

PRESS RELEASE

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New EU rules will trick parents into buying expensive and unnecessary products that will fuel the obesity crisis

Health advocates from across Europe have decried new rules on baby formulas and foods that are being forced through by the European Commission with no time for proper consultation and expert reflection. The EU Commission claims that its proposals are a step forward but has taken little account of developments in the global market in the last 10 years where a whole range of new formulas are being aggressively marketed to parents. The draft proposals are being presented to MSs as almost final in behind-closed-door-meetings that will in effect prevent EU Member States (MS) from taking effective action to protect child rights and health.¹

Dr Joao Breda of the **World Health Organisation** (WHO)² attended a Commission Expert Advisory meeting on 17th February, along with delegates from the **International Baby Food Action Network** (IBFAN),³ the UK **Baby Feeding Law Group** (BFLG)⁴ and major baby food companies.

While recognizing the proposed regulation does incorporate positive features, during his interventions Dr Breda highlighted the need for sound evidence in relation to the sugar content in baby foods and the controls on marketing in line with the WHO set of Recommendations on Marketing of Foods High in Fat, Sugar and Salt to Children, adopted by the World Health Assembly. He also stressed the importance of MSs being able to follow the International Code of Marketing of Breast milk substitutes and resolutions and their own health policies. He warned that *"If some operators would use branding in a way that confuses mothers, particularly the least educated ones, then this could result in a step backwards that would increase health inequalities in Europe and would affect member states and WHO efforts to combat childhood obesity and other child health problems."*

Patti Rundall of Baby Milk Action- IBFAN UK said: *"If these proposals go ahead unchanged they can only bring discredit to the EU, a region that prides itself on its high levels of health safety and consumer protection, human rights and sensitivity to the developing world. Advertising of breastmilk substitutes and sweet processed foods for young babies flies in the face of all health recommendations and conflicts with national health priorities and policies of many EU countries."*

What has changed? After many years of campaigning, the Commission has agreed some welcome changes: labelling of some specialist infant products is improved and the composition of formulas is revised (changes the industry want delayed for 5 years). But many products can have unacceptably high levels of sugar (up to 30% for baby foods) and unnecessary ingredients. Most importantly, the controls on advertising will be some of the worst in the world, allowing corporations such as **Nestlé** and **Danone** to promote highly processed products as having 'added value' and health and development advantages over fresh family foods, breastfeeding or standard infant formulas.⁵

The composition of follow-on formulas (FUF) - marketed for babies over 6 months – and universally agreed by all health agencies to be unnecessary – will have identical compositional requirements as infant formulas for newborn babies. The only small difference is in the range for iron content, though the ranges overlap and the target level is identical. Infant formula satisfies the follow-on formula composition requirements and is already labelled for use from 0 to 12 months in many cases.⁶ For no sound health reason FUF can be widely advertised across all media and MSs will only be allowed to control the marketing of infant formula. Several MSs such as Malta and the UK, have tried to control FUF marketing but have come under pressure to weaken their laws. The new rules will undoubtedly put more obstacles in MSs way.⁷

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Baby Milk Action, a member of the International Baby Food Action Network (IBFAN), stops misleading marketing by the baby feeding industry. We protect breastfeeding and babies fed on formula to prevent unnecessary death and suffering.

Cross branding: Companies are now stretching the infant formula brand names beyond FUF to to a new range of flavoured sweetened formulas for babies over 12 months ('Young Child Formulae') using the same deceptive tactics, claiming improvements in eyesight and development etc. The Commission has failed to tackle the issue of FUF advertising and now has no credible strategy for curbing the growth in this new market – except dialogue with the industry about voluntary self-regulatory options.

Obesity has more than tripled in many European countries since the 1980s and 7% of health budgets are now spent on associated diseases. There is worldwide consensus that there is a global health crisis in nutrition⁸ and that the costs of diet related diseases are fast consuming health budgets. The importance of early life feeding and behaviour has prompted priority calls for the protection, promotion and support of breastfeeding and an immediate end to the marketing of unhealthy foods to all children, for example in the *EU Childhood Obesity Action Plan 2014-2020*⁹ and most recently the *Second International Conference on Nutrition*¹⁰ in Rome.

Breastfeeding is an ideal window of opportunity for the prevention of obesity and a host of other health problems. Breastfeeding mothers are more likely to return to pre-pregnancy bodyweight¹¹ and exclusive breastfeeding for 6 months and the introduction of complementary foods at about 6 months is associated with lower rates of obesity.¹² Breastfeeding helps in the development of taste receptors and appetite control.

At another meeting with EU Policy makers in Brussels on 18th February, Patti Rundall, questioned the new EU **Commissioner for Health, Vytenis Andriukaitis** about the new proposals. Acknowledging that tackling advertising is very difficult, he said that the EU does have a responsibility to protect the most vulnerable in society, and reduce children's exposure to marketing tactics. Commissioner Andriukaitis described those who live in poverty in the EU as the 29th EU Member State - a side of the EU that is all too often glossed over.¹³

Global impact: The proposed new rules take no account of the global impact of foods exported from the EU, the need to ensure that they are in the right language, or how they will help corporations lobby for weak global trading standards and agreements (such as TTIP¹⁴ or Codex¹⁵). While many more people now have better access to drinking water, sanitation and health care, the world is still an unequal place: 2.5 billion - more than one third of the world's population - still have totally inadequate sanitation.¹⁶ Artificial feeding of an infant instead of breastfeeding in such settings can literally mean the difference between life and death.

IBFAN is appealing to parliamentarians and EU policy makers to conduct an impact assessment of these proposals on health and development before they do untold damage, not just in the EU but globally.

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1. All EU Member States have endorsed the *International Code of Marketing of Breastmilk Substitutes* (IC) and the subsequent relevant World Health Assembly Resolutions - that are minimum requirements for all countries. All EU MS have also ratified the Convention on the Rights of the Child (CRC). Article 24 of CRC calls on governments to provide parents with information on nutrition and breastfeeding. Companies have a direct obligation to abide by the IC universally.
2. WHO is the Secretariat of the World Health Assembly (WHA) the world's highest global health policy setting body.
3. International Baby Food Action Network (IBFAN) is the global network of 273 groups in 168 countries. www.ibfan.org
4. The Baby Feeding Law Group (BFLG) is a coalition of 22 leading health professional and lay organisations such as the Royal College of Pediatrics and Child Health and the Royal College of Midwives, all working to bring UK and EU legislation in line with World Health Assembly Resolutions. www.babyfeedinglawgroup.org.uk
5. IBFAN's evidence *Breaking the Rules – Stretching the Rules 2014* and *State of the Code by Country 2014*. <http://ibfan.org/companies-continue-to-violate-the-international-code>
6. Scientific Opinion on the essential composition of infant and follow-on formulae European Food Safety Authority (EFSA) www.efsa.europa.eu/en/efsajournal/pub/3760.htm
7. *Advertisements of follow-on formula and their perception by pregnant women and mothers in Italy*, Cattaneo A, et al. *Arch Dis Child* 2014;0:1–6. doi:10.1136/archdischild-2014-30699
8. *Strengthening of accountability systems to create healthy food environments and reduce global obesity*. Swinburn et al. [www.thelancet.com/journals/lancet/article/PIIS0140-6736\(14\)61747-5/abstract](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(14)61747-5/abstract)
9. http://ec.europa.eu/health/nutrition_physical_activity/docs/childhoodobesity_actionplan_2014_2020_en.pdf
10. *Political Declaration and Framework for Action* adopted at ICN2: Recommended actions to promote, protect and support breastfeeding and implement the International Code: www.fao.org/3/a-mm215e.pdf
11. www.unicef.org.uk/BabyFriendly/News-and-Research/Research/Obesity/
12. www.unicef.org.uk/BabyFriendly/News-and-Research/Research/Obesity/Timing-of-solid-food-introduction-and-the-risk-of-obesity/
13. 120 million people in the EU(24%) are at risk of poverty or social exclusion. <http://ec.europa.eu/social/main.jsp?catId=751>
14. The Transatlantic Trade and Investment Partnership (TTIP) currently being negotiated – in secret – between the EU & the USA. www.waronwant.org/campaigns/trade-justice/ttip
15. The Codex Alimentarius Commission sets global trading standards. *Trade vs Health – global meeting fails to safeguard infant and young child health* www.babymilkaction.org/archives/2640
16. *Progress on Drinking Water and Sanitation 2014 Update*. WHO UNICEF