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IBFAN Submission to the ACCC for the regulation of the marketing of infant formula, foods and drinks for older infants and young children

The importance of optimal nutrition in early life and its life long significance is well documented. The WHO and its member states have recognized breastfeeding to be critical to protect health for both mother and child. This not only reduces child mortality, infectious illnesses such as diarrheal and respiratory disease as well as the later in life non-communicable conditions: cancers, heart disease, diabetes and obesity but also contributes to optimal IQ development. The practice of breastfeeding is central in the WHO recommendations for infant and young child feeding – exclusive for the first six months and sustained breastfeeding to two years or beyond with the addition of nutritious family based complementary foods starting at six months. Australia as a Member State of the WHO has supported this important recommendation. Australian mothers and children deserve to be supported and enabled to meet the WHO recommendation and the best possible health and development outcomes this confers.

The International Code of Marketing of Breastmilk Substitutes and its subsequent World Health Assembly resolutions have been endorsed by Member States, including Australia as a critical means to support the WHO recommendations for infant and young child feeding. Although the baby food industries have had nearly 40 years to change their marketing practices to be in compliance with the International Code and subsequent WHA resolutions, their systematic and flagrant disregard for Code adherence and the undermining marketing continues. Hence breastfeeding and complementary feeding practices to ensure the best health outcomes remain deficient.


It has been demonstrated time and again that voluntary measures to manage the marketing of breastmilk substitutes and products that come under the scope of the International Code does not work. The baby food industries have a fiduciary obligation to maximize profits and see the International Code and its requirements as an obstacle to maintaining market share and profits. However we must recognize that the marketing of products that replace the normal biological role of breastfeeding with serious health consequences should not be marketed like a box of detergent with claims of better and brighter. The Code and WHA resolutions are essential for the protection of breastfeeding, the biological norm. The Marketing in Australia of Infant Formula Agreement (MAIF) which gives a pass to the industry to continue to undermine optimal infant and young child feeding practices will continue to put the health of Australian mothers and their children at risk. The right to protection from predatory marketing and the attainment of the best possible health outcome for children is enshrined in the Convention on the Rights of the Child, ratified by the Government of Australia.

Guidelines on the interpretation and application of the MAIF Agreement are a far cry from the provisions needed to protect breastfeeding and falsely reinterpret the Code to circumvent its requirements. Regulations are needed to eliminate the misleading and undermining labeling and marketing that truly implement the safeguards of International Code and subsequent WHA resolutions.

Of considerable additional concern is the lack of regulations controlling the marketing of infant formula, follow-up formula and drinks for young children for export,

especially to Asian countries. International monitoring of Code infractions by exporting Australian baby milk industries has repeatedly demonstrated the lack of safeguards against misleading and aggressive marketing. We strongly urge that effective export measures to safeguard against needless and inappropriate use for these products be included in export directives. All mothers and their children deserve the right to such health protection.

The International Baby Food Action Network (IBFAN) in support of the mothers and children in Australia urges the ACCC to rescind the MAIF agreement within a two-year period. During this time to develop regulatory measures with appropriate partners, with no conflicts of interest, that will protect breastfeeding and ensure the rights of mothers and children to make informed feeding decisions without commercial interference.



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IBFAN 1998 RECIPIENT OF THE RIGHT LIVELIHOOD AWARD

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