

CHINA

Code Violations

A survey of the state of the International Code of Marketing of Breastmilk Substitutes and subsequent WHA Resolutions



Heinz's radio talk show on infant nutrition



Calendar from Abbott in a doctor's office

"Wyeth Golden Baby will be Excellent in the Future"



Dumex: dubious claims on DHA and "it is not 'heaty'!"

Billboard in Inner Mongolia advertising Yi Li infant formula



THE INTERNATIONAL CODE

The International Code aims to promote safe and adequate nutrition for infants, by protecting breastfeeding and ensuring appropriate marketing of breastmilk substitutes.

The Code applies to all products marketed as partial or total replacement for breastmilk, such as infant formula, follow-up formula, special formula, cereals, juices, vegetable mixes and baby teas. It also applies to feeding bottles and teats.

The Code:

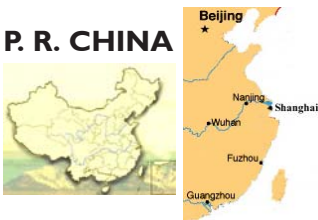
- Bans all advertising and promotion of products to the general public.
- Bans samples and gifts to mothers and health workers.
- Requires information materials to advocate for breastfeeding, to warn against bottle feeding and NOT contain pictures of babies or text that idealise the use of breastmilk substitutes.
- Bans the use of the health care system to promote breastmilk substitutes.
- Bans free or low-cost supplies of breastmilk substitutes.
- Allows health professionals to receive samples but only for research purposes.
- Demands that product information be factual and scientific.
- Bans sales incentives for breastmilk substitutes and contact with mothers.
- Requires that labels inform fully about the correct use of infant formula and the risks of misuse.
- Requires labels to NOT discourage breastfeeding.

Monitoring was carried out in Beijing, Shanghai, Wuhan, Nanjing, Fuzhou, and Guangzhou from July to September 2003.

The monitors were from the WHO Collaborating Center for Child Health, the Ministry of Health PRC, Beijing Maternal and Child Health Hospital and the Choayang District Maternal and Child Health Hospital.

Breastfeeding can save 4,000 babies each day around the world

P. R. CHINA



COUNTRY PROFILE

Total population	1,285.0 m
Annual number of births	18.8 m
Infant mortality rate	31
Breastfeeding rate for less than 4 months	67%

Source: UNICEF

The Ministry of Health is in charge of the promotion of breastfeeding and the Baby Friendly Hospital Initiative. About 7,000 health facilities - nearly half of all baby friendly facilities in the world - are in China.

The baby food market is set to soar with effective promotion attracting the increased spending power of the middle income, one-child family.

Background

Breastfeeding and infant health in China are under attack. With the opening of the lucrative Chinese market (nearly 19 million births annually), foreign companies have swarmed to the country like flies to a honey pot. And there is a growing number of local baby food companies as well. Although Chinese authorities know that breastfeeding is best, the competition is fierce and consumers are unsuspecting and vulnerable to Western-style promotion.

There is a law in China which regulates the marketing of breastmilk substitutes. Six governmental ministries and agencies are jointly responsible to enforce the law. With so many parties involved, coordination is difficult and it becomes a real challenge to implement the *Chinese Rules Governing the Administration of Marketing of Breastmilk Substitutes* which embody the principles of the International Code. Companies even resort to reporting on each other as a way of curbing the other's excessive marketing practices.

Health care facilities are becoming increasingly dependent on baby food companies to carry out some of their services and activities. For example, many of the posters displaying the "Three Tens" (10 points of the International Code, 10 steps to successful breastfeeding & 10 points of the hospital's management policy) and other materials on infant feeding and child care are funded by companies.



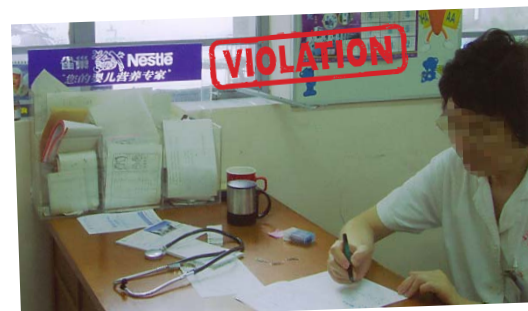
Commercial messages – in this "Three Tens" billboard, a Johnson & Johnson picture takes up half the space. Other companies also sponsor such "Three Tens" posters in baby-friendly hospitals.



At least three companies distribute bear stickers to hospitals to promote brand recognition. Companies also give supplies of formula to health facilities on a regular basis to ensure a captive market.



Nestlé's 'blue bear' in maternities represents complementary food and encourages early weaning



No brand names are mentioned but medical endorsement of Nestlé's products is implicit

Evidence of Code violation

Promotion in health care facility

Some health care facilities stand firm in refusing any company materials, preferring to produce their own materials on infant and young child feeding. Other hospitals and clinics do not seem to be aware of the legal and ethical implications of openly displaying billboards, posters and promotional materials from baby food companies.

Information and educational materials

Other forms of violations found in HCFs include the distribution to mothers of information and educational materials meant for health workers. Companies readily supply bulk copies to ensure they 'trickle down' to mothers. Most are promotional in nature and entice mothers to purchase their products. Some companies resort to obtaining medical endorsement from renowned health professionals and their associations to boost the corporate image and consequently the sales volume of their products.



To encourage early complementary feeding, a whole pile of Heinz booklets are available to mothers in the waiting room of a neonatal clinic



Leaflet by Wei Chuan says its products are recommended by a health authority and a nutrition association



Nestlé: use NAN and "Raising an excellent child is no longer a dream"

Promotion to the public

The Code's ban on promotion is echoed in the Chinese Rules which prohibit the advertisement or promotion of breastmilk substitutes in the media. Despite this, promotion is widespread in all the cities monitored. Companies promote to the public by distributing leaflets, advertising in magazines and professional journals and going on air with special radio and TV programmes to attract new customers.



Have you heard? The winners of Global Baby Competition are fed by Nestlé!



TV ad promotes a whole range of milks, which includes infant and follow-up formula from Sanlu



Want to know more about infant nutrition and child illness? Just ask Dumex!

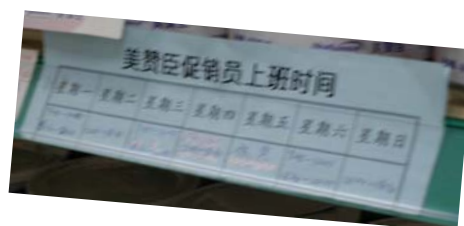


Gerber: "Smart mother, have you prepared well?"

Shops and supermarkets in China are flooded with a full range of breastmilk substitutes and are favoured points of contact with mothers. Companies often send their promoters to these retail outlets to conduct innovative promotional programmes.



(Left) In a supermarket in Guangzhou, Mead Johnson shows its formula series in a special display. (Right) In another supermarket, the duty roster for Mead Johnson representatives is found on a shelf



Free gifts with purchase of Nestlé products



Free samples for mothers from Maell, no purchase necessary – yet.

Labelling of complementary foods

To date, only Nestlé has changed its labelling to reflect the 2001 WHO recommendation on exclusive breastfeeding for six months.

Complementary foods should not be labelled for use by babies under six months of age and should not have baby faces or other idealising pictures which may discourage breastfeeding.

Monitoring in China found labels promoting products for use too early (from four months of age, sometimes earlier), with baby pictures and with misleading health and nutrition claims. These labels are designed to increase sales, not to inform consumers.



Never too young to start! Faces of smiling healthy babies adorn labels of baby food targeted for use from four months.

The sample Heinz was found in a paediatric hospital.

Chinese laws and policies

- June 1995 - China introduces the *Law of the People's Republic of China on Maternal and Infant Health Care*. It provides that medical and health institutions shall disseminate guidance on child care and nutrition, including information on breastfeeding, to new mothers and women.
- October 1995 - China implements the International Code by enacting the *Chinese Rules Governing the Administration of Marketing of Breastmilk Substitutes*.
- There is no regular mechanism to monitor the Chinese Rules and violations take place.
- The Ministry of Health which oversees the Baby-Friendly Hospital Initiative has put in place a procedure whereby every year, selected health facilities are reassessed. Supervision is an uphill task for the Ministry of Health and local authorities which do not have enough staff or resources.

What can be done?

The current trend of entrepreneurship in China is disturbing because baby food companies are establishing their influence with the health community to get endorsement for their products, promote company loyalty and brand awareness - all of which compete with breastfeeding. Media blitzes coupled with the activities of company-friendly hospitals give the millions of one-child-only Chinese parents the wrong idea about infant feeding. The close relationship between companies and the health sector contradicts the country's commitment to the International Code which is aimed at promoting and protecting breastfeeding from commercial influence.

While international pressure on errant companies may help, what is really needed is action by the Chinese government. To improve the situation in China, we suggest that the government:

- Recognise the long-term benefits of breastfeeding and sound infant feeding practices as well as the economic loss to the country resulting from increased artificial feeding.
- Implement the existing laws by ensuring that companies, health facilities and health workers are aware of their obligations and responsibilities under the law.
- Enforce sanctions so that companies, their distributors and agents comply with the law.
- Invest in continuous and systematic monitoring to determine the effectiveness of the Chinese Rules which will facilitate the strengthening of the existing law and infant and young child feeding policies.
- Make laws and policies up to date by incorporating the latest WHA recommendations, in particular, those on conflicts of interest, exclusive breastfeeding for six months and continued breastfeeding up to two years and beyond.
- Comprehensively re-assess the BFHI accreditation to exclude health facilities which are not Code compliant and those involved in practices which discourage breastfeeding.
- Extend surveillance of Code compliance to non- Baby Friendly Hospitals, especially paediatric hospitals where companies aggressively promote their products.

This pamphlet is a part of a series of IBFAN pamphlets which highlight Code violations in selected countries around the world. The benchmark standards are the International Code of Marketing of Breastmilk Substitutes and subsequent relevant World Health Assembly Resolutions. This report is a summary of a national monitoring report prepared by the WHO Collaborating Centre for Child Health. Acknowledgements: ❖ Ministry of Health, People's Republic of China
❖ UNICEF Beijing



For details contact: IBFAN-ICDC Penang
P.O. Box 19
10700 Penang, Malaysia
Tel: +60-4-890 5799
Fax: + 60-4-890 7291
E-mail: ibfanpg@tm.net.my

WHO Collaborating Center for Child Health
No. 2, Yabao Road
10020 Beijing, P.R.China
Tel: +86-10-85622025
Fax: +86-10-85622025

Published by: IBFAN-ICDC ■ Production: Raja Abdul Razak ■ Cover photo: ICDC

◆ March 2004