

*IBFAN Press Release 23rd May 2011 Geneva*

### **State of the Code by Country Thirty years of holding companies accountable**

As the 64th World Health Assembly continues in Geneva, the International Baby Food Action Network launches the *State of the Code by Country 2011* on the thirtieth anniversary of the *International Code of Marketing of Breastmilk Substitutes*.

The *International Code* was adopted through a World Health Assembly Resolution in May 1981 as a ***minimum requirement for all countries***. Its aim is to protect infant and young child health by ensuring that parents receive sound evidence-based information and regulating the commercial promotion of all breastmilk substitutes including formula, as well as bottles and teats.

The Code covers the composition, labelling, information and advertising of products whether in health facilities to health workers or elsewhere to the public.

Some 14 additional WHA resolutions have been adopted over the years to keep pace with changes in science and marketing.

Since 1981 companies have claimed to observe the Code but in practice they promote sales in multiple ways. Resolutions have stressed the importance for governments to make compliance with the Code and all the other recommendations binding through legislation or other measures.

Today, out of 193 Member States of the World Health Organisation, 67 have taken action to implement it at the national level, 33 have laws which cover all provisions of the Code while another 34 have legislation encompassing many provisions.

Where the code is effectively implemented and monitored for example in **Brazil and India**, vast quantities of misleading promotion have been stopped. This has contributed to a rise in breastfeeding rates or at the least a halt in its decline.

Another 50 countries have taken some action, but insufficient. IBFAN is strict in assessing what countries have done: partial or voluntary measures are not considered adequate protection of infants and their mothers.

The grading of countries uses three main yardsticks for countries to be admitted into category 1 or 2:

1. **SCOPE**: does the law include all breastmilk substitutes? Not just infant formula.
2. **AMBIT**: are all provisions of the Code and relevant WHA resolutions covered by the measure?
3. **ENFORCEABILITY**: does the law include sanctions to fine or punish offenders?

In many countries, the baby food industry lobbies to weaken laws at the drafting stage or introduce loopholes that allow marketing that misleads parents and undermines breastfeeding.

Ongoing monitoring is needed so that companies' actual marketing behaviour is recorded.

On Thursday, 19 May, **Dr Margaret Chan, Director General of WHO** said: *“In my experience there are good and bad companies. They have to earn their trust by keeping their promises; track them but don’t generalise; pick the good ones and leave the bad ones behind.”*

In her intervention during the debate on maternal, infant and young child nutrition, **Annelies Allain**, Director of the International Code Documentation Centre in Penang said: *“IBFAN’ has been tracking baby food companies for years and publishing the evidence. In our experience there seem to be only bad companies and none have earned the “trust” Dr Chan is calling for. Governments would do well to enforce strict laws so companies realize that their practices are simply unacceptable.”*



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Press release of launch of [IBFAN Breaking the Rules](#) report 12 May

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**About IBFAN**

The International Baby Food Action Network (IBFAN) is a coalition of voluntary organisations in both developing and industrialised nations, working for better child health and nutrition through the promotion of breastfeeding and the elimination of irresponsible marketing of commercial infant foods.