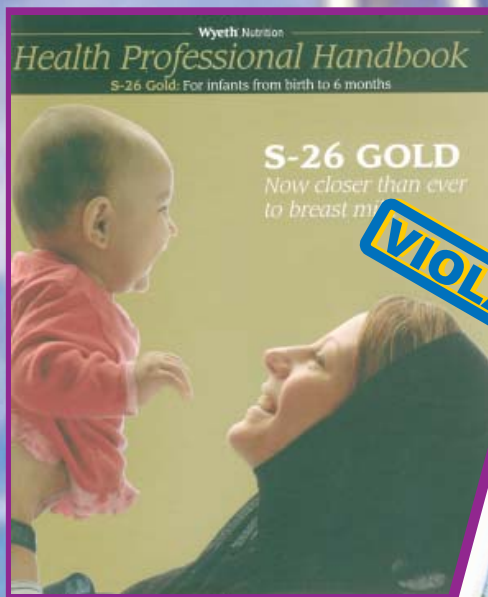


United Arab Emirates

Code Violations 2005

A survey of the state of the International Code of Marketing of Breastmilk Substitutes and subsequent World Health Assembly Resolutions



Wyeth targets the Arab world with a picture of a veiled mother and her happy baby on an information booklet to doctors. This booklet went beyond scientific and factual matters; uses idealising text which repeatedly claims that **S-26 Gold** infant formula is “now closer than ever to breastmilk” and assures doctors that “Wyeth Nutrition will continue to lead the way in providing the best possible formula for babies”.

- * Article 4.2 of the Code specifies that information materials should not use pictures or text that may idealise the use of breastmilk substitutes.
- * Article 7.2 of the Code requires information to health professionals regarding products to be restricted to scientific and factual matters.

The International Code

The International Code aims to promote safe and adequate nutrition for infants, by protecting breastfeeding and ensuring appropriate marketing of breastmilk substitutes.

The Code applies to all products marketed as partial or total replacement for breastmilk, such as infant formula, follow-up formula, special formula, cereals, juices, vegetable mixes and baby teas. It also applies to feeding bottles and teats.

The Code:

- Bans all advertising and promotion of products to the general public.
- Bans samples and gifts to mothers and health workers.
- Requires information materials to advocate for breastfeeding, warn against bottle feeding and NOT to contain pictures of babies or text that idealise the use of breastmilk substitutes.
- Bans the use of the health care system to promote breastmilk substitutes.
- Bans free or low-cost supplies of breastmilk substitutes.
- Allows health professionals to receive samples but only for research purposes.
- Demands that product information be factual and scientific.
- Bans sales incentives for breastmilk substitutes and contact with mothers.
- Requires that labels inform fully about the correct use of infant formula and the risk of misuse.
- Requires labels to NOT discourage breastfeeding.

The focus of this report is on Code violations in health care facilities and those involving health workers. Materials shown in this report were submitted to ICDC end 2005 by a team of concerned health professionals in the UAE who monitor the International Code on an ad-hoc basis. This report is not intended to be comprehensive.

“And mothers shall suckle their children for two whole years... .”

- Surat Al-Baqara: 233

United Arab Emirates



Country Profile

Total population (2003): 3 million
 Annual number of births (2003): 49,000
 Infant mortality rate ('000): 7

- * 34% of children exclusively breastfed (<6 months)
- * 52% of children still breastfed (6 - 9 months)
- * 29% of children still breastfed (20 - 23 months)
- * GNI per capita (2003): US\$18,060

Source: The State of the World's Children 2005, UNICEF.

Background

The UAE has a national policy on infant and young child feeding that promotes exclusive breastfeeding for 6 months and continued and sustained breastfeeding for up to 2 years and beyond. There is a 1983 national law on pharmacies and pharmaceutical establishments which prohibits advertising of infant foods. There is, however, no specific law to regulate the marketing of breastmilk substitutes. A 1992 Ministry of Health Circular bans the distribution of samples and supplies in health facilities and requires infant formula to be given under medical prescription. This circular has no force of law and there are no sanctions for non-compliance.

Being a country made wealthy by its oil resources and pro-investment trade policies, the UAE is favoured by baby food companies not just for the high disposable income of its residents but for its commercial climate which facilitates internal and external trade. As a result - Dubai - UAE's commercial hub, is home to many baby food companies and their agents. Keen competition between companies means that Code violations are widespread, not just in Dubai where most violations originate but throughout the Emirates and beyond.

Other countries with laws that restrict promotion of breastmilk substitutes find it difficult to stem the commercial tide from Dubai and increasingly, breastfeeding has to compete on an uneven playing field with expensive commercial products. Attempts in the past to introduce a national law in the UAE have quietly fizzled out due to lack of political will. In the meantime, the health of many babies continues to be at risk because they are not breastfed.

Under the International Code, companies should regard themselves as responsible for monitoring their marketing practices and for taking steps to ensure that their conduct at every level conforms to it, independent of measures taken at the national level. The violations shown below are testimony of the fact that companies will not behave ethically unless there is an enforceable law.

Code violations in health care facilities

- ★ Article 6.2 bans product promotion in the health care facility.
- ★ Article 6.3 prohibits the display of products, placards and posters or the distribution of company materials unless requested or approved by government.
- ★ Article 4.2 of the Code requires all information to advocate for breastfeeding and not contain pictures or text which idealises the use of breastmilk substitutes.

Crossing the thin line between information and promotion

Health care facilities are targets of promotion because there are places where pregnant women and mothers with young babies congregate. Companies place brochures and leaflets at strategic locations around maternity wards, nurses' office and other prominent spots at hospitals. Most of these materials use pictures of European babies and contain idealising text which is not only misleading but fails to meet the specifications set out under the International Code.



Abbott undermines breastfeeding by offering BIG incentive for Brain development, Immunity and Growth with their Similac Gain follow-up formula.

A common ploy used in company materials is to compare formula with cow's milk. Although most formula is made of cow's milk, that fact is never mentioned and the selling points are the minute quantities of additives which suddenly turn formula into a superior product beneficial for children. No mention is made of the real superiority of breastmilk. For example, Abbot claims that unlike cow's milk, its Similac GAIN follow-up formula contains "the right amount of iron that help prevent iron deficiency anemia" which is a major cause of disabilities in cognitive and mental development. Referring to its GAIN range of products, the leaflet calls on mothers to provide the proper nutrition as "proper feeding help enhance the active promotion of brain growth". The leaflet also uses scare tactics by proclaiming in bold that "iron absorption by the brain is a one-time reversible process within the first 24 months". Nothing is said about breastfeeding or appropriate complementary feeding.

Unholy alliance with the health profession

★ Article 7.3 prohibits financial and material inducements to promote products.



Companies also reach out to mothers via the health profession. There are the usual gifts in the form of cheap utilitarian items such as diaries, calendars, wall charts, display items and basic medical equipment. These gifts normally sport the company or product names and logos which are highly promotional even without the benefit that medical endorsement confers through their display in health facilities. Such items are also very effective in inculcating the loyalty of health workers.

What stands out in the UAE are the ubiquitous "tear-out prescription pads" which doctors get from baby food companies. These prescription pads contain pictures of an entire range of baby food products with boxes aligned to the packshots so that doctors can simply tick their recommendation, without having to write their own prescriptions. These prescription pads normally contain idealising text, information such as the different developmental stages of babies, feeding instructions and schedules. Some of these prescription pads even have a space for the doctor's stamp which not only confers medical endorsement of the product prescribed but provides a way for companies to keep a record of who their supporters are.



One reason why prescription pads proliferate in the Emirates, more so than in any other country, may be due to the 1992 Ministry of Health circular which requires a medical prescription before formula can be given to a baby in health care facilities. Baby food companies are exploiting this well-intentioned directive by mass-printing these prescription sheets and giving them to doctors who, unfortunately, are falling prey to the marketing ploy.



Promotional packshots in full colour with boxes to tick and, on the reverse, dull lip service to breastfeeding.

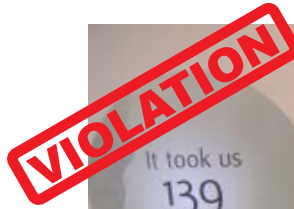
In pursuit of health professionals

One step up from the utilitarian gifts and prescription pads are gala events for doctors at glitzy 5-star hotels. In promoting their “newly improved” NAN products, Nestle launched a sophisticated PR move, starting with the delivery of a box inscribed with the words “*For those of you who want to be part of 140 years of innovation ... you can start here*”. Inside the box, is a message inside a glass vial which needs to be broken before the recipient is introduced to “*a new genre of scientifically advanced infant formula ... redefined at its very core*”.

Smart invitation cards invite doctors to talk about it “over dinner” at the Marriot Hotel in Dubai. The card spells out how it took Nestle 139 years and thousands of experiments to reach one breakthrough that will change the world of infant nutrition.



A real breakthrough - a glass vial that needs to be broken to release the announcement of the unveiling of an “*advanced, unique, state-of-the-art*” innovation which brings formula fed infants closer to breastfed infants.



Old product - new tactics?

(NOTE: NAN has existed for over 20 years.)

Nestle formula to “*change the world*” over dinner talk?

Complementary foods promoted as breastmilk substitutes

In September 2001, Nestle announced its support for Resolution 54.2 (2001) which recommends exclusive breastfeeding for 6 months. The company changed its labels in some countries including the UAE. So far, so good. The UAE, however is one of the first countries where monitors discovered that changing the age recommendation on labels means nothing if promotion continues to target very young babies. A 2005 Nestle desk calendar for health workers promotes Cerelac as “gentle first food” at very early ages.



Despite change in labels, Nestle taps into the lucrative baby cereal market by targeting babies below 6 months of age. While the calendar faces the doctor, these illustrations face the parents sitting across.

What can be done?

The evidence of Code violations shown in this report is indicative of the fact that the existing 1992 Ministry of Health circular has not attained its objective of restricting promotion of breastmilk substitutes in health care facilities. The few government initiatives there are to promote breastfeeding are not complemented by enforceable measures to protect the practice. Company practices violate the Code when they undermine breastfeeding. UAE ought to implement the International Code of Marketing of Breastmilk Substitutes and subsequent World Health Assembly Resolutions into a strong national law if it is serious about its commitment to uphold the right of children to the best attainable standard of health; a right entrenched in the Convention on the Rights of the Child which the UAE is party to.

There should also be a concerted effort to train health workers on their responsibilities under the Code and alert them to the conflict of interests arising from contact with baby food companies.

This pamphlet is a part of a series of IBFAN pamphlets which highlight Code violations in selected countries around the world. The benchmark standards are the International Code of Marketing of Breastmilk Substitutes and subsequent World Health Assembly Resolutions.

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