

NATIONAL CODE OF MARKETING OF BREASTMILK SUBSTITUTES IN DOMINICA

This code is based on the "International Code of Marketing Breast-milk Substitutes" (WHO 1981). The Government of Dominica is a signatory to this International Code. This shortened version has been produced by the Breast Feeding Committee as a practical document for local use in Dominica. If there are any ambiguities or areas of conflict then readers should refer to the original "International Code".

Article 1. Aim of Code

The aim of this code is to contribute to the provision of safe and adequate nutrition for infants, by the protection and promotion of breast-feeding and by ensuring the proper use of breast-milk substitutes when these are necessary, on the basis of adequate information and through appropriate marketing and distribution.

Article 2. Scope of the Code

The code applies to the marketing and practices related thereto of the following products: breast-milk substitutes, including infant formula; other milk products, food and beverages, including bottle-fed complementary foods, when marketed otherwise represented to be suitable with or without modification for use as a partial or total replacement of breast-milk; feeding bottles and teats. It also applies to their quality and availability and to information concerning their use.

Article 3. Definitions

For the purpose of this Code:

"Breast-milk substitute" Means any food being marketed or otherwise represented as a partial or total replacement for breast-milk, whether or not suitable for that purpose.

"Complementary food" Means any food, whether manufactured or locally prepared, suitable as a complement to breast-milk or to infant formula, when either becomes insufficient to satisfy the nutritional requirements of the infant. Such food is also commonly called "weaning food", "breast-milk supplement", "baby cereals" or "baby foods".

"Container" Means any form of packaging of products for sale as a normal retail unit, including wrappers.

"Distributor"

Means a person, corporation or any other entity in the public or private sector engaged in the business (whether directly or **indirectly**), of marketing at the wholesale or retail level a product within the scope of this Code. A "primary distributor" is a manufacturer's sales agent, representative, national distributor or broker.

"Health Care System"

Means governmental, nongovernmental or private institutions or organisations engaged, directly or indirectly in health care for mothers, infants and pregnant women; and nurseries or child-care institutions. It also included Doctors and Nurses in private practice. For the purposes of this Code, the health care system does not include pharmacies or other established sales outlets.

"Health Worker"

Means a person working in a component of such a health care system, whether professional or non-professional including, voluntary unpaid workers.

"Infant formula"

Means a breast-milk substitute formulated industrially in accordance with applicable Codex Alimentarius standards, to satisfy the normal nutritional requirements of infants up to between four and six months of age, and adapted to their physiological characteristics. Infant formula may also be prepared at home, in which case it is described as "home prepared".

"Label"

Means any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to a container (see above) of any products within the scope of this Code.

"Manufacturer"

Means a corporation or other entity in the public or private sector engaged in the business or function (whether directly or through an agent or through an entity controlled by or under contract with it) of manufacturing a product within the scope of this Code.

"Marketing"

Means product promotion, distribution, selling advertising product public relations and information services.

"Marketing Personnel"

Means any persons whose functions involve the marketing of a product or products coming within the scope of this Code.

"Samples"

Means single or small quantities of a product provided without cost.

"Supplies"

Means quantities of a product provided for use over an extended period, free or at low price, for social purposes, including those provided to families in need.

Article 4. Information and Education

The Ministry of Health has the responsibility to ensure that objective and consistent information is provided on infant and young child feeding for use by families and those involved in the field of infant and young child nutrition. This responsibility should cover either the planning, provision, design and dissemination of information or their control.

Educational programmes and materials should include clear information on the following points:-

- (a) the benefits and superiority of breast feeding
- (b) maternal nutrition and the preparation for and maintenance of breast feeding
- (c) the negative effect on breast feeding of introducing partial bottle-feeding
- (d) the difficulty of reversing the decision not to breast feed; and
- (e) where needed, the proper use of infant formula and other breast milk substitutes including information on the health hazards of improper feeding methods and the high cost of artificial feeding.

Donation of informational or educational materials (booklets, calendars, diaries, posters, stationery etc.) should be channelled through the Nutrition Unit, Ministry of Health and should not be sent directly to health care facilities.

Article 5. The General Public and Mothers

There should be no advertising or other form of promotion (e.g radio advertisements, newspaper advertisements, posters, billboards etc.) to the general public of products within the scope of this code. This should be contained in a policy governing the State owned radio station.

Manufacturers and distributors should not provide, directly or indirectly to pregnant women, mothers or members of their families, samples of products within the scope of this Code.

In conformity with paragraphs 1 and 2 of this Article, there should be no point of sale advertising, giving of samples, or any other promotion device to induce sales directly to the consumer at the retail level, such as special displays, discount coupons, premiums, special sales, loss-leaders and tie-in sales, for products within the scope of this Code. The provision should not restrict the establishment of pricing policies and practices intended to provided products at lower prices on a long term basis.

Article 6. Health Care Systems

The Ministry of Health and the National Food and Nutrition Council should take appropriate measures to promote the principles of this Code. The Ministry of Health should give appropriate information and advice to health workers in regard to their responsibilities and should also ensure that practices in government health care facilities are conducive to the establishment and maintenance of breastfeeding.

No facility of the Health Care System (hospital/clinics) should be used for the purpose of promoting infant formula or other products etc. There should be no placards, posters, distribution of material except those approved and distributed by the Ministry of Health. Samples of infant formula or other products and equipment or utensils for their use should not be requested, recieved or distributed by health workers.

Article 7. Health Workers

Information on infant formula and other products within scope of the Code should be given only by health workers and should include a clear explanation of the hazards of improper use.

The information should not imply or create a belief that bottle feeding is equivalent or superior to breast feeding.

Feeding with infant formula, whether manufactured or home prepared should be demonstrated only by health workers or other community workers if necessary and only to the mothers or family members who need to use it and the information given should include a clear explanation of the hazards of improper use.

No financial or material inducements to promote products within the scope of this Code should be offered by manufacturers or distributors to health workers or members of their families.

Article 9. Labelling

Labelling should be designed to provide the necessary information about the appropriate use of the product and so as not to discourage breast-feeding.

Manufacturers and distributors of infant formula should ensure that each container has a clear conspicuous and easily readable and understandable message printed on it, or on a label which cannot readily become separated from it, in an appropriate language which includes all the following points:

- (a) the words "Important Notice" or their equivalent
- (b) a statement of the superiority of breast-feeding
- (c) a statement that the product should be used only on the advice of a health worker as to the need for its use and the proper method of use

- (d) instructions for appropriate preparation, and a warning against the health hazards of inappropriate preparation

Neither the container nor the label should have pictures of infants, nor should they have other pictures or text which may idealise the use of infant formula. They may, however, have graphics for easy identification of the product as a breast-milk substitute and for illustrating methods of preparation. The terms "Humanized", "Maternalized" or similar terms should not be used. Inserts giving additional information about the product and its proper use, subject to the above conditions may be included in the package or retail unit. When labels give instructions for modifying a product into infant formula, the above should apply.

Food products within the scope of this Code, marketed for infant feeding which do not meet all the requirements of an infant formula but which can be modified to do so should carry on the label a warning that the unmodified product should not be the sole source of nourishment of an infant. Since sweetened condensed milk is not suitable for infant feeding nor for use as a main ingredient of infant formula, its label should not contain purported instructions on how to modify it for that purpose.

The label of food products within the scope of this Code, should also state all the following points:

- (a) the ingredients used
- (b) the composition/analysis of the product
- (c) the storage conditions required and
- (d) the batch number and the date before which the product is to be consumed, taking into account the climatic and storage conditions of the country concerned.

Article 10. Quality

The quality of product is an essential for the protection of the health of infants and therefore should be of a high recognised standard.

Article 11. Implementation and Monitoring

The Government, particularly the Ministry of Health should take action to give effect to the principles and aims of this Code through the adoption of appropriate measures (e.g. policies, regulations etc.)

Independently of any other measures taken for implementation of this Code, importers and distributors of products within the scope of this Code should regard themselves as responsible for monitoring marketing practices according to the principles and aim of this Code, and for taking steps to ensure that their conduct at every level conforms to them.

The National Food and Nutrition Council, nongovernmental organisations, consumer groups, professional groups, institutions and individuals concerned should have the responsibility of drawing attention of importers or distributors to activities which are incompatible with the principles and aim of this Code, so that appropriate action can be taken. The Ministry of Health should also be informed.

The Breast Feeding Committee and the Food and Nutrition Council should serve as watch dogs for any adverse advertisement which is done contrary to this Code.