The true story dramatised in **TIGERS**

**HOW FAR WOULD YOU GO TO STOP INJUSTICE?**
**TIGERS THE MOVIE**

*Tigers* is a film by Oscar-winning director Danis Tanović. It dramatises the true story of a former Nestlé baby milk salesman called Syed Aamir Raza, who took on the baby food industry with the help of IBFAN (the International Baby Food Action Network) when he realised that babies were dying as a result of his work pressuring doctors to promote formula.

For information on how to see *Tigers* go to: [www.babymilkaction.org/tigers](http://www.babymilkaction.org/tigers)

Zee5 presents *Tigers* a SIKHYA ENTERTAINMENT and CINEMORPHIC production in association with ASAP FILMS

**Main Cast**

<table>
<thead>
<tr>
<th>Role</th>
<th>Actor</th>
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<tbody>
<tr>
<td>Ayan</td>
<td>Emraan Hashmi</td>
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<tr>
<td>Zainab</td>
<td>Geetanjali</td>
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<td>Alex</td>
<td>Danny Huston</td>
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<td>Nadeem</td>
<td>Khalid Abdalla</td>
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<td>Bilal</td>
<td>Adil Hussain</td>
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<tr>
<td>Faiz</td>
<td>Satyadeep Misra</td>
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<td>Maggie</td>
<td>Maryam D’Abo</td>
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<td>Michael</td>
<td>Heino Ferch</td>
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<tr>
<td>Frank</td>
<td>Sam Reid</td>
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<tr>
<td>Mustafa</td>
<td>Vinod Nagpal</td>
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<td>Ayan’s Mother</td>
<td>Supriya Pathak</td>
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**Main Crew**

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<th>Role</th>
<th>Name</th>
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<tr>
<td>Director</td>
<td>Danis Tanovic’</td>
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<tr>
<td>Screenplay</td>
<td>Danis Tanovic, Andy Paterson</td>
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<tr>
<td>Music Composer</td>
<td>Pritam</td>
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<tr>
<td>Director of Photography</td>
<td>Erol Zubcevic</td>
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<tr>
<td>Editor</td>
<td>Prerna Saigal</td>
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<tr>
<td>Sound Designer</td>
<td>Anthony B. J. Ruban</td>
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<tr>
<td>Costume Designer</td>
<td>Niharika Khan</td>
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<tr>
<td>Production Designer</td>
<td>Rachna Rastogi, K.K. Murlidharan</td>
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<td>Casting</td>
<td>Seher Latif, CSA</td>
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<tr>
<td>Line Producer</td>
<td>Vishal Bajaj</td>
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<tr>
<td>Make Up</td>
<td>Serina Tixeira</td>
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<tr>
<td>Consultants</td>
<td>Mike Brady, Patti Rundall</td>
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**Producers**

Prashita Chaudhary, Kshitij Chaudhary, Guneet Monga, Anurag Kashyap, Andy Paterson, Cat Villiers, Cedomir Kolar, and Marc Baschet

**Executive Producers**

Achin Jain, Karen Tenkhoff, Michael Weber, Praveen Hashmi

**Associate Producer**

Rashmi Kohli

A Zee5 original film, Produced by Cinemorphic Pvt Ltd (India) and Sikhya Entertainment Pvt Ltd (India) in coproduction with ASAP Films (France)

**This Booklet**

Background images (except page 4) and photos with subtitles are stills from the film.

Baby Milk Action is solely responsible for the content of this booklet. Produced August 2015 (updated 2019). [www.babymilkaction.org/tigers-truestory](http://www.babymilkaction.org/tigers-truestory)
In 2006, when Danis Tanovic’ was first told the true story that would lead to *Tigers*, his first response was that he needed to go to Pakistan straight away. Surely this was an old story? People had been protesting about the mis-marketing of infant formula for decades.

So he set off, with co-writer Andy Paterson, to Lahore and Sialkot to visit hospitals and talk to doctors. Wherever they went, it was the same response. The tactics may have changed, but the problem remained. Mothers were still being persuaded to spend their money on a product many of them could not use safely and infants were still dying.

The filmmakers experienced the same shock as the young salesman in the story; how could it be that decades on from an international boycott of one of the key infant formula manufacturers, the same old story was still being played out?

Their focus shifted to how the film should work. The true story focused on one young salesman working for Nestlé, but they weren’t the only company making and marketing infant formula and the filmmakers wanted to make a more general point. So the decision was made to change the names, although the story – easy to find on the internet – would still have to be true in every detail, to ensure the film was legally safe.

Financing films is a risky business and every production takes out insurance against the possibility of legal challenges. The producers had plenty of experience in backing up every detail of their screenplays to ensure that the content was fact-based and provably true. But much as the insurers wanted to help, they wouldn’t cover *Tigers*. Not because it wasn’t true, but because the corporation at the heart of the story had such deep pockets that the risk of their attempting to block the film – and the cost of defending any such actions in court – was considered too high. Without insurance, the backers wouldn’t take that risk and just weeks before filming was due to begin in early 2007, the production was shut down.

A production which already involved Bosnian, French and British filmmakers, was rescued in 2013 by Indian financiers and producers. Prashita Chaudhary and Guneet Monga stepped in to make the film possible, with star Emraan Hashmi coming on board for his first non-Bollywood, English language role.

The first night of the shoot in Germany was interrupted briefly while director Danis Tanovic donned his black tie to receive two awards for *An Episode on the Life of an Iron Picker* at the closing ceremony of the 2013 Berlin Film Festival.

The shoot then moved to India with locations in the Punjab standing in for Pakistan. Guneet Monga risked everything to ensure the director could do justice to the story. Every member of an extraordinarily dedicated crew felt the moral responsibility to finally bring this untold story to the big screen.

*www.babymilkaction.org/tigers*
It is very strange to see Emraan Hashmi playing Ayan in this film, telling the story of my time as a Nestlé Tiger and how my life fell apart when the doctor played by Satyadeep Misra opened my eyes to the human cost of what I was doing.

You are watching this film because of Baby Milk Action and Andy Paterson. I did not believe this film will be made when they proposed it to me. I answered their questions. I responded to their emails. I listened politely on the phone. But I was thinking this will never happen. But they are dedicated people and the film exists.

I must say the film is very accurate and I am very pleased that in 90 minutes they told you my story. But there is a lot they couldn’t tell you.

I am not a super hero that I blew the whistle and did all these things. We have a giant family system in Pakistan and when I decided and explained to my family that this is what I am going to do, from the beginning they supported me. Even though my father was not a professional lawyer he helped me a lot to draft a legal notice, to start a legal fight with Nestlé.

Dr Diamond Emmanuel explained the effects of bottle feeding to me and helped me with the information to finalise the legal notice.

You saw in the film how threatened we felt at this time. But I must tell you this went on for months. We were in hiding. It was very tense and scary. But my family always supported me.

My mother supported me, even in her last moments when she had not seen me since I left Pakistan and knew she would not see me again. She was a cancer patient and she didn’t get the treatment she needed because she was my mother. But she spoke to me on the phone at that final stage and she still encouraged me. After the death of my mother, the person who looked after the family, my father, passed away, just three months later. This was very hard. The whole family was in shock.

This film is a tribute to my father and my mother who looked after my wife and my kids when we were apart.

And after they passed away my brothers took the responsibility to look after my family. My family lost their medical supplies business. Shots were fired at my house. We received threatening letters. I had moved my family to another city in Pakistan and they were in hiding.

When I left Pakistan my daughter Shabi was not even two years old and my son Mohammed was just four. Shabi does not remember me in Pakistan. We spoke on the phone, of course, but when she met me I was a stranger to her. The film helps her to understand more about the struggle we have been engaged in as a family.

Now I have two questions for WHO, UNICEF and the other international agencies who are working to protect infant health:

1 - How would they respond to a whistle blower today?
2 - WHO continues to say that children die from unsafe bottle feeding. Some of the sick children shown in Tigers were filmed in Pakistan in 2013. There is evidence that medical representatives are still targeting health workers. What are WHO and other international organisations doing to stop it?

I hope you will encourage everyone to see this film and also think how you can help Baby Milk Action and the rest of IBFAN in their work.

Syed Aamir Raza
WHO’S WHO IN TIGERS?

Above: Emraan Hashmi, who plays Ayan, meets the inspiration for the character, Syed Aamir Raza, and his wife, Shafqat during the Tigers premiere at the Toronto International Film Festival in 2014. Shafqat is represented by Zainab in the film, and played by Geetanjali.

Maggie (Maryam D’Abo) represents several members of the International Baby Food Action Network (IBFAN) who helped Aamir. The NGO called the Hub that Maggie works for in Pakistan represents the IBFAN group, The Network - Association for Rational Use of Medication in Pakistan. The Director of Network at the time was Dr Zafar Mirza. Tracey Wagner-Rizvi was the person working with Aamir on the Milking Profits report. Dr Faiz (Satyadeep Misra) represents Dr Diamond Emmanuel.

In Germany Maggie represents Baby Milk Action’s Mike Brady and Andreas Adelberger. Mike and Andreas set up the media coverage. Michael (Heino Ferch) represents Oliver Schroem of the TV company ZDF and Uli Rauss of Stern Magazine.

Left: Patti Rundall with Aamir and his son Mohammed. Mike and Patti were consultants to the filmmakers.

In the London scenes (above) Maggie is Patti Rundall, Policy Director of Baby Milk Action. Frank (Sam Reid) represents the BBC lawyers who assessed the financial risks of backing the film. Nadeem (Khalid Abdalla) represents Danis Tanović, the film’s director. Alex (Danny Huston) represents Andy Paterson, the producer and co-writer. Danis won the Oscar and Golden Globe for Best Foreign Language Film for his debut feature No Man’s Land. Andy Paterson’s films include the award-winning Girl with a Pearl Earring and The Railway Man.

Mike Brady and Tracey Wagner-Rizvi (in blue t-shirts above) with Leah Margulies. Leah was involved in the 1978 US Senate Hearing where Senator Edward Kennedy questioned a Nestlé executive. The Senate Hearing opens Tigers.
In *Tigers*, Ayan is employed as a Medical Delegate by *Lasta*, tasked with befriending doctors and nurses to gain access to health facilities to promote the company’s baby milks.

Evidence for these practices comes not only from affidavits from Syed Aamir Raza (the inspiration for the character of Ayan) and those involved in the events represented, but receipts, payslips, company memoranda and other documents.

Company documents refer to ‘impress’ money. Aamir had to justify all expenditure and obtain written authorisation for bigger gifts from his bosses and sometimes more senior management.

Monitoring by IBFAN – represented by the HUB in *Tigers* – finds Nestlé still employs Medical Delegates, sometimes referred to as Nutrition Representatives or Clinical Representatives.

Targeting of health workers continues to be a favoured Nestlé strategy, involving sponsoring events – as Ayan attempted to do in *Tigers*, until objections were raised by Maggie from the HUB.

IBFAN’s *Breaking the Rules* 2014 and 2017 reports document similar strategies, such as Nestlé being *Diamond sponsor* of the 4th World Congress of Pediatric Gastroenterology, Hepatology and Nutrition in Taiwan in 2012.

This gave Nestlé exposure at the event and an opportunity to promote its Nan infant formula to health professionals (above and below).

For monitoring reports visit:
Aamir used small value gifts such as confectionery and lipsticks to endear himself to doctors and nurses, either supplied by the company or paid for by impress money. More recent examples of gifts have been exposed in IBFAN's monitoring, such as t-shirts for nurses in the Philippines, with the Nestlé bird logos as used on infant formula labels and umbrellas with baby food branding.

The 2007 documentary *Formula for Disaster*, produced by UNICEF Philippines shows gifts from Nestlé and other companies on display in a clinic. This includes a blanket for the scales where babies are weighed during their post-natal checks with the Nestlé Nutrition logo.

A report from UNICEF Lao in 2013 noted: ‘the presence of stickers, flyers and growth charts with the name of the milk company confirms the presence of some sales representatives at hospitals. Two companies (Nestlé and Dumex) were the most noticeable companies.’

Nestlé current *Instructions for Implementation of the WHO International Code of Marketing of Breastmilk Substitutes* contains a long list of items of ‘professional utility’ and ‘token gifts’ to be offered to health workers.

Nestlé’s Instructions state, ‘No such donations should be used as a sales inducement.’ But why give gifts? The Code says gifts should be neither offered nor accepted. The role of Nestlé’s *Clinical Representatives* in the UK in 2015 is to target health workers to obtain formula ‘brand endorsement’ according to the job description.

Health campaigners are demanding that Nestlé and other formula companies stop employing representatives to target health workers as their role is self-evidently promotional.
Aamir was told to befriend senior doctors with the most influence in purchasing decisions and those with the most patients. In the Nestlé system they are rated as AAA, AA and A.

Nestlé Nutrition marketing staff have much the same responsibilities today. A 2014 job description for a Nestlé Maternal and Infant Nutrition Territory Manager in Canada gave the major responsibilities as:

- **Stimulate retail sales through the promotion of infant formulas and cereals to gain Healthcare Professionals recommendations (physicians, nurses, etc.) based in community clinics and offices.**
- **Manage and develop hospital accounts to targeted growth plan.**
- **Prospect and build relationships with target Healthcare Professionals and Key Opinion Leaders.**
- **Significantly contribute to the regional market share growth for infant formula, cereals & foods based upon agreed to strategies and product priorities.**
- **Plan, lead and/or participate in medical education events/conferences.**

In Armenia, classed as a high-risk country by Nestlé, its Infant Nutrition staff distributed booklets to health facilities promoting its Nan range of formula. This was backed by advertising on cable television for one of the formulas in the range for older babies. Nestlé claims it does not advertise infant formula for use from birth, but the branding of the number 3 formula is identical. Nestlé says it supports breastfeeding, but logos on labels claim the formula is the ‘gentle start’ and ‘protects’ babies. IBFAN has called on executives at the highest level – the Chief Executive and Chairman – to remove these claims, but they have refused to do so. Nestlé did eventually promise to drop a ‘natural start’ claim in 2015 following a Baby Milk Action campaign.

In a presentation to investors in September 2013, Nestlé boasted that its ‘gentle start’ formula claims make its Lactogen formula a ‘growth engine’, achieving ‘incremental sales’. Nestlé calls it Project Happy.
As well stimulating retail sales through the promotion of infant formulas and cereals to gain Healthcare Professionals recommendations, Ayan is seen in the film hosting a baby show as a means to promote company products to mothers.

Aamir says Nestlé's Area Detailing Executive organised the first event he attended to show him how it was done. Expenses for subsequent events had to be authorised by bosses.

Nestlé's strategies have now reached the UK following its takeover of the SMA infant formula brand in 2012. As well as targeting health workers, it targets parents directly. For example, it had a street stall, with child play area, at an Indian festival in Leicester on 31 August 2015 to promote the SMA brand and encourage parents to sign up to the SMA baby club. Campaigners handed out leaflets informing people that Nestlé is not a reliable source of information.

Nestlé says its restrictions on baby shows only apply to ‘high risk’ countries, but has admitted to arranging ‘nutrition corners’ in grocery stores in China, targeting ‘pregnant and lactating mothers’. Nestlé mother and baby clubs are a common marketing strategy found in many countries.

Nestlé has recently appropriated the First 1000 Days slogan covering the period from conception to two years of age from health organisations, which promote the importance of breastfeeding.

The company offers to provide ‘nutrition education’, including to adolescent girls and is trying to partner with governments to do so.

However, in Nestlé’s ‘Project Happy’ presentation to investors in September 2013, Nestlé explained its First 1000 Days strategy has the underlying aim of promoting ‘Nestlé Infant Nutrition product solutions’.

TARGETING MOTHERS

www.babymilkaction.org/register

The true story dramatised as Tigers
Ayan and Zainab watch a documentary in *Tigers* showing babies dying as a result of diarrhoea and malnutrition, just as Ayan saw on the ward of Faiz’s hospital.

This is the contemporary documentary *Formula Fix*, broadcast by Australian ABC Television in 1997 and filmed in Karachi, Pakistan.

Babies who are fed on formula are at more risk of short and long-term illness than breastfed babies and, in conditions of poverty, more likely to die.

The film uses the UNICEF statistic:

‘Improved breastfeeding practices and reduction of artificial feeding could save an estimated 1.5 million children a year.’


While access to health care has improved, reducing some of the risk, the World Health Organisation (WHO) continues to attribute over 800,000 under-5 deaths per year to inadequate breastfeeding (2013).

WHO’s 2008 publication *The International Code of Marketing of Breastmilk Substitutes: Frequently Asked Questions* states:

The protection, promotion and support of breastfeeding rank among the most effective interventions to improve child survival. It is estimated that high coverage of optimal breastfeeding practices could avert 13% of the 10.6 million deaths of children under five years occurring globally every year. Exclusive breastfeeding in the first six months of life is particularly beneficial, and infants who are not breastfed in the first month of life may be as much as 25 times more likely to die than infants who are exclusively breastfed.

Positive effects of breastfeeding on the health of mothers and infants are observed in all settings. Breastfeeding reduces the risk of acute infections such as diarrhoea, pneumonia, ear infection, haemophilus influenza, meningitis and urinary tract infection. It also protects against chronic conditions in the child such as allergies, type I diabetes, ulcerative colitis, and Crohn’s disease. Breastfeeding promotes child development and is associated with higher IQ scores in low-birthweight babies. Breastfeeding during infancy is associated with lower mean blood pressure and total serum cholesterol, and with lower prevalence of type-2 diabetes, overweight and obesity during adolescence and adult life.
Nestlé executives know that babies are more likely to become sick if they are formula-fed rather than breastfed, but promote formula with the claim it 'protects' and builds immunity.

Dr Diamond Emmanuel – represented by Dr Faiz in Tigers – had his eyes opened after he gained a Public Health Masters Degree in Karachi and learned himself of the risks to babies when denied the protection provided by breastfeeding.

The true impact of Aamir's work as a Medical Delegate struck home hard as he was a new father himself.

He resigned his post, but decided that was not enough and sent a Legal Notice to Nestlé Milkpak calling on them to stop selling formula in Pakistan.

When threats followed, he sought the help of the IBFAN group in Pakistan (called The Network - Association for Rational Use of Medication in Pakistan), represented by the HUB in Tigers.

Aamir's documentary evidence was scrutinised. He even travelled to India to meet IBFAN's legal experts who went over his evidence closely.

The report represented as Making a Difference in Tigers was produced and a launch was arranged in Germany.

ZDF really did film Aamir in Pakistan. They were accompanied by a journalist and photographer from Stern Magazine, who also investigated and published an article in their edition of 9 December 1999 (shown below). But as Tigers relates, the film would never be shown.

www.babymilkaction.org/shop
Aamir’s story was due to be broadcast on the premier investigative journalism programme on ZDF Television on 8 December 1999.

Nestlé refused requests to give an interview until the day of broadcast, when its Communications Director, Francois Perroud, turned up.

While denying any responsibility for aggressive marketing practices or deaths of babies fed on the company’s formula, he accused Aamir of attempting to blackmail the company.

In the film, Ayan is confronted with a tape recording of him discussing a payoff from the company, which a Lasta executive says his boss views as blackmail.

In reality, these events played out over several days. Nestlé’s Communications Director claimed Aamir had attempted to blackmail the company and said they had a tape recording to prove it. The journalist asked for a copy.

He was told it was in a safe in Pakistan, so suggested they arrange for the recording to be sent electronically. The Communications Director refused, but said he had a transcript.

The journalist asked to see it, and again he was refused. The Communications Director stormed out telling him the film would go nowhere.

The slot in the programme that night was filled with an unrelated story, but the television listings had said there would be revelations about Nestlé’s baby milk marketing. The IBFAN staff and volunteers represented by Maggie from the HUB (by this stage, involving the IBFAN groups from Germany and the UK) already had a press conference arranged for the next day and contacted the media to come along and hear what had been pulled before broadcast.

On the day of the press conference, the Stern edition appeared containing an article based on Aamir’s documentary evidence. Stern has always stood by its story.

German press such as Der Spiegel, Berliner Zeitung, Frankfurter Rundschau and Die Tageszeitung and the UK Guardian carried the story of Aamir’s allegations, but with Nestlé’s denials and accusations attacking his credibility.

For example, The Guardian quoted Nestlé’s Francois Perroud saying Aamir was ‘guilty of an attempt at blackmailing the corporation and of having gained employment by presenting a false diploma’. The Guardian reported ‘Mr Perroud said that Nestlé possessed a tape recording which proved its allegation of blackmail and which it planned to make public at an unspecified date.’

This tape recording has never been made public.
ZDF were eventually provided with a copy on the condition that it was kept confidential, only played to Aamir with nobody from IBFAN or any other third party present. ZDF played it to Aamir only to ask if it was his voice on the tape, speaking in Urdu.

IBFAN has also asked for the tape repeatedly, but was told by Nestlé (29 June 2000), ‘We are not able, however, to release the tapes due to possible legal proceedings in Pakistan’. No legal action has ever been brought against Aamir for blackmail.

Aamir says he did discuss taking payment to drop his campaign, but changed his mind and did not attend a planned meeting. He also denies forging his school diploma.

Journalists from the ZDF programme met with Aamir and IBFAN after the press conference and said they had wanted to go ahead with the broadcast, including Nestlé’s refusal to provide the tape or transcript of the phone call. However, word came from the highest level that the programme had to be pulled.

It was suggested that Nestlé’s Communications Director had met with the head of the channel at Mainz train station.

The Guardian asked the Communications Director if he had gone to Mainz and reported: ‘Mr Perroud added, “I have no intention of saying how I spent my days or with whom I spoke”. But he confirmed that his discussions had been “elsewhere in Germany”.

ZDF soon after announced the programme Kennzeichen D would end after nearly 30 years on air. Despite protests the last episode went out on 14 March 2001.

Aamir’s documentary evidence substantiates other evidence from Pakistan at the time and since. Nestlé dismisses it just as it dismisses all evidence of aggressive marketing from any source.

www.babymilkaction.org/tigers-truestory
Maggie says in *Tigers* she feared for Ayan’s safety if his evidence had been made public while he was in the country. The film dramatises events experienced by the IBFAN group in Pakistan of Nestlé attempting to infiltrate the group.

Several years later a similar attempt at infiltration would be proven in court in Switzerland. In 2013 Swiss courts awarded damages to members of ATTAC Switzerland for invasion of privacy after spies reporting to Nestlé infiltrated the group in 2003, when the group was producing a book examining Nestlé’s baby milk activities and other concerns. Nestlé attempted to justify the spying operation, but was ordered to pay compensation amounting to £18,570 (report in the *Financial Times* shown).

With fears for Aamir’s safety, if not from Nestlé then from doctors implicated in taking bribes, it was thought that a documentary broadcast on one of the most respected German news programmes would prompt the Government of Pakistan to investigate and take action while the world looked on. But with the broadcast suspended and Aamir labelled as a blackmailer, none of that happened.

Even the coverage that did go ahead in *Stern* magazine provided no protection as someone unknown showed this to doctors in Pakistan, causing more anger towards Aamir.

He had moved his family to another town, but when his brothers returned home, threats were made and they feared the police were not investigating seriously.

Aamir continued with his campaign to expose Nestlé, launching his report in the UK and speaking at a meeting held at the British House of Commons.

He met an influential member of the House of Lords, Lord Nazir Ahmed, of Pakistan origin, who initially offered to help, but then went quiet. Later Lord Ahmed would later defend Nestlé, having claimed to have conducted his own investigation in Pakistan. Two years later it was revealed the trip had been paid for and organised by Nestlé and Lord Ahmed was being taken on as a paid consultant to the company (Guardian 19 March 2002).

Shortly before Aamir left Pakistan in December 1999, the military coup by General Pervez Musharraf took place (12 October 1999).

The new leader of Pakistan set up a National Accountability Bureau (NAB) to investigate corruption – his stated reason for staging the coup.

Both Aamir and IBFAN contacted NAB officials at the Pakistan Embassy in London, asking for them to investigate his evidence and offer him protection.

None was forthcoming.

On 16 March 2007, General Musharraf stood alongside Nestlé’s Chief Executive Officer, Peter Brabeck-Letmathe, and ceremoniously opened a new milk processing facility. Nestlé’s press release of the time showed the close
relationship that had been built:

Peter Brabeck-Letmathé, Chairman and CEO of Nestlé, said: “Pakistan is a great country, the fourth largest milk producer in the world. We very much hope to continue having the privilege of being part of Pakistan’s economic growth for many years to come.”

General Pervez Musharraf, President of Pakistan, thanked and commended Nestlé on its decision, and underscored the company’s positive role in the development of agriculture and animal husbandry, a way of eliminating poverty and creating jobs in Pakistan.

(As in other countries, there was a cost to Nestlé investment in the dairy industry, with traditional suppliers forced out of the market and Nestlé moving against price controls on milk).

While hoping for action by NAB, Aamir continued his mission to expose Nestlé and travelled to Canada to present his evidence. With no support from his government forthcoming, Aamir decided to apply for asylum in Canada.

But you cannot claim asylum from a transnational corporation. Aamir’s case dragged on through the appeal processes for years. He was unable to return to Europe when the European Parliament held a public hearing into Nestlé’s activities and he could not return home when his parents became sick. Or when they passed away.

He never saw his mother and father again.

In 2003 Lord Ahmed attended a debate between IBFAN and Nestlé at the Trade Union Congress in Brighton. When the evidence from Pakistan was raised, Lord Ahmed stood up and said this had come from someone who had just been looking for a way to leave Pakistan and was living happily in Canada. IBFAN pointed out that Aamir’s mother was dying from cancer at the time and he could not visit her.

It was seven years before Aamir gained the right to stay in Canada and was reunited with his wife and two children.

Seven long years.

In the end he was not granted asylum, but given compassionate leave to remain after pro bono legal help, letters of support and a petition and media campaign organised by the Canadian IBFAN group (Infact Canada). Throughout his time in Canada he had supported himself, flipping burgers, serving coffee or working as a driver.

When employed by Nestlé he had been praised for his hard work. Now his strong work ethic meant in 2007 he was finally welcomed into Canada and was reunited with his wife and children.

Fast forward to the world premiere of Tigers in Toronto on 8 September 2014 and you find Aamir finally being given the recognition from the Canadian Government for his sacrifice:

‘The account of Mr. Raza’s principled stand in defence of the health of babies and their families is one that deserves to be told, and one which reflects the best of Canadian values….

‘As Minister for Multiculturalism, I would like to commend you for your bravery and to thank you for sharing your story with the world.’
Aamir travelled to the UK from Germany after ZDF pulled the broadcast and being confronted by the tape of his telephone conversation about taking money to drop his campaigning. He stayed with staff of IBFAN-UK (Baby Milk Action) and members of the Pakistani community in Cambridge.

Initially Aamir denied speaking with Nestlé. He was far from home and unsure of the implications, but after spending some time with IBFAN-UK staff, he admitted he had at one point decided to drop his campaign and do a deal with his former employers. He says he can explain the conversations if given the chance, but Nestlé refuses to provide the tape recording to substantiate its blackmail allegation.

In fact, IBFAN-UK had already questioned Nestlé about allegations of blackmail prior to the revelation of the tape. Aamir wrote a short comment about his experiences as a Nestlé Medical Delegate for an IBFAN-Pakistan report (represented by the HUB) called Feeding Fiasco, published in October 1998. This was a substantial piece of work, resulting from surveys conducted in 33 cities across Pakistan. It documented aggressive marketing practices by Nestlé and other companies, including gifts in health facilities and health workers reporting they were targeted by company representatives.

Aamir was quoted in the IBFAN-UK (Baby Milk Action) newsletter:

’Pakistan has the highest infant mortality rates (IMR) in Southeast Asian region. This high IMR is attributed mainly to diarrheal diseases, the ever-increasing incidence of which is due to a growing trend of bottle-feeding. For this, the baby food manufacturers are the main culprits as they make use of all kinds of unethical marketing practice to convince mothers to initiate artificial feeding. I, as a former employee of Nestlé Milkoak Ltd., have been a part of this malpractice, but a stage came where I could not bear it any more and ultimately decided to quit this company.’

Nestlé responded to a supporter of the boycott who raised this in a letter saying the representative had attempted to blackmail the company. IBFAN-UK wrote to Nestlé asking for substantiation, but no information was provided.

As Aamir’s Legal Notice had called on Nestlé to stop selling formula, IBFAN-UK wondered if this was being spun by Nestlé as blackmail.

The reporters from ZDF and Stern were told of Nestlé’s letter with the allegation, but Nestlé provided no substantiation or mention of the tape recording until the day the documentary was to be broadcast.
The UK launch of the report based on Aamir’s documentary evidence, in reality called *Milking Profits*, took place on 15 February 2000. It was reported in print media, such as *The Times* and the *British Medical Journal*.

Nestlé said it would conduct an audit and commissioned a company called Emerging Market Economics (EME) to do this. IBFAN-UK wrote offering to brief the auditors on the evidence. This was not taken up and when the EME audit was launched at the *Prince of Wales Business Leaders Forum* on 23 May 2000, EME told IBFAN-UK it had not been informed of the offer and had specifically been told by Nestlé not to contact campaign organisations and not to investigate the document trail relating to historic evidence.

IBFAN-UK also learned at the meeting that the Nestlé (UK) Head of Corporate Affairs had visited Pakistan in the month prior to the audit with a Vice-President from Nestlé’s Swiss HQ.

Unsurprisingly, the EME audit suggested there were only minor concerns regarding Nestlé’s marketing practices.

The European Parliament Rapporteur on Corporate Accountability, Richard Howitt MEP, took an interest in the case and arranged a Public Hearing at the Development and Cooperation Committee on 22 November 2000.

Tracey Wagner-Rizvi (one of those represented by Maggie of the HUB) was called to present evidence from *Feeding Fiasco* and *Milking Profits*. UNICEF’s Legal Officer attended from New York and confirmed that Nestlé’s Charter is not in line with UN marketing rules.

Nestlé refused to send a representative. Instead the author of the EME report made a presentation, but could not respond to the questions asked of Nestlé. EME mentioned that Lord Nazir Ahmed was in the audience and suggested he could speak. The Hearing called for the European Commission to take what action was possible under its Export Directive and a Council Resolution.

IBFAN continued to campaign in Pakistan for regulations, which had been in draft form since 1992, and gained some coverage for Aamir’s evidence. The *Protection of Breastfeeding and Child Nutrition Ordinance* was finally promulgated in 2002. This law was silent on many important aspects of marketing and the administration and enforcement of the law.

In October 2009, exercising powers delegated to it under the Ordinance, the Ministry of Health issued the *Protection of Breastfeeding Rules*.

The Rules contain detailed provisions curtailing promotion in the areas of labelling, information and education and health facilities. These rules must now be independently enforced for Aamir’s stand to truly make a difference.

Each region has to implement the Rules. Punjab did so in August 2014, including conflicts of interest provisions for the monitoring committee. However, the law allows one member to represent the baby food industry association.

Most countries now have some legislation incorporating the World Health Assembly marketing requirements, however, as a result of industry lobbying, many have serious loopholes that allow harmful marketing to continue.
IBFAN tried to gain as much publicity as possible for the *Milking Profits* report that drew on Aamir’s evidence. The claims of marketing violations are based on the contents of internal Nestlé documents, some signed by senior executives. Nestlé responded with postings to a website dedicated to the baby milk issue (since taken off air).

IBFAN-UK (Baby Milk Action) also raised the evidence in its long-running correspondence with Nestlé executives about violations of the *International Code of Marketing of Breastmilk Substitutes* and subsequent, relevant Resolutions of the World Health Assembly (also known as the WHO Code).

Nestlé announced the EME audit, which it described as ‘independent’, despite paying for it and specifying how it would be conducted. It then misrepresented EME’s findings.

According to Nestlé,

‘The audit team found that, with minor exceptions, his allegations could not be supported by their in-depth investigation.’

Yet the audit report states:

‘This study does not represent an attempt to investigate any of the allegations made, either by [IBFAN] or by Mr Raza...’

In a response letter to the British Medical Journal (14 July 2000) EME said,

‘We have made it clear that the methodology used is not suitable for the investigation of specific allegations concerning events that may have taken place some years ago.’

Nestlé also claimed to have taken action:

‘These allegations from Mr Raza have been repeated in [IBFAN’s] recent document *Milking Profits*. Nestlé investigated the allegations thoroughly and found that nearly all of them were in fact not WHO Code violations. In the few cases where corrective action was required, we have acted swiftly to ensure our marketing of infant formula is in compliance with World Health Organisation recommendations. The other allegations result either from activities apparently instigated by the employee himself in contravention of Nestlé’s internal rules and the policy of Nestlé Pakistan or from an incorrect interpretation of the WHO Code regarding the scope of the Code.’

**NESTLÉ’S RESPONSE TO THE EVIDENCE**
As UNICEF’s Legal Officer confirmed at the European Parliament Public Hearing into Nestlé in Pakistan, Nestlé’s interpretation of the Code is incorrect. For example, Nestlé limits its application to infant formula, whereas it applies to all breastmilk substitutes, as well as aspects of baby food marketing and the activities of marketing staff (see comparison overleaf).

Nestlé Aamir for some of the practices, yet he has letters commending his work, including ‘crushing the opposition’.

His evidence does not stand alone, but substantiates findings from surveys conducted in Pakistan in 1998 and published in the report Feeding Fiasco.

A survey by Save the Children conducted in Pakistan in 2012 investigated the practices of Breastmilk Substitute (BMS) companies. Some extracts from its report Superfood for Babies:

Save the Children’s research in Pakistan found that almost one-third of health professionals interviewed said they had been visited by a representative of BMS companies. Among these health professionals, 74% said they had been visited by Nestlé and 30% by the Japanese company Morinaga. The health professionals surveyed said that the purpose of more than one-third of these visits was to provide information to pregnant women. Only 7% of the visits were said to be at the request of the health professionals or authorities.

Save the Children’s research in Pakistan found that 84% of mothers were advised about breastfeeding by health professionals, but 84% of mothers also reported that they had been advised to use formula milk or other milk or drinks or food for infants under six months of age. Over half of this advice came from doctors or nurses.

Our recent survey in Pakistan reported that one-fifth of health professionals surveyed said they had received gifts from representatives of BMS companies. These included prescription pads, calendars, pens and note pads. Over half of these gifts were reported to have been Nestlé-branded and the rest to have carried other companies’ brands, including the Japanese firms Morinaga and Meiji.

Save the Children’s report includes a graph contrasting the situation in India with that in China.

According to industry analysts Euromonitor, ‘The huge disparity in the retail value of milk formula sales between China and India is mainly due to the significant differences between their official regulatory regimes.’ It notes: ‘In India, all advertising is prohibited, while in China, TV advertising and the use of celebrity spokespeople are allowed.’

Interestingly, when Nestlé boasts of promoting breastfeeding, it is usually in countries with strong regulations (such as India).

While Euromonitor calls regulations a ‘growing constraint’, it notes there are ways around them.

‘Marketers are becoming more aware of the need to target parents as early as possible. Brand relationships and trust bonds can be formed during pregnancy when the child is not yet even born. This lifestage targeting will becoming increasingly important going forwards.’

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NESTLÉ’S POLICY VS THE WHO CODE

ICDC has compared the Nestlé Instructions*(on implementing the Code) to the provisions of the International Code and has found a dozen ways in which the company misinterprets the Code and thus creates opportunities for continued promotion. Here’s a summary:

<table>
<thead>
<tr>
<th>International Code</th>
<th>Nestlé Instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Applies to all countries as a minimum standard.</td>
<td>Apply to a list of developing countries of Nestlé’s own changing criteria.</td>
</tr>
<tr>
<td>2. Applies to all breastmilk substitutes, including other milk products, foods and beverages marketed to replace breastmilk. Marketing of complementary foods should not undermine exclusive and sustained breastfeeding.</td>
<td>Apply only to infant formula and to follow-up formula with the same brand name. Complementary foods should not be marketed for use before six months.</td>
</tr>
<tr>
<td>3. WHA resolutions require governments to avoid conflicts of interest in infant and young child health programmes, so infant and young child feeding materials sponsored by baby feeding companies should not be approved.</td>
<td>Allow for educational materials with corporate logos for use by health workers in teaching mothers about infant feeding. Allow for baby pictures “to enhance educational value of information.”</td>
</tr>
<tr>
<td>4. No promotion to the public including no direct or indirect contact with pregnant women and mothers of infants and young children.</td>
<td>Only solicitation of direct contact with pregnant women and mothers of infants below six months is prohibited.</td>
</tr>
<tr>
<td>5. No promotion in the health care system.</td>
<td>Allow for company “Mother Books” and “Posters” with corporate logo to be distributed to mothers by health workers or displayed in health facilities.</td>
</tr>
<tr>
<td>6. No donation of free formula or other breastmilk substitutes to any part of health care system.</td>
<td>Prohibition limited only to infant formula and follow up formula and where national ruling allows, may respond to written requests.</td>
</tr>
<tr>
<td>7. There should be no promotion of products or company materials in the health care system.</td>
<td>Low cost items such as wristbands, feeding bottles, health cards etc with corporate logo allowed.</td>
</tr>
<tr>
<td>8. Promotion of breastfeeding is the responsibility of health workers who may not accept financial or material inducements.</td>
<td>Allow cooperation in these efforts by providing videos, brochures, posters, breastfeeding booklets, growth charts, etc. Token gifts where value would not “constitute an inducement” permissible.</td>
</tr>
<tr>
<td>9. Samples only allowed if necessary for professional evaluation and research.</td>
<td>Allow samples to introduce new formulas, new formulations and for newly qualified doctors.</td>
</tr>
<tr>
<td>10. Sponsorship contributions to health workers must be disclosed and not give rise to conflicts of interest. (read with WHA 47.5 [1994])</td>
<td>On a case by case basis, financial support is allowed (does not mention disclosure).</td>
</tr>
<tr>
<td>11. Labels must follow preset standards and not discourage breastfeeding.</td>
<td>Company labelling guidelines allow for promotional devices on labels.</td>
</tr>
<tr>
<td>12. Governments to implement national measures as appropriate to social and legislative framework, including legislation and regulation.</td>
<td>Nestlé Market Managers should “encourage” introduction of national codes [voluntary, unenforceable codes rather than laws].</td>
</tr>
</tbody>
</table>

* based on Nestlé’s Instructions for Implementation of the WHO International Code of Marketing of Breastmilk Substitutes (updated 2004). In February 2010, Nestlé said that the Instructions are being updated and would be available on the company website. As of October 2010, neither the new nor the old Instructions are accessible.

Nestlé’s policy is much weaker than the International Code, but even its own response shows it breaks it, for example advertising follow-on milks in ‘higher-risk’ countries.
BREASTFEEDING THE CORNERSTONE OF CHILD SURVIVAL

Infants in an unequal world
2.4 billion people live without access to adequate sanitation and 2.1 billion lack access to safe water. Infants who are not breastfed in such conditions are 15 times more likely to die from pneumonia and 11 times more likely to die of diarrhoea - the second biggest killer of under-fives. Children who are not breastfed at all in the second year are about twice as likely to die as those who are breastfed. Breastfeeding is a major contributor to public health in all countries (UNICEF, World Bank, WHO).

Independent information
If parents are to make wise decisions they need objective information - not commercial promotion dressed up as ‘education’. The World Health Assembly has repeatedly asked Member States: “to ensure that financial support and other incentives for programmes and health professionals working in infant and young child health do not create conflicts of interest.” A 2012 Save the Children survey in Pakistan found that one fifth of health professionals received gifts from baby food company representatives – over half from Nestlé. The funding of health professional information remains a key marketing strategy that continues today. In 2019 the British Medical Journal stopped carrying adverts for breastmilk substitutes. (BMJ)

Strong laws protect children
Most countries have taken some action to implement the International Code of Marketing of Breastmilk Substitutes and Resolutions. But many of these laws contain serious loopholes – the result of industry lobbying of governments. Where laws are strong - such as in India - sales have stayed stable since 2002. In China the law is not implemented and sales are booming. (IBFAN State of the Code, 2018)

Growing market
The global formula milk market was worth $44.8 billion in 2014 and is set to reach $70.6 billion by 2019. The baby food market is the fastest growing food sector. Reports identify an Increase in Number of Malnutrition Babies as the Key Market driver. (Euromonitor 2015, Global Baby Food and Infant Formula Market 2015-2019, Infiniti research.)

823,000 preventable deaths every year
According to WHO and UNICEF the deaths of 823,000 children under five could be averted each year through universal breastfeeding, along with economic savings of US$300 billion … They recommend exclusive breastfeeding for the first 6 months of life with continued breastfeeding alongside family foods through the second year of life as optimum. (WHO, UNICEF)

Lifeline in emergencies
Breastfeeding provides food, immune support and care and protects infants from the worst of emergency conditions. Donations of formula can do more harm than good. If formula is needed it should be purchased, distributed and used according to strict criteria. (UN/ Emergency Nutrition Network)

Human Rights and maternity leave
Mothers have a human right to decide how they feed their own babies. States have a human rights obligation to ensure that they don’t face obstacles to breastfeeding, such as misleading marketing and lack of appropriate support and maternity leave. The International Labour Organisation recommends 18 weeks - but many countries fall short. (International Labour Office)

Sharing the Tobacco ‘Playbook’
The baby food industry uses the same tactics used by tobacco companies to hijack the political and legislative process, including fabricating support through front groups, discrediting proven science, intimidating governments and sponsoring key people. (Interference in public health policy: examples of how the baby food industry uses tobacco industry tactics, World Public Health Nutrition. 2017)

Systematic violations
The monitoring reports of IBFAN, Save the Children and others show that harmful marketing continues. Violations by 28 companies in 79 countries are documented in IBFAN’s Breaking the Rules, Stretching the Rules 2017. “A major factor undermining efforts to improve breastfeeding rates is continued and aggressive marketing of breast-milk substitutes, as well as the promotion of feeding bottles and teats”. (WHO/UNICEF/IBFAN Country implementation Status Report 2018)

Why corporations should be regulated

www.babymilkaction.org/register
Nestlé is the target of an international boycott campaign over its marketing of breastmilk substitutes. It was voted the ‘least ethical company of the last 25 years’ by readers of Ethical Consumer magazine in the UK (August 2014).

Nestlé has rejected the four-point plan from IBFAN for bringing its policies and practices into line with UN marketing rules, which would lead to the end of the boycott. Instead, it invests in Public Relations to counter critical information and divert attention.

It has a high-technology Digital Acceleration Centre to monitor communications on social media so that it can respond when its name and issues of interest are raised.

Nestlé’s responses to members of the public who question its baby food marketing practices include the following points:

**Nestlé says:** *We believe that exclusive breastfeeding is the best way to feed a baby in the first six months of life and we therefore fully comply with the WHO Code of Marketing of Breast Milk Substitutes as implemented by national governments.* [emphasis added]

Nestlé is wrong to qualify its support for the WHO Code with ‘as implemented by national governments.’ In many countries the Code has not been fully implemented.

According to WHO, ‘in some countries industry has resisted all provisions of regulations, and this resistance is sometimes expressed as pressure on government to limit implementation or upgrading/updating of the law’.

The Code (Article 11.3) says manufacturers and distributors, ‘should regard themselves as responsible for monitoring their 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.’

Even where there are strong measures, Nestlé has been found to break them. In November 2018 paediatricians in New Deli, India, declined invitations to speak at a Nestle sponsored “scientific session” on infant formulas, concerned that the meeting was intended to persuade paediatricians to prescribe infant food products. They were concerned that the conference would have violated Section 9 of the Infant Milk Substitutes Act. Nestlé quickly cancelled the event.

Nestlé targets pregnant women with a range of strategies, including using products for pregnant and lactating women, complementary foods, baby clubs, breastfeeding support, milks for use after 6 months of age (from birth in some countries).
Nestlé says: ‘This includes no incentives to health workers for promoting Nestlé products’.

UNICEF’s Legal Officer stated in a legal opinion as long ago as 1996: ‘Article 5.5 of the Code states quite clearly that the marketing personnel of companies manufacturing products within the scope of the Code, in their business capacity, “should not seek direct or indirect contact of any kind with pregnant women or with mothers of infant and young children.”’ [emphasis as in original].

A UK job description for promoting the SMA formula brand (2015) states, ‘As Clinical Network Representative, your role is to work on the designated territory, visiting hospitals, doctors, health visitors and community midwives to develop key clinical relationships within your local health Economies, leading to opportunities for the SMA brand and Nestlé Nutrition.’

Around the world Nestlé targets health workers with its own events, and sometimes offers sponsorship and to fund travel. Gifts are also given to health workers.

Nestlé says: We have the industry’s toughest system in place to enforce WHO Code compliance. Indeed, we are the only infant formula manufacturer listed by FTSE4Good, the London Stock Exchange’s Ethical Index.

Nestlé was only included in the FTSE4Good Index in March 2011 after the criteria for Breastmilk Substitutes manufacturers were weakened. These look to company policies rather than the Code and Resolutions. FTSE’s advisory panel for the criteria is beset with conflicts of interests, including two church bodies with investments in Nestlé. The church investors claim they invested to exert pressure on Nestlé to change. Yet Nestlé Chairman, Peter Brabeck-Letmathé, told a shareholder who challenged his re-election at the shareholder meeting in 2015 that he would sell his shares if he disagreed with the way a company was run.

The flawed FTSE4Good strategy has provided a public relations coup to Nestlé. The Guardian newspaper reported (2014):

‘Brabeck also defended Nestlé against accusations by Baby Milk Action that it contributes to the unnecessary death and suffering of infants around the world by aggressively marketing baby foods. “We are the only infant formula producer which is part of FTSE4Good. We are being checked and controlled by FTSE4Good. They make their audits in different parts of the world and we have to prove that we are complying with the WHO code and up to now we can prove that in everything we are.”

FTSE has asked Nestlé more than once to stop implying that inclusion in FTSE4Good signifies Code compliance. Save the Children addressed FTSE in its 2013 report Superfood for Babies:

To encourage companies to improve their policies, practices and accountability, FTSE4Good should, by 2015, extend its criteria for the inclusion of a BMS company on its index to include the company’s activities in all countries, rather than just those countries listed as higher risk, and should bring its criteria into line with the International Code and resolutions. It should assess company practices in selected countries against the Code and resolutions, as well as the company’s own policies.
1. Companies should abide by the marketing requirements adopted through the UN

   Everyone should abide by the International Code of Marketing of Breastmilk Substitutes and subsequent relevant Resolutions adopted by the World Health Assembly - even if governments have not yet put them into law.

   IBFAN monitoring shows that all baby milk companies break the rules, with Nestlé and Danone standing out as the most dangerous.

2. Companies should stop employing representatives to target health workers, pregnant women and mothers.

   These roles self-evidently exist to promote breastmilk substitutes. Health workers should maintain their independence and not accept gifts and sponsorship. Peer-reviewed information on products can be obtained through independent sources that do not have a vested interest in promoting products.

3. All governments should enforce the marketing rules agreed by the United Nations. Many now have laws in place but these often contain loopholes - the result of industry lobbying. Health policy making should be kept free from commercial influence.

   Corporations are often willing to make ‘here today - gone tomorrow’ promises. But their duty to shareholders to maximise profits means they cannot be trusted. Governments have a human rights obligation to intervene and protect human health by introducing and enforcing effective regulations.

4. Individuals and organisations can join Baby Milk Action and support our work. Go to: babymilkaction.org or ibfan.org

   Support campaigns such as the Nestlé Boycott that put pressure on the companies that continue to put child health at risk. Make sure that you let the companies know!

Have you seen the film Tigers?

Tigers dramatises the true story of a former Nestlé Pakistan baby milk salesman called Syed Aamir Raza.

Aamir took on the baby food industry with the help of IBFAN (the International Baby Food Action Network) when he realised that babies were dying as a result of his work pressuring doctors to promote formula.

Aamir continues to work with IBFAN to expose Nestlé’s practices. This booklet tells you more about the real events, what happened next and what you can do to stop harmful marketing.

Above: Aamir shows this True Story booklet to Mrs Sabina Higgins, Ireland’s First Lady, at the Dublin screening of Tigers, April 2019.

Support our campaigns www.babymilkaction.org