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**From:** Elisabeth Wilson  
**Sent:** Wednesday, 11 November 2015 11:04 AM  
**To:** Adjudication  
**Subject:** A91506 & A91507 – Infant Nutrition Council – submission

**Categories:** Submission

My submission is that the Infant Nutrition Council (INC) should not re-authorize the Marketing in Australia of Infant Formula (MAIF agreement) for a further 10 years.

I submit that the Agreement is in dire need of an overhaul. It is weak and out-of-date (signed in 1992) and needs revision, and one year's extension would allow for this.

I point out that:

- To combat obesity, the WHO is in the process of strengthening protections against food marketing to children and their parents. This may result in changes to the WHO Code. This is due out early 2016. This information should be included in any review of MAIF.
- Australia is in the middle of reviewing its national policy on breastfeeding, the National Breastfeeding Strategy due at the end of 2015, so it is premature to lock-in a 10 year arrangement on the regulation of formula marketing.
- The MAIF Agreement already does not meet Australia's obligations to implement, as legislation, the full WHO International Code of Marketing of Breast-milk Substitutes (the WHO Code). Australia signed the WHO Code in 1981. Australia's implementation of the WHO Code has been half-hearted and to a large extent ineffective:
  - The weak MAIF guidelines are not enforceable and breaches carry no repercussions. For many years I forwarded alleged breaches to APMAIF. Even when breaches were recognised, this was usually months or even years after they had occurred, which meant the company concerned had benefitted from them and many consumers been misinformed.
  - The MAIF agreement has not kept up with modern marketing methods by electronic and social media, including online sales and loyalty programs.
  - The MAIF Agreement is too narrow in its scope and does not cover toddler milks. Research has shown that consumers do not differentiate between toddler and infant formula - marketing toddler formula effectively markets infant formula.
  - The MAIF agreement does not apply to retailers – a significant loop-hole that allows retailers to be involved in marketing practices that would be otherwise disallowed.
  - The governance of the MAIF Agreement is not transparent, does not involve breastfeeding experts and lacks Australian government oversight and accountability.

I submit that, in order for our society to fully support, promote and protect breastfeeding as the normal way to feed infants, and breastmilk as supremely important for their present and ongoing health, the MAIF agreement needs significant revision and it should only be re-authorised for a maximum of one year.

Dr Elisabeth Wilson