

## **COMMENT ON THE HONG KONG CODE OF MARKETING AND QUALITY OF FORMULA MILK AND RELATED PRODUCTS, AND FOOD PRODUCTS FOR INFANTS & YOUNG CHILDREN**

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It is fantastic to finally see a version of the WHO Code on the Marketing of Breast Milk Substitutes being introduced into Hong Kong; it is long overdue and the advertising and promotion of formula has been out of control in Hong Kong for a long time. The impact of this marketing activity can be seen in the ridiculously low breastfeeding rate that Hong Kong has compared to other first world economies. While there are many things that impact breastfeeding rates, it has been demonstrated time and time again that the marketing of formula milk has a direct impact on whether and for how long mothers' breastfeed and it was this, plus the unscrupulous marketing activities of manufacturers, that led to the development of the WHO Code in 1991.

### ***Essential to improve Hong Kong's poor breastfeeding rates and improve child nutrition***

It is also great to see that the proposed Code addresses nearly all the areas covered by the WHO Code and also includes *all* formula up to 36 months, not just that for infants under 6 months. This is essential in Hong Kong for a number of reasons; firstly as the Department of Health discovered in its recent research there is an overuse of formula in Hong Kong, particularly for older children, with 77% of 4 year olds still receiving formula. This is not only unnecessary but unhealthy. And the reason that this overuse has occurred IS a direct result of advertising. The same research demonstrated that many Hong Kong parents believe that formula has special ingredients that will benefit their child that is not available in any other food. This is an astonishing assumption for such a wealthy and well educated society and can only have come from advertising. It never ceases to amaze me in talking to new mothers the misinformation they have about breast milk and breastfeeding and unfortunately their information comes from marketing (although they do not of course acknowledge this or even realise it) or even worse, from medical professionals that receive financial or other inducements from formula manufacturers to promote their products.

### ***Poor marketing practices are ongoing***

So while the manufacturers may argue that marketing of their products does not impact breastfeeding rates, the evidence shows clearly that it does. If parents believe that 'breast is best' but at the same time are told that 'XX formula' will promote their baby's intelligence and they are given free samples to try it either in hospital or outside it when they leave with their newborn baby, it is hardly surprising that they then try the formula. Once formula is introduced to an infant, if breastfeeding is not fully established or the breast is not being offered frequently enough, this will impact the mother's milk supply. Then very soon the milk supply disappears and the baby is fully formula fed.

### ***Local research shows direct impact***

Research recently released by the University of Hong Kong (Tarrant et al 2012) demonstrates that this is as true in Hong Kong as it is in any other society. Since the public hospitals stopped distributing free samples of formula to mothers in public hospitals from 2010, breastfeeding rates in those hospitals has increased. It also showed there is a direct correlation in Hong Kong between a baby being fed formula in the first few days of life and early weaning. When the Hong Kong Code is introduced it will potentially stop nearly all forms of marketing and promotion which can only have a positive impact on breastfeeding in Hong Kong, especially when the Department of Health itself is taking steps to actively

promote breastfeeding via radio and other advertising. Government and voluntary organisations such as La Leche League will never have the same money to spend on promoting breastfeeding however as the manufacturers do on promoting formula and the HK Code is essential to try and better balance the heavily weighted advantage that the manufacturers have had for decades in providing information about breastfeeding compared to formula feeding.

### ***Combined approach of Code is right for Hong Kong***

It is also important that the HK Code covers issues such as product composition, usage and information on packaging. The manufacturers oppose this because they will be required to not only disclose information that is currently not readily available (such as the amount of specific ingredients they claim are in the product and what the product is made of) but also because they can no longer claim that certain ingredients have particular impacts when this has not been proven by an independent scientific study. The information they will need to provide will be factual, not marketing speak. At the moment it is often nearly impossible to find this information – but it is very easy to find many statements about how the product provides benefits that are unsubstantiated. All the ingredients that they promote have been added into the products, such as DHA, are based on the composition of breast milk, however it is unknown whether babies consuming the formula absorb DHA or any other additive in formula in the same way as they do with breast milk.

### **WHAT NEEDS TO BE IMPROVED**

There are two areas, however, where the HK Code falls down; in continuing to allow sponsorship of medical professionals by the formula manufacturers and distributors and in the lack of penalties and enforcement of the HK Code.

### ***Conflict of interest for medical professionals***

Despite restricting any marketing or promotion of their products to the general public or the medical profession, formula manufacturers *are* allowed to provide financial support in the form of sponsorship to medical professionals. This is not only against the WHO code but is also a complete conflict of interest. If there was not already such a huge intertwining of medical professionals and the manufacturers, maybe it would not be an issue. But in a society where nearly every doctors' office has formula brochures and other marketing materials (pens, growth charts etc) and where doctors routinely tell mothers they don't have enough milk – despite the baby showing no evidence of this – and recommending they supplement with formula, it cannot be allowed to continue.

Although the HK Code includes restrictions on the drafting of research, the types of refreshments that can be provided at conferences etc it would be impossible to monitor this, even if sufficient resources were available. The manufacturers only spend their proportion of their \$1.6 billion marketing spend on sponsorship for one reason; to increase their brand awareness with medical professionals. Prior to coming to Hong Kong, I worked as a marketing professional in another industry and I am well aware that marketing dollars are only spent where they have an impact. Therefore this section of the Code needs to be changed to exclude ANY sponsorship or financial benefit to medical professionals.

### ***No enforcement or penalties means no change in behaviour***

The second area where the HK Code falls down is in enforcement and penalties. The Government has indicated that it will eventually move to legislate the HK Code, but no time frame has been given. The manufacturers themselves have made it clear that not all of them will follow the Code unless it is legislated and evidence from other countries where it has

been introduced on a voluntary basis – such as Australia - supports this. It is essential that the HK Code be legislated, with heavy penalties for breaches as well as ‘naming and shaming’. The manufacturers make big profits from selling formula, if penalties are not substantial they will be happy to pay them and offset it as a cost of doing business. That is also why the ‘naming and shaming’ part is essential. If no one knows a particularly manufacturer has breached the HK Code, it will have no negative impact on their brand and that is what is necessary to ensure they change their behaviour.

### ***HK Code long overdue***

The manufacturers claim that they support breastfeeding, but actions speak louder than words. Their marketing activity in Hong Kong demonstrates that this is untrue. They have had over 20 years of no marketing restraints and it has had a big impact on the health and wellbeing of the Hong Kong people which will have flow on effects for many years to come. These are public companies that exist to make a profit. The nutrition of our youngest and most vulnerable members of society should be about health, not the profits of companies. The manufacturers have had ample opportunity to demonstrate their support of breastfeeding and they have in fact demonstrated the opposite. I cannot read the local websites as they are in Chinese but even the names ([www.onelessworry.hk](http://www.onelessworry.hk)), the video visuals and the very poor Google translation makes it clear that they are targeting pregnant mothers and mothers with newborns as well as older babies and children.

### ***Level the playing field***

Every mother who cannot or chooses not to breastfeed through poor information is a new customer for the formula manufacturers. They have had the support of a large majority of the medical professionals in Hong Kong along with them, which has helped grow their business. This needs to change if Hong Kong is to have a healthy future and increase breastfeeding rates to be in line with other developed countries.

Introduce the HK Code as legislation with heavy penalties, ‘naming and shaming’ and remove the right to sponsorship in the current draft and Hong Kong will be taking a huge step in the right direction.

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