

Marketing of breastmilk substitutes

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What is the purpose of an advert for formula milks? Is the aim to increase access to formula for those who can't breastfeed? Is it to persuade people to change from an inadequate brand to the advertised brand? Or is to persuade mums who are breastfeeding to change to formula feeding?

UNICEF is very clear that there is no evidence that one company's milk is better for your baby than any other. Advertising and marketing formula feeding is a way to increase the market share, but if the advertised product isn't any better than the original product, neither babies nor parents gain. Formula milk is expensive, partly because so much is spent marketing it. However, unbiased and evidence based information about formula is freely available from www.firststepsnutrition.org

Advertising formula milk is ethically complicated. In 1981 the World Health Organisation negotiated an international agreement for restrictions on marketing formula milks ([World Health Organization, 1981](#)). But this Code has only been partially implemented into UK law. In particular, the UK law makes a distinction between infant formula (for babies under 6 months) and follow-on formula (for babies older than 6 months). However, it's not necessary for a baby to change from formula to follow-on formula, so no baby, not even a formula fed one, needs follow-on formula ([UNICEF, 2014](#)).

Within the UK, the law states that infant formula (designed for babies under 6 months) shouldn't be advertised in a shop. Nor should there be a shop display to promote sales of infant formula milk. No coupons, premiums, special sales, loss leaders or tie-in sales can be used to promote shop sales. Formula manufacturers and distributors shouldn't promote infant formula through free / reduced / discounts / gifts to the general public, pregnant women, mothers, or their families, or via health workers ([The Infant Formula and Follow-on Formula Regulations, 2007](#)).

Presentation in the shop is also important. The Department of Health state that wherever possible, infant formula and follow-on formula should be located in a different part of the store. If that's not possible, they should be clearly separated in physical location. And "shelf talkers" or other promotional devices for follow-on formula shouldn't be used in the vicinity of infant formula ([Department of Health, 2013](#)).

Adverts for infant formula can't be placed in publications which are intended for the general public. Where they are advertised, the adverts also have to be of a scientific and factual nature. Adverts shouldn't create the idea that bottle feeding is equivalent or superior to breastfeeding.

BUT, advertising follow-on formula is allowed. There needs to be a clear distinction in the labelling of infant formula and follow-on formula, and the baby in the advert should appear to be older than 6 months. Adverts in printed materials shouldn't be placed near an article or photo spread showing feeding a young baby. Comparing either infant formula or follow-on formula to breastmilk isn't acceptable in adverts ([Department of Health, 2013](#)). The labels on the tins of formula and follow-on formula are also regulated. They shouldn't describe the milk as "humanised" "maternalised" "adapted" or any similar term; and infant formula shouldn't have a picture of an infant or an idealising image but could include a graphic for easy identification. Infant formula should have an important notice that breastfeeding is best; follow-on formula shouldn't discourage breastfeeding ([The Infant Formula and Follow-on Formula Regulations, 2007](#)).

The problem is that these regulations aren't always obeyed. Baby Milk Action produce reports on breaches of the regulations; you can read 2013's report at <http://archive.babymilkaction.org/pdfs/lwtduk2013.pdf>. So, how can we enforce the law?

If you see a breach of the law, one of the first things to do is to take a photo. If you can get evidence of the circumstances, such as the actual shop, on a time/date/location stamped digital photo, it will help prove the problem.

You could report it to the [Advertising Standards Authority](#), [Ofcom](#), [Trading Standards](#), [Baby Feeding Law Group](#), or [Baby Milk Action](#). Or, if you are feeling brave, you could ask to speak to the manager of a shop which is breaching the regulations, or write to them with a photo. If you do this, it helps to have the actual wording of the law available so you can speak with confidence. To help you with this, you can buy a pocket size reminder of the regulations [from our shop](#). If you want to challenge a shop on displaying formula and follow-on formula adjacent to each other, you can see the wording on p17 of the [Department of Health guidelines](#). If you write a letter then you could copy it to Trading Standards and [Baby Milk Action](#), and it's a good idea to ask them to respond. There isn't a "police" for these regulations. It's up to us to keep our eyes out. Babies don't need formula unless there are problems with breastfeeding, and they don't need follow-on formula at all. But formula companies

make their income from selling their product. Their revenue depends upon sales, and breastfeeding babies don't make money for the formula companies. There's money to be made in marketing breastmilk substitutes