
From: Schmitt
Sent: Tuesday, 10 November 2015 1:33 PM
To: Adjudication
Subject: A91506 & A91507 - Infant Nutrition Council - Submission

To The Submission Board, ACCC,

I am a Maternal and Child health Nurse in Victoria, and also a International Board Certified Lactation Consultant (IBCLC). I have been working with mothers and babies , and specifically with breastfeeding issues, for some 30 years.

I was always so very disappointed in the previous MAIF Agreement , and am more than horrified that it could possibly be re- ratified in its current form for another 10 years. It is industry- driven nonsense, and needs to be totally re-written with WHO guidelines in place. If that is not possible in your short time frame, then re-authorise for **one** year whilst the new Agreement is written - from scratch.

Points to consider are :

- The new WHO Code is due out next year, and the MAIF Agreement will need to consider these guidelines to be a modern relevant Code of Practice.
- The MAIF Agreement does not meet the WHO Code of Marketing of Breast-milk Substitutes at present, and it should, but also the new Code.
- Australian Breastfeeding Strategy is being formulated presently, and this also needs to be addressed in the MAIF Agreement.
- The Australian MAIF Agreement is weak and out of date (originally signed in 1992), is a voluntary industry self –regulated Code of Practice.
- There are no repercussion for breaches of the Code - how does this protect mothers and babies from the unscrupulous marketing practices in modern Australia?
- The MAIF Agreement does not cover Toddler milk advertising, which is a ploy to gain market placement of formula brands (Toddler milks are covered by the WHO Code).
- Retailers are not covered by the MAIF Agreement – there is a loop-hole for less than ethical marketing practices for formula sales.
- The governance of MAIF Agreement is not open and transparent, does not involve a strong breastfeeding advocacy, or Australian Government oversight and accountability.
- The MAIF Agreement does not cover electronic marketing of breast-milk substitutes.
- The MAIF Agreement only applies to voluntary signatories – **all** marketers of breast-milk substitutes need to be **mandated** to sign a strong Code, with consequences for breaches.

In concluding I am hoping the ACCC will agree that the current MAIF Agreement is a ‘toothless tiger’ in protecting the breastfeeding babies and children on Australia. There needs to be a strong , enforceable Agreement in place as soon as possible, but this will take some time in the light of reports and Codes due out in 2015 and 2016 .The Infant Formula lobby will be loud and strong to stop a new Agreement being developed, but the ACCC and the Australian Government need to be firm and fair in the development of a new Australian Marketing of Breast-milk Substitutes Agreement as soon as possible. It may be most expedient to re-ratify the old Agreement for one year whilst a new one is developed with **all** stakeholders.

Your sincerely,
Anne Schmitt