



Final Submission in response to ACCC Meeting 13th April 2021

PROTECT PROMOTE SUPPORT



Breastfeeding Advocacy Australia Ltd

ACN 637 390 295



FINAL SUBMISSION April 2021



General comments for consideration

What has MAIF achieved?

- MAIF does not represent the spirit, or the intent of the WHO Code rather it exposes breastfeeding to industry and their predatory marketing.
- The reliance upon UPF powder due to inaccurate, exploitive marketing is inhibiting the development of breastfeeding supportive structures.
- Since 1992, industry has benefited from confusion surrounding the responsibility for implementation and the notion that this is an issue for trade practice and not public health.
- This is outdated and is demonstrated, by turning on any device, (thereby exposing yourself to deliberate brand marketing) to be a cunning manipulation of the ACCC.
- “Parking” marketing guidelines under the Competition and Consumer Act allows Cartel exemption and enables an umbrella of mutual bias towards commercial interests avoiding the stringent health oversight required of the Department of Health.
- Allowing only the manufacturers signed to INC to be covered was a stroke of genius, enabling industry to create toddler drinks and cradle to grave products, to avoid marketing guidelines and use third parties to promote their product ranges, cross marketing all to consumers.
- Times have changed and we know that infant feeding is not purely a “nutritional” function. Breastfeeding is a biofluid with biomechanical impacts on mothers and babies.
- UPF powder is simply the minimum nutritional components currently known and has inherent undisclosed risks to consumers.
- The world has changed, COVID19 has shown the need for food security and immune protection from Breastfeeding.
- Many of these consequences could not be predicted in 1992.



Action required

In order to accommodate the informed decision of women in Australia to breastfeed, Australia needs:

- Milk banks established
- Paid maternity leave and lactation breaks

Going forward

- Continuing Australia's reliance on a substandard product is detrimental to maternal and infant health. It is, in fact medical negligence.
- Why are we still exposing infants to compromised health with UPF powder for blood glucose regulation (against all existing and long-standing evidence) and exposing them to the disease and chronic illness as listed in the Australian national Breastfeeding Strategy 2019 and beyond, NHMRC Infant Feeding Guidelines for health Workers and the 2016 Lancet Series on Breastfeeding in the 21st Century.
- Human Rights abuse is a growing problem from the militarisation of marketing tactics of infant feeding products by industry. This must stop, women need to feel safe breastfeeding in public and they need to trust that our tax-payer funded health system will support them to succeed if they make the informed decision to breastfeed.
- Industry itself appears to want a level playing field and this can only be achieved with legislation, proportionate penalties and fines.
- We need action from those with the power, to introduce legislation with penalties and fines in line with WHO Code ASAP!

Department of Health it is up to you to address this issue of protection of public health and consumers from big business, it is no longer appropriate to be in the hands of ACCC or for there to be confusion about this responsibility.