

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 2011 – 30 June 2012

New complaints

The Ministry of Health received one formal complaint in the year 1 July 2011 to 30 June 2012. The complaint (received in October 2011) was about the sponsorship of a symposium entitled 'Brainy Babies' by an infant formula marketing company. The symposium was held at a University. The Ministry sent the redacted complaint to the Infant Nutrition Council (INC) to seek the infant formula marketer's response, and the infant formula marketer responded in November 2011. The infant formula marketer did not consider there had been a breach of the INC Code. The response was sent to the complainant who was advised that they had 20 working days to advise the Ministry if they would like their complaint to be referred to the Compliance Panel. No request to refer the complaint was received, so the complaint was considered to be closed.

Complaints about companies who do not belong to the Infant Nutrition Council

The Ministry of Health received two complaints about the marketing practices of companies who do not belong to the INC, and are not party to the INC Code. The first complaint was about the online marketing of infant formula, and the second complaint was about the advertising of infant formula in an email promotion from a retailer. In both cases, the Ministry responded by sending each company a letter from the Director of Public Health advising them of the Code in New Zealand, and encouraging them to align with the majority of infant formula marketers who have committed to not advertise infant formula products for infants less than six months of age in New Zealand.

Complaints carried over from the 1 July 2010 – 30 June 2011 year

No complaints were carried over.

Enquiries

There were a number of enquiries relating to The Code in New Zealand, which the Ministry responded to (in consultation), as appropriate with the INC. Themes included:

- new non-INC members' marketing campaigns
- unintended consequences of donated formula in Christchurch, following the February 2011 earthquake
- how the Ministry monitors the Code of Marketing in New Zealand.

Update on the Government Response to Report of the Health Committee on Parliamentary Petition 2005/127 of Lisa Ross and 15 others

Following the Research Trust's '*Effectiveness, Implementation and Monitoring of the International Code of Breast-Milk Substitutes in New Zealand: A Literature and Interview-Based Review*' report, it was decided that the

evaluation of the effectiveness in New Zealand of the International Code of Marketing of Breastmilk Substitutes would be completed via key stakeholder consultation. In June 2012, Quigley and Watts was contracted to facilitate meetings with health practitioners, representatives from consumer groups, and representatives from the infant formula and bottle and teat industries. The report on the outcomes of these meetings was expected to be finalised in September 2012.

Following the evaluation, the Ministry intends to update 'The Code in New Zealand' 2007 publication which sets out Government's current arrangements for monitoring and implementing the WHO's International Code of Marketing of Breast-milk Substitutes.

Secretariat for WHO Compliance Panel - October 2012