

Pressure in support of corporate greed

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IBFAN is now able to reveal how the US Government tried to interfere with the Vietnamese Government's legislative process as its National Assembly debated new moves to protect babies.

In an [official letter](#), dated June 13, the US Embassy in Hanoi urges against a ban on advertising formula milk products for babies above the age of 12 months. The letter, which was only recently obtained by IBFAN, was addressed to the Chairman of the National Assembly and copied to seven others, including three Ministers. The Assembly was set to vote on a proposal extending the ban on advertising from 12 to 24 months. To its credit, the Assembly adopted the proposal despite the threatening letter. IBFAN applauds the government of Vietnam for putting child health above corporate greed.

“Several US companies have contacted the US Embassy regarding their serious concerns” over the proposed ban, as it *“could have a significant negative impact on their business in Vietnam. We share their concerns.”* The letter thus clearly pinpoints the sellers of formula milks as the originators behind this extraordinary and unconscionable threat by a major donor country.

“We know who the sellers are”, says Annelies Allain of IBFAN’s Code Documentation Centre in Malaysia, **“Abbott, Mead Johnson and Wyeth (owned by Pfizer) are all three big American players in this burgeoning market and want to make sure their profits are not curtailed”**. She is angry that the letter equates advertising with *“comprehensive information for consumers”*. Nothing could be further from the truth. The real aim of advertising anywhere is to sell more. Companies use misleading claims and promotional messages to glorify their products - encouraging parents to believe that they are essential, that they have a health advantage, will improve vision, reduce allergies, make children more intelligent and gain weight.

In recent years, formula companies have introduced an array of powdered-milk products for older babies and toddlers. The main reason for the invention of these milks is to by-pass the restrictions of the Advertising Law, so the products and the companies can be advertised freely and, in the process, idealise formulas for younger babies with the same or very similar brands. Those formulas were not allowed to be advertised in order to protect breastfeeding. By extending the ban to 2 years, the Assembly closed a legal loophole.

The US letter says: *“We have not seen a compelling scientific, legal or economic argument for changing the current regulatory regime...”* Well, there are plenty scientific, legal and economic arguments warranting the extension of the ban on advertising to 24 months. Here are some:

- ◆ Under the Convention on the Rights of the Child, the promotion of breastfeeding is a legal obligation of the State. The Committee on the Rights of the Child has been urging Vietnam to strengthen its regulations.
- ◆ WHO recommends exclusive breastfeeding for six months and continued breastfeeding for up to two years of age or beyond. These recommendations, based on scientific evidence, were endorsed by all Member States, including the US and the Vietnam governments. It

follows therefore that there should be no advertising for breastmilk substitutes for at least two years.

◆ At a recent conference in Da Nang:

- Viet Nam's Institute of Legislative Studies stated that the protection of breastfeeding will ensure babies get the best nutrition source from their first hours of life till they reach two years of age.
- According to UNICEF's Legal Nutrition Advisor, David Clark: "Improper marketing and promotion of food products that compete with breastfeeding are important factors that often negatively affect the choice and ability of a mother to breastfeed her infant optimally. Given the special vulnerability of infants and the risks involved in inappropriate feeding practices, all promotion of breastmilk substitutes intended for use up to the age of 24 months should be banned, in accordance with the International Code."
- "Early, exclusive and continued breastfeeding results in reduced illness during childhood and in later life. The savings from this reduction in illness are significant from a health systems perspective. It is estimated that optimal breastfeeding could save the Viet Nam health system USD 10 million per year", said Ms. Nemat Hajeebhoy, Director of Alive & Thrive in Viet Nam.

WHO and UNICEF have long encouraged Vietnam to strengthen its regulations in accordance with the International Code of Marketing of Breastmilk Substitutes and subsequent Resolutions. On June 25th, the UN Representative in Vietnam congratulated the Government and the National Assembly for amending the Law on Advertising and for extending maternity leave.

Companies selling products for infants and young children, spend more than 30% of their overall costs on advertising and marketing, according to the Vietnam Ministry of Finance in 2010, in a survey following a price-hike of about 10%. Of course the consumer ends up paying for that.

"Implying as the US letter does, that the consumer would miss out on '*comprehensive information*', if advertising were banned, is adding insult to injury", says Allain of IBFAN. "Companies use advertising routinely to suggest that children will be smarter and stronger if they drink formula, but such claims are widely rejected by independent health professionals".

"The Viet Nam government is absolutely justified in extending the ban on advertising", says Yeong Joo Kean, Legal Advisor of IBFAN. "It is unacceptable for the US Embassy in Hanoi to protect greedy corporations who are responsible for so much unnecessary infant morbidity and mortality and to ignore the International Code which seeks to protect infant health. "

The letter is also totally inconsistent with the 'new' obama thinking, whose representative, Nils Daulaire, told the WHO Executive Board earlier this year that *"... the [International] Code continues to be a central pillar of improved child nutrition and needs to be vigorously and universally supported, applied and enforced."*

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The International Baby Food Action Network (IBFAN) is the 1998 Right Livelihood Award Recipient. It consists of more than 200 public interest groups working around the world to save lives of infants and young children by working together to bring lasting changes in infant feeding practices at all levels. IBFAN aims to promote the health and well-being of infants and young children and their mothers through protection, promotion and support of optimal breastfeeding and infant and young child feeding practices. IBFAN works for the universal and full implementation of *'International Code of Marketing of Breastmilk Substitutes'* and subsequent relevant World Health Assembly (WHA) resolutions.

[Click here to see the US Embassy letter](#)