## 1985

- ◆ IBFAN publishes first edition of *Protecting Infant Health* (a health worker’s guide to the International Code); begins publishing *Breastfeeding Briefs* (a summary of scientific literature on breastfeeding), sets up the Code Documentation Centre in Penang, Malaysia (ICDC) and launches workshops on the International Code in Africa.
- ◆ The ACP (African, Caribbean and Pacific) group of countries calls on EEC Member States to implement the International Code in Europe. WHO/UNICEF Committee of Experts calls for an end to free and low-cost supplies of baby milks.

## 1986

- ◆ European Parliament votes again to include most of the provisions of the International Code in a draft directive.
- ◆ The 39th World Health Assembly adopts a resolution banning free and subsidised supplies of breastmilk substitutes and states that the use of “so-called ‘follow-up’ milks is not necessary.”
- ◆ European Commission submits directive to the Council of Ministers. When it comes before Parliament there is a sweeping majority vote to bring it further in line with the International Code.

## 1987-1988

- ◆ IBFAN monitoring reveals companies flooding health facilities with free and low-cost supplies and violating other provisions of the International Code.

## 1988

- ◆ ICDC publishes the first *State of the Code by Country* report. Seven countries have implemented the Code as law.
- ◆ June – The US IBFAN group gives Nestlé and Wyeth/AHP (American Home Products) until October to end free and low-cost supplies of baby milks or it will call for consumer action.
- ◆ UK Government announces a ban on free and low-cost supplies.
- ◆ October – The US IBFAN group launches boycott of Nestlé and AHP in the US; the German group launches boycott of Nestlé and publicity campaign against Milupa in Germany. Canada joins the boycott of Nestlé.
- ◆ The 41st World Health Assembly notes with concern “continuing decreasing breast feeding trends in many countries.”

## 1989

- ◆ Nestlé boycott launched in Ireland, Finland, Mauritius, Mexico, Norway, Sweden, and UK. IBFAN holds International Forum in Manila to celebrate 10 years of IBFAN.
- ◆ Boycott launched against Nestlé, Wyeth, Bristol Myers and Abbott-Ross in the Philippines.
- ◆ The Convention on the Rights of the Child is adopted by the United Nations.

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## 1990

- ◆ The 43rd World Health Assembly notes that, in spite of its 1986 resolution, “free or low-cost supplies continue to be available to hospitals and maternities.”
- ◆ Following the UN Convention for the Rights of the Child, the Innocenti Declaration, signed by 32 countries, calls on all Governments to adopt the International Code as a minimum requirement in its entirety and to adopt imaginative maternity legislation by 1995. Heads of state at the World Summit for Children endorse the Innocenti Declaration.
- ◆ Nestlé boycott re-launched in France.

## 1991

- ◆ Nestlé boycott launched in Australia and Switzerland.
- ◆ Although IBFAN has been able to encourage some improvements, the final EC Directive covering the marketing of infant formula and follow-up milks in the Internal Market is weak.
- ◆ UNICEF and WHO launch the Baby Friendly Hospital Initiative aimed at transforming maternal and child health practices. They call on companies to end free supplies of baby milk to hospitals and maternity wards worldwide by the end of 1992.
- ◆ NIFAC commissions research in Mexico which finds widespread distribution of free supplies with a consequent detrimental effect on breastfeeding rates. Nestlé closes NIFAC down with the majority of complaints registered by IBFAN unanswered.
- ◆ UNICEF says in *State of the World's Children* that reversing the decline in breastfeeding could save 1.5 million lives every year.
- ◆ World Alliance for Breastfeeding Action (WABA) formed to follow up targets of the Innocenti Declaration.
- ◆ IBFAN lists 9 countries with the International Code implemented as law and 28 with some provisions as law.

## 1992

- ◆ The 45th World Health Assembly calls on Member States to enact legislation to protect the breastfeeding rights of working women.
- ◆ European Union Export Directive adopted calling on EU-based companies to remove baby pictures and use appropriate language on tins.
- ◆ India introduces the Infant Milk Substitutes (IMS) Act. Nepal introduces the whole of the International Code as law.

## 1993

- ◆ Lawsuit filed against Johnson & Johnson in India under the IMS Act after a complaint by an Indian IBFAN group.
- ◆ Nestlé sues other baby food companies in the US for agreeing to a ban on advertising infant formula.
- ◆ Nestlé boycott spreads to Italy, Luxembourg, Spain and Turkey bringing the total number of countries to 18.

## 1994

- ◆ Lawsuit filed against Nestlé in India by an Indian IBFAN group.
- ◆ The 47th World Health Assembly adopts a resolution calling for an end to free and subsidised supplies in all parts of the health care system; for care in accepting donations for emergency relief and for complementary feeding to be introduced from about the 6th month. For the first time the US supports a resolution which reaffirms support for the International Code and subsequent, relevant resolutions.
- ◆ IBFAN publishes *Breaking the Rules 1994*, a result of monitoring in 62 countries.

## 1995

- ◆ Implementation of the 1991 EC directive bans advertising in five European countries.
- ◆ Nestlé loses court case against companies in the US which had adopted an advertising ban, but the voluntary agreement has collapsed.
- ◆ IBFAN hosts national and international meetings to discuss infant feeding and emergency relief.

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## 1996

- ◆ IBFAN reports that 16 countries have introduced the International Code as law.
- ◆ In India, Johnson & Johnson settle the action against them out of court. A second separate action is brought against it and two other companies by an Indian IBFAN group. J & J announces it will withdraw from the Indian feeding bottle market.
- ◆ Nestlé issues a Writ Petition against the Indian Government challenging the provisions of the IMS Act under which it is being prosecuted.
- ◆ The 49th World Health Assembly adopts a resolution calling for independent monitoring, free from commercial influence; for measures to control marketing of complementary foods and for health professionals to be wary of accepting commercial sponsorship.
- ◆ Baby Milk Action successfully defends claims made in an advertisement promoting the Nestlé boycott before the advertising regulatory authority.
- ◆ The European Commission publishes a green paper on Commercial Communications in the Internal Market which has important implications for national bans on advertising infant formula.

## 1997

- ◆ Threatened with court action, Indian formula manufacturer Wockhardt apologises and makes changes.
- ◆ The Interagency Group on Breastfeeding Monitoring, a coalition of 27 UK church, academic and development organisations, commissions research in Bangladesh, Poland, South Africa and Thailand to investigate whether IBFAN's monitoring is accurate. The resulting report, entitled *Cracking the Code*, concludes that the International Code and Resolutions are being violated by companies in a "systematic rather than one-off manner." UNICEF states: "the findings of IBFAN are clearly vindicated by this report."

## 1998

- ◆ IBFAN publishes its latest monitoring report, *Breaking the Rules, Stretching the Rules 1998*, exposing current marketing malpractice.
- ◆ For the first time a Resolution is not tabled at the World Health Assembly in a reporting year. Instead, WHO proposes a series of meetings looking at "removing obstacles to full implementation of the International Code of Marketing of Breastmilk Substitutes and its subsequent resolutions by all countries."
- ◆ IBFAN meets with WHO to present its evidence of marketing malpractice and its proposals for removing obstacles to implementation of the International Code and Resolutions.
- ◆ IBFAN receives the prestigious Right Livelihood Award "for its committed and effective campaigning over nearly twenty years."

## 1999

- ◆ March – The European Commission passes a Directive which sets limits on pesticides in baby milks and baby foods. At the same time, despite protests by IBFAN and 900 development NGOs in Europe, a Directive on foods for special medical products is passed. This fails to set marketing controls for foods for sick infants.
- ◆ May – After a two-year investigation, the UK's Advertising Standards Authority upheld all Baby Milk Action's complaints against a Nestlé advertisement in which the Company claimed that it markets infant formula ethically and responsibly.

## 2000

- ◆ January – Following many years of campaigning by IBFAN, the advisory body of the European Commission, the Scientific Committee for Food, releases to the public the declarations of interest of its members.
- ◆ November – The Development and Cooperation Committee of the European Parliament held its first Annual Public Hearing on EU Standards for European Enterprises operating in developing countries. Nestlé and Adidas were the first companies invited to present information on how they implement voluntary codes of practice. Both companies failed to attend, although the next day, Peter Brabeck, Nestlé's CEO addressed students at the London Business School. Richard Howitt, MEP, said the companies had shown "utter contempt for a

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properly constituted public hearing. Not to attend reveals a combination of arrogance and distance which has set their cause back."

IBFAN is twenty years old. It has grown from 6 groups to over 150 in more than 90 countries. Twenty countries have implemented all or nearly all of the provisions of the International Code and Resolutions. A further 27 have many provisions in law.

**It is not yet over...**

### **Nestlé rewrites history**

This poster, which recruits the Renaissance painter Raphael to the cause of marketing, was used by the world's largest baby milk producer, Nestlé, in 1935. Nestlé claims that its founder, Henri Nestlé, invented the world's first artificial infant food in 1867. By 1873, 500,000 boxes of Nestlé's Milk Food were sold in Europe, the United States, Argentina, Mexico and the Dutch East Indies. Markets expanded and other companies saw an opportunity. In 1998 it was estimated that annual sales of baby foods were worth \$8 billion – an indication of the success of its world-wide marketing strategies.

Nestlé has fought hard to preserve its brand image in the face of sustained criticism of its marketing practices. An example of this can be found on a multimedia CD produced by the Council for Ethics in Economics based in Columbus, Ohio – an 'independent NGO', set up in 1982 to help resolve the baby milk controversy and end the first phase of the Nestlé Boycott. The CD,

entitled: *The Controversy Over the Marketing of Breast Milk Substitutes*, gives a very different version of the events outlined in *A long road...*. Although presented as an independent case study, the report was initiated and funded by Nestlé, and is itself a fascinating case-study of corporate PR.

Started in 1995, researchers interviewed Nestlé management, key people from WHO, UNICEF, the churches and IBFAN groups. They asked to interview Baby Milk Action who agreed on condition that the study would be impartial and fully represent critics' views, and would make Nestlé's sponsorship explicit. This assurance could not be given so the interview did not go ahead. However, other interviewees were unaware of the truth. Two wrote to Prof Charles McCoy, of the Pacific School of Religion, who supervised the study:

*"We were and still are concerned that (our) comments do not figure in any way in the short case-study... We conclude from reading both drafts that the action groups were included as token interviewees to give credence to what is essentially Nestlé's view of the infant feeding issue."*

The CD is available from Corporate Affairs Manager, Nestlé UK Ltd, St George's House, Croydon, CR9 1NR, Tel 020 8686 3333

