

The Rt. Hon. Patricia Hewitt MP,  
Secretary of State for Health  
Department of Health,  
79 Whitehall  
London, SW1 2NS

Friday, February 10, 2006



## The Health Bill – implications for infant and young child health

Dear Patricia Hewitt,

On behalf of the Baby Feeding Law Group, an ad-hoc group of 15 leading health and mother-support organisations working to bring UK and EU legislation into line with UN Resolutions, we are writing about our concerns about the Health Bill which is due to be discussed on Tuesday 14th February. We are very concerned that the proposals create new opportunities for businesses to sponsor or own health facilities and services with very little acknowledgement of the risks of this strategy.

Baby Feeding Law Group members have had many years of experience monitoring the activities of food companies and are alarmed that, under pressure to reduce direct advertising to children, many are now presenting themselves as 'nutrition education companies' or even 'charitable trusts.' Education materials are being used as a way to market products, albeit in a subtle way. The White Paper makes no attempt to distinguish between who is and is not an appropriate provider of health services. If manufacturers of baby foods are allowed to be sponsors we fear that this could have a profound and harmful effect on breastfeeding rates in the UK. While it may not be immediately evident, materials which appear on first reading to be educational will almost certainly be biased and misleading and will undermine the Government's health messages and the aims set out in the *Choosing Health*, White Paper.

One way to prevent this would be for the White Paper to require that all health institutions adopt guidelines which incorporate the *International Code of Marketing of Breast-milk Substitutes* and subsequent relevant WHA resolutions, which the UK Government (and all EU Member States) has consistently endorsed but not yet implemented. Article 4 of the Code calls on Member States to provide "objective and consistent" information on infant and young child feeding and the WHA Resolutions, especially WHA 59.32, highlight the risks of conflicts of interest.<sup>1</sup> If these recommendations were followed baby feeding companies would be prevented from providing education materials and other services and more appropriate materials would be used. The *Convention on the Rights of the Child* also contains important safeguards regarding breastfeeding and the need to guard against exploitation.<sup>2</sup>

The Baby Feeding Law Group has agreed to offer to review materials for use in health facilities, to ensure that they are all compliant with the UN requirements and we would be more than happy to discuss our ideas with you. In the meantime we strongly urge you to consider amending the Health Bill to include a reference to the need for compliance with the *International Code* and Resolutions.

Yours sincerely

A handwritten signature in black ink that reads 'Patti Rundall'.

Patti Rundall,  
on behalf of the Baby Feeding Law Group

<sup>1</sup> WHA Resolution 58.28 urges Member States: (4) to ensure that financial support and other incentives for programmes and health professionals working in infant and young-child health do not create conflicts of interest;

<sup>2</sup> Convention on the Rights of the Child: **Article 24** calls on States Parties to "recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services. (e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents; **Article 36** calls on States Parties to "protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare. "

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**Member organisations:** Association of Breastfeeding Mothers - Association for Improvements in the Maternity Services - Association of Radical Midwives - Baby Milk Action - Breastfeeding Network - Food Commission - Community Practitioners and Health Visitors' Association - Lactation Consultants of Great Britain - La Leche League (GB) - Midwives Information and Resource Service - National Childbirth Trust - Royal College of Midwives - Royal College of Nursing - Royal College of Paediatrics and Child Health - Unicef UK Baby Friendly Initiative.

## Baby Feeding Law Group Members. January 2006

- 1 **The Association of Breastfeeding Mothers (ABM)** is a membership-based Charity, founded in 1979, with 400 breastfeeding counsellors providing mother-to-mother support to women. ABM takes no money from infant feeding companies.
- 2 **The Association for Improvement in the Maternity Services (AIMS)** is a pressure group, with 730 members which was founded in 1960. AIMS gives information and advice about all aspects of maternity care, including parents' rights, choices, technological interventions, normal childbirth and complaints procedures.
- 3 **The Association of Radical Midwives (ARM)** is a charity which provides a support for its 1,400 members who are midwives, student midwives and others in the UK committed to improving the maternity care provided by the NHS and who believe that all women have the right to a service tailored more closely to their needs. The ARM is funded by membership fees and takes no money from the baby feeding industry.
- 4 **Baby Milk Action** is a membership-based organization of over 2000 members which aims to save lives and to end the avoidable suffering caused by inappropriate infant feeding. It works within the European and global network, the International Baby Food Action Network, to strengthen independent, transparent and effective controls on the marketing of the baby feeding industry. IBFAN has over 200 citizens groups in more than 100 countries, including nearly all EU Member states. It takes no money from the infant feeding industry.
- 5 **The Breastfeeding Network (BFN)** is a mother-to-mother support and membership organisation with 725 members. BFN takes no money from the infant feeding industry.
- 6 **The Food Commission** is an independent national non-profit organization, campaigning for the right to safe, wholesome food. It is largely funded by public subscriptions and donations and takes no subsidy from the government or food industry. Its flagship publication, The Food Magazine, has a readership of 10,000.
- 7 **The Community Practitioners and Health Visitors Association (CPHVA)** represents its 21,000 members who are community health professionals.
- 8 **Lactation Consultants of Great Britain (LCGB)** represents over 100 Lactation consultants in Great Britain.
- 9 **La Leche League GB** is part of an international organisation that provides information and support to breastfeeding mothers, through mother-to-mother support. LLL GB has 749 mothering members, 1242 peer counsellor members and 97 health professional members. LLLGB does not accept funding from producers of infant formula or any other product or service which might undermine breastfeeding or devalue the importance of nurturing.
- 10 **Midwives Information and Resource Service (MIDIRS)** is an educational charity set up in 1985 which in 2004, distributed 54,000 copies of its Midwifery Digest to midwives and other health professionals, giving an overview of key midwifery and medical research. Its Enquiry Service provides access to the MIDIRS database of over 110,000 articles, with over 500 new references added each month to this valuable resource. Currently MIDIRS processes over 750,000 enquiry requests per annum from health professionals wishing to gain access to this information. The MIDIRS Informed Choice Initiative was launched in 1996 and to date over 1.4 million leaflets have been used by health professionals and prospective parents.
- 11 **The National Childbirth Trust (NCT)** is a membership-based charity, established 49 years ago, and with currently over 64,000 members in the UK and a network of over 350 local branches. NCT provides a range of services for parents including antenatal classes, postnatal discussion groups, breastfeeding counselling which are available to members and non-members alike. The NCT takes no funding from formula companies.
- 12 **The Royal College of Midwives (RCM)** is the only trade union and professional organisation run by midwives for midwives. It is the voice of midwifery, providing excellence in professional leadership, education, influence and representation for and on behalf of midwives. The RCM has a membership of 37,000.
- 13 **The Royal College of Nursing and the RCN Midwifery Society** is the leading professional union for nursing, safeguarding the interests of patients and nursing by lobbying government and other professional bodies to ensure that the views of the profession are heard where it counts. The RCN is a member-led organisation of around 370,000 nurses and midwives and is signatory to WHO/UNICEF Baby Friendly Standards.'
- 14 **The Royal College of Paediatrics and Child Health (RCPCH)** has about 7,000 members. The College aims to advance the art and science of paediatrics, improve standards of medical care to children, and to educate and examine doctors in paediatrics. The College also provides information to the public on children's health care.
- 15 **The UNICEF UK Baby Friendly Initiative (BFHI)** is a global programme of UNICEF and the World Health Organisation which works with the health services to improve practice in the support of breastfeeding. In the UK, the UNICEF Baby Friendly Initiative is commissioned by various parts of the health service to provide advice, support, education, networking, assessment and accreditation.