



PUBLICIS HONG KONG

February 26, 2013

The Secretariat Office  
Taskforce on Hong Kong Code of Marketing of Breastmilk Substitutes  
Family Health Service, Department of Health  
Room 1308, 13/F, Guardian House, 32 Oi Kwan Road  
Wan Chai, Hong Kong

**Subject: Comments on the Proposed Guidelines on Infant Nutrition Marketing**

While the government is within its rights to propose a system of voluntary guidelines, we believe the primary issues of concern are as follows:

1/ It is voluntary code, not a legislative mandate, meaning that the interpretation of (and compliance with) the code will be left to a wide range of manufacturers, marketers and retailers, all whom may (or may not) follow the code in the same manner.

Given the voluntary code contains no legislated enforcement mechanism, this would certainly result in differing behaviors by the various parties, leading to confusion among consumers and a competition among manufacturers/marketers/retailers to push the boundaries of the code.

It would be preferable to have an aligned solution (agreed by the government, health authorities, manufacturers and marketers) codified into legislation – allowing everyone a level playing field and with clear boundaries.

2/ It is unclear why, in the proposed voluntary code, Hong Kong is not following established WHO guidelines – which do not allow communications for products targeting infants younger than 6 months old, but allow communications for those in older age groups.

Hong Kong is a highly developed market, and consumers are generally knowledgeable and sophisticated in digesting marketing appeals and communications. They also have wide access to information about the benefits of breast feeding, and are unlikely to suddenly be swayed that infant nutritional formula is better than their own breast milk.

It also seems highly unlikely that the reason Hong Kong moms stop breast feeding their child is due to advertising – in Hong Kong, it is much more likely it is due to the fact that the moms cannot produce the right amount of milk, cannot continue breastfeeding due to their job, or other factors. These moms are looking for information about potential solutions, and marketing communications for nutritional products aimed at children over 6 months play a helpful role in this.



PUBLICIS HONG KONG

Therefore, our recommendation is that any regulations or code for Hong Kong should follow the WHO guidelines.

3/ Most importantly, it seems unlikely that the proposed voluntary code will help the government achieve their objective of increasing the incidence of breast feeding for young children.

As a better alternative, the government should focus on the best ways to promote their primary objective, working with members of the Nutrition Association to encourage breastfeeding as the first and best option for young children.

For those who can't breastfeed, however, the option of infant nutritional formula remains valid.

The bottom line:

We believe the Hong Kong government should focus on leveraging the power of the Nutrition Association members, and their marketing programs, to achieve their objectives, rather than hoping to influence consumer behavior through limiting access to information.

  
Sue McCusker  
CEO Publicis Hong Kong

