

**SUBMISSION ON INFANT NUTRITION COUNCIL SEEKING AUTHORISATION FOR
A PROPOSED ARRANGEMENT TO RESTRICT THE MARKETING
OF INFANT FORMULA PRODUCTS**

To: **The Registrar
Mergers and Authorisations
Commerce Commission
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Details of Submitter: **The Southern District Health Board**

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Introduction

Southern District Health Board (Southern DHB) presents this submission through its public health service, Public Health South. This Service is the principal source of expert advice within Southern DHB regarding matters concerning Public Health. Southern DHB has responsibility under the New Zealand Public Health and Disability Act 2000 to improve, promote and protect the health of people and communities. Additionally there is a responsibility to promote the reduction of adverse social and environmental effects on the health of people and communities. With 4,250 staff, we are located in the lower South Island (South of the Waitaki River) and deliver health services to a population of 319,200.

Public health services are offered to populations rather than individuals and are considered a “public good”. They fall into two broad categories – health protection and health promotion. They aim to create or advocate for healthy social, physical and cultural environments.

This submission is intended to provide general commentary to the Commerce Commission relating to the authorisation application received from Infant Nutrition Council (INC) restricting marketing of formula products.

General Comments

Breastfeeding has been described as a smart investment in people and in economies.¹ Infants, children and mothers who do not breastfeed experience an increased risk of mortality and morbidity² and the benefits of breastfeeding extend into adulthood³. Breastfeeding also reduces inequity and spreads across the health, education, social protection, trade and commerce sectors so is everybody's responsibility.²

Public Health South supports the Infant Nutrition Council's proposal to extend the INC Code to cover formula for infants from 'up to six months' to 'up to 12 months'. This extension of the INC Code will support our work as a Public Health Unit in promoting breastfeeding within our southern community and protecting babies, particularly of our most vulnerable groups, as it will align with The Ministry of Health's infant nutrition guidelines, which recommend exclusive breastfeeding for around six months, and complementary foods being introduced with continued breastfeeding until at least one year of age, or beyond.⁴ It will also align with the Ministry of Health's Code for Health Workers which includes all types of formula for infants from 0-12 months⁵ and the Australian marketing guidelines.

We acknowledge the Infant Nutrition Council (INC) Code is an important part of New Zealand fulfilling its obligations under the International Code of Marketing of Breast Milk Substitutes (WHO Code). While Public Health South supports the extension of the INC Code to 12 months we would like to see a further extension to ensure that all breastfeeding is fully protected, including breastfeeding in the second year of life.

The World Health Organisation recommends exclusive breastfeeding for the first six months followed by continued breastfeeding with appropriate complementary foods for up to two years or beyond (WHO). The breastmilk substitute industry is large and growing and its marketing undermines efforts to improve breastfeeding.⁶ In high-income countries it is follow-on and toddler milks that are predicted to drive growth in the formula industry.⁶ Without further extension of the INC Code to cover toddlers milk breastfeeding will continue to be jeopardised in New Zealand.

Summary

Protecting breastfeeding as the optimal source of nutrition for infants by limiting marketing of infant formula positively impacts on Public Health South's work in promoting breastfeeding and therefore we fully support the proposed extension of the INC Code.

We do not wish to be heard in regards to this submission.

Yours sincerely,



Kathleen Eade

¹ Hansen, Keith. Breastfeeding: A smart investment in people and in economies. The Lancet Breastfeeding Series 2016. Volume 387, Issue 100/7, 416

² McFadden, Alison et al. Spotlight on infant formula: coordinated global action needed. The Lancet Breastfeeding Series 2016. Volume 387, Issue 100/7, 413-415

³ Breastfeeding: World Health Organisation.

http://www.who.int/maternal_child_adolescent/topics/newborn/nutrition/breastfeeding/en/ accessed on 27 June 2018

⁴ Ministry of Health. 2008. Food and Nutrition Guidelines for Healthy Infants and Toddlers (Aged 0-2). A background paper (4th Ed.) Partially revised December 2012. Wellington. Ministry of Health.

⁵ Ministry of Health. 2007. Implementing and Monitoring the International Code of Marketing of Breast-milk Substitutes in New Zealand: The Code in New Zealand. Wellington: Ministry of Health

⁶ [Rollins](#), N. C.; Bhandari, N.; Hajeebhoy, N.; Horton, S.; Lutter, C. K.; Martines, J., C.; Plw oz, E., G.; Richter, L. M.; Victora, C. G. Why invest, and what it will take to improve breastfeeding practices? *Lancet*. 2016, 387, 491-504. DOI: [https://doi.org/10.1016/S0140-6736\(15\)01044-2](https://doi.org/10.1016/S0140-6736(15)01044-2)