**Summary for the 33rd meeting of the WHO Code Compliance Panel (25 March 2021)**

The Compliance Panel (The Panel) met via videoconference to discuss five complaints.

The complaint decisions from the 33rd meeting have been finalised.

* **Complaint against Little Oak advertising 09-2020-04** The Panel considered the complaint in relation to Article 5.1. The Panel found there to be no breach of Article 5.1 with the reference to the ‘full range’ of Little Oak products. The Panel agreed that there had not been a breach of Article 5.1 because ‘full range’ could relate to the full range of toddler milk products rather than the full range of all Little Oak products.
* **Complaint against Little Oak and Natural Kids FB ads 09-2020-05** The Panel considered the complaint in relation to Article 5.1. The Panel found there was a breach of Article 5.1 because of the reference in the advertising material to ‘formula’. The discussion regarding 09-2020-04 also applied to this complaint.
* **Complaint against Little Oak and Little Adventures FB ads 09-2020-06** The Panel considered the complaint in relation to Article 5.1. The Panel found there was a breach of Article 5.1 because of the reference in the advertising material to ‘formula’. The discussion regarding 09-2020-04 also applied to this complaint.
* **Complaint against NIG/Baby Steps 11-2020-01** The panel considered the following complaints:
	+ In relation to Article 4.3: By majority decision, the Panel agreed that there had been a breach of Article 4.3 because information about the use of infant formula was posted on their website and NIG had not taken action to ensure it was removed or to set out the social and financial implications of its use, the health hazards of inappropriate foods or feeding methods and, in particular, the health hazards of unnecessary or inappropriate use of infant formula.
	+ In relation to Article 4.4: The Panel agreed that it was not reasonable for Article 4.4 to be interpreted to mean that companies need to provide explicit instructions every time infant formula is mentioned on their website in the context of posts by consumers.
	+ In relation to Article 5.1: The Panel agreed that there was a breach of Article 5.1 because NIG did not control its Facebook page properly, invited product reviews, and failed to remove posts that advertised infant formula. The majority of the Panel agreed that inviting/promoting questions about stage 1 and 2 products does count as marketing. It was noted that NIG had acknowledged in their response that this could be viewed as marketing and had therefore removed this pop up. The Panel agreed that there had been a breach of Article 5.1.
	+ In relation to Article 5.3: The Panel considered that there was insufficient evidence to support the allegation that samples were distributed directly by the company to pregnant women, mothers of infants, or their families and caregivers of infants.
* **Complaint against NIG/Baby Steps use of phrase ‘infant formula’ or ‘formula’ 11-2020-02** The Panel considered the complaint in relation to Article 5.1. The Panel determined that there had been a breach of Article 5.1.