# WHO Compliance Panel - Summary for Implementing and Monitoring the International Code of Marketing of Breast-milk Substitutes in New Zealand: The Code in New Zealand (Ministry of Health 2007)

# 1 July 2017 - 30 June 2018

## Meetings of the Panel

The Compliance Panel met two times between 1 July 2017 and 30 June 2018. A videoconference meeting was held in February 2018 and a face-to-face meeting was held in May 2018.

## New complaints

One complaint was received by the Ministry of Health between 1 July 2017 and 30 June 2018.

### Complaint number 06-2018-01

A complaint was lodged in June 2018 about the promotion of infant formula through a social service provider’s mobile application. The application hosted a direct link to an infant formula manufacturer’s website, where consumers could directly purchase infant formula. The complainant suggested that having a link to the infant formula website on the mobile applications is a breach of Article 4.4 of the Health Workers’ Code. The Ministry wrote to the Manger of the social service provider in June 2018. The Manager had no prior knowledge of the Health Workers’ Code and took action to remove the link to the infant formula website from the application. The complainant was satisfied with the response.

## Complaints carried over

No complaints from the previous year (1 July 2016 – 30 June 2017) were carried over.

## Appeals

No appeals were received between 1 July 2017 – 30 June 2018.

## Marketing practices of companies who do not belong to the Infant Nutrition Council

From 1 July 2017 to 30 June 2018, the Ministry received correspondence about four instances of marketing practices by infant formula companies who do not belong to the Infant Nutrition Council (INC). Companies that do not belong to the INC are not party to the INC Code of Practice. The correspondence about non-INC companies was as follows:

* In July 2017, a complaint was lodged about infant formula constantly being put on sale by two supermarkets in Timaru. The Ministry informed the complainant that the Code in New Zealand does not cover retailers in terms of special displays and discounts. The Ministry also sent the supermarkets a copy of INC’s “Information for Retailers” pamphlet.
* In October 2017, a complaint was lodged about stage 1 infant formula being put on sale by a supermarket chain. The Ministry informed the complainant that the Code in New Zealand does not cover retailers in terms of special displays and discounts. The Ministry also sent the supermarket chain a copy of INC’s “Information for Retailers” pamphlet.
* In November 2017, a complaint was lodged about an e-commerce retailer promoting a new mums premium pack that includes a pacifier and teat for the included bottle. The Ministry informed the complainant that the complaint is out of scope as the Code in New Zealand does not cover the marketing of feeding bottles and teats. At the February 2018 Compliance Panel meeting, the Panel members agreed not to send a letter from the Ministry to the e-commerce retailer as their activities are not in breach of the INC Code of Practice.
* In May 2018, a complaint was lodged about an infant formula manufacturer’s distribution of free Stage 1 formula to a mother who had been engaging in social media parenting pages. The Ministry wrote to the manufacturer to explain why their marketing activities do not conform to international or national standards for the marketing of breast milk substitutes. The manufacturer responded to the Ministry and acknowledged that two Stage 1 samples had been sent before they realised there was an error with the system. They also wrote that they gave all team members further training and information on the Code in New Zealand.

## Other related work

### Survey on health workers

The Ministry of Health contracted Allen + Clarke to implement and manage the complaints process for the International Code of Marketing of Breast-milk Substitutes (the International Code) in New Zealand, and to support and advise its Compliance Panel. As part of this, the Ministry is considering how to best promote the International Code (and the codes that it is implemented through in New Zealand). To support the Ministry’s decision-making about promotion of the (the International Code) in New Zealand, Allen + Clarke undertook a survey of health workers to explore their knowledge of the International Code, their responsibilities under the Code of Practice for Health Workers (including complaints processes) and their awareness of the Ministry’s online learning tool. A total of 385 responses were received. The largest number of respondents by occupation were midwives and Plunket nurses/tamariki ora nurses.

### Promotion of the Code in New Zealand

The Ministry of Health were invited by Public Health Unit South to present at two breastfeeding professional development sessions. There were approximately 30 attendees at each session, including Tamariki Ora Nurses, Midwives, Breastfeeding Peer Supporters, Lactation Consultants, Health Promoters, and Neo-natal Nurses. The Ministry provided an overview of the implementation and monitoring of the Code in New Zealand and answered many queries from the attendees.

As the Ministry has a strong focus on promoting the Code in New Zealand, the presentation was used as a test for opportunities to present in future.