

Contaminated milk in the Czech Republic: Police will examine the procedure of Nestlé and Danone

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Nutrilon Advanced 1 Good Night, intended for children from birth to six months, contained the toxin cereulid. It was on the market until the beginning of April 2026.

Photo: CAFIA, Seznam News.

The Czech representative of the global organization IBFAN has filed a criminal complaint against Nestlé, Danone and other possible actors on suspicion of committing the crime of endangering health with unsafe food.

Article

The affair with contaminated infant milk, which has affected dozens of countries, will be investigated by the Czech police, according to information from Seznam Zprávy.

Based on a criminal complaint filed by the non-profit organization IBFAN CZ, a member of the global IBFAN network, it will examine whether infant milk manufacturers Nestlé and Danone could have committed the crime of endangering health by unsafe food. This is in connection with the production, distribution and withdrawal of milk. An above-limit amount of cereoulide toxin was proven in some batches.

The criminal complaint, which is available to the editors, is directed at the Swiss parent company Nestlé SA, its Czech subsidiary Nestlé Česko, the French parent company Danone SA and its Czech subsidiary Danone a.s., as well as as as unidentified natural persons who could have been held responsible for the companies' actions and other possible actors.

"I can confirm that the District Prosecutor's Office for Prague 4 received two submissions in succession, which were already administratively processed and, after the public prosecutor became familiar with their content, these submissions were forwarded as criminal reports to the police authority to draw up a record of the initiation of criminal proceedings, or to initiate preliminary criminal proceedings," said Aleš Cimbala, spokesman for the Municipal Prosecutor's Office in Prague. Given the preliminary criminal proceedings, Cimbala did not want to confirm or deny that this is a criminal report against Danone and Nestlé.

"Given the non-public nature of the preliminary proceedings and the risk that providing any information about the conduct under investigation, the identity of persons or other information that could shed light on the subject of the criminal proceedings could undermine the evidentiary value of potential evidence, it is not possible to provide further information on the matter at this time," Cimbala added.

Danone's Czech subsidiary did not want to comment further on the information about the investigation. "Danone acted in the entire situation based on the available data and in accordance with the authorities' requirements. We do not have any official information from the Czech Police on this matter, and therefore we will not comment on hypothetical levels," Danone, a.s., said in a statement to Seznam Zprávy.

Nestlé also insists that it acted in accordance with legal regulations. "Nestlé acted in accordance with legal regulations and responsibly. At the same time, it was the first company to identify the problem and act several weeks earlier than other manufacturers. Once it was confirmed that this was a broader problem affecting the entire industry, Nestlé immediately informed the relevant European and national regulatory authorities, as well as industry associations," said Nestlé's spokesman for the Czech Republic, Robert Kičina, adding: "It is not our place to comment on the police's actions. If we are asked to cooperate, we will cooperate to the fullest extent."

IBFAN: Manufacturers should have ensured sufficient controls

According to the Czech IBFAN, manufacturers should have ensured sufficient controls in a timely manner before placing their products on the market and ensured safety for the vulnerable group of infants and young children.

"In the case of Nestlé, we consider the delayed notification of the public, state authorities and other manufacturers about the contamination to be very serious. In the case of Danone, we consider not only the delayed product recall to be extremely serious, but also the findings of the State Agricultural and Food Inspection Agency, according to which two contaminated batches were left in Czech stores in March and April 2026," Aneta Majerčíková, chairwoman of the Czech IBFAN, told Seznam Zprávám. The organization belongs to a network of global organizations focused on protecting and supporting breastfeeding and improving the nutrition of infants and young children.

Pediatricians were warned about defective milk only after two months. Anywhere at all.

Majerčíková considers Danone's claim on the Nutriklub website that "[their product is and always has been safe](#)", as well as labelling product recalls as "preventive" and "voluntary", to be completely unacceptable.

"In the case of at least two batches, which were subsequently detected by the Food Inspection Authority in Czech stores, it was clearly shown that this was not the case, the presence of cereuloid toxin was indeed proven in them and these products were labeled as hazardous to health," said Majerčíková.

Danone did not respond to the communication questions sent on its website. As well as questions about two dangerous batches discovered by the Czech Agriculture and Food Inspection Authority.

Nestlé told Seznam Zprávy that it acted quickly. "Since the occurrence of cereulide in oils is very rare, testing for cereulide was not part of routine, legally required microbiological procedures before 2026. With regard to the health and safety of infants, Nestlé acted quickly and decisively immediately after identifying this risk, and recalled all potentially affected products as a precaution," Kičina said.

Fine of up to 50 million

The Czech Agriculture and Food Inspection Authority (CAFIA), which discovered the three defective milks on the market, expects to initiate administrative proceedings against the sellers.

In it, sellers face penalties of up to CZK 50 million for placing a dangerous product on the market.

The police have already contacted the inspection about the case of contaminated milk.

"Yes, I can confirm that. We are ready to provide full cooperation to law enforcement authorities and provide them with all relevant information from the official inspection," said the spokesman of the Inspectorate, Pavel Kopřiva.

The crisis of the global dairy industry

Nestlé began recalling milk worldwide in December. At that time, it reported on the Czech website about the bacterium *Bacillus cereus* "[on one production line in the factory](#)". She did not mention the dangerous toxin that is the product of this bacterium. It was only at the end of January that [Nestlé admitted](#) that it had detected a problem with the cereulide toxin in milk samples at the end of November.

In January, Nestlé informed authorities that arachidonic acid (ARA) oil had been contaminated. It was taken from a Chinese supplier by several manufacturers and added to infant milk, [Reuters wrote](#). In response to the affair, the European Food Safety Authority

(EFSA) determined at the beginning of February the concentration of cereulide in the diet, which poses a potential risk to children.

Manufacturers around the world have started to massively recall their products. According to the World Health Organization (WHO), 144 suspected and confirmed cases of children's health problems had been reported to authorities by the end of February. France is still investigating two suspicious infant deaths. As AFP reported in March, the [toxin cereulide was found in infant formula](#) taken by one of the children who later died. Belgium, which is the only country in Europe that can detect cereulide from biological samples of children, has confirmed eight cases of intoxication.

Czech authorities have recorded twenty-one suspected child poisoning. Twelve of them were then marked as probable based on reported problems and consumption of withdrawn milk. However, the hygiene stations did not test samples of defective batches or biological samples.

Cereulide toxin: Mild to moderate impacts

Cereulide is a temperature-resistant toxin produced by the bacterium *Bacillus cereus*. The dominant symptoms are sudden, repeated **vomiting, nausea, abdominal pain and diarrhea**. The onset of symptoms is rapid, usually 30 minutes to 8 hours after ingestion of contaminated food.

- The health effects are mostly **mild to moderate**. In infants, rapid **dehydration** with mineral breakdown and the need for hospitalization may be at risk.
- **Long-term consumption of cereulide** could lead to **damage to the gut microbiome**, according to experts. Repeated exposure could cause **toxic effects** (e.g. mitochondrial), which can lead, for example, **to liver damage**. Studies that have investigated the long-term effects of cereulide are not available.
- **The World Health Organization (WHO)** has issued a **call to governments and scientists** from around the world and is convening a working group to assess **the microbiological risks** of infant formula in the near future. The WHO wants to address **the growing problems** with the withdrawal of infant milk due to contamination and, if necessary, **revise the Code of Hygiene Practice** for powder products intended for infant and young child nutrition.

The police will probably also check the late warning of the state

In the criminal complaint, which is available to Seznam Zprávy, IBFAN also draws attention to the late warning of the state, as well as the fact that Czech paediatricians received instructions from the state only in mid-March. The state's delay has already been pointed out by Seznam Zpráva and subsequently admitted by the chief hygienist Barbora Macková. It issued a warning to the public about defective batches of milk only at the end of January.

Macková admitted that communication between the authorities and subsequently towards the public failed.

Chief hygienist: We warned too late about infant milk

According to attorney Barbora Steinlauf, the legislation for these cases stipulates that the responsible authorities - in this case the State Agriculture and Food Inspection Authority, the Ministry of Health and the Regional Hygiene Stations - must proceed quickly and communicate effectively with each other in the system of rapid warning against risky food. According to her, the purpose of the system is therefore a quick exchange of information and an immediate response.

"It is surprising that while the manufacturer was withdrawing suspicious products from the market with the knowledge of the inspection already during December and the warnings in the RASFF system appeared at the beginning of January, the Ministry of Health issued a warning only at the end of January. At the same time, the Ministry of Health is also a member of the RASFF network and should be informed about the warnings without delay," said Steinlauf.

According to her, according to the Chief Hygienist, the issuance of the warning by the Ministry of Health was delayed, which could have endangered especially families who already had infant milk at home. "The procedure of the Ministry of Health (apparently) could therefore theoretically be considered maladministration under the Act on State Liability for Damage Caused in the Exercise of Public Authority by a Decision or Maladministration," Steinlauf said. However, she added that if the injured families were to seek compensation from the state, a causal link between the state's improper procedure and the harm to the children's health would have to be proven.

As previously described by Seznam Zprávy, even paediatricians did not have sufficient information about the contamination in mid-March. The Ministry of Health explained this at the time by saying that paediatricians were informed by the manufacturers of substitute milk. The Ministry also claimed that it had been waiting for a uniform definition from the European Centre for Disease Prevention and Control (ECDC) and subsequently prepared a methodological letter for paediatric general practitioners on how to proceed with infants with cereulid intoxication.

50/50 positive and negative samples

Whether and how much the milk that producers withdrew from the Czech Republic was contaminated is not entirely clear. The Czech authorities did not test these batches and focused only on the milk that remained on the market.

The Food Inspection Authority tested 227 batches of infant milk, three of which contained an above-limit amount of the toxin cereulides and were labeled as dangerous foods by the National Institute of Health. These were Happy Mimi milk and two Nutrilon (Danone) brand milks.

The Austrian Health and Food Safety Authority tested Aptamil (Danone), a voluntarily recalled milk, in February. Tests have shown that the recommended limits set by the European EFSA have been "exceeded several times", as [stated by the Austrian authority](#). These batches were sold and [later withdrawn](#) from the Czech Republic.

Vomiting and blood in the stool. Suspicion of infant milk poisoning is increasing

The Austrian authority [then said in a summary report](#) that cereulide was detected in 28 samples that were withdrawn by manufacturers. "Most of the values are well below the level set by EFSA, at which health effects cannot be excluded," the authority said.

Seznam News reached out to the Sciensano laboratories of the Belgian Federal Scientific Institute for Public Health. This laboratory has also tested samples from families from several European countries and is probably the only one that can test for cereulide toxin from biological samples.

"In total, Sciensano tested approximately 900 samples for the presence of cereulide. The ratio of positive and negative results has changed during this crisis. At the height of the crisis, we had a ratio of approximately 50/50 positive and negative samples. Today, most of the samples we test are negative. However, this ratio is influenced by many factors, including different testing strategies, and is therefore not very representative," said Sciensano spokeswoman Gijs Van Gassen.

120 dangerous "voluntarily recalled" batches of milk

At the end of April, the State Veterinary Administration issued an extensive [list of 120 batches of various brands](#) of infant milk, which it identified as dangerous products and banned their sale in the Czech Republic. No new products appeared on the list, although some media interpreted the information in this way.

These were milks that producers had been withdrawing since December and labeled as "voluntarily withdrawn". In addition, there were three milks for which the Food Inspection Authority proved the occurrence of an above-limit amount of cereulide in April.

The veterinary administration has labeled milk as unsafe based on data from the European Food Alert System (RASFF). "All batches of products intended for recall by the emergency

veterinary measure have been marked by the competent authorities of the Member States where they were produced in the RASFF system as dangerous foodstuffs. The manufacturer had to consider their danger," said Petr Majer, spokesman for the State Veterinary Administration.

According to the veterinary administration, because the manufacturers did not subsequently prove the safety of the recalled products, the state labeled them as dangerous to health and banned their sale without examining the values of cereulide.

"For the State Veterinary Administration, it is only relevant how many batches the manufacturer has documented a thorough investigation proving that the batches originally intended for recall are safe. That didn't happen. Regardless of the terminology of 'preventive recall', *lege artis*, these are dangerous foods," added Majer.

"We want families to be able to exercise their rights"

The IBFAN association, which has now filed a criminal complaint against the manufacturer, wants families to be able to exercise their rights in the event that criminal proceedings are initiated.

"Another motivation for us to file a criminal complaint was the fact that so-called adhesion proceedings may take place within the Czech criminal proceedings. Families who believe that their child may have suffered health complications in connection with contaminated infant formula can contact the Police of the Czech Republic or the District Public Prosecutor's Office for Prague 4 and provide information relevant to the ongoing investigation or exercise their rights in criminal proceedings," said Majerčíková.

Don't Disrupt the Investigation, Parents in France Ask Officials

In mid-February, the **Paris prosecutor's office** opened **five investigations** into infant milk brands distributed by **Nestlé, Lactalis, Danone, Babybio and la marque en moins** in connection with cereulid toxin contamination. [This was written by Reuters.](#)

"The Paris prosecutor's office has decided to pursue the case due to the large number of complaints filed throughout the country and also due to the technical nature of the investigation," the prosecutor's office said in a statement.

In France, some parents have already turned **to the courts**. The Foodwatch association [has filed a lawsuit](#) with **eight families** [denouncing](#) the responsibility of producers and the government for managing this health crisis, [Le Monde reported](#).

The Intox'Alim association, which represents [37 families, filed a complaint](#) with the Supreme Administrative Court because, according to them, the Ministry of Health **is obstructing the investigation** of possible **poisonings** with its recommendations, *Le Parisien* wrote.

Families also demand that withdrawn formulas be **analyzed by an independent laboratory**, not manufacturers.

Earlier, [24 families filed criminal complaints](#) against the authorities and manufacturers. These families are bothered by the fact that consumers did not have enough information, especially about the effects of cereulide poisoning. Although the French authorities warned the public about three weeks earlier than the Czech Ministry of Health, French families are bothered by the fact that the state and manufacturers have warned them too late.

In connection with the affair, the French media also recall **a nine-year-old case** of the withdrawal of infant milk around the world due to the occurrence of salmonella. At that time, **35 cases of child disease** were reported in France.