Sent: Friday, 5 March 2021 10:42 AM

To: Exemptions

Subject: AA1000534 - Infant Nutrition Council - submission'

Categories: Submission

Dear ACCC,

I understand that you are currently looking at an extension to the MAIF (Marketing in Australia of Infant Forumlas) Agreement. As a mother I would urge you to continue to protect current and future breastfeeding mothers from commercial formula interests. While a 5 year renewal is better than the 10 years proposed by the formula industry I would ask that you consider a 2 year renewal while a review of the MAIF occurs, as proposed by the 2019 Australian National Breastfeeding Strategy.

Australia currently has an enviable record for breastfeeding mothers but this can easily be eroded by those who can profit from selling formulas unless there are strong regulations in place. To this end I would urge you to include Toddler milks in the restrictions on advertising and promotion.

Over the years the MAIF has helped to protect the children of Australia and I urge you to strengthen and support this protection.

Your sincerely



This email has been checked for viruses by Avast antivirus software. www.avast.com

From:
Sent: Friday, 5 March 2021 10:44 AM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

To whom it may concern,

I strongly urge you to take action in banning the unethical advertising of toddler milk and formula in Australia.

It is well known that all formula must meet certain ingredient criteria to be approved as a breast milk substitute so there is very little difference between brands besides how cleverly they prey on vulnerable parents.

Breastmilk is the best option for the baby and mothers well being, it is readily available, prevents life threatening disease and cancers, has long lasting benefits to the economy, environment and healthcare system.

The risks involved with toddler and infant milk are substantial. They come with increased risk of heart disease; obesity, gastrointestinal issues, SIDS which ultimately costs the Australian government billions annually.

It should be treated akin to cigarettes with plain packaging and funding should be spent on antenatal breastfeeding education.

The advertisement of an insidious industry that is harming the health of parents and preying on vulnerable new parents needs to stop.

Thanks

Sent: Friday, 5 March 2021 12:03 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

Please find below:

Submission to the Infant nutrition council regarding the ACCC's proposal to include toddler milks within the scope of the MAIF Agreement.

I am and the control of approximately 30 years and International Board Certified Lactation Consultant (IBCLC) of over 22 years.

I have worked as an IBCLC in a public hospital setting, in private practice and in the community (breastfeeding support service though local council's Maternal and Child Health Service).

I am constantly bombarded by both subtle and overt images of toddler formula, in both my work and private life – images that are clearly designed to promote brand awareness to vulnerable new families, and therefore bypass the current restrictions on the advertising of infant formula under the current MAIF agreements.

I am horrified at the increase in overt advertising of toddler milk to manipulate and promote a milk substitute not recommended by nutrition experts.

I see this in:

- Large billboards on freeways within metropolitan Melbourne.
- Billboards at airports within Australia.
- Targeted advertising in publications accessed by families.
- Product location in supermarkets and chemists.
- Increase internet presence of manufacturers.
- 'education session' for health professionals sponsored by manufacturers.
- Sales or reduced prices of these products.
- Television and other media advertising products.
- The 'normalising' of these products in programs in televisions.
- The strong branding of these toddler milk products, providing a very obvious link to artificial infant milk.

It is very distressing to see families attend my service who have inadvertently sabotaged their early breastfeeding experience by the belief that these toddler milk products are common, normal and therefor safe or needed, simply by the fact that they have been bombarded with images for the toddler milk to the point that this milk is just accepted as 'normal'.

These families have drawn the implied association to artificial infant milk as also being normal or safe, and thus are more vulnerable to using these products for their new-born or younger baby- which can have such detrimental impact on breastfeeding an the baby's health outcomes.

This obvious link between branded toddler milk and artificial infant milk is an effective tool to allow manufactures to appear to follow the MAIF agreement yet effectively by-pass it and continue to aggressively promote their products... including artificial infant milk aimed at newborns or younger babies.

I am delighted that the ACCC is considering extending the restrictions on the advertising and promotion of artificial infant milk to include toddler milk.

I can see this will have direct impact in the protection of breastfeeding.

I think that frequent constant reappraisal of the MAIF agreement is required and stronger action must be taken to violators.

I look forward to the ACCC acting to a) limit reauthorisation of the MAIF agreement to 2 years, b) to conduct a review of the regulatory arrangements on current restrictions and c) to follow the recommendations of the Australian National Breastfeeding Strategy (2019).

Regards,





I acknowledge Victoria's Aboriginal community and their rich culture and pay respect to their Elders past and present. I acknowledge Aboriginal people as Australia's first peoples and as the Traditional Owners and custodians of the land and water on which we rely.





SUBMISSION TO ACCC RE MAIF AGREEMENT

I am a long-term volunteer with the Australian Breastfeeding Association formerly the Nursing Mothers' Association of Australia. I am the mother of 3 adult children who has significant contact with the mothers of today and what they are facing in terms of parenting and in particular infant feeding.

I feel constantly bombarded when I watch TV with infant feeding advertising. I'm not very involved in social media, but I believe from others that this bombardment is also present there. In magazine and newspapers, I also see this advertising of infant formula, especially non-essential toddler milk products, constantly appearing. It makes me quite angry to see it promoted in such a way that it's almost seen as the more normal way to feed an infant than by breastfeeding. In fact, a mother once told me that she thought infant formula was made of dried breastmilk! That's how normalized some people think infant formulas are. It's certainly seen as a perfectly normal, trusted and safe alternative to human breastmilk which is a dangerous precedent to set. Toddler milk formulas are unnecessary as even if a baby under 12 months has been consuming infant formula, they can progress to commercially produced cow, goat or soy etc milks. So, to promote them as the next normal milk product invokes guilt in parents to buy them.

I'm also concerned that the common image promoted and associated with infant feeding in Australian society is the baby bottle. This carries enormous influence as subsequently it's seen that the normal way to feed a baby is with infant formula rather than human breastmilk specifically designed for human babies. This is something that has been happening for years, and it certainly has undermined breastfeeding in the community.

Therefore, I'm really pleased to learn that the ACCC is wishing to protect breastfeeding in the Australian community by extending the restrictions on the advertising of infant formula to include toddler milks. You are to be congratulated on this move. I also think that the 5 years of continuance for the MAIF Agreement rather than the 10 years the industry wants is a much better idea. However, I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and I respectfully request the ACCC to limit reauthorisation of the MAIF Agreement to 2 years. 10 years is far too long to wait for reappraisal, also given that this industry has had many years to respond to changes such as the WHO Code on Infant Feeding. I have great concerns anyway that this agreement is industry self-regulating and non-compulsory. This kind of agreement never seems to work effectively in any industry as there is no final accountability with an outside body able to enforce compliance. I wish that this was not the case for MAIF.

Yours sincerely,

Volunteer with Australian Breastfeeding Association

Victorian Branch

Sent: Friday, 5 March 2021 2:49 PM

To: Exemptions

Subject: AA1000534 - Infant Nutrition Council - submission

Categories: Submission

To whom it may concern,

I have writing regarding the upcoming decision on the Infant Nutrition Council's proposed changes to the MAIF Agreement in Australia.

I am a long-term volunteer with the Australian Breastfeeding Association. I had my first child in 2008 and that is when I began to develop an awareness of the impacts of advertising of formula and the health risks associated with not breastfeeding. Over my three pregnancies and the childhood of my babies I have seen increased advertising on television and online of toddler milks with a consistent messaging that these are "essential" for the health of children. Often such advertising is accompanied by very young children, barely over one year old or even occasionally featuring babies and depicting their "growth" into toddlers being facilitated by toddler milks. The advent of wholly unregulated "influencers" on social media, people like Jimmy Rees, a well known children's entertainer, has also become more frequent over the lifetime of my children. In magazines and newspapers, I also see this advertising of infant formula, especially non-essential toddler milk products, constantly appearing. It makes me quite angry to see it promoted in such a way that it's almost seen as the more normal way to feed an infant than by breastfeeding. It's certainly seen as a perfectly normal, trusted and safe alternative to human breastmilk which is a dangerous precedent to set. Toddler milk formulas are unnecessary as even if a baby under 12 months has been consuming infant formula, they can progress to commercially produced cow, goat or soy etc milks. So, to promote them as the next normal milk product invokes guilt in parents to buy them.

Therefore, I'm really pleased to learn that the ACCC is wishing to protect breastfeeding in the Australian community by extending the restrictions on the advertising of infant formula to include toddler milks. The ACCC are to be congratulated on this move. I also think that the 5 years of continuance for the MAIF Agreement rather than the 10 years the industry wants is a much better idea. However, I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in **the 2019 Australian National Breastfeeding Strategy - 2019 and Beyond** (ANBS) and I respectfully request the ACCC to limit reauthorisation of the MAIF Agreement to **2 years.** 10 years is far too long to wait for reappraisal, also given that this industry has had many years to respond to changes such as the **WHO Code** on Infant Feeding. I have great concerns anyway that this agreement is industry self-regulating and non-compulsory. This kind of agreement never seems to work effectively in any industry as there is no final accountability with an outside body able to enforce compliance. I wish that this was not the case for MAIF. The abolition of the Advisory Panel to the MAIF agreement in 2013, the lack of parliamentary oversight of this area and the current situation of groups, such as the Infant Nutrition Council, which consists solely of manufacturers of formula and yet has oversight of their own actions is unfortunate and needs to be reviewed.

In summary, the most important issues with the current MAIF Agreement are:

• It is an industry-based voluntary, self-regulatory code of conduct and does not have the force of law or regulation.

- Non-signatories to the MAIF Agreement have no obligation to abide by its clauses, and many companies choose not to sign up.
- It does not cover marketing by retailers, or pharmacies, including those who have their own label formula products.
- Toddler milk, follow-on formula and packaged baby foods are not covered by the MAIF Agreement, facilitating cross promotion of infant formula.
- The MAIF Agreement does not cover bottles, teats and other baby feeding equipment.
- There is no penalty if a signatory breaches the MAIF Agreement.
- The MAIF Agreement does not prevent marketing and advertising to and through Health Professionals.
- Manufacturers are permitted to supply samples of infant formula or toddler milk products to health professionals who can then pass them on to families.
- Websites, social media, and other digital communication allow formula companies to interact directly with mothers, thereby circumventing the Agreement, in contravention of the WHO Code and subsequent WHA Resolutions.
- Complaints about MAIF Agreement breaches are decided by a non-statutory and industry dominated committee with strong links to manufacturers through employment or grants and funding.
- There is no independent monitoring of MAIF breaches and no statutory reporting or required accountability to Parliament, which were important features of the pre-2013 APMAIF arrangements.

In order to protect the health of our babies the regulation of advertising, extending to new digital media and including retailers and toddler milk and infant feeding equipment as advised by the WHO code and subsequent WHA resolutions is important. If the ACCC wishes to support the implementation of the ANBS then reauthorisation of MAIF for only 2 further years and the inclusion of toddler milk in the remit of the MAIF Agreement would be the most cautious and sensible approach.

Thank you very much for your time and I hope to see a resolution of this issue that protects parents and health professionals from misleading marketing of infant formula as "essential" and normal for all babies, rather than just those who may need it.



I work on the lands of the Wadawurrung People of the Kulin Nation. I respectfully acknowledge them as Traditional Owners and pay respect to their elders, past, present and emerging.

Sent: Saturday, 6 March 2021 2:16 PM

To: Exemptions

Subject: AA1000534 - Infant Nutrition Council - submission'

Categories: Submission

I am a mother of 5 children, grandmother of 3 (soon to be 4,) and a volunteer Breastfeeding Counsellor with Australian Breastfeeding Association.

I fully understand and respect that there are mothers out in our local community for many reasons decide not to breastfeed their children, and that it is their choice to make informed decisions on what is the best way to nurture their children. They have many avenues to get this informed information through their Health Centres and HPs. who will help them make the choice best suited to their family.

However the way formula companies advertise their products continually, trying to influence families, both financially, emotionally and socially in claims that their children will be smarter and better than others is disgusting. We have a large population who also think that follow up milks are essential to bringing up a toddler, when all medical research goes against this. I definitely oppose the re-authorisation of the MAIF agreement for 10 years and think it should be 2 years with new stipulations added in instead, my reasons are below

As you may be aware, the marketing of infant formula in Australia is guided by the Marketing in Australia of Infant Formula: Manufacturers and Importers Agreement (MAIF Agreement), which is an industry-regulated, non-compulsory agreement that does not fully implement the international-standards outlined in World Health Organization's International Code of Marketing Breastmilk Substitutes and subsequent World Health Assembly (WHA) Resolutions (The WHO Code). MAIF as a self- regulated body has always been known as a toothless tiger, with no cases ever being fined, usually just sent a caution at the worst

This week the Australian Consumer and Competition Commission (ACCC) made a Draft Determination on an application from the Infant Nutrition Council (INC, which represents manufacturers and marketers of infant formula in Australia and New Zealand) for the MAIF Agreement to be re-authorised for 10 years. The ACCC last reauthorised the MAIF Agreement in 2016 for 5 years, and the current authorisation is due to expire on 15 July 2021.

The ACCC has proposed that the MAIF Agreement be re-authorised for a further 5 years. In addition, having considered 'further information, including a series of statements from the (WHO), which indicate there is consumer confusion between infant formula and toddler milk products', the ACCC are considering whether to grant the reauthorisation subject to a condition extending the restrictions on advertising and promotion of infant formula to include all breastmilk substitutes as defined by the WHO, which includes toddler milk products sold by infant formula companies. This is of huge importance to mothers, babies, and their families and should be added in, Although MAIF and INC actually disagree with the addition.

Australian Breastfeeding Association along with many other Health Organisations feel that the ACCC amended MAIF agreement should only be re-authorized for 2 years as a maximum, as the Government has already accepted the plans to undertake review of regulatory arrangements for restricting the marketing of breastmilk substitutes and the effectiveness of the MAIF Agreement, as recommended in the *Australian National Breastfeeding Strategy: 2019 and beyond.* This was endorsed by all Health Ministers on 8th March 2019. If they pass this reauthorisation for 10 years or even 5 years it will just give the government the opportunity to again weaken down the strategy they agreed on, but have yet to really act on.

https://bfhi.org.au/wp-content/uploads/2019/11/australian national breastfeeding strategy - final .pdf

BACKGROUND INFORMATION ON MAIF:

Australia is a signatory to the World Health Organization's International Code of Marketing Breastmilk Substitutes and subsequent World Health Assembly (WHA) Resolutions (The WHO Code). The aim of the WHO Code is to contribute to the provision of safe and adequate nutrition for infants, by the protection and promotion of breastfeeding, and by ensuring the proper use of breastmilk substitutes, when these are necessary, based on adequate information and through appropriate marketing and distribution.

Since 1992, the MAIF Agreement has been the primary means by which the Australian Government has chosen to give effect to the WHO Code. However, this voluntary regulation of the marketing of breastmilk substitutes is ineffective, outdated, and does not meet the WHO Code and WHA Resolutions standards. Breastfeeding is a human right and ABA has been advocating for change for nearly 30 years, calling on governments to take action to stop misleading, aggressive, and inappropriate marketing of breastmilk substitutes, through full implementation of the WHO Code.

- It is an industry-based voluntary, self-regulatory code of conduct and does not have the force of law or regulation.
- Non-signatories to the MAIF Agreement have no obligation to abide by its clauses, and many companies choose not to sign up.
- It does not cover marketing by retailers, or pharmacies, including those who have their own label formula products.
- Toddler milk, follow-on formula and packaged baby foods are not covered by the MAIF Agreement, facilitating cross promotion of infant formula.
- The MAIF Agreement does not cover bottles, teats and other baby feeding equipment.
- There is no penalty if a signatory breaches the MAIF Agreement.
- The MAIF Agreement does not prevent marketing and advertising to and through Health Professionals.
- Manufacturers are permitted to supply samples of infant formula or toddler milk products to health professionals who can then pass them on to families.
- Websites, social media, and other digital communication allow formula companies to interact directly with mothers, thereby circumventing the Agreement, in contravention of the WHO Code and subsequent WHA Resolutions.
- Complaints about MAIF Agreement breaches are decided by a non-statutory and industry dominated committee with strong links to manufacturers through employment or grants and funding.

There is no independent monitoring of MAIF breaches and no statutory reporting or required accountability to Parliament, which were important features of the pre-2013 APMAIF arrangements.

ABA Counsellor and Community Educator

Sent: Friday, 5 March 2021 7:29 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

I write to you regarding the Australian Consumer and Competition Commission (ACCC) Draft Determination on the application from the Infant Nutrition Council for the MAIF Agreement to be reauthorised for 10 years.

The ACCC last re-authorised the MAIF Agreement in 2016 for 5 years, and the current authorisation is due to expire on 15 July 2021.

I am a mother who has breastfed her children, a past volunteer breastfeeding counsellor with ABA and an International Board Certified Lactation Consultant (IBCLC) and have been supporting women and infants to breastfeed for 15 years.

During this time I have witnessed first hand how insidious, invidious and culpable formula marketing has been in undermining the capacity and belief of women to breastfeed to natural term.

I am furious at the marketing strategies that are designed to undermine breastfeeding for company profits, angry at the lack of effective regulation, and disheartened at the lack of government response, despite reports and data.

I am pleased to hear that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks. I believe that while 5 years is better than the 10 years the formula industry wants the MAIF Agreement to continue, it is too long to wait for reappraisal by the ACCC.

I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the ACCC to limit reauthorisation of the MAIF Agreement to 2 years.

Breastfeeding should be protected as a public health intervention with intergenerational, environmental and societal benefit and should not be undermined for company profit.

Regards,

IBCLC / RN

m:

f: https://www.facebook.com/geelongbreastfeedingsupport/

w: gbfsupport.com.au

Geelong Breastfeeding Support

Subject:

Sent: Friday, 5 March 2021 2:22 PM

То:

AA1000534 - Infant Nutrition Council - submission

Categories:

Submission

Exemptions

Good afternoon,

My name is and as a mother of two breastfed children, as well as a midwife, nurse and IBCLC; I strongly support the ACCC's proposal to include in toddler milks within the scope of the MAIF agreement but I think that 5 years is too long for the MAIF to continue, given a review of the agreement is planned.

I feel perturbed when I see advertising for formula and formula products, and I also think that for mother's and families, it's greatly confusing, especially when trying to educate and assist them with breastfeeding.

I am really pleased to hear that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks.

I think that while 5 years is better than the 10 years the formula industry wants the MAIF Agreement to continue, it is too long to wait for reappraisal by the ACCC.

I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the ACCC to limit reauthorisation of the MAIF Agreement to 2 years.

Warm regards,

Sent: Monday, 8 March 2021 9:28 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

My name is presented, Pharmacist and Diabetes Educator residing in Coomera Queensland. As a breastfeeding advocate, health professional and member of the Australian Breastfeeding Association I am tired of constantly seeing the media messages bombarding mothers and pregnant women.

Advertising about infant formula and toddler milks by commercial companies is rampant in parenting magazines, pregnancy related magazines and on TV. This makes me feel like the message being shared is that formula and toddler milks are the norm and drowns out the message about breastfeeding that should be spread out to the community and this also continues to undermine efforts to improve breastfeeding rates and duration worldwide.

Basic messages from the WHO and UNICEF are not being widely advertised. They currently recommend that children initiate breastfeeding within the first hour of birth and be exclusively breastfed for the first 6 months of life - meaning no other foods or liquids are provided, including water.

Infants should be breastfed on demand - that is as often as the child wants, day and night. No bottles, teats or pacifiers should be used.

From the age of 6 months, children should begin eating safe and adequate complementary foods while continuing to breastfeed for up to 2 years and beyond.

The latest research tells us that breastfeeding reduces rates of breast and cervical cancer for the mother, reduces the rates of diabetes and obesity for the child and boosts IQ.

We need regulation of advertising of infant formula and toddler milks enforced by law!

I am really pleased to hear that the ACCC is considering to help by better protecting breastfeeding and the community by continuing the restrictions on advertising and promotion of infant formula to include toddler milks. While I think that 5 years is better than the 10 years the formula industry wants the MAIF Agreement to continue, it is too long to wait for reappraisal by the ACCC. I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the ACCC to limit reauthorisation of the MAIF Agreement to 2 years

Thank for considering my submission

Kind regards

BPharmSci MPharm GradCertDiabEdMgt MPS

Sent: Sunday, 7 March 2021 4:17 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council

Categories: Submission

I strongly support the ACCC's proposal to include Toddler milks within the scope of the MAIF agreement. The marketing of Toddler milks is a blatant strategy by the formula companies to maintain their brand's profile, while appearing to comply with the code. In countries where the marketing of infant formula is allowed, toddler milks do not exist. Toddler milks are unnecessary, and are designed and marketed to take advantage of parents' vulnerabilities and hip pocket.

RN IBCLC

Canning Vale, Western Australia

From: Saturday, 6 March 2021 2:29 PM Sent: Exemptions To: AA1000534 Infant Nutrition Council submission **Subject: Categories:** Submission To Whom It May Concern, My name is and I am a mother and a health professional. Often when watching TV I see ads for toddler formula. I find this very frustrating and sad, as the ads promote unnecessary products to worried parents, as well as undermining breastfeeding. I am pleased to hear that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on the advertising and promotion of infant formula to include toddler milks. I believe that while 5 years is better than the 10 years the formula industry wants the MAIF Agreement to continue, it is too long to wait for reappraisal by the ACCC. I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy. I call on the ACCC to limit reauthorisation of the MAIF Agreement to 2 years. Yours sincerely,

Perth, Western Australia

Friday, 5 March 2021 9:30 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

Dear ACCC

As a mother of two children who have been breast fed (one ongoing), a practicing medical doctor (neurologist), I wish to write to you regarding the current MAIF agreement under consideration. The WHO notes the significant risks of consumer confusion between infant formula and toddler milk products. Australia is theoretically in support of the International Code of marketing Breastmilk Substitutes and subsequent WHA resolutions. I appeal to you to extend the MAIF agreement for only 2 years to facilitate time for the government to transition to more rigorous regulation of this industry. In addition the MAIF should, in my opinion be extended to include toddler milk products. Let us continue as a society to protect the interests of mothers and infants by supporting breastfeeding wherever possible.

Yours sincerely

Sent: Friday, 5 March 2021 4:41 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

To those in responsibility regarding the re-authorization of the MAIF agreement,

I am writing in regard to the re-authorization of the MAIF agreement and the draft determination as published at: https://www.accc.gov.au/public-registers/authorisations-and-notifications-registers/authorisations-register/infant-nutrition-council-limited

I am a mother, a community member and someone who cares deeply about the wellbeing, both mental and physical of mothers and children in our country.

I have seen the effects of breastmilk substitute marketing in deceiving parents and the community. I have spoken to mothers who wanting to breastfeed and knowing the value of breastfeeding used formula because of messages they had seen in advertising, and their use of formula without appropriate breastfeeding guidance led to them being unable to continue breastfeeding as they wanted to. These stories of early cessation to breastfeeding are common and come with significant impacts on not only the physical health of our community and costs to the public health system and economy, but also profound effects on a mothers mental wellbeing and her confidence in her ability to parent and be valued. It is vital that we protect the vulnerable group that is mothers of young children who face extraordinary burdens with sleep deprivation, exhaustion, physiological changes as well as identity shifts and an incredible learning curve from being misled by advertising which leads to the inappropriate use of what is essentially a medical product as a replacement for breastmilk when breastmilk is unavailable.

Not only this, but the many parents who have experienced early cessation to breastfeeding have been horrified to realise later that the formula brands and products that were advertised to them as superior were making advertising and not factual claims and they they spent hundreds of dollars on a product that had no independent research backing for being superior to any other.

Both mothers breastfeeding need to be protected from being misled into inappropriate use of formula, and parents who must depend on formula must be protected from advertising strategies designed to get them to buy unnecessary and often more expensive products.

Given the unique vulnerability of this group due to the pressure on them to do the best for their vulnerable children, while doing so under highly stressful conditions of sleep deprivation, exhaustion, physiological changes and mental shifts society at large has a responsibility to stand guard against any movement that takes advantage of them, especially for profit when the cost is both the physical and mental wellbeing of parents and infants alike.

I wish to encourage you to consider strongly the importance of regulation.

I urge you to consider that the advertising of all breastmilk substitutes, including those advertised for 12

months have an effect on parents and community members. Parents and community members (who support parents) are also effected by advertising for breastmilk substitutes for 12 month and older, and this advertising also has a strong impact on the ideas within the community that contribute to inappropriate use of formula leading to the early cessation of breastfeeding and the costly business of buying more expensive well advertised but not necessarily better products for a vulnerable group who depend on formula literally for their infant's life.

I encourage you also to consider to re-authorize this agreement for only 2 years so that the Government's planned to review of regulatory arrangements for restricting the marketing of breastmilk substitutes and the effectiveness of the MAIF Agreement, as recommended in the *Australian National Breastfeeding Strategy:* 2019 and beyond can be addressed.

I urge you to consider this to the benefit of mothers, parents, children, infants, community and our nation at large.

With respect,

Sent: Tuesday, 9 March 2021 2:17 PM

To: Exemptions

Subject: 'AA1000534 – Infant Nutrition Council

Categories: Submission

To Whom it May Concern,

I, a volunteer trainee of the Australian Breastfeeding Association strongly support the ACCC's proposal to include toddler milks within the scope of the MAIF Agreement. 5 years is too long for the MAIF to continue, given a review of the Agreement is planned.

Hoping to see positive change for the breastfeeding mothers and families in Australia.

Kind Regards,

Trainee Volunteer - Breastfeeding Counsellor Inner South East Melbourne Group Australian Breastfeeding Association breastfeeding.asn.au

Sent: Tuesday, 9 March 2021 9:48 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

Dear Sir/Madam,

My name is and I am a General Practitioner, Lactation Consultant, volunteer Breastfeeding Counsellor, and a mum.

Breastfeeding is an important preventative health behaviour with implications for infant and maternal health, as well as future health costs. These public health benefits are described in the Australian Dietary Guidelines 2013 and National Breastfeeding Strategy: 2019 and beyond.

In recent years, I have been frustrated to see increasing advertisements on TV, and on Facebook and Instagram, for 'toddler milks'; in packaging and branding that is near indistinguishable from the company's infant formula product. I have been horrified to see in various social media groups that even some medical parents, with their level of education and training, view these products as a necessary step for infants over 12 months (both breastfed and formula fed). This speaks to the sophisticated level of marketing used by the manufacturers of these products.

As I'm sure the ACCC is aware, these products are not necessary for toddler health and wellbeing. Along with the marketing of adult formulas (for example, for pregnant and breastfeeding parents - which I appreciate are out of the scope of the MAIF Agreement) the primary purpose of these products appears to be to increase sales for the toddler formula as well as to increase brand recognition and consumer goodwill, encouraging parents to purchase the related brand of infant formula.

I am thrilled to see that the ACCC's Draft Determination demonstrates committment to protecting breastfed infants and breastfeeding mothers by extending the restrictions on advertising and promotion of infant formula to include toddler milks.

I understand that the Infant Nutrition Council has requested that the MAIF Agreement be extended by 10 years, and that the ACCC is proposing that it be extended by 5 years. As the Government plans to undertake a review of regulatory arrangements for restricting the marketing of breastmilk substitutes and the effectiveness of the MAIF Agreement, as recommended in the Australian National Breastfeeding Strategy: 2019 and beyond, I feel that a shorter renewal period of 2 years may be more appropriate. This would allow for timely implementation of the updated Government recommendations. I am confident that our elected representatives will choose the health of Australia's infants and mothers over corporate revenue. Three more years means many more families impacted by the unscrupulous marketing practices of formula companies. I am also hopeful that the Government review will consider restricting advertising to medical professionals. I regularly see advertisements for various infant formula products in Australian Doctor magazine. Whilst I recognise that health professionals need to know about specialty formulas (for example, extensively hydrolysed formulas for infant with allergies where breastfeeding is not possible), I am disgusted to see advertisements for formulas 'for colic' or 'for reflux' where there is no scientific basis for the claims made.

Thank you again for standing up for the health and wellbeing of Australian families.

Kind regards,

MBBS(Hons), BMedSci, DRANZCOG, DCH, FRACGP, Cert IV Breastfeeding Education (Counselling), IBCLC, Dip Breastfeeding Management

From:
Sent: Wednesday, 10 March 2021 9:43 PM
To: Exemptions
Subject: AA1000534- Infant nutrition Council - submission

Categories: Submission

Hello,

My name is and I am writing to you as a mother and a volunteer breastfeeding counsellor to mothers nationwide.

I cannot express enough how defeated I feel as a mother and helper of the community with constant advertisements of toddler formula on social media, in pharmacy's and shops. The consumer confusion between formula and toddler milk is very apparent and it is not ok and undermines breastfeeding which is the biological norm. Mothers have the right to choose how they feed their baby, but I feel that the choice is actually taken away from them with the promotion of these milks. With the promotion of breastfeeding support instead of toddler formulas I believe the Australian breastfeeding rates could improve dramatically, helping Australians financially, mentally and reducing the rates of illness and obesity.

I am really pleased to hear that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks.

While the 5 years is better than the 10 years the formula industry wants the MAIF agreement to continue, it is too long to wait for reappraisal by the ACCC.

I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the ACCC to limit reauthorisation of the MAIF agreement to 2 years.

I appreciate you taking the time to read this, Thank you, From: Sent: Friday, 12 March 2021 12:29 AM Exemptions To: AA1000534 - Infant Nutrition Council - submission Subject: **Categories:** Submission To whom it may concern, . I am a mother, an ABA member, and a friendly mum who is keen in supporting other mums to breastfeed their children. I also belong to Vietnamese community - an ethical culture that contributes to a diverse-cultural Australia. Vietnamese a strong community yet vulnerable before marketing, while it is hard to get the right support due to language barrier. I have seen advertising of infant formula so often so much, but when it comes to breastfeeding support services, Vietnamese women here in Australia don't know who to ask and where to go. That is unfair and such a shame. Sometimes I feel helpless. I am really pleased to hear that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks. While 5 years is better than the 10 years the formula industry wants the MAIF Agreement to continue, it is too long to wait for reappraisal by the ACCC. I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the ACCC to limit reauthorisation of the MAIF Agreement to 2 years. I believe that will give Australian mothers, including mothers from diverse cultural backgrounds, a higher chance to get the right support in breastfeeding their babies. That will help parents know more about breastfeeding support services, and help increase Australian breastfeeding rates. The more babies will be breastfed following WHO guidelines, the healthier generation we will have in the future. Thank you very much for your time and consideration.

Kind Regards,

From:
Sent: Thursday, 11 March 2021 7:14 PM
To: Exemptions
Subject: AA1000534 – Infant Nutrition Council

Categories: Submission

I am emailing in support of the ACCC consideration to extend restrictions on advertising and promoting infant formula to also include toddler milks.

My name is and I am a mother for 2 boys now 10 and 12, I am also a volunteer for the Australian Breastfeeding Association and a counsellor and community worker for at risk women.

When I see advertising of toddler milk I have noticed how similar it looks to infant formula and have even seen it advertised near where infant formula is sold.

I look forward to the review of regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the ACCC to limit reauthorisation of the MAIF Agreement to 2 years.

Thank you and I look forward to hearing your response

Breastfeeding Counsellor Pascoe Hume Group From: Australian Breastfeeding Association Hamilton Group

<abahamiltonvic@gmail.com>

Sent: Friday, 12 March 2021 10:07 AM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

To Whom It May Concern,

We are writing to you as the six qualified, volunteer members of the Australian Breastfeeding Association Hamilton Group. We are all mothers who have breastfeed our children and have completed a Certificate IV in Breastfeeding Education.

We are very pleased to hear that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks. While we think that 5 years is better than the 10 years the formula industry wants the MAIF Agreement to continue, it is too long to wait for reappraisal by the ACCC.

As community members we see advertising of breastmilk substitutes in the supermarket aisle, in pharmacies, online via social media channels such as Facebook and Instagram or when shopping online. We see images of babies - not always toddlers (many younger than 12 months) – advertised along with ideologies of "superior formulations".

As mothers we are annoyed that there is very little differentiation on product labels between infant formula and toddler milk. We understand that no restrictions on the marketing of toddler milk then leads to consumer confusion.

While we recognise that formula has its place, there are steep changes needed within society to recognise that breastfeeding is the normal way to feed your baby, and that almost all health outcomes are maximised with optimum breastfeeding, along with economic and environmental benefits to our society.

We look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the the ACCC to limit reauthorisation of the MAIF Agreement to 2 years.

Yours sincerely,

Australian Breastfeeding Association Hamilton Group



Sent: Sunday, 14 March 2021 12:32 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

Good morning,

I am writing to you as both a general practitioner with a special interest in lactation medicine, but also as a mother. I am constantly exposed to advertising of toddler milks as both a parent but more significantly in my professional role. I am particularly concerned by the marketing direct to health professionals of toddler milks and breast milk additives/supplements of dubious health benefits and the complete lack of scientific evidence to support the claims made by industry representatives. I see first hand that most parents believe the information they see in advertising and as a result inadvertently provide nutrition to their toddlers that is not in line with current feeding recommendations. Given this I am delighted to learn that the ACCC is considering extending restrictions on the advertising of toddler milks, and would urge you to please do so. I would also implore you to extend these restrictions to include marketing of infant and toddler formulas and provision of samples to health professionals.

I am delighted that the ACCC is considering only extending the MAIF by 5 years rather than 10, but I feel that even this is too long. I would argue that by extending for only 2 years the impact of the above changes could be better assessed, to ensure we are protecting vulnerable women and children from predatory marketing and to ensure we are providing the best evidence based care for these families.

Thank you,

MBBS BSc(Hons) FRACGP DRANZCOG DCH

Monday, 15 March 2021 11:00 AM

Sent: To:

Exemptions

Subject:

Fwd: AA1000534 – Infant Nutrition Council – submission' by 22 March 2021.

Categories:

Submission

Hi, my name is

I am really pleased to hear that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks.

I am making this submission in my capacity as a mother. I gave birth to my daughter in December 2018 and make this submission on the experience and influence of formula and toddler milk advertising throughout fertility treatment, pre-natal support & and post-natal support.

I have broken my experience with advertisement into the above three time periods:

- 1. Fertility treatment I unfortunately had to undergo fertility treatment in order to have my daughter. This involved frequent trips to medical professional specialists, hospitals and pharmacies. Magazines in waiting rooms frequently had pictures of mothers bottle feeding and were littered with advertisements for toddler formula milks and how fantastic they were. In pharmacy newsletters and outside the shop, toddler formula was frequently advertised.
- 2. Pre-natal Once I was pregnant I received a "Bounty" showbag, this had magazines on what to expect and samples of a range of things. The magazines, yet again were littered with advertisements on the best toddler formula. I remember thinking it was odd that there were so many advertisements for toddler milks and why a toddler would still be required to be on formula. In one ultrasound waiting room I attended they had a TV that had "medical news" that would frequently show advertising for toddler milks and formula in between "facts". I'm pretty sure I also saw "mediFacts" on a toddler formula drink to "grow them big and strong". This was very confusing. I even remember thinking you must breastfeed, then switch to formula once they hit 6 months or something.
- 3. Post-natal Once I had my daughter, I received welcome magazines and another "Bounty" showbag again with toddler formula advertising and articles on bottle feeding. By this stage I realised term breastfeeding was what I wanted to do, but had numerous other mums and even myself at one stage thinking that toddler drinks were needed. It was very confusing in the early days, I must be honest, without the support of organisations such as ABA and online support groups for breastfeeding I would likely have not continued breastfeeding past about 2 weeks.

I understand the formula industry wish the MAIF Agreement to continue for another 10 years, and while 5 years is better than the 10 years, I think it is too long to wait for reappraisal by the ACCC. I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes as recommended in the 2019 Australian National Breastfeeding Strategy and call on the ACCC to limit reauthorisation of the MAIF Agreement to 2 years.

Kind regards,

Sent: Monday, 15 March 2021 6:47 PM

To: Exemptions

Subject: AA1000534 - Infant Nutrition Council

Categories: Submission

Submission to the ACCC on the proposed MAIF Agreement

As a mother of three grown up sons (who were breastfed) and soon to be grandmother, I am pleased to hear that the ACCC is considering better protection of breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks through the MAIF Agreement. I would however suggest that the reappraisal by the ACCC of the **Agreement should be in two years**, not the suggested five.

In my voluntary role as a Community Educator (Cert 4) for the Australian Breastfeeding Association I deliver Breastfeeding Education Classes to mothers-to-be and their support persons. Through my experience, I sadly see that there seems to be more misinformation and confusion about breastfeeding out in the community than correct information and this is only exacerbated by the manufacture, distribution and marketing by infant formula companies, now made even more possible by social media and websites. This will only be compounded if a 5 year period is allowed before these companies can be held to account over promotion of their products, especially follow-on toddler milks, baby foods or bottles and teats, nor does it prevent marketing by retailers or cover advertising through new digital mediums. Five years is a long time in today's world.

Nobody makes money out of promoting breastfeeding but there is big money involved by these goliath infant formula companies.

Thank you

Sent: Tuesday, 16 March 2021 8:52 AM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

Dear Australian Consumer and Competition Commission (ACCC),

My name is and I am a mother and a Breastfeeding Counsellor for the ABA. I am also a dietician but not registered at this point in time. In this capacity, I am really pleased to hear that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks.

Advertising has a powerful impact on our cultural norms and beliefs. It shapes what we view as 'normal' and has the power to educate the community- and make it a more breastfeeding friendly one. Breastfeeding is natural and normal and clearly needs to be protected in a society that has less than optimal breastfeeding rates. While a mother's choice to breastfeed is completely individual- the effects of marketing of toddler and infant formula detract from the support, guidance and information she needs. I feel there is also there is consumer confusion between infant formula and toddler milk products, such that marketing toddler milk has the same effect as marketing infant formula, when this is not the case. Please help protect this by extending the restrictions on advertising and promotion of infant formula to include all breastmilk substitutes as defined by the World Health Organization (which includes toddler milk products sold by infant formula companies).

Additionally, I also think that while 5 years is better than the 10 years, the formula industry wants the MAIF Agreement to continue, it is too long to wait for reappraisal by the ACCC. I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the ACCC to limit reauthorisation of the MAIF Agreement to 2 years.

Warmest regards,

Sent: Wednesday, 17 March 2021 10:37 AM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

I am extremely concerned for the regulation, or lack thereof, of infant formula here in australia. Families need protection from the severe marketing of an often unnecessary product which will have a health burden on them and our community as a whole. The cost to which will be borne by us all- for the sake of formula industry profits. This is absurd. By leaving families unprotected we are effectively selling them. All whilst underfunding lactation support. Rare to see a hospital with more than one qualified lactation consultant. Medicare does not provide any financial support for such consultations. Typically 25% of new families leave hospitals already having used formula despite their intention to breastfeed. Some hospitals it is up to 50% showing that health "need" is not the underlying reason but instead hospital culture within a society which does not fund and value breastfeeding. This is appalling. This is disgraceful. Australians should feel ashamed of the situation they put new families in.

I am a mother of two, a health professional and a volunteer for breastfeeding mothers. I see advertising of formula regularly online, at airports, for toddlers in magazines, free "gift" when purchasing groceries home delivered. Dctor waiting rooms with health channels advertising how clever my child will become if given the latest super formula.

I want to see an extension of marketing restrictions to include that of toddler or specialised milk products. I want to see the MAIF agreement turned into something effective with real consequences. We need an immediate reappraisal by the ACCC. I look forward to the review of the regulatory arrangements for restricting the marketing f breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy. I want the reauthorisation of the MAIF agrreement to be limited to 2 years.

1

To whom it may concern

I am writing this as a concerned trainee for the Australian Breastfeeding Association. I am expressing my concern with regards to the advertising of toddler milks (similar to infant formula).

I view advertising for infant toddler formula on social media, print media (magazines, newspapers), on television advertisements and on posters in pharmacies. I feel frustrated and confused as to why such products are advertised. I am especially concerned about these products being advertised in pharmacies alongside infant formula (for which there is not advertising permitted). This sends a confusing message to parents who may require such products.

It is positive that the ACCC is considering increasing their protection of breastfeeding and the community by extending restrictions on advertising and promotion of infant formula to include toddler milks. This means, that toddler milks will not be advertised in future. Streamlining this approach sends a much clearer message to families, who are already overwhelmed by choice, advertising and suggestions from a range of bodies.

While continuing the MAIF agreement for five years is more beneficial than the 10 years being requested by the industry, it is too long to wait for further appraisal by the ACCC.

I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy. I call on the ACCC to limit the reauthorisation of the MAIF Agreement to 2 years.

I appreciate you taking the time to read this and helping to make the changes required to protect the health and wellbeing of Australians.

Sent: Thursday, 18 March 2021 3:49 PM

To: Exemptions

Subject: AA1000534 Infant Nutrition Council

Categories: Submission

I'd like to state through this letter that I strongly support the ACCC's proposal to include toddler milks within the scope of the MAIF Agreement.

To quote the CEO of VicHealth, Dr. Sandro Demaio after a joint study with Deakin University:

"This research shows that toddler milk formulas are up to four times more expensive than their regular fresh milk counterparts. They're also less nutritious, containing more sugar and less protein than regular milk, while many also offer less calcium," Demaio said.

"Despite this, manufacturers are using Instagram influencers, targeted digital advertising and on-pack claims to try and lure Australian families into believing these ridiculously priced products are 'essential' for their child's health.

"At a time when many families are finding it hard to afford healthy food, the last thing they need is to be guilted into thinking they should fork out excessive amounts of money on these unnecessary products."

The study found some cost up to \$1.02 per 200ml serve, while regular cow's milk costs just 26 cents a serve.

This means if it is consumed daily, toddler milk would cost a family as much as \$23.56 more per month than regular milk.

It also found some toddler milks contained up to 8g more sugar per 200mL serve than an equivalent fresh milk product.

"This is potentially dangerous, as toddler milks could be harmful to the health of growing children. If children consume these toddler products instead of exploring regular foods and drinks, they won't have a chance to develop healthy eating habits that are vital for a long, healthy and happy life," Demaio said.

The ACCC must urgently act to set higher standards for more honest labelling of added sugars and how these toddler products are marketed to families. For this reason I implore you to include toddler milks within the scope of the MAIF Agreement, and to limit the re-authorisation of the MAIF Agreement to **2 years**, in which time Government plans to undertake the review of regulatory arrangements for restricting the marketing of breastmilk substitutes and the effectiveness of the MAIF Agreement, as recommended in the *Australian National Breastfeeding Strategy: 2019 and beyond*.

The blatant and misleading advertising of formula and toddler milks is confusing for mums and undermines breastfeeding. The multitude of health benefits of breastfeeding for both mother and child should be widely promoted and protected. I believe the ACCC has an important role to play in these outcomes.

Yours sincerely,

Australian Breastfeeding Association
Breast Pump Hiring Officer Sutherland Shire Group
Breastfeeding Welcome Here Working Group Volunteer
Trainee Breastfeeding Counsellor
https://www.breastfeeding.asn.au/



Sent: Thursday, 18 March 2021 9:13 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

To whom it may concern

I am writing this as a concerned Breastfeeding Counsellor for the Australian Breastfeeding Association. I am expressing my concern with regards to the advertising of toddler milks (similar to infant formula).

I view advertising for infant toddler formula on social media, print media (magazines, newspapers), on television advertisements and on posters in pharmacies. I feel frustrated and confused as to why such products are advertised. I am especially concerned about these products being advertised in pharmacies alongside infant formula (for which there is not advertising permitted). This sends a confusing message to parents who may require such products. Nutritionally there is no benefit of toddler formula's, which is clearly a marketing strategy.

It is positive that the ACCC is considering increasing their protection of breastfeeding and the community by extending restrictions on advertising and promotion of infant formula to include toddler milks. This means, that toddler milks will not be advertised in future. Streamlining this approach sends a much clearer message to families, who are already overwhelmed by choice, advertising and suggestions from a range of bodies.

While continuing the MAIF agreement for five years is more beneficial than the 10 years being requested by the industry, it is too long to wait for further appraisal by the ACCC.

I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy. I call on the ACCC to limit the reauthorisation of the MAIF Agreement to 2 years.

I appreciate you taking the time to read this and helping to make the changes required to protect the health and wellbeing of Australians.

ABA Breastfeeding Counsellor Co-Group Leader Hawkesbury Nepean Local Group ACT/NSW Branch

Sent: Thursday, 18 March 2021 6:54 PM

To: Exemptions

Subject: MAIF re-authorisation

Categories: Submission

Dear Madam/Sir

I have recently been advised that the ACCC is looking to reauthorise the MAIF.

Breastmilk is the best food for babies - from a health and emotional perspective and breastfeeding has many documented benefits for women.

Unfortunately there are still far too many parents, health workers, grandparents, workplaces and other parts of a new parent support network that say they support breastfeeding but equally and simultaneously undermine a woman's ability and confidence to feed her baby. The easy access to and promotion of infant and toddler formulas being significant contributing factors to this situation. At the same time, government policy, regulation and breastfeeding strategies acknowledge the benefits of breastfeeding but do not strictly regulate the infant and toddler formula industry and availability of their products. The health of babies and women is too important for the infant formula industry to self-regulate.

The MAIF agreement has always been inadequate in ensuring the proper feeding of infant formula when necessary. Australia's breastfeeding rates are testament to this fact. Infant formula companies have developed the concept of toddler formulas to blatantly go around this agreement to advertise milk formulas to parents and imply that formula is normal and necessary for all babies regardless of age.

I urge you in your current deliberations to ensure that toddler (and pre and post natal) formulas must be bought into the MAIF agreement.

I also fully endorse the comments and recommendations put to you by Dr Julie Smith of ANU.

Yours sincerely

Canberra

Sent: Thursday, 18 March 2021 5:51 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

To Whom It May Concern

I am a breastfeeding mother & a volunteer breastfeeding counsellor with the Australian Breastfeeding Association.

I am pleased to hear that the ACCC is considering better protecting breastfeeding & the community by extending the restrictions on the advertising & promotion of infant formula to include toddler milks.

I frequently see adverts for toddler milks on social media, probably daily & also notice them on TV. These adverts make me uncomfortable & I feel as though they are predatory on vulnerable mothers & families - I feel as though they undermine breastfeeding by normalising these products and also take advantage of families who are unaware these milks are unnecessary. In my role as a volunteer breastfeeding counsellor, I encounter mothers who ask about these milks & believe they are a necessary part of a toddlers diet. I think more regulation is important in protecting breastfeeding rates as well as vulnerable families.

I think that while 5 years is better than the 10 years the formula industry wants the MAIF Agreement to continue, it is too long to wait for reappraisal by the ACCC. I believe a shorter term would be more beneficial.

I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the ACCC to limit reauthorisation of the MAIF Agreement to 2 years.

Thank you for this opportunity to voice my concerns.

Kind Regards

Sent: Friday, 19 March 2021 8:02 AM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

To whom it may concern

I am writing this as a concerned Senior Clinical Dietitian working for NSW Health. I am expressing my concern with regards to the advertising of toddler milks (similar to infant formula).

I view advertising for infant toddler formula on social media, print media (magazines, newspapers), on television advertisements and on posters in pharmacies. I feel frustrated and confused as to why such products are advertised. I am especially concerned about these products being advertised in pharmacies alongside infant formula (for which there is not advertising permitted). This sends a confusing message to parents who may require such products. Nutritionally there is no benefit of toddler formula's, which is clearly a marketing strategy. This makes it very confusing for my patients and family who believe they have a role to play in their child's health. I am often educating them that toddler milks are on no benefit, and if a child did require formula after 1yo that it would be a specialised formula.

It is positive that the ACCC is considering increasing their protection of breastfeeding and the community by extending restrictions on advertising and promotion of infant formula to include toddler milks. This means, that toddler milks will not be advertised in future. Streamlining this approach sends a much clearer message to families, who are already overwhelmed by choice, advertising and suggestions from a range of bodies.

While continuing the MAIF agreement for five years is more beneficial than the 10 years being requested by the industry, it is too long to wait for further appraisal by the ACCC.

I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy. I call on the ACCC to limit the reauthorisation of the MAIF Agreement to 2 years.

I appreciate you taking the time to read this and helping to make the changes required to protect the health and wellbeing of Australians.

Kind Regards

Senior Clinical Dietitian | **Nutrition and Dietetics**Nepean Hospital, Nepean Building 2 Derby Street Penrith NSW 2751
Tel Fax

'A unified team of nutritional professionals striving for the provision of a quality service that is safe, evidence-based, and innovative'

Sent: Thursday, 18 March 2021 9:58 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council

Categories: Submission

Hi,

I am really pleased to hear ACCC are finally looking at including all formula in the MAIF agreement, not just infant formula! This loophole has existed for too long.

The agreement is almost pointless if it allows toddler formula to be advertised as mums are exposed to so much marketing for each brand and just transfer this info to their decision making for infant formula.

As a mum I feel there is a huge amount of formula advertising on tv especially and we are really falling short of the recommendations in the 2019 Aust National Breastfeeding Strategy.

I'm in WA and have noticed that the increase in toddler formula advertising has put a strain on our WA Health department to explain to parents that toddler formula isn't needed - our health department now need to print information in each "purple book" (baby book given to each new parent) stating toddler milk is not necessary and they can be given cows milk after 12 months. Our child health nurses also make sure they tell each parent it isn't needed.

https://theconversation.com/some-infant-formula-milks-contain-more-sugar-than-soda-drinks-new-research-129655

I really hope the agreement is also only made valid for the next 2 years and look forward to the review.

I have attached a screenshot showing a formula ad on Facebook, which came up when I searched for "Australian breastfeeding association". There is no question this advertising contributes to our low breastfeeding rate.

Thank you

- - Stream of the strength of t
 - All Posts People Groups

australian breastfeeding associat



AptaMum ANZ

Sponsored · @

Returning to work is easier when y immune system is strong. Get adv



From:	
Sent:	Monday, 22 March 2021 10:47 AM
То:	Exemptions
Subject:	'AA1000534 – Infant Nutrition Council – submission'
Categories:	Submission
To whom it may concern,	
regarding the advertising of tode formula by formula companies). There is very widespread advert carers I encounter in my work at their children. This is totally commilk is the most suitable milk dr. Although I welcome the restrictive action should be taken to cease childhood obesity and inadequate reasonable to postulate a link be outcomes. I hope that a review of the regular recommended in the 2019 Australia.	ated and concerned Senior Paediatric Dietitian working for a large teaching hospital dler milks (which is marketed as the "next step" from breastfeeding and/or infant dising for infant toddler formula especially on television. Many of the parents and are "convinced" by this advertising that they "should" be using these products for trary to the infant feeding and other national health guidelines which state cow's ink for all children from the age of one onwards. It is in a feeding of these unnecessary products. Furthermore with the growth in the fruit and vegetable consumption in young Australian children and beyond it is etween such nutrient dense products, underactivity and these undesirable health latory arrangements for restricting the marketing of breastmilk substitutes ralian National Breastfeeding Strategy is enabled. I call on the ACCC to limit the eement to no more than 2 years for the benefit of our youngest Australians
Yours Sincerely	
BSc MNutrDiet APD Senior Paediatric Dietitian Nutr Nepean Hospital, Nepean Buildin Tel	ition and Dietetics ng 2 Derby Street Penrith NSW 2751

Sent: Sunday, 21 March 2021 6:44 PM

To: Exemptions

Subject: AA1000534 - Infant Nutrition Council - submission

Categories: Submission

To Whom It May Concern:

I am writing to you as a concerned parent and member of the community. My wife has exclusively breastfed our two daughters into toddlerhood and continues to support other families to do so by volunteering as a Breastfeeding Counsellor with the Australian Breastfeeding Association.

I am pleased to hear that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks. Whilst I agree that 5 years is better than the 10 years the formula industry wants the MAIF Agreement to continue, it is too long to wait for reappraisal by the ACCC.

As community members and parents, we see advertising of breastmilk substitutes in the supermarket aisle, in pharmacies, online via social media channels such as Facebook and Instagram or when shopping online. We see images of babies - not always toddlers (many younger than 12 months) – advertised along with ideologies of "superior formulations".

As parents, it is confusing and concerning that there is very little differentiation on product labels between infant formula and toddler milk. No restrictions on the marketing of toddler milk then leads to consumer confusion and sub-optimal outcomes for breastfeeding parents and their children.

I acknowledge that in some instances, formula has its place, however I believe that there are steep changes needed within society to recognise that breastfeeding is the normal and optimal way to feed your baby, and that almost all health outcomes are maximised with breastfeeding to 2 years and beyond (as recommended by the World Health Organisation), along with economic and environmental benefits to our society.

I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the ACCC to limit reauthorisation of the MAIF Agreement to 2 years.

With Kind Regards,

From:				
Sent:	Monday, 22 March 2021 10:15 AM			
To:	Exemptions Days Sharma MD@anh gay ay			
Cc: Subject:	Dave.Sharma.MP@aph.gov.au 'AA1000534 – Infant Nutrition Council – submission			
Attachments:	Toddler Formula photos.docx			
Categories:	Submission			
To Whom it may concern,				
I am a mother of breastfed children and a private Lactation Consultant.				
I am glad to learn that the ACCC is examining the advertising and promotion of Toddler Milks.				
1. I am personally very concerned at the promotion of Toddler Formula Milks in our supermarkets and media. I particularly notice the television ads that promote toddler formula milks.				
I'm aware that young mothers are confused by these promotions. The names and logos are extremely similar to those used on the baby milk formulas intended for babies under 6 months old. It can even be difficult to know which is which.				
I was recently in a major supermarket. I saw that the toddler formulas were on shelves next to the baby formulas. It could even have been possible for a mother to choose the wrong tin accidentally.				
I believe this close positioning was deliberate, as it allowed for companies to put promotional stickers next to both the toddler formulas and the baby formulas. I have attached a photo of the stickers.				
2. The MAIF agreement is voluntary. A number of companies are not signatories to the MAIF agreement. I believe that it should not be voluntary.				
3. I feel that 10 years is too long for the agreement to last before review. There are many developments in 10 years, both in product development and in changes to media. Five years is an improvement but I feel that it would be more appropriate to re-avaluate after 2 years.				
4. It is more appropriate for toddlers to be drinking regular milk and eating family foods that these milks. They should not be able to be advertised as a healthy option for toddlers.				
I appreciate the opportunity to make this submission.				
Regards,				

Email:

Toddler formula promotional leaflets that stick out from the shelf in Coles, Bondi Junction on 18-3-21



Toddler formula promotional leaflets that stick out from the shelf in Coles, Bondi Junction on 18-3-21



To whom it may concern

I am writing this as a dietitian working within NSW Health. I am expressing my concern with regards to the advertising of toddler milks (similar to infant formula).

I view advertising for infant toddler formula on social media, print media (magazines, newspapers), on television advertisements and on posters in pharmacies.

I feel that these advertisement are unnecessary alongside infant formula (for which there is not advertising permitted). This sends a confusing message to parents who may require such products. Nutritionally there is no benefit of toddler formula's, which is clearly a marketing strategy. This makes it very confusing for my patients and family who believe they have a role to play in their child's health. I am often educating them that toddler milks are on no benefit, and if a child did require formula after 1yo that it would be a specialised formula.

It is positive that the ACCC is considering increasing their protection of breastfeeding and the community by extending restrictions on advertising and promotion of infant formula to include toddler milks. This means, that toddler milks will not be advertised in future. Streamlining this approach sends a much clearer message to families, who are already overwhelmed by choice, advertising and suggestions from a range of bodies.

While continuing the MAIF agreement for five years is more beneficial than the 10 years being requested by the industry, it is too long to wait for further appraisal by the ACCC.

I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy. I call on the ACCC to limit the reauthorisation of the MAIF Agreement to 2 years.

I appreciate you taking the time to read this and helping to make the changes required to protect the health and wellbeing of Australians.

From:
Sent: Monday, 22 March 2021 7:05 AM
To:

Subject: AA1000E24 Infant Nutrition

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

RE: the

Infant Nutrition Council Submission AA1000534

Thank you for the opportunity to comment on this submission.

would like to highly commend the ACCC for their decision to include toddler milk in the draft renewal of the MAIF Agreement. These products are definitely eroding the public benefits from the MAIF Agreement.

This loophole in the current MAIF agreement is putting vulnerable families at risk. Breastfeeding rates are lower among those with less education. Those with less education are less able to discern the subtle difference between toddler and infant formula when viewing advertising materials..

Besides, children do not need toddler formula at all. The World Health Organisation (WHO) recommends that infants under 12 months receive either breastmilk or an approved infant formula. At 12 months of age children can drink cow's milk and toddler or follow-on formulas are not needed. Again those who are less well-educated and can least afford to, are spending food budget money on a product their children do not need.

These toddler and follow-on formula products were developed purely for profit by manufacturers. This is a non-essential product and

therefore they use strong promotional and marketing activities to achieve sales. This aggressive advertising influences parents with children who are less than one year old who may then choose formula instead of the WHO recommended breastfeeding as a source of nutrition for their children.

The importance of breastfeeding for short and long term health of mothers and babies has been well documented for decades.

More recently the importance of breastfeeding to the health budget has been highlighted. With fewer deaths and shorter hospital stays for premature babies and a reduced call on health services throughout life, breastfeeding saves governments millions of dollars in maintaining the health of the community.

Added to that are concerns around climate change. The cost of production and distribution and use of formula has a significant impact on climate. Protecting breastfeeding by prohibiting formula advertising also helps protect the climate.

Our changing climate is resulting in increased disasters and more families are experiencing emergency situations such as the fires of 2019/20 and the current floods.

Formula fed babies are at risk during natural disasters as getting access to formula and clean water and feeding utensils can be severely impacted by these events. Again, protecting breastfeeding will protect infants during the increasing incidence of natural disasters.

It is important that all areas of our community work together to protect breastfeeding. Thus the ACCC decision to include toddler formula in the renewed MAIF agreement is a good and important one.

But it is NOT enough!

Consumers will not be fully protected until the WHO Code (WHO International Code of Marketing of Breast-milk Substitutes) is implemented in full.

The MAIF Agreement is not effective in protecting consumers for the following reasons:
MAIF is a voluntary agreement
MAIF does not cover retailers or pharmacies
MAIF is not legally binding
MAIF does not impose penalties for breaches
MAIF does not apply to the advertising of accessories such as bottles & teats

MAIF does not cover formula for beyond 12months eg toddler milk or follow-on formula (hopefully soon to be changed)

So the MAIF

Agreement is very tokenistic and does very little to protect consumers and does not provide adequate protection for breastfeeding in Australia.

The

Australian National Breastfeeding Strategy 2019 and beyond has as one of its main principles to: "Ensure that governments and health care and education institutions protect the community from false and misleading marketing and advertising of breastmilk substitutes that fall within the WHO Code and subsequent WHA resolutions."

This

strategy was signed off in March 2019 which is two years ago and action needs to be taken now to implement the necessary steps to protect breastfeeding and reach our breastfeeding targets.

Thank you

to the ACCC for your stand on toddler formulas. Including these in the renewed MAIF Agreement will go a small way towards protecting consumers.

I urge

you to take the additional important step of only renewing the MAIF Agreement for 2 years while the government implements the necessary legislation to implement the WHO Code in full.

Thus the

most vulnerable in our community – babies and their mothers, will be protected from what may be considered unethical marketing practices which impact on health outcomes of consumers who are too young to have a voice. We must be their advocates and make the necessary decisions to protect breastfeeding.

Thank you for taking the time to consider my submission.

Warm regards,



Mother of 3

Grandmother of 2



/* Style Definitions */
table.MsoNormalTable
{mso-style-name:"Table Normal";
mso-tstyle-rowband-size:0;
mso-tstyle-colband-size:0;
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mso-style-parent:"";

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Sent: Monday, 22 March 2021 1:40 AM

To: Exemptions

Subject: AA1000534- Infant Nutrition Council- submission

Categories: Submission

Re: Submission on the Infant Nutrition Council- application for re-authorisation of the MAIF agreement- draft determination

I am a Dietitian currently working for an Aboriginal Health Organisation in Qld where I provide support for a 'mums and bubs' program. I have also previously worked for Qld Health as a Community Nutritionist, where part of my obesity prevention work was to promote and protect breastfeeding in the community.

I have long been concerned about the Marketing in Australia of Infant Formula (MAIF) agreement and the many ways in which formula companies manage to advertise their products through loopholes. The most obvious loophole I feel is the advertising of formula by proxy through toddler milks, which are packaged and advertised in a way that is obviously also advertising the stage 1 and 2 formulas of that same brand.

Ingredient and health claims for toddler milks are easily extrapolated to formula for younger babies. I regularly hear mums telling me they have picked a formula with a particular ingredient as it's supposed to be good for their baby. They have found out this information through the advertising of toddler milks. I am therefore very pleased to hear that the ACCC is considering extending the MAIF agreement to include restrictions on toddler milks. Nutritionally most toddlers do not require these milks. The formula companies have created them so that they can advertise their products.

I work with many women from low socioeconomic backgrounds where breastfeeding is not always supported. The general acceptance and widespread belief that 'formula is so much better these days' I believe is greatly affected by advertising. The 'special additions' that make 'it more advanced' is a direct product of advertising and directly undermines the importance of babies receiving breastmilk.

As a community nutritionist, paid by the government to promote breastfeeding I was continually frustrated at the MAIF agreement and wondered the sense is paying for government funded breastfeeding promotion campaigns while still allowing breastfeeding to be undermined through advertising. I am therefore pleased that the ACCC are looking to do a reappraisal of the MAIF agreement and would strongly suggest that a reauthorisation of the MAIF agreement only be given for two years rather than 5 or 10 years, as wanted by the formula industry.

The importance of breastfeeding is well understood and its importance in the prevention of chronic disease and obesity later life make it one of the most important and cost- effective health promotion interventions we have available to us. Reappraising the MAIF agreement sooner and including toddler milks in the agreement would be a very important step in protecting breastfeeding in Australia.

Sincerely



Maryborough, Qld

To Whom It May Concern

I very strongly support the ACCC's proposal to include toddler milks within the scope of the MAIF Agreement and this letter attests to that.

To quote the CEO of VicHealth, Dr. Sandro Demaio after a joint study with Deakin University:

"This research shows that toddler milk formulas are up to four times more expensive than their regular fresh milk counterparts. They're also less nutritious, containing more sugar and less protein than regular milk, while many also offer less calcium," Demaio said.

"Despite this, manufacturers are using Instagram influencers, targeted digital advertising and on-pack claims to try and lure Australian families into believing these ridiculously priced products are 'essential' for their child's health.

"At a time when many families are finding it hard to afford healthy food, the last thing they need is to be guilted into thinking they should fork out excessive amounts of money on these unnecessary products."

The study found some cost up to \$1.02 per 200ml serve, while regular cow's milk costs just 26 cents a serve.

This means if it is consumed daily, toddler milk would cost a family as much as \$23.56 more per month than regular milk.

It also found some toddler milks contained up to 8g more sugar per 200mL serve than an equivalent fresh milk product.

"This is potentially dangerous, as toddler milks could be harmful to the health of growing children. If children consume these toddler products instead of exploring regular foods and drinks, they won't have a chance to develop healthy eating habits that are vital for a long, healthy and happy life," Demaio said.

The ACCC must urgently act to set higher standards for more honest labelling of added sugars and how these toddler products are marketed to families. For this reason I implore you to include toddler milks within the scope of the MAIF Agreement, and to limit the re-authorisation of the MAIF Agreement to 2 years, in which time Government plans to undertake the review of regulatory arrangements for restricting the marketing of breastmilk substitutes and the effectiveness of the MAIF Agreement, as recommended in the Australian National Breastfeeding Strategy: 2019 and beyond.

The blatant and misleading advertising of formula and toddler milks is confusing for mums and undermines breastfeeding. The multitude of health benefits of breastfeeding for both mother and child should be widely promoted and protected. I believe the ACCC has an important role to play in these outcomes.

Yours sincerely,

From: Sent: To: Subject:	Monday, 22 March 2021 12:05 AM Exemptions RE: AA1000534 - Infant Nutrition Council
Categories:	Submission
Dear Sir/Madam	
I am writing to you as	s a social worker, breastfeeding counsellor and mother of three breastfed children.
nourishing a baby. Th	oubtedly a preventative health measure for babies and is the most effective method of his is backed up by years of research evidence. The risks of not breastfeeding are er, baby, community and environment benefit from babies being breastfed.
toddler milk which is	there have been countless advertisements on TV proclaiming the "benefits" of undermining breastfeeding and convincing mothers and fathers who are vulnerable to I to use toddler milks. These milks have been shown to be completely unnecessary and hild.
	ort the ACCC's proposal to include toddler milks within the scope of the MAIF, I think 5 years is too long for the MAIF to continue, given a review of the Agreement
Government plans to arrangements for restr	mit the re-authorisation of the MAIF Agreement to 2 years in which time the undertake the review of regulatory ricting the marketing of breastmilk substitutes and the effectiveness of the MAIF mended in the "Australian National Breastfeeding Strategy: 2019 and Beyond".
Thank you for this op	portunity.
Yours sincerely	

Perth, Western Australia

Sent: Sunday, 21 March 2021 6:45 PM

To: Exemptions

Subject: AA1000534 - Infant Nutrition Council - submission

Categories: Submission

I'd like to state through this letter that I strongly support the ACCC's proposal to include toddler milks within the scope of the MAIF Agreement.

To quote the CEO of VicHealth, Dr. Sandro Demaio after a joint study with Deakin University:

"This research shows that toddler milk formulas are up to four times more expensive than their regular fresh milk counterparts. They're also less nutritious, containing more sugar and less protein than regular milk, while many also offer less calcium," Demaio said.

"Despite this, manufacturers are using Instagram influencers, targeted digital advertising and on-pack claims to try and lure Australian families into believing these ridiculously priced products are 'essential' for their child's health.

"At a time when many families are finding it hard to afford healthy food, the last thing they need is to be guilted into thinking they should fork out excessive amounts of money on these unnecessary products."

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This means if it is consumed daily, toddler milk would cost a family as much as \$23.56 more per month than regular milk.

It also found some toddler milks contained up to 8g more sugar per 200mL serve than an equivalent fresh milk product.

"This is potentially dangerous, as toddler milks could be harmful to the health of growing children. If children consume these toddler products instead of exploring regular foods and drinks, they won't have a chance to develop healthy eating habits that are vital for a long, healthy and happy life," Demaio said.

The ACCC must urgently act to set higher standards for more honest labelling of added sugars and how these toddler products are marketed to families. For this reason I implore you to include toddler milks within the scope of the MAIF Agreement, and to limit the re-authorisation of the MAIF Agreement to 2 years, in which time Government plans to undertake the review of regulatory arrangements for restricting the marketing of breastmilk substitutes and the effectiveness of the MAIF Agreement, as recommended in the Australian National Breastfeeding Strategy: 2019 and beyond.

The blatant and misleading advertising of formula and toddler milks is confusing for mums and undermines breastfeeding. The multitude of health benefits of breastfeeding for both mother and child should be widely promoted and protected. I believe the ACCC has an important role to play in these outcomes.

Yours sincerely,

Sent: Sunday, 21 March 2021 6:20 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

To Whom It May Concern:

I am writing to you as both a concerned parent and member of the community, and as a qualified volunteer Breastfeeding Counsellor as part of the Australian Breastfeeding Association. I am a mother who has breastfeed my infants and continue to breastfeed my toddler. Aditionally, I have completed a Certificate IV in Breastfeeding Education.

I am pleased to hear that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks. Whilst I agree that 5 years is better than the 10 years the formula industry wants the MAIF Agreement to continue, it is too long to wait for reappraisal by the ACCC.

As community members and parents, we see advertising of breastmilk substitutes in the supermarket aisle, in pharmacies, online via social media channels such as Facebook and Instagram or when shopping online. We see images of babies - not always toddlers (many younger than 12 months) – advertised along with ideologies of "superior formulations".

As parents, it is confusing and concerning that there is very little differentiation on product labels between infant formula and toddler milk. No restrictions on the marketing of toddler milk then leads to consumer confusion and sub-optimal outcomes for breastfeeding parents and their children.

I acknowledge that in some instance, formula has its place, however I believe that there are steep changes needed within society to recognise that breastfeeding is the normal and optimal way to feed your baby, and that almost all health outcomes are maximised with breastfeeding to 2 years and beyond (as recommended by the World Health Organisation), along with economic and environmental benefits to our society.

We look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the ACCC to limit reauthorisation of the MAIF Agreement to 2 years.

With Kind Regards,

Breastfeeding Counsellor

Australian Breastfeeding Association, Lower Limestone Coast Group



Virus-free. www.avast.com

Sent: Sunday, 21 March 2021 5:49 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

We are writing to you as the three qualified, volunteer members of the Australian Breastfeeding Association West Moreton Region, South East Queensland. We are all mothers who have breastfed our children and have completed a Certificate IV in Breastfeeding Education.

We are very pleased to hear that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks. While we think that 5 years is better than the 10 years the formula industry wants the MAIF Agreement to continue, it is too long to wait for reappraisal by the ACCC.

As community members we see advertising of breastmilk substitutes in the supermarket aisle, in pharmacies, online via social media channels such as Facebook and Instagram or when shopping online. We see images of babies - not always toddlers (many younger than 12 months) – advertised along with ideologies of "superior formulations". We counsel mothers at group meetings and on helpline who are confused about toddler milk, or are told to stop breastfeeding and start toddler milk when their baby reaches the one year mark.

As mothers we are annoyed that there is very little differentiation on product labels between infant formula and toddler milk. We understand that no restrictions on the marketing of toddler milk then leads to consumer confusion.

While we recognise that formula has its place, there are steep changes needed within society to recognise that breastfeeding is the normal way to feed your baby, and that almost all health outcomes are maximised with optimum breastfeeding, along with economic and environmental benefits to our society.

We look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the the ACCC to limit reauthorisation of the MAIF Agreement to 2 years.

Yours sincerely,

Australian Breastfeeding Association

West Moreton Region Group



I'd like to state through this letter that I strongly support the ACCC's proposal to include toddler milks within the scope of the MAIF Agreement.

I am a mother of 3 adult children who I breasfed. I am a grandmother as well and understand, clearly, how difficult being a parent can be. I volunteer my time with The Australian Breastfeeding Association as a Breastfeeding Counsellor. I have listened to many new Mothers who have seen or been told misleading and un - helpful information by different aspects of their community.

I see this change of legislation as simply a money - making tactic by large business to prey on tired parents who think (or have been told) by others to buy a product. I understand that guilt plays a huge role in parenting. Guilt also plays a huge role in selling a product. The two factors go hand in hand. Please do not add to parent's guilt by changing the legislation!

As a nation could we please offer correct information to potential new parents and not bombard them with misleading unhelpful advertisements?

To quote the CEO of VicHealth, Dr. Sandro Demaio after a joint study with Deakin University:

"This research shows that toddler milk formulas are up to four times more expensive than their regular fresh milk counterparts. They're also less nutritious, containing more sugar and less protein than regular milk, while many also offer less calcium," Demaio said.

"Despite this, manufacturers are using Instagram influencers, targeted digital advertising and on-pack claims to try and lure Australian families into believing these ridiculously priced products are 'essential' for their child's health.

"At a time when many families are finding it hard to afford healthy food, the last thing they need is to be guilted into thinking they should fork out excessive amounts of money on these unnecessary products."

The study found some cost up to \$1.02 per 200ml serve, while regular cow's milk costs just 26 cents a serve.

This means if it is consumed daily, toddler milk would cost a family as much as \$23.56 more per month than regular milk.

It also found some toddler milks contained up to 8g more sugar per 200mL serve than an equivalent fresh milk product.

"This is potentially dangerous, as toddler milks could be harmful to the health of growing children. If children consume these toddler products instead of exploring regular foods and drinks, they won't have a chance to develop healthy eating habits that are vital for a long, healthy and happy life," Demaio said.

The ACCC must urgently act to set higher standards for more honest labelling of added sugars and how these toddler products are marketed to families. For this reason I implore you to include toddler milks within the scope of the MAIF Agreement, and to limit the re-authorisation of the MAIF Agreement to 2 years, in which time Government plans to undertake the review of regulatory arrangements for restricting the marketing of breastmilk substitutes and the effectiveness of the MAIF Agreement, as recommended in the Australian National Breastfeeding Strategy: 2019 and beyond.

The blatant and misleading advertising of formula and toddler milks is confusing for parents and undermines breastfeeding. The multitude of health benefits of breastfeeding for both mother and child should be widely promoted and protected. I believe the ACCC has an important role to play in these outcomes.

Please help to protect the breastfeeding rates of Australia.

Yours sincerely

Sent: Saturday, 20 March 2021 1:42 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

Hello

I am making this submission as an early childhood teacher, a volunteer supporting parents with young children and as a mother of two young children.

I constantly see formula advertising on Facebook, on billboards, on displays in my local shopping centre, in the free Coles and Woolworths magazines and in parenting magazines. The ones I resent the most are video ads when I'm streaming catch up TV. All of these ads present formula as natural and pure with lots of nature pictures and smiling toddlers, and as an essential product for a "healthy" child. I know that this isn't true, but I work every day with families who's confidence in breastfeeding is undermined by these constant marketing messages. Mothers who are successfully breastfeeding but who unnecessarily introduce formula "because of the health benefits". Mothers who switch to formula or use it from the start under the impression that formula and breastmilk are two equal choices, who then have to deal with a baby who is frequently sick. The fact that all of this marketing is technically for "toddler milk" not infant formula makes no difference at all to the detrimental effect it has.

Formula can be a necessary alternative for some families, but this decision needs to be made with an understanding of the risks and benefits and support for the individual needs of the baby and family, it's not a decision that should be swayed by savvy marketing. A parent's decision about the health and wellbeing of their child should be based on facts not advertising. The public health benefits of increasing breastfeeding rates and duration are well documented and rampant formula advertising undermines this at every turn.

I'm really pleased to hear that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks. While 5 years is better than the 10 years the formula industry wants the MAIF Agreement to continue, it is too long to wait for reappraisal by the ACCC. I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the ACCC to limit reauthorisation of the MAIF Agreement to 2 years.

Thank you

Sent: Monday, 22 March 2021 2:04 PM

To: Exemptions

Cc: feedback@breastfeeding.asn.au

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

To whom it may concern,

As a breastfeeding mum of two young kids, I am pleased to hear that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks.

I support the Australian Breastfeeding Association's (ABA) submission to support the ACCC's proposal to include toddler milks within the scope of the MAIF Agreement. I also urge the ACCC to limit the reauthorisation of the MAIF Agreement to no longer than 2 years, in which time Government plans to undertake the review of regulatory arrangements for restricting the marketing of breastmilk substitutes and the effectiveness of the MAIF Agreement, as recommended in the *Australian National Breastfeeding Strategy: 2019 and beyond.* I believe that 5 years is too long for the MAIF to continue, given a review of the Agreement is planned. I strongly support the objective of evidence-based health professional education and training on breastfeeding that is free from commercial influence, and that there needs to be an end to inappropriate marketing of infant formula and breastmilk substitutes (even though the industry concerned will fight this strongly as it affects their profits).

As a mum and a scientist, I am appalled that the dubious marketing of toddler milks (essentially formula) as "necessary", even though I know that formula isn't required nutritionally beyond 12 months of age. This industry is simply trying to extend the purchasing (and profit from) their products for longer than is required for babies by tapping into the toddler market, and are doing this through persistent ad campaigns all over TV and outdoor spaces and dubious marketing claims. Simply put- these products are not essential for a child's good health! It's a scam.

Regards,

Sent: Monday, 22 March 2021 12:25 PM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

To whom it may concern,

As a breastfeeding mother, who struggled at various times through my breastfeeding journey of breastfeeding four children, including twins, I certainly experienced confusion with regard to the constant marketing of artificial feeding methods including infant formulas, particularly toddler milks. I remember seeing advertisements that made me feel I was not providing adequately for my toddlers when in actual fact this could not have been further from the truth!

I wish to show my very strong support for the ACCC proposal to include toddler milks within the scope of the MAIF agreement. Whilst I am really pleased to hear that the ACCC is considering better protecting breastfeeding in the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks, and reducing the length of the agreement to 5 years rather than 10, I feel that 5 years is far too long to wait for reappraisal by the ACCC. I respectfully request the ACCC to limit the reauthorisation of the MAIF Agreement to 2 years. I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the ACCC to limit reauthorisation of the MAIF Agreement to 2 years.

Kind regards,

David Hatfield
Director, Competition Exemptions Branch
Australian Competition & Consumer Commission
exemptions@accc.gov.au

Dear Mr Hatfield,

Submission Re: Infant Nutrition Council - application for re-authorisation AA1000534—draft determination

I am writing as the mother of two now young adult children. Despite obstacles and issues, I managed to breastfeed my two for 18 months and three years and was empowered by the experience. My hope is to see Australia's health and regulatory systems better supporting and empowering women to breastfeed their infants.

While I was working hard to nourish my babies as nature intended, I became aware that formula companies and retailers were sowing doubt and undermining women's efforts to breastfeed by aggressively marketing artificial products. I saw formula promoted and discounted in any supermarket or pharmacy I went in to. I saw tv adverts and posters promoting products as if they were equal and/or necessary. I saw the hurt and anger of many women and families that this could continue, to the detriment of Australia's infants. This made me angry, and I was incredibly disappointed and frustrated to learn that this was all happening despite Australia being a signatory to the World Health Organization's International Code of Marketing of Breast-Milk Substitutes and World Health Assembly amendments (WHO Code).

I spoke with store managers who stared blankly at me when I queried them about advertising formula in breach of the WHO Code. I reported incidents to the then Advisory Panel on the Marketing in Australia of Infant Formula (APMAIF) only to be told these were unsuccessful because retailers were not members, and therefore not bound. This was when I realised that voluntary self-regulation by a profit driven industry was woefully inadequate and that without mandatory regulation, breaches of the WHO Code would continue as long as the MAIF Agreement remained Australia's regulatory framework. More than 20 years later, with my babies now adults, I continue to see unrelenting advertising in breach of the WHO Code which cannot be reported because the companies involved have not signed up to MAIF. More than this though, I see these companies, together with those that are signed up, finding new and effective ways to access women directly - through social media and the like.

It was therefore with a keen interest that I read the ACCC's Draft Determination. Clearly lengthy consideration has been given to the issues, for which I thank the Commission. I would submit the following in response:

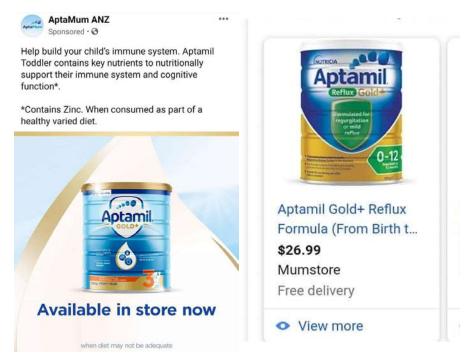
1. Re the ACCC's finding that regulation of the marketing of infant formula is required

While the MAIF Agreement remains Australia's regulatory framework for infant formula marketing, breaches of the WHO Code will continue daily, undermining breastfeeding and breastfeeding rates. Nonetheless, until such time as improved regulation is introduced, hopefully through review of the MAIF, having any framework in place is better than having

none. Without any regulatory framework in place, formula companies that currently sign up to the MAIF will be enabled to join others who have not, in increasing their advertising and reach to women and their families without reproach.

 Re the ACCC considering whether to impose a condition which extends the limitations on advertising set out in Clause 5(a) of the MAIF Agreement to apply to all breast milk substitutes, including toddler milk.

One of the significant omissions from the MAIF is toddler milk drinks. These are extensively advertised across Australia and indeed the world via tv, social media, streaming channels, and print media. Within a very short space of time of reading social media items on breastfeeding issues I can end up with adverts relating to toddler drinks and I know this is an ongoing complaint of many other friends. The issue is, as the WHO has set out, and the ACCC noted, toddler milk drinks are often linked with, and confused for, infant formula. This is hardly surprising given the similar branding used to reinforce product association – see an example below.



Having accepted the evidence from the WHO on toddler milk drink advertising and its impact, and having considered that the benefits of the MAIF are likely to be undermined by the omission of toddler milk drinks, I strongly urge the ACCC to better protect infants who have no voice of their own and are therefore some of the most vulnerable members of our community. Please protect them by better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks.

3. Re ACCC proposal to reauthorise the MAIF for a further five years

I strongly urge the ACCC to reauthorise the MAIF for no more than a further two years as this is far too long for Australians to wait for reappraisal by the ACCC.

In its *Australian National Breastfeeding Strategy: 2019 and beyond*, the Australian Health Department committed to a review of the MAIF Agreement. This review is much needed and can/should be undertaken within the next two years. To reauthorise the MAIF Agreement beyond two years would create conditions such as to delay implementation of recommendations of the review. Furthermore, it would provide more time for the formula industry to delay change, maximise sales, and develop new products that avoid regulation under current or new regulations.

I thank you for your consideration.

Yours sincerely

Sent: Monday, 22 March 2021 10:25 AM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

• My name is and I am a mother and grandmother who was a breastfeeding counsellor for over 30 years. I am still a community educator with the Australian Breastfeeding Association. Over 4 decades I have met and/or helped many hundreds of mothers.

I have observed open advertising of infant formula, ostensibly for price, in supermarkets, pharmacies, catalogues etc. It is ubiquitous. I feel that this normalises artificial baby milks rather than breastmilk as the normal and desirable way to nourish infants. I have heard mothers say that "formula" must be all right if it's so freely available. I know how pervasive advertising undermines mothers' confidence in their ability to nurture their babies themselves.

I am really pleased to hear that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks. Apart from the fact that toddler milks aren't nutritionally necessary, the close resemblance in design of the tins is a subtle form of advertising for "formula" for under 12 months.

While 5 years is better than the 10 years the formula industry wants the MAIF Agreement to continue, <u>it is too long to wait for reappraisal by the ACCC</u>. The MAIF Agreement is already a toothless tiger and badly needs revising in line with the WHO Code.

I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the ACCC to limit reauthorisation of the MAIF Agreement to 2 years.

Yours faithfully,



Sent: Monday, 22 March 2021 4:01 PM
To: Falinski, Jason (MP); Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

Dear ACCC and Mr Falinski,

I am writing to you to express my concern about the current state of aggressive marketing of infant and follow on/toddler formulas in Australia. My name is and I am a mother and grandmother, and have been an Early Childhood teacher for 40 years.

I have extensive teaching experience in early childhood settings, and currently visit early childhood education services as part of my employment. During my workplace visits I have observed samples of toddler formulas being freely available to families to take and use. Older infants and toddlers consume these products as a large part of diet, with feeding bottles are being used past the current recommended ages to stop(12 months). As a consequence, obesity, over weight and tooth decay are now more prevalent than in the past. I am concerned that parents have poor knowledge and understanding of the current NH and MRC dietary guidelines for children, therefore they rely on and are susceptible to the marketing of toddler milks and infant formulas.

I am alarmed by the extensive marketing of follow-on formulas in shopping centres, supermarkets, on television and social media. These products are 'pushed' onto parents who have no idea that they are not needed as part of a healthy diet for toddlers and children. The other issue that I have discovered in my professional discussions with parents is they have no understanding of what these products are made of, or the risks involved in using them. The heavy marketing tactics used by manufacturers convince unsuspecting parents that they are essential, and 'normal milk' after the age of 12 months is not 'nutritious enough'. This also has an impact on limited family budgets.

I am pleased that the ACCC is considering better protection of breastfeeding and the community by restricting the advertising and promotion of infant formula is to include toddler milks. The MAIF Agreement does not have enough power to ensure that there is appropriate marketing of toddler milks to ensure the better health of the children of Australia. I am requesting toddler milks should be included in future regulatory arrangements to restrict the marketing of these products. Meaningful penalties for inappropriate marketing should be revised to ensure they deter unscrupulous practices.

I understand the current arrangements are under review, and it has been requested by manufacturers that the MAIF Agreement be continued for another 10 years. I feel this is not in the best interests of the children of Australia and a term such as 2 years is more appropriate. The long-term consequences of use on toddler milks on children overall health needs to be considered in any future marketing a and regulatory arrangements.

Thank you for taking the time to consider my submission.

your sincerely

Sent: Tuesday, 23 March 2021 12:41 AM

To: Exemptions

Subject: AA1000534 – Infant Nutrition Council – submission

Categories: Submission

Dear Sir/Madam,

I support the inclusion of toddler milks within the scope of the MAIF Agreement and request the Agreement only be reauthorised for a further 2 years, while encouraging the Government's full review of regulatory arrangements for restricting the unethical marketing of breastmilk substitutes.

These highly processed formulas undermine the exclusivity of breastfeeding for the first six months, the introduction of complementary foods at the developmentally correct time of around six months, the ongoing breastfeeding for two years and beyond, parental and ECEC educator understanding of nutrition 'family foods' by 12 months, and the highly documented health of infants through to adulthood, the health of their mothers and therefore our nation and future generations, and importantly is detrimental to our Australian economy and global environment.

The marketing of breastmilk substitutes, including toddler milks, inhibits optimal nutrition to our most vulnerable population. During emergencies and the Covid-19 pandemic the importance of immune factors from breastmilk (and via vaccines through breastmilk), microbiome, growth and development factors & hormones, stem-cells are essential and urgent in our cost-effective weaponry in supporting the health of infants, reducing obesity and also importantly, supporting the mental health of the mother/infant dyad. Protection of breastfeeding is paramount.

Please contact me if you require further information. I would like to be kept informed of the progression of changes in the MAIF.

Kind regards,

PhD| Research Fellow| Paediatric Exercise and Nutrition Group|
School of Exercise and Nutrition Sciences
Faculty of Health @ Centre for Child Health Research (CCHR)
62 Graham Street, South Brisbane, QLD
| Queensland University of Technology|

Education and Care - Measurement & Advocacy streams

Preventative Health Curriculum

Maternity PROMS Alliance

Mater Family Cohort – Lactation theme lead

Mater Health Inpatients, Experience & Safety committees

Statewide Clinical Guidelines

PhD Researcher: Improving Outcomes in Mental Health

The University of Queensland Centre For Children's Health Research 62 Graham St, South Brisbane, 4101

T w https://child-health-research.centre.uq.edu.au/



The University of Queensland is embracing the Green Office philosophy. Please consider the environment before printing this email.

I'd like to voice through this letter that I strongly support the ACCC's proposal to include toddler milks within the scope of the MAIF Agreement.

To quote the CEO of VicHealth, Dr. Sandro Demaio after a joint study with Deakin University:

"This research shows that toddler milk formulas are up to four times more expensive than their regular fresh milk counterparts. They're also less nutritious, containing more sugar and less protein than regular milk, while many also offer less calcium," Demaio said.

"Despite this, manufacturers are using Instagram influencers, targeted digital advertising and on-pack claims to try and lure Australian families into believing these ridiculously priced products are 'essential' for their child's health.

"At a time when many families are finding it hard to afford healthy food, the last thing they need is to be guilted into thinking they should fork out excessive amounts of money on these unnecessary products."

The study found some cost up to \$1.02 per 200ml serve, while regular cow's milk costs just 26 cents a serve.

This means if it is consumed daily, toddler milk would cost a family as much as \$23.56 more per month than regular milk.

It also found some toddler milks contained up to 8g more sugar per 200mL serve than an equivalent fresh milk product.

"This is potentially dangerous, as toddler milks could be harmful to the health of growing children. If children consume these toddler products instead of exploring regular foods and drinks, they won't have a chance to develop healthy eating habits that are vital for a long, healthy and happy life," Demaio said.

The ACCC must urgently act to set higher standards for more honest labelling of added sugars and how these toddler products are marketed to families. For this reason I implore you to include toddler milks within the scope of the MAIF Agreement, and to limit the re-authorisation of the MAIF Agreement to 2 years, in which time Government plans to undertake the review of regulatory arrangements for restricting the marketing of breastmilk substitutes and the effectiveness of the MAIF Agreement, as recommended in the Australian National Breastfeeding Strategy: 2019 and beyond.

The blatant and misleading advertising of formula and toddler milks is confusing for mums and undermines breastfeeding. The multitude of health benefits of breastfeeding for both mother and child should be widely promoted and protected. I believe the ACCC has an important role to play in these outcomes.

Yours sincerely,

Sent: Monday, 22 March 2021 7:11 PM

To: Exemptions

Cc:

Subject: AA1000533 Infant Nutrition

Categories:

Submission

Dear Sir/Madam

As a concerned parent, healthcare provider and consumer, I ask you to consider your position in infant nutrition protection.

Please continue parental choice with special condition on formula company marketing whereby Human Milk remains the healthier option and is promoted as such.

The health and well-being of future generations hinges on responsible government acceptance that clever marketing of baby formula should never override the evidence-science-based knowledge that human milk through infant feeding remains the most promoted and first choice foe parents of infants.

Please keep the current measures in place

Yours sincerely

RN IBCLC CFHN Master Nursing Student.

Sent from my iPhone

To: exemptions@accc.gov.au

Subject: AA1000534 – Infant Nutrition Council – submission

I am writing to you as a qualified, volunteer member of the Sherwood and Surrounds group Australian Breastfeeding Association.

I am pleased that the ACCC is considering better protecting breastfeeding and the community by extending the restrictions on advertising and promotion of infant formula to include toddler milks. I believe that 5 years is better than the 10 years the formula industry wants the MAIF Agreement to continue, it is too long to wait for reappraisal by the ACCC.

I see advertising of breastmilk substitutes in the supermarket aisle, in pharmacies, online via social media channels such as Facebook and Instagram or when shopping online. I see images of babies - not always toddlers (many younger than 12 months) — advertised along with ideologies of "superior formulations".

There is very little differentiation on product labels between infant formula and toddler milk. I believe that this and the lack of restrictions on the marketing of toddler milk leads to consumer confusion.

Formula is needed, however there are changes needed within society to recognise that breastfeeding is the normal way to feed babies and that almost all health outcomes are maximised with optimum breastfeeding, along with economic and environmental benefits to our society.

I look forward to the review of the regulatory arrangements for restricting the marketing of breastmilk substitutes recommended in the 2019 Australian National Breastfeeding Strategy and call on the the ACCC to limit reauthorisation of the MAIF Agreement to 2 years.

Yours sincerely,

Breastfeeding Counsellor

Australian Breastfeeding Association Sherwood and Surrounds

Sent: Tuesday, 23 March 2021 4:57 PM

To: Exemptions

Subject: AA1000534 - Infant Nutrition Council - submission

Categories: Submission

To whom it may concern,

I'd like to state through this letter that I strongly support the ACCC's proposal to include toddler milks within the scope of the MAIF Agreement.

I am a first time Mum, so am completely new to all of this.

To quote the CEO of VicHealth, Dr. Sandro Demaio after a joint study with Deakin University:

"This research shows that toddler milk formulas are up to four times more expensive than their regular fresh milk counterparts. They're also less nutritious, containing more sugar and less protein than regular milk, while many also offer less calcium," Demaio said.

"Despite this, manufacturers are using Instagram influencers, targeted digital advertising and on-pack claims to try and lure Australian families into believing these ridiculously priced products are 'essential' for their child's health.

"At a time when many families are finding it hard to afford healthy food, the last thing they need is to be guilted into thinking they should fork out excessive amounts of money on these unnecessary products."

The study found some cost up to \$1.02 per 200ml serve, while regular cow's milk costs just 26 cents a serve.

This means if it is consumed daily, toddler milk would cost a family as much as \$23.56 more per month than regular milk.

It also found some toddler milks contained up to 8g more sugar per 200mL serve than an equivalent fresh milk product.

"This is potentially dangerous, as toddler milks could be harmful to the health of growing children. If children consume these toddler products instead of exploring regular foods and drinks, they won't have a chance to develop healthy eating habits that are vital for a long, healthy and happy life," Demaio said.

The ACCC must urgently act to set higher standards for more honest labelling of added sugars and how these toddler products are marketed to families. For this reason I implore you to include toddler milks within the scope of the MAIF Agreement, and to limit the re-authorisation of the MAIF Agreement to 2 years, in which time Government plans to undertake the review of regulatory arrangements for restricting the marketing of breastmilk substitutes and the effectiveness of the MAIF Agreement, as recommended in the Australian National Breastfeeding Strategy: 2019 and beyond.

The blatant and misleading advertising of formula and toddler milks is confusing for mums and undermines breastfeeding. The multitude of health benefits of breastfeeding for both mother and child should be widely promoted and protected. I believe the ACCC has an important role to play in these outcomes.

Kind regards,

To Whom it may concern:

I'd like to state through this letter that I strongly support the ACCC's proposal to include toddler milks within the scope of the MAIF Agreement.

To quote the CEO of VicHealth, Dr. Sandro Demaio after a joint study with Deakin University:

"This research shows that toddler milk formulas are up to four times more expensive than their regular fresh milk counterparts. They're also less nutritious, containing more sugar and less protein than regular milk, while many also offer less calcium," Demaio said. "Despite this, manufacturers are using Instagram influencers, targeted digital advertising and on-pack claims to try and lure Australian families into believing these ridiculously priced products are 'essential' for their child's health. At a time when many families are finding it hard to afford healthy food, the last thing they need is to be duped into thinking they should fork out excessive amounts of money on these unnecessary products.". From 12 months old, babies do not need expensive toddler formula. They will get all the nutrients they need from a healthy diet of food and water, which would ideally include some continued breastfeeding. Even when breastfeeding stops, a nutritious diet which may include normal full cream dairy products is all that is required, toddler milks are simply unnecessary.

I personally note that there are some very persuasive and emotive advertising going on in this space, including slogans such as 'raise them ready' and 'bring them closer to you'. There are celebrity endorsers such as children's entertainer Jimmy Giggle and model Jennifer Hawkins which lend unwarranted prestige to the products. Companies are also using underhanded marketing tactics for these toddler milks such as targeting people on Facebook who are 'interested in breastfeeding' and also putting out ads for toddler milks with babies pictured. Some of these babies are clearly not old enough for toddler milks, so it is clear that the brands are using this MAIF loophole to market their brand names and baby formulas to parents of young babies in an indirect (although actually quite direct!) way. The 'number 1' baby formula cans are identical (and often confused, with adverse health effects, such as severe gastro symptoms in babies accidently given number 2 or 3 substitute milk) to the number 3 toddler milk cans, illustrating that by allowing marketing of 'number 3' milks we are completely undermining the restrictions on baby formula advertising. At the very least, the toddler milk cans should be made to look completely different so as not to be confused with baby formulas.

The Deakin university study also found some toddler milks cost up to \$1.02 per 200ml serve, while regular cow's milk costs just 26 cents a serve. This means if it is consumed daily, toddler milk would cost a family as much as \$23.56 more per month than regular milk. It also found some toddler milks contained up to 8g more sugar per 200mL serve than an equivalent fresh milk product. "This is potentially dangerous, as toddler milks could be harmful to the health of growing children. If children consume these toddler products instead of exploring regular foods and drinks, they won't have a chance to develop healthy eating habits that are vital for a long, healthy and happy life," Demaio said.

The ACCC must urgently act to set higher standards for more honest labelling of added sugars and how these toddler products are marketed to families. For this reason I implore you to include toddler milks within the scope of the MAIF Agreement, and to limit the re-authorisation of the MAIF Agreement to 2 years, in which time Government plans to undertake the review of regulatory arrangements for restricting the marketing of breastmilk substitutes and the effectiveness of the MAIF Agreement, as recommended in the Australian National Breastfeeding Strategy: 2019 and beyond.

The blatant and misleading advertising of formula and toddler milks is confusing for mums and undermines breastfeeding. The multitude of health benefits of breastfeeding for both mother and child should be widely promoted and protected. I believe the ACCC has an important role to play in these outcomes.

rours sincerery,		
	(Mascot.	NSW)

Vours sincoroly

Sent: Saturday, 27 March 2021 2:10 AM

To: Exemptions

Subject: AA1000534 - Infant Nutrition Council-submission

Categories: Submission

To Whom it may concern,

Please be advised that as a mother and Health Professional I strongly support the ACCC's proposal to include toddler milks within the scope of the MAIF Agreement.

I also support limiting the re-authorisation of the MAIF agreement to 2 years, not 5 or 10. This will allow the Government to undertake a review of regulatory arrangements for restricting the marketing of breastmilk substitutes and the effectiveness of the MAIF Agreement, as recommended by the Australian National Breastfeeding Strategy: 2019 and beyond. This is important for our children's health and the ACCC must act now to prevent the continued targeting of these products to families with young children. The marketing is widespread, encompassing online, print and television advertising. Toddler milks are blatantly used to promote brand recognition of the whole range of formula products. The aggressive marketing implying they are necessary for healthy growth and development and success in life is inappropriate, not evidence based and I find it frustrating that the government does not take the World Health Organization's International Code of Marketing Breastmilk Substitutes and subsequent World Health Assembly (WHA) Resolutions (The WHO Code) seriously. The aim of the WHO Code is to contribute to the provision of safe and adequate nutrition for infants, by the protection and promotion of breastfeeding, and by ensuring the proper use of breastmilk substitutes, when these are necessary, based on adequate information and through appropriate marketing and distribution. The insecurities of parents and the apathy of government are used to increase the sales of these products.

The CEO of VicHealth-Dr. Sandro Demaio, stated after a joint study with Deakin University:

"This research shows that toddler milk formulas are up to four times more expensive than their regular fresh milk counterparts. They're also less nutritious, containing more sugar and less protein than regular milk, while many also offer less calcium," Demaio said.

"Despite this, manufacturers are using Instagram influencers, targeted digital advertising and on-pack claims to try and lure Australian families into believing these ridiculously priced products are 'essential' for their child's health."

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"This is potentially dangerous, as toddler milks could be harmful to the health of growing children. If children consume these toddler products instead of exploring regular foods and drinks, they won't have a chance to develop healthy eating habits that are vital for a long, healthy and happy life," Demaio said.

The misleading advertising of formula and toddler milks is confusing for parents and undermines breastfeeding success. Both mother and child have a multitude of positive health outcomes from breastfeeding and we need to protect, promote and support optimal infant feeding practices. I believe the ACCC has an important role to play in ensuring parents receive factual information free from marketing influences.

Yours sincerely,