

Four point plan put to Nestlé regarding violations of World Health Assembly baby food marketing requirements and the international boycott

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Baby Milk Action is a non-profit organisation which aims to save lives and protect infant and young child health through independent controls on babyfood marketing.

We are a member of the International Baby Food Action Network (IBFAN), a network of over 200 citizens groups in more than 100 countries.

www.babymilkaction.org

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The following plan was put to Nestlé in March 2001 at Cambridge University when, thanks to boycott pressure, Nestlé agreed to debate its baby food marketing practices with Baby Milk Action. Prior to this date Nestlé refused to even speak in public if Baby Milk Action was present in the room. The plan was immediately rejected by Nestlé executives and has been repeatedly rejected since when Baby Milk Action has written asking the company to reconsider or raised it again at debates. Having lost a series of debates, Nestlé has refused to debate since 2005.

Baby Milk Action has also invited Nestlé to put its terms and conditions for participating in an independent expert tribunal to investigate claim and counter claim. Nestlé has repeatedly refused to do even this, most recently in 2010.

Four-Point Plan	Nestlé's response (and analysis)
1. Nestlé must state in writing that it accepts that the International Code and the subsequent, relevant World Health Assembly Resolutions are minimum requirements for every country.	In its response to members of the public calling on it to respect the Code and Resolutions, Nestlé claimed in July 2010: <i>"For your information, the World Health Assembly does not formulate marketing standards – rather it makes health policy recommendations to Member States. It is up to each Member State to determine how it implements these policy recommendations in their own country, according to their development goals and their social and legislative framework."</i> In truth, the International Code was adopted in 1981 and article 11.3 is clear: <i>"Independently of any other measures taken for implementation of this Code, manufacturers and distributors of products within the scope of this Code should regard themselves as responsible for monitoring their marketing practices according to the principles and aim of this Code, and for taking steps to ensure that their conduct at every level conforms to them."</i> The World Health Assembly restated in May 2010 (Resolution 63.23) that it <i>"CALLS UPON infant food manufacturers and distributors to comply fully with their responsibilities under the International Code of Marketing of Breastmilk Substitutes and subsequent relevant World Health Assembly resolutions;"</i> and expressed <i>"deep concern over persistent reports of violations"</i>. Improvements to breastfeeding rates and complementary feeding practices <i>"could save annually the lives of 1.5 million children"</i>.

2. Nestlé must state in writing that it will make the required changes to bring its baby food marketing policy and practice into line with the International Code and Resolutions (i.e. end its strategy of denial and deception).	Nestlé continues to dispute any wrong-doing even in the face of documentary evidence of malpractice, fines, convictions and rulings against it. At the time of writing, Nestlé's Global Public Affairs Manager is defending its latest strategy of promoting its breastmilk substitutes with the claim that it 'protects' babies and that it is effective in <i>'Strengthening the immune defenses and reducing the incidence of diarrhea in the crucial first year of life.'</i> In its response to the 2007 <i>Breaking the Rules, Stretching the Rules</i> report, produced by IBFAN, Nestlé commented on 169 of the examples highlighted, but only accepted 9 as violations. Hence, violations of the types of the vast majority that Nestlé dismissed will continue.
3. Baby Milk Action will take the statements to the International Nestlé Boycott Committee and suggest that representatives meet with Nestlé to discuss its timetable for making the required changes.	Nestlé has not provided the necessary statements.
4. If IBFAN monitoring finds no Nestlé violations for 18 months, the boycott will be called off.	Nestlé continues to violate the Code and Resolutions in a systematic manner.