

19 February 2018

Contact: ellen.poolman@accesstonutrition.org

ATNF releases report on marketing of breast-milk substitutes in Thailand

Summary

The study found more than 3,000 incidences of BMS marketing in Thailand that do not comply with the recommendations of The International Code of Marketing of Breast-milk Substitutes. By far the most prevalent form of marketing was point-of-sale promotion on a small number of major online retailers' sites: they accounted for 84% of all incidences of non-compliance. Fourteen percent (14%) of the total number of the incidences of non-compliance related to infant formula, 16% to follow-on-formula and 68% to growing-up milks. ATNF's study was undertaken in the summer of 2017, prior to the introduction of Thailand's new 'Milk Act'.

Background

The Access to Nutrition Foundation (ATNF) is today publishing a report entitled '*Marketing of breast-milk substitutes: Thailand 2018*' that summarises the results of a study undertaken in the summer of 2017. ATNF has undertaken three similar studies in recent years based on the IGBM Protocol; this is the first to be based on the Periodic Assessment Protocol of the first edition of the [NetCode protocol for ongoing monitoring systems](#) (NetCode protocol) developed by the World Health Organization (WHO) in 2015. ATNF hopes that stakeholders will find this study to be valuable in their work to promote breastfeeding and optimal infant and young child nutrition in Thailand and other countries.

"The World Health Organization welcomes this timely report. It is important to document how the marketing of breast-milk substitutes continues in breach of international standards. We are pleased that the NetCode protocol has been used to provide systematic evidence on the frequency of violations." Dr Laurence Grummer-Strawn, WHO.

ATNF undertakes two in-country studies of BMS marketing to feed into its Global Access to Nutrition Index, which is published every two years. The next Global Index is due to be released in April 2018. One important component of each Global Index is a BMS Marketing sub-ranking which scores and ranks the world's six largest baby food manufacturers based on their level of compliance with The International Code of Marketing of Breast-milk Substitutes, subsequent WHA resolutions (together referred to as The Code) and related national regulation. Their scores in the 2018 BMS Marketing sub-ranking will be based in part on the results of this study and a second study carried out in Nigeria (to be released shortly), and in part on analysis of their corporate policies, management systems and disclosure. Further information about the scoring system is available in the [ATNF BMS Marketing methodology](#).

The study

This report draws on the results of an extensive study done by Westat, a leading global health and social sciences research company. The full Westat study is available [here](#). ATNF worked with Westat on three similar studies in Vietnam and Indonesia in 2015, and in India in 2016. Westat worked with the International Health Policy Program Foundation (IHPP) as its local partner. IHPP conducts research on national health priorities related to health systems and policy.

"We were pleased to have worked with Westat on this important study. IHPP is committed to promoting evidence-based breastfeeding policy. Evidence of violations of The Code on BMS marketing is one of the most important pieces of the jigsaw to fill gaps in knowledge and to inform effective regulation." Dr Walaiporn Patcharanarumol, IHPP Director

The purpose of the study was to determine, using ATNF's methodology (in turn based on the NetCode Protocol), the level of compliance with The Code and local regulations in place at the time of four of the six major baby food companies whose products were found in Bangkok: Abbott, Danone, Nestlé and RB/MJN. No BMS products produced by either FrieslandCampina or Kraft Heinz, the two other major baby food manufacturers, were found in Bangkok. Those two companies are therefore not included in this study. Data for three other smaller companies whose BMS products were found in Bangkok was also captured.

Thailand was selected for the study using the same criteria ATNF has applied in selecting other countries for previous studies. First, the presence of all or most of the major baby food manufacturers which ATNF ranks and second, Thailand's relatively high ranking on a risk rating system used by FTSE4Good.

The NetCode protocol recommends that studies are conducted in the largest city of the chosen country – in this case, Bangkok. A summary of the study components is provided at the end of this document.

Context - Thailand

A study of infant and young child feeding patterns in Thailand for the period 2015-2016 found that the prevalence of children exclusively breastfed until the age of six months was found to be 23.1%, much lower than several other countries in ASEAN.¹ From birth to one month of age, fewer than 34% of children are exclusively breastfed. To encourage breastfeeding and discourage BMS marketing, in April 2017 the National Legislative Assembly passed the 'Marketing Control on Food for Infants and Young Children Act' (Milk Code) to restrict the marketing of food for infants and young children. Most of the provisions of this act came into effect on 8 September 2017, after Westat had finished data collection (although the labeling provisions come into force one year later). ATNF hopes that this study will provide a valuable baseline against which the impact of the new act can be assessed.

¹ Multiple Indicator Cluster Survey, NSO, NHSO, UNICEF, Thailand, 2015-2016

Key findings

In total, 3,185 incidences of non-compliance for BMS products were found in Bangkok during the short study period. This figure is substantially higher than the levels in Indonesia (1,246) and Vietnam (384), and in India (26), all of which were undertaken using a similar methodology (the IGBM protocol) in recent years.

By far the largest number of incidences of non-compliance were point-of-sale promotions found in both traditional so-called 'brick and mortar' retailers and on online retailers' sites. They accounted for 2,859 or 89% of all of the observed non-compliances. Of these, 2,673 were found online. Relatively few adverts and promotions were found on traditional and new media in comparison – a total of 141. The labels and/or inserts of every one of the 119 BMS products assessed was found to have at least one non-compliant element and most had many more than one. The report details various other types of marketing activity that do not accord with the recommendations of The Code.

The four major companies (whose results will be incorporated into the 2018 Global Access to Nutrition Index) are ranked according to their relative level of compliance with The Code, calculated by taking the total number of incidences of non-compliance divided by the number of BMS products assessed.

All four companies were found to have a low level of compliance, though the relative number of incidences of non-compliance varied significantly, from 15.7 for Danone to 55.9 for RB/Mead Johnson. In total, 2,807 observations of non-compliant marketing were identified for these four companies.²

- **Danone** had a total of 612 incidences of non-compliance, i.e. 15.7 incidences of non-compliance averaged across the 39 products found.
- **Abbott** had a total of 286 incidences of non-compliance, i.e. 19.1 incidences of non-compliance averaged across the 15 products found.
- **Nestlé** had a total of 902 incidences of non-compliance, i.e. 23.1 incidences of non-compliance averaged across the 39 products found.
- **RB/Mead Johnson** had a total of 1,007 incidences of non-compliance, i.e. 55.9 incidences of non-compliance averaged across the 18 products found.

A total of 378 incidences of non-compliance were found associated with three other companies whose eight BMS products were assessed by the study. The Government of Thailand is commended for effectively containing so-called parallel (illegal) imports of BMS products as none were found in the market.

The breakdown of the incidences of non-compliance by company and by product type is shown in the table below – by far the largest number related to growing-up milks.

² ATNF rates companies as having a low level of compliance if the number of incidences of non-compliance divided by the number of products assessed is greater than 2.1. A medium level of compliance is when this figure is between 1.1 and 2 and a high level of compliance is when it is 1 or less.

	Total non-compliances	Infant formula	Follow-on formula	Growing-up milk	Complementary foods: 0 - 6 months	No specific product type³
Danone (FR)	612	37	17	527	-	31
Abbott (US)	286	62	25	197	-	2
Nestlé (CH)	902	24	83	791	0	4
RB/Mead Johnson (UK)	1,007	290	306	395	-	16
<i>Sub-total</i>	2,807	413	431	1,910	0	53
DG Smart Mom (VT)	339	32	92	215	0	0
Dutch Mill (TH)	38	0	0	38	0	0
Hain Celestial (US)	1	0	0	0	1	0
<i>Sub-total</i>	378	32	92	253	1	0
Total	3,185	445	523	2,163	1	53

Chompoonut Topothai, Medical Officer in the Ministry of Public Health, said after attending a preview of the results in January in Bangkok "We thank ATNF, and Westat and IHPP, for undertaking such a vital study. It is a good baseline study for future monitoring and evaluation of the Milk Act implementation in Thailand."

Key recommendations

Given the high level of non-compliant promotion and advertising found, baby food manufacturers should take immediate steps to restrict such marketing by strengthening their contracts with, and training of, distributors and retailers in Thailand, particularly those with online sites. They should also take steps to ensure their compliance with new law as well as The Code.

In addition to these promotions, a large number were also found on online retailers' sites with which the companies confirmed they do not have contracts: these promotions are therefore not included in the companies' scores. Nevertheless, manufacturers should take any steps they can to deter these retailers from selling their products. Further, they should curtail their use of social media to contact mothers and put in place new procedures that eliminate all donations of equipment to the healthcare system.

One important aspect of marketing the government of Thailand could consider when monitoring compliance with the new Milk Code is how to deter point-of-sales promotions by online retailers, and other forms of online marketing, particularly social media, used to advertise directly to individuals. It is hoped that the introduction of new labeling requirements of the Milk Code that take effect in September 2018 will likely address many of the labeling issues identified.

³ Some observations, e.g. Items of equipment, some adverts, cannot be related to a specific type of product as they carry the company or brand name or logo.

Full details by company, types of marketing and types of product, recommendations and study limitations are available in the [ATNF report](#) and the [Westat report](#).

Key components of the Thailand study			
Bangkok	<p>Healthcare facilities (HCF): 33 HCFs were selected from the sampled districts</p> <p>HCFs were selected via a two-stage sample design. 1) a systematically selected sample of 10 combined districts, in which; 2) 33 HCFs were selected.</p> <p>Of the 33 HCFs, 30 were public facilities, three were private facilities.</p>	<p>Interview mothers: To achieve the sample requirement (10 per facility) the research team approached all eligible mothers with children younger than 24 months.</p>	330 mothers with children younger than 24 months were interviewed
		<p>Interview health workers: Selection was based on profession, including: the clinic director (or the head of the department), a physician, and either a nurse or midwife.</p>	99 healthcare professionals were interviewed
		<p>Identify and evaluate informational and educational materials found in HCFs</p>	
	<p>Retail stores: 43 physical retail outlets were selected. One small retailer or pharmacy close to each HCF and ten large retail stores based on the volume and variety of products under the scope of the study. Six major online retailers.</p>	<p>Identify and evaluate marketing and point-of-sale promotions, and informational and educational materials found in retail stores.</p>	
	<p>Labels and inserts for 119 unique BMS products were purchased (a large and small pack of each product type, if available).</p>	<p>Assess labels and inserts for compliance with local regulations, The Code and WHA resolutions.</p>	
Thailand	<p>Media: Assess traditional and internet advertising.</p> <p>Websites and online retailers were selected based on relevance and prominence.</p> <p>Other media channels were selected based on size of audience.</p>	<p>Monitor paid-for advertising: Media channels monitored for six months.</p> <p>Monitor companies' own advertising: Data was obtained for two months.</p>	Television (4), radio (2) and print media (90)
			<p>15 parent and child websites</p> <p>6 online retailers (monitored for 2 months)</p> <p>12 local company and 5 brand websites and 4 social media platforms for each company (i. Facebook page; ii. Instagram; iii. YouTube channel, and iv; Twitter feed.)</p>