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India:

Nestlé fat birds a mistake

On 25 July 2014, the Hindustan Time of India reported that Nestlé had been warned by food safety regulators not to misbrand their **Lactogen** infant formula product in contravention of the Indian food safety law. There are some gaps in the Hindustan Times news article and our network partner, the Breastfeeding Feeding Promotion Network of India (BPNI), has written for more information.

Meanwhile, this is what we have been able to gather from the news article.

In August 2013, food safety officials seized 50 cartons of Nestlé **Lactogen** infant formula from a local distributor on suspicion of product misbranding.

In issue were the fact that the **Lactogen** label:

- 1) had pictures of two baby birds with a mother bird and nest which regulators felt gave the impression that the product was equivalent to mother's milk. (breastfeeding advocates know these ubiquitous birds as the "fat birds");
- 2) contained claims about health benefits of the product, among them better growth and development of the brain and body, better vision and easy digestion.

An earlier press statement by a deputy food commissioner revealed there would be a hefty fine in store for the company. Following an appeal whereby Nestlé promised in writing not to repeat the offence, the company was let off with a warning. It was able to convince authorities that their iconic fat birds logo was "a mistake" and that the display of the logo did not increase the saleability of the product.

The news article was silent on the issue of claims and we await the outcome of BPNI's application for more information.



Now you see it,
now you don't.

ICDC first discovered the missing fat birds while researching for BTR 2014, and wondered why the **Lactogen** label in India has changed. This case may be the answer.

In the meantime, ICDC finds it ironic that the fat birds logo could be said by Nestlé to be a mistake. The "mistake" appears on the labels of Nestlé formula products in almost every country they do business in and is flaunted on all promotional materials. The company spends time and effort defending the logo elsewhere where there is a challenge. It would not have done so if the fat birds logo does not increase saleability. Although the verdict in this case is poor, it is vaguely satisfying to see Nestlé stooping so low as to call the fat birds logo a "mistake". May there be more mistakes to come. ■