



Nestlé

Switzerland



About the company ^a	
	
Baby food global market share (2019)	21%
Percentage of baby food revenues out of total revenues (2019)	16%
Key global baby food brands	Gerber; Good Start; NAN; NIDO; Cerelac; Nestum; S-26

	Weight	Score		
		2021	2018	2016
BMS/CF 1: Corporate Profile	50%	48%	56%	55%
BMS/CF 2: In-country assessment	50%	66%	33%	16%
Total	100%	57%	45%	36%
Impact on Global Index 2021 score		-0.64	-0.8	-0.96

All figures presented in the scorecard are rounded. The underlying figures are calculated using values of multiple decimal places.

BMS/CF 1: Corporate Profile

Index purpose:

The BMS/CF Marketing Index 2021 scores the constituent companies on the extent to which they market their breast-milk substitutes (BMS) and complementary foods (CF) in line with the recommendations of the 1981 Code and all subsequent relevant WHA resolutions (together known as The Code).

Research:

The Corporate Profile research was undertaken by ATNI between May and September 2020, based on documents available in the public domain or provided by the company under NDA by the beginning of June. Any documents published since are not reflected in the score. Nestlé engaged actively with ATNI in the research process.

The findings of this Index regarding companies' performance rely to a large extent on information shared by companies, in addition to information that is available in the public domain. Several factors beyond the companies' control may impact the availability of information such as differences in disclosure requirements among countries or capacity constraints within companies due to, among other factors, the Covid-19 pandemic. Therefore, in the case of limited or no engagement by such companies, this Index may not represent the full extent of their efforts.

Methodology:

The [BMS/CF Marketing Index 2021 methodology](#) was used to undertake this assessment, adapted from the methodology used in 2018, developed with input from ATNI stakeholders' and ATNI's BMS Expert Group. For the first time, this Index includes an assessment of whether complementary foods marketed as being suitable for infants from six to 36 months of age, are marketed in line with the guidance associated with WHA 69.9. Accordingly, the BMS/CF 1 Corporate Profile methodology includes two modules which assess companies' policies, management systems, procedures and disclosure in relation to both BMS marketing (BMS Module) and CF marketing (CF Module).

Product definitions and scope:

ATNI uses the definitions for BMS, for foods for infants and young children, and CF established by the World Health Organization (WHO). These are set out in the 1981 International Code of Marketing of Breast-milk Substitutes and in the WHO document, published in 2016, A69/7 Add 1, 13th May 2016, entitled 'Guidance on ending the inappropriate promotion of foods for infants and young children', referenced in WHA Resolution 69.9 adopted at the 69th World Health Assembly. Hereafter this document is referred to as the guidance associated with WHA 69.9.^b

^a Sources: Euromonitor International; Packaged Food, 2021 Industry Edition; Nestlé, [Annual Review 2019 \(2020\)](#)

^b A BMS product is one that is marketed or otherwise presented as a partial or total replacement for breastmilk, whether or not suitable for that purpose, for infants and young children from birth to 36 months of age. BMS: foods and beverages identified as being suitable for infants up to six months of age (CF 0-6), any type of milk-based infant formula (IF) or follow-on formula (FOF, also called follow-up formula) or growing-up milk (GUM, also called toddler milk). A complementary food is any food (whether manufactured or locally prepared) suitable as a complement to breastmilk or formula, when either become insufficient to satisfy the nutritional requirements of the infant.



Initial Corporate Profile score

As explained in ATNI's BMS/CF Marketing Index 2021 methodology, this Initial Corporate Profile score shown in Table 1 indicates: i) the extent to which the wording of the company's policy is fully aligned with The Code; ii) whether the management systems the company uses to implement its policy are comprehensive and consistently applied, and; iii) how extensive its disclosure is.

As Nestlé derives over 5% of its baby food revenues from BMS, it is assessed on the BMS Module. More than 5% of Nestlé's baby food sales are also attributed to CF sales

which is why Nestlé is also assessed on the CF Module. Sections 2-10 of the BMS module and sections 2-5 of the CF module all include analysis of policy commitments and management systems. Section 11 of the BMS Module and section 6 of the CF Module measure disclosure. The initial 2021 Corporate Profile score does not reflect which products and geographies the policy applies to, or the company's application of the policy in relation to the status of local regulation in different markets. That score is the Final Corporate Profile shown in Table 3, with appropriate weightings and penalties applied.

Table 1: Initial Corporate Profile score

Section	Article ^c	Topic	2021 score	2018 score	2016 score
Breast-milk substitute Module					
1	Introduction	Overarching commitments	94%	100%	100%
2	4	Information and education	89%	78%	92%
3	5	The general public and mothers	97%	100%	100%
4	6	Healthcare systems	85%	100%	100%
5	7	Healthcare workers	86%	92%	100%
6	8	Persons employed by manufacturers & distributors	92%	92%	100%
7	9	Labelling	78%	90%	71%
8	10	Quality	100%	100%	100%
9	11	Implementation	100%	100%	93%
10		Lobbying (policy and objectives)	94%	100%	75%
11		Disclosure	67%	81%	82%
Complementary Foods 6-36 months Module					
1		Infant and Young Child Feeding Guiding Principles	0%	-	-
2		Product formulation	0%	-	-
3		Marketing messages	13%	-	-
4		Cross promotion	0%	-	-
5		Conflict of interest	0%	-	-
6		Disclosure	0%	-	-
Initial Corporate Profile score (BMS and CF module)			85%	94%	92%

^c In addition to alignment with each article of The Code, this assessment includes consideration of any WHA resolutions that augment or relate to the article. For further detail, see the ATNI methodology for the BMS/CF Marketing Index 2021.



Corporate Profile: Analysis

Overarching commitments

Nestlé has not changed its overarching commitments since the 2018 assessment. The company continues to clearly state its support for exclusive breastfeeding for the first six months, continued breastfeeding to two years and beyond and the introduction of complementary foods from the age of six months. While it explicitly acknowledges the importance of The Code and subsequent WHA resolutions, the policy does not reference or state support for the recommendations made in the guidance associated with WHA 69.9. It is for this reason the company's score in this section is lower than previously.

Policy commitments on marketing

Nestlé's BMS marketing policy is in complete alignment with The Code and all subsequent relevant resolutions up to but not including all recommendations of the guidance associated with WHA 69.9. The company has not made the full set of commitments needed with regards to marketing either its BMS or its CF products. Thus, where ATNI has added new indicators to the methodology in relation to BMS products, or where it has amended them compared to the previous assessment, to incorporate the recommendations of the guidance associated with WHA 69.9, Nestlé has not scored.

With respect to CF, it does not make any of the commitments assessed through the CF Module in any sections, apart from some in relation to marketing messaging. It does not commit to including in all marketing messages the wording stipulated by Recommendation 4 of the guidance associated with WHA 69.9. These recommendations are intended to ensure that all marketing messages, whether through advertisements, promotions, online information or packaging labels, support optimal breastfeeding and young child feeding.

Considering only commitments assessed relating to the original Code and all other WHA resolutions, Nestlé's score improved from the 2018 assessment mainly due to changes ATNI made to indicators related to WHA 58.32 and WHA 61.20. ATNI re-worded the indicators for this assessment based on input from WHO. The requirement to explicitly warn consumers that powdered formulas might contain 'pathogenic micro-organisms' was removed; WHO clarified that companies' policies instead only needed to commit to provide information that these

products may cause illness if not properly prepared. The biggest gap in Nestlé's BMS policy is that it continues to exclude growing-up milks and most formulas for special medical purposes. The latter are BMS and covered by The Code. Nestlé is urged to close these gaps and to develop policy commitments related to complementary foods for older infants and young children of 6 to 36 months of age, particularly dealing with marketing, cross-promotion, and conflict of interests in healthcare systems, and ensure alignment with all recommendations of the guidance associated with WHA 69.9. Further, to fully align to The Code, Nestlé's BMS marketing policy should be extended to apply globally (both in higher- and lower- risk countries) in relation to all products covered by The Code.

Management systems

Compared to the 2018 assessment, Nestlé's score has also fallen in relation to its management systems because of the lack of commitments in relation to the guidance associated with WHA 69.9 - for which, consequently, no directives or procedures are in place. Otherwise, Nestlé has strong management systems in place which have particularly improved in relation to Article 4 since the 2018 assessment.

Policy commitments on lobbying

Nestlé continues to have strong commitments in relation to lobbying. To achieve the full score, the company needs to explicitly commit not to undermine, and not just support, public policy frameworks, the work of the WHO or similar agencies or national governments' efforts to develop and fully implement The Code.

(For a more comprehensive analysis of the company's policies, management systems and disclosure relating to lobbying undertaken after research for this Index, see ATNI's report Spotlight on Lobbying, published in June 2021).

Disclosure

Nestlé has improved its disclosure of how it handles stakeholder complaints by explaining how it has responded to them. However, compared to the 2018 assessment, its disclosure is less complete in relation to listing its BMS-related memberships of trade associations and industry groups, and in relation to its description of BMS-related lobbying activities.^d

^d Since the research was completed, Nestlé has developed a new webpage that provides greater transparency in this regard. The Spotlight on Lobbying report also provides fuller and more up-to-date information.



Final Corporate Profile score

The table below shows to which products the company's policy apply, in which geographies, and its stance in relation to local regulations. This information is used to calculate the final Corporate Profile score, as shown in Table 3.

Table 2: Application of company policy

Product type	Product made	Policy scope	Geographical coverage	Stance on application of policy in relation to local regulations
Infant formula: 0-6 months	✓	✓	High-risk countries ^e	Nestlé follows national regulations where they are stricter than its policy, in addition to its own policy. In higher-risk countries where national regulations are weaker than its policy, or absent, Nestlé follows its own policy.
Complementary foods: 0-6 months	✓	✓	High-risk countries	
Follow-on formula: 6-12 months	✓	✓	High-risk countries	
Growing-up milks: 12-36 months	✓	✗	Out of scope	-
Complementary foods: 6-36 months	✓	✗	Out of scope	

How the Final Corporate Profile score is calculated

Weighted scores: The initial Corporate Profile score is adjusted according to: i) which types of countries the policy applies to (the score is reduced by 25% if the company applies the policy only in higher-risk countries for a particular product type); ii) the company's stance in relation to local regulation in countries where regulations are weaker than its policy, or absent. If it does not uphold its own policy in full, the score is reduced by a further 15%.

The scores for each product type in Table 3 show the level of compliance each company achieves for that product type. If the company does not apply its policy to any product category it scores zero for that category. This is also the case if the company does not disclose how it applies its policy to a particular product type. If a company does not make a type of product, N/A is shown in Table 3.

Final Corporate Profile score: This is the final score weighted as described above and applying the weightings for each module of the methodology. The BMS module carries 95% of the weight and the CF module carries 5% of the weight. That final score is arrived at by applying all relevant penalties and weightings. $(IF \text{ score} * IF \text{ weighting} * 0.95) + (CF \text{ 0-6 score} * CF \text{ weighting} * 0.95) + (FOF \text{ score} * FOF \text{ weighting} * 0.95) + (GUM \text{ score} * GUM \text{ weighting} * 0.95) + (CF \text{ 6-36 score} * CF \text{ weighting} * 0.05)$. If a company derives less than 5% of its baby food revenues from CF, the CF module is not applied and it is not scored for that product type. The BMS module then contributes 100% to the company's score.

^e Higher-risk country: When a country meets either of the following criteria: a) more than 10 per 1000 under 5 mortality rate, b) more than 2% acute malnutrition (moderate and severe wasting) in children under five. ATNI uses the same definition for these countries as FTSE4Good.



Table 3: Calculation of the Final Corporate Profile score, with product type and module weightings applied

Product type weighting		BMS				CF
		IF 0-6	CF 0-6	FOF 6-12	GUM 12-36	CF 6-36
Step 1	Does the policy apply to this product type?	Yes	Yes	Yes	No	No
Initial score		85%				
Product type weighting of Initial Corporate Profile score (95% BMS module; 5% CF module)		35% of 95%	25% of 95%	20% of 95%	20% of 95%	5%
Step 2	Initial score for each product type with product type weighting applied	28%	20%	16%	16%	4%
Step 3	Score after product weight applied based on policy coverage	28%	20%	16%	0%	0%
Step 4	Score after geographic penalty applied if any (x 25%)	21%	15%	12%	0%	0%
Step 5	Score with regulatory penalty applied if any (x additional 15%)	21%	15%	12%	0%	0%
Step 6	Final score by product type	21%	15%	12%	0%	0%
Final Corporate Profile score (sum of product type final scores)		48%				
Adjustment to Global Index 2021 score (out of -0.75)		-0.39				

Box 1: Analysis of compliance excluding findings related to the guidance associated with WHA 69.9 to provide like-for-like analysis with 2018 Index score

The purpose of this section is to provide a like-for-like comparison between the company's 2018 and 2021 results to illustrate the impact of the inclusion of the guidance associated with WHA 69.9 and assessment of CF marketing on changed scores versus the impact of other factors on the 2021 scores such as changes to a company's policies, practices and disclosure. It is provided purely for comparison purposes. This score is not used by ATNI. It is important to note that this score does not provide an indication of the company's compliance with The Code as it should now be interpreted.

Nestlé's Corporate Profile score presented below is based solely on the BMS Module (100% weighting) with the excluded WHA 69.9 indicators for the purpose of the comparison.

2018 final BMS 1 score excluding WHA Resolution 69.9	2021 final BMS /CF 1 score excluding WHA Resolution 69.9	2021 final BMS/CF 1 score including WHA Resolution 69.9
56%	57%	48%

Nestlé's final 2021 Corporate Profile score would have been 9% higher if ATNI had not incorporated changes in relation to the guidance associated with WHA 69.9 within the BMS module assessment and added the CF module assessment, which indicates that the change in the score is primarily attributed to the lack of commitments to implement the guidance associated with WHA 69.9 recommendations.

However, in a like-for-like comparison between the 2018 and 2021 final Corporate Profile results there is a 1% difference as Nestlé's score improves partly due to the amended indicators in ATNI's methodology and also due to some improvements in the company's management systems.



BMS/CF 2: In-country assessments

Market share and BMS/CF brands available in each market^f

Country	Market share ^e	BMS/CF brands sold
Philippines	40%-50%	Cerelac, Gerber, Nestogen, NAN, NIDO, Bear brand Junior, Wyeth: Bonna, S-26, Bonamil, Bonakid, Promil
Mexico	50%-60%	Nestlé Health Science: Althera, Alfare, Alfamino; GOODSTART; NAN; Cerelac; Nestum; Gerber; NIDO; NIDAL; Wyeth: Cognita Gold

Findings

Table 4 sets out a summary of key findings in the Philippines and Mexico. Additional detail is available in ATNI's Summary Reports for each country and in Westat's reports. It is important to note that in each market ATNI assesses companies' compliance with The Code and any local regulations that go beyond The Code. ATNI does not assess companies' compliance with local regulations that are in line with or less stringent than The Code.

Table 4: Summary of key findings in the Philippines and Mexico

	Philippines	Mexico	Total	
Total number of legitimate BMS/CF products found in the market	50	233	283	Key to level of compliance Complete: No incidence of non-compliance found. High: Fewer than or equal to 1 incidence of non-compliance by number of products found in the market. Medium: Between 1.1 and 2 incidences of non-compliance by number of products found in the market. Low: More than 2.1 incidences of non-compliance by number of products found in the market.
Infant formula	15	18	33	
Complementary foods < 6 months	0	4	4	
Follow-on formula	6	8	14	
Growing-up milks	10	16	26	
Complementary foods 6-36 months	19	187	206	
Total observed incidences of non-compliance identified	47	122	169	
Infant formula	1	4	5	
Complementary foods < 6 months	0	0	0	
Follow-on formula	1	2	3	
Growing-up milks	24	70	94	
Complementary foods 6-36 months	15	35	50	
Non-specified products*	6	11	17	
Ratio of incidences of observed non-compliance to products assessed	0.94	0.52		
Level of compliance	High	High		
Aggregate score (Philippines and Mexico)	66%	66%	66%	
Adjustment to Global Index 2021 score (out of -0.75)		-0.26		

*Non-specified products do not relate to a specific product but rather relate to company or brand marketing attributed to its BMS/CF products

^f Other brands may be available for sale in the market – as ATNI found – but these are parallel (unofficial) products, which ATNI does not include in the assessments or scores.

^g Source: Euromonitor International; Packaged Food, 2021 Industry Edition



In-country assessments: Analysis

Article 4: Information and education material, including donations of equipment

- No information, educational material or equipment was found in the Philippines or in Mexico demonstrating good compliance with this article of The Code. (Compliance with Article 4.2 was only assessed in Mexico at the physical retail outlets visited as no data collection could be conducted in healthcare facilities due to COVID-19 restrictions).

Article 5: Advertising and promotions to the general public and mothers

- In the Philippines, 45 unique adverts or promotions were found on the traditional media or online media sites monitored. Of these, 24 were on TV and radio for growing-up milks (Article 5.1). The remaining 21 incidences were brand-level marketing on online media platforms relating to Nestlé's CF 6-36 products of the Cerelac and Gerber brands. These promotions lacked wording required by the guidance associated with WHA 69.9 about continued breastfeeding to two years and beyond (Recommendation 4). Two additional incidences were price promotions for BMS products on an online retail site (Article 5.3), which Nestlé stated it did not initiate.

Only one mother reported receiving a sample of a Nestlé product from personnel in a shop/pharmacy (although the product type of sample could not be recalled by the mother.) (Article 5.2).

- In Mexico, 35 adverts were found on online media sites including company's own media and parenting sites; 21 related to growing-up milk (Article 5.1), and three related to CF that were missing the required wording on the importance of continued breastfeeding for up to two years or beyond and the importance of not introducing complementary feeding before six months of age (WHA 69.9 guidance, Recommendation 4). The remaining 11 related to BMS products within Nestlé's Good Care and Nido brands, which fall under the scope of The Code and therefore should not be promoted, as well as Nestlé's Nestum and Gerber brands, which were mainly for CF adverts lacking the required wording. An additional six incidences were found on traditional media, namely televised adverts of growing-up milk (Article 5.1) and CF (WHA 69.9 guidance, Recommendation 4).

- In total, 48 point-of-sale promotions were observed at both physical and online retailers in Mexico (Article 5.3). Most observations were on online retailer sites amounting to 37 promotions all for growing-up milk whereas 11 incidences of non-compliance were observed at physical retail outlets. Five of the physical retail findings related to Nestlé's products which had an invitation on the packaging to make contact with the company by visiting its website and/or Facebook page. Four of these incidences were attributed to infant formula and follow-on formula (Article 5.5), whereas one was attributed to CF and therefore did not comply with the guidance associated with WHA 69.9 on cross-promotions (Recommendation 5). The recommendation calls on companies that market BMS, in this case Nestlé, to refrain from engaging in the direct or indirect promotion of their other food products for infants and young children through establishing any relationships with parents and other caregivers (whether through baby clubs, social media groups, childcare classes, etc.). In this finding, there is an explicit invitation for the consumer to visit a website where the visitor is asked to 'be part of the club' and sign up to Nestlé Baby and me.

Article 6: Marketing within the healthcare systems (Philippines only)

- No promotions initiated by Nestlé were found in healthcare systems in the Philippines. Due to COVID-19, no healthcare facilities were visited in Mexico to undertake this type of assessment.
- Interviews with mothers and caregivers however indicated a total of 21 reported incidences of Nestlé BMS product being promoted by health professionals within the healthcare system (Article 6.2). Additionally, Nestlé staff were reported to have requested that a healthcare facility distribute some promotional material. There were another four reports: one related to a request to distribute coupons, and three involved requests to display products and/or conduct promotional activities in the facility (Article 6.3).
- While these results are not included in the company's score (as they are considered subjective, prone to recall bias and cannot be verified), they provide additional insights into common marketing practices.



Article 7: Marketing to healthcare workers (Philippines only)

- In the Philippines, interviews with health professionals indicated several forms of non-compliance with The Code. One healthcare worker reported being contacted by a Nestlé representative to provide them with a personal gift (Article 7.3 and Recommendation 6).
- There were five instances of healthcare professionals being contacted by Nestlé to provide samples of BMS products to mothers (Article 7.4 and Recommendation 6) as well as a total of 30 reports from health workers on being contacted by Nestlé representatives to be offered to sponsor events and support staff attendance at events (Article 7.5 and Recommendation 6).
- While these results are not included in the company's score (as they are considered subjective, prone to recall bias and cannot be verified), they provide additional insights into common marketing practices.
- Due to COVID-19, no healthcare facilities were visited in Mexico to undertake this type of assessment.

Article 9: Labelling

- No non-compliant product labels were observed in the Philippines; all were compliant with The Code and local regulations that go beyond The Code.
- In Mexico, 33 product labels were found to be non-compliant, 29 of which related to CF. All omitted the WHA 69.9 recommendation to include a statement on the importance of continued breastfeeding for up to two years or beyond (Recommendation 4) and some of which had nutrition and/or health claims which, according to the guidance associated with WHA 69.9, are not permitted on foods for older infants and young children. The remaining findings were in relation to labels of growing-up milks, which omitted some of the information required by Article 9.2, such as stating the superiority of breastfeeding or including a warning against the health hazards of inappropriate preparation and use, and WHA 61.20, such as showing the use of hygienic practices and the need to boil water and sterilize utensils.



In-Country Assessment

Research:

The research was undertaken by Westat, a U.S.-based health and social science research company, under contract to ATNI, working with a local partner in each country.

Methodology:

The methodology is based on the second edition of the NetCode toolkit published in 2017, Monitoring the Marketing of Breast-milk Substitutes: Protocol for Periodic Assessments. Full details of the methodology are available in the Westat reports for each country.

Data collection methods included:

- Interviews with pregnant women and mothers of infants in healthcare facilities (only in the Philippines).
- Interviews with healthcare workers in healthcare facilities (only in the Philippines).
- Identification of promotional, informational and educational materials produced by BMS/CF manufacturers in healthcare facilities (only in the Philippines) and retail stores.
- Identification of marketing and point-of-sale promotions by BMS/CF manufacturers in retail stores and on online retail sites.
- Analysis of product labels and inserts of all available BMS/CF products on the local market.
- Media monitoring, including various forms of traditional and digital media.

Definitions used:

Westat's studies included the following types of products, following the definitions used in The Code and the guidance associated with WHA Resolution 69.9:

- BMS products include: Infant formula (for infants less than six months of age); follow-on formula – sometimes called follow-up formula – (for infants 6-12 months of age); growing-up milk (for children 12-36 months of age); CF when recommended for infants less than six months of age.
- CF marketed as suitable for young children from 6-36 months of age.

Definitions of non-compliance with The Code: 2017 NetCode Protocol, WHO and other authoritative sources (such as the Helen Keller Institute) and local regulations in each country. Full list of definitions available as an Annex to the Westat reports.

Location:

National Capital Region, Philippines and Mexico City, Mexico.

Sampling and scope:

- **Healthcare facilities:** Selected with probability proportionate to size from a sample frame of eligible facilities.
- **Mothers and caregivers and healthcare workers:** Selected on a probability basis within each healthcare facility.

- **Retailers:** One small retailer or pharmacy in proximity to each healthcare facility is selected on a purposive basis as well as the 10 largest retail stores that sell a high volume and variety of the products within the study scope are identified in each country and visited. Additionally, the five major online retailers in each country were identified with the advice of the local partners. Given that the study in Mexico excluded healthcare facility assessments, small retailers and pharmacies were not visited.
- **Advertising:** Various traditional media were monitored, such as television, print and radio by a specialist agency in each country. Additional monitoring of online media was undertaken by local partners.
- **330 women and 126 healthcare workers** were interviewed in the Philippines, and none in Mexico due to Covid-19 restrictions.
- **Products:** BMS and CF products were first identified through searches on online retailers and visits to 'brick and mortar' retailers. As many products as possible were purchased. The 2017 NetCode protocol required the purchase of a single item of every relevant product included in the study; for products sold in different sizes, those of a medium-size or the most commonly purchased size available are chosen in an effort to maximize the amount of information included on the label. Not all products shown on online retail sites were in fact available for sale.

Fact-checking with companies:

Once data collection in healthcare facilities and retailers had been completed, ATNI undertook various fact-checks with the companies assessed in the BMS/CF Marketing Index 2021 (but not with the 'other' companies whose products were also found). ATNI confirmed which of the companies' products identified, through a wide-ranging search of online sites and physical stores, were in fact legitimate products. This was to exclude parallel imports, for which the companies were not responsible, from the assessment. The companies were also asked to confirm with which online retailers they had formal commercial contracts. Point-of-sale promotions on online retail websites were only included where the companies confirmed such commercial relationships. If companies did not respond to ATNI's request, observations made on these online retailers were included in the assessment. In an innovation to the research process for this Index, companies were also provided with evidence of all observed incidences of non-compliance, in the form of photographs or screenshots, during the final fact-checking step.

Scoring:

For an explanation of how the scores were calculated, see the [ATNI BMS/CF Marketing Index methodology](#).



Box 2: In-country assessment | Analysis of compliance excluding findings related to the guidance associated with WHA 69.9 to provide like-for-like analysis with 2018 in-country assessment and final combined score

The table below sets out Nestlé’s results if the findings related to the guidance associated with WHA 69.9 are excluded from the BMS/CF 2 results. This provides a direct like-for-like comparison of the findings in 2018 and in this iteration of the Index. It is important to note that these are not the results that provide the complete picture of Code compliance. They are provided for information only. They are not the basis of any scores or analysis presented elsewhere in any of the associated reports.

	Total number of BMS products (i.e. excluding CF)	Relative level of compliance excluding WHA 69.9 results	Total number of incidences of non-compliance excluding WHA 69.9 results
The Philippines	31	0.83 (High)	26
Mexico	46	1.76 (Medium)	81

Nestlé’s level of compliance in 2021 excluding the results related to the guidance associated with WHA 69.9 would not change in the Philippines, however, in Mexico it changes to medium compliance rather than high given that the proportion of non-compliances excluding findings related to the guidance associated with WHA 69.9 relative to the BMS products found in the market is higher. In a like-for-like comparison with the 2018 BMS 2 results, Nestlé’s overall level of compliance would improve by 16.5%.

Accordingly, in a like-for-like comparison, the final combined score for Nestlé of the BMS/CF 1 and BMS/CF 2 assessments excluding findings related to the guidance associated with WHA 69.9 would be 53%, 4% lower than its official 2021 final score.

Adjustment to Global Index 2021 score:

For those companies included in the Global Access to Nutrition Index 2021, the total possible adjustment made based on the Corporate Profile (CP) or BMS/CF 1 score is -0.75, 50% of the maximum possible adjustment of -1.5. The other -0.75 maximum adjustment is determined by the company’s score on BMS/CF 2. The final combined score represents the level of compliance with the ATNI methodology; the adjustment is based on the level of non-compliance. Therefore, the calculation for the adjustment is:
-1.5 x (100% - final combined score)



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Westat and the Nutrition Center of the Philippines (NCP), its local subcontractor, were responsible for the collection of data related to company compliance with the International Code of Marketing of Breast-milk Substitutes, all subsequent, relevant WHA resolutions, and any additional country-specific regulations related to marketing of these products in the Philippines. Similarly, Westat and Universidad Iberoamericana (IBERO) in collaboration with the Instituto Nacional de Salud Pública (INSP), IBERO/INSP being Westat's local subcontractor, were responsible for the same scope of data collection in Mexico. In the Philippines, Westat and NCP engaged with health facilities, mothers of infants who attended those facilities, health professionals at the facilities, and retailers as part of the data collection and analysis process. In Mexico, Westat and IBERO/INSP engaged with retailers as part of the data collection and analysis process. Westat is

responsible for the analysis of the data related to compliance with ATNI's methodology on which the Access to Nutrition Foundation (ATNF) will (in part) base the scoring of baby food companies in the ATNI BMS/CF Marketing Index 2021, which will in turn inform the companies' scores in the ATNI Global Index 2021.

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