

The Code and You

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If you are interested in learning more about the International Code of Marketing of Breastmilk Substitutes, sometimes referred to as the WHO Code, start with this La Leche League International “Quick Guide”¹

A Quick Guide to WHO Code Basics (2020)

The International Code of Marketing of Breastmilk Substitutes applies to marketing and promotion; it does not prohibit the sale or use of products.

The Code was adopted by the World Health Assembly in 1981 and is updated and clarified by WHA Resolutions every two years.

The Code provides the minimum standard for regulation of marketing practices

What products does the Code cover?

- Formula milks for babies, toddlers and young children up to 36 months, including follow-on and growing-up milks
- Any food or drink marketed for babies under 6 months
- Commercial baby foods or drinks that do not meet global and national standards (marketed for babies, toddlers and young children 6-36 months)
- Bottles, teats or nipples

Who is expected to follow the Code?

- Manufacturers, distributors, and retailers of any of the above items
- Healthcare workers, both professionals and volunteers
- Healthcare facilities - hospitals, clinics, etc.

What must be on the label?

- Labels must be in the local language
- Information must include the hazards associated with artificial feeding
- Labels cannot use idealising language or images, e.g. a happy baby sleeping, or a protective shield suggesting baby is protected by this product

Companies should not create conflicts of interest for health professionals or sponsor health professional and scientific meetings or training, or provide parent education. Health professionals should avoid conflicts of interest.

What is allowed under the code?

- ✓ Use of formula with safe preparation, for babies who need it
- ✓ Sale of products with technical information, e.g. “125ml polycarbonate bottle”
- ✓ Scientific and factual information for healthcare professionals, eg “contains Arachidonic acid (AA)”
- ✓ Accurate information on safe formula preparation is required on all labels

What is NOT allowed under the code?

- ✗ Promotion to parents, health professionals, or in health facilities: advertising, free supplies of formula or free samples, gifts, posters
- ✗ Health claims not substantiated by scientific evidence eg “promotes excellent visual development”
- ✗ Promotion of unsuitable products for babies (such as sweetened condensed milk)
- ✗ Donations of formula or feeding equipment in emergencies: instead, cash donations for local agencies to support families

¹ <https://www.llli.org/about/international-who-code/> downloaded January 28, 2022



FORMULA COMPANIES BUILD RELATIONSHIPS AND TRUST WITH MOTHERS TO CHANGE THEIR DECISIONS ON HOW TO FEED THEIR BABIES



Images from World Health Organization social media. Retrieved May 29, 2021.

Because Canada has yet to implement the Code in law², formula companies reach us, our friends and family through sophisticated social media marketing techniques. These companies also use other more traditional marketing. Widespread formula advertising may undermine our confidence in our bodies' abilities to feed our babies.

Many families report having received free newborn formula samples at their homes after sharing contact information and due dates with maternity wear shops, baby photographers and other businesses. These free samples are not allowed under the Code because they risk reducing the time babies spend at the breast, interfering with babies' stimulation of milk production.

MISLEADING CLAIMS FROM FORMULA COMPANIES CAN CONFUSE PARENTS, OFTEN UNDERMINING BREASTFEEDING



² Grummer-Strawn, L. (2020, May 24). Marketing of Breast-milk Substitutes: National Implementation of the International Code - Status Report 2020 - Launch Event 28 May 2020. Slide 6. Retrieved January 12, 2022, from https://www.who.int/docs/default-source/breastfeeding/event/online-launch-2020-code-status-report/presentation-laurencegrummer-strawn-resultsandfindings.pdf?sfvrsn=ca9e21ae_2&fbclid=IwAR1qLy-YrH6ESO53W47_Abt0rKddH5tEvDhrccu2-YJw_RWf7QfrNb7vnQ4



To help government better understand how frequently industry violates the International Code of Marketing of Breastmilk Substitutes, concerned citizens may use online forms provided by the Canadian Food Inspection Agency to report food-related concerns and by the Competition Bureau of Canada to report False or Misleading Representation and Deceptive Marketing Practices.

In writing to these agencies, it is important to be specific about the details of exactly how the manufacturer has failed to comply with the Code. Refer LLLI's Quick Guide to the WHO CODE as needed while you draft your message to the CFIA and/or the Competition Bureau, and include any negative impact the Code contravention(s) had on your breastfeeding journey.

Code Violator	Part of Government	Online Complaint Form
Manufacturer of Formula	Canadian Food Inspection Agency (Report a food-related concern)	https://inspection.canada.ca/food-safety-for-consumers/where-to-report-a-complaint/report-a-food-related-concern/eng/1390269985112/1390346078752
Manufacturer of Formula	Competition Bureau of Canada (Report False or Misleading Representation and Deceptive Marketing Practices)	https://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/frm-eng/GH%C3%89T-7TDNA5
Manufacturer of bottle, teats or nipples that would substitute for breastfeeding (including manufacturers of breast pumps)	Competition Bureau of Canada (Report False or Misleading Representation and Deceptive Marketing Practices)	https://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/frm-eng/GH%C3%89T-7TDNA5



The Code protects all families, no matter how they feed their babies. In the absence of laws to protect babies and their families from commercial interests, it is important that citizens use every opportunity we have to advocate for the full implementation of the Code by those parts of our government responsible for food safety, consumer safety and fair competition.

If you have a Code related concern related to your health care provider or institution, please read: [Public Policy, Breastfeeding and You](#) and [The Baby Friendly Initiative](#).

You may also be interested in reading La Leche League International's Dec. 10, 2020 article: [Request to World Health Organization, in response to a decision made at the 73rd World Health Assembly](#).