

ACCESS TO
NUTRITION
INITIATIVE

China country study

Marketing of Breast-milk
Substitutes and Commercial
Complementary Foods

August 2024



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Abbreviations

ATNI	Access to Nutrition Initiative
BMS	Breast-milk substitutes
CF	Complementary foods (commercially produced)
COMMIT	Consortium for Improving Complementary Foods in Southeast Asia
EAPRO	East Asia and the Pacific Regional Office
FUF	Follow-up formula
GNI	Gross national income
GUM	Growing-up milk
IBFAN	International Baby Foods Action Network
IF	Infant formula
NGO	Non-governmental organization
SDG	Sustainable Development Goals
UNICEF	United Nations Children's Fund
WHA	World Health Assembly
WHO	World Health Organization



About the Access to Nutrition Initiative

The Access to Nutrition Initiative (ATNI) is a global nonprofit established in 2013 to transform markets so they provide more nutritious, affordable, and sustainable foods for all. ATNI empowers key actors in the global food system and at national levels – especially industry and investors – to accelerate access to nutritious, affordable, and sustainable foods for all.

ATNI – which is funded by governments and philanthropies – is dedicated to objectively assessing and improving the contribution made by the private sector to addressing global nutrition challenges. ATNI does this by designing and regularly publishing various indexes and other private sector accountability tools. These indexes and tools measure and track, over time, the extent to which companies are working to increase consumers' access to healthy foods and responsibly exercising their influence on consumer choice and behavior.

More about ATNI can be found on our website:

<https://accesstonutrition.org/mission-vision-values/>.



Executive summary

ATNI periodically assesses the extent to which companies that make formulas and foods for infants and young children market their products in line with the prevailing international gold standard: the 1981 International Code of Marketing of Breast-milk Substitutes^a. The Code lays provisions on the responsible marketing of **breast-milk substitutes** and **complementary foods**^b.

ATNI's breast-milk substitutes and complementary foods Marketing Indexes 2024 assess the 20 largest baby food companies globally^c. In addition to these global results, five country markets have been assessed, including China. The baby food market in China is worth approximately USD 28 billion (188.44 billion RMB, 2022), up from approximately USD 25 billion (169 billion RMB) in 2017. A total of 13 companies were included in this assessment: a2 Milk, Beingmate, Danone, Feihe, FrieslandCampina, H&H, Hain Celestial, HiPP, Junlebao, Kraft Heinz, Mead Johnson China, Nestlé, and Yili. Together, they comprise almost 75% of the Chinese baby food market^d. Of the 13 companies, four sell both breast-milk substitutes and complementary foods in China: Beingmate, Danone, HiPP, and Nestlé. Hain Celestial and Kraft Heinz only sell complementary foods in China. The remaining seven companies only sell breast-milk substitutes in the Chinese market.

^a Here we include all subsequent, relevant World Health Assembly (WHA) resolutions up to WHA 71.9, collectively referred to hereinafter as 'the Code'.

^b For the purpose of this report that focused on the assessment of industrial food products, when the term complementary foods or the acronym CF is used, it refers to commercially or industrially produced complementary foods.

This report summarizes the context of the breast-milk substitutes and complementary foods market in China and presents the country's findings.

For this research ATNI assessed compliance with the International Code of Marketing of Breast-milk Substitutes, relevant subsequent WHA resolutions and WHO Guidance on Ending the Inappropriate Promotion of Foods for Infants and Young Children. ATNI did not assess compliance with local regulations or laws.

The number of incidences of non-compliance for both breast-milk substitutes and complementary foods varied between the companies. However, **none of the 13 companies assessed between January 2023 and July 2023 market all their breast-milk substitutes and/or complementary foods products fully in line with the Code in China.**

For breast-milk substitutes (BMS), a total of 676 incidences of non-compliant marketing practices were found during the research period. Of these, 433 (64%) were attributed to BMS-related promotions on online retail or online media channels, 24 (~4%) were BMS-related promotions on traditional media channels (like TV or print media), and 219 (~32%) were attributed to BMS products with non-compliant labels.

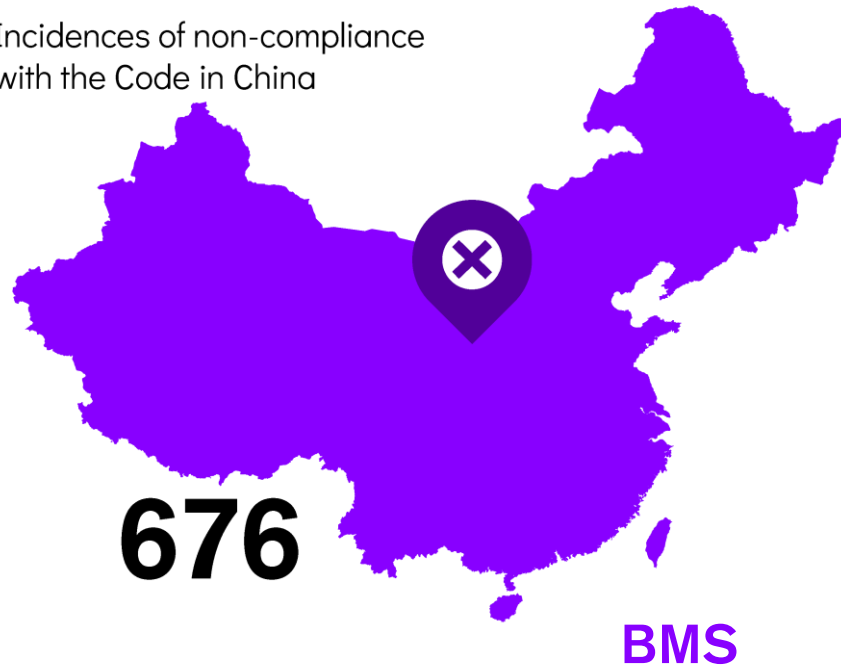
For complementary food products, a total of 95 incidences of non-compliant marketing practices were found during the research period, of which 65 (~68%) were from online retailers or online media channels and 30 (~32%) were from product labels. None of the marketing practices of complementary foods observed during the research are fully compliant with the Code.

^c The selection is based on 2021 retail sales estimates from Euromonitor International.

^d Based on Euromonitor International Limited, Dairy Products and Alternatives Edition, 2022 data, © All rights reserved.



Incidences of non-compliance with the Code in China



Incidences of non-compliance with the Code in China



ATNI recommends that companies strengthen their marketing policies and ensure their marketing practices comply fully with the recommendations of the Code and all subsequent relevant World Health Assembly (WHA) resolutions, including the guidance supported by WHA resolution 69.9, without exception in all markets.

Companies should play their part in contributing to targets for optimal infant and young child nutrition, particularly those set by the World Health Organization (WHO) for 2025 and national governments, which combat growing levels of overweight and obesity and reduce deaths and illness from diet-related chronic diseases.¹



1. Introduction

The Access to Nutrition Initiative (ATNI) is dedicated to objectively assessing and improving the contribution made by the private sector to addressing global nutrition challenges. ATNI does this by designing and regularly publishing various indexes and other private sector accountability tools. These indexes and tools measure and track, over time, the extent to which companies are working to increase consumers' access to healthy foods and responsibly exercising their influence on consumer choice and behaviour.

One of ATNI's core activities is assessing the extent to which companies that make formulas and foods for infants and young children market their products in line with the prevailing international gold standard: the 1981 International Code of Marketing of Breast-milk Substitutes including all subsequent, relevant World Health Assembly (WHA) resolutions up to WHA 71.9, collectively referred to hereinafter as 'the Code'. The Code lays provisions on the responsible marketing of breast-milk substitutes (BMS) and complementary foods (CF). For the purpose of this report that focused on the assessment of industrial food products, when the term complementary foods or the acronym CF is used, it refers to commercially or industrially produced complementary foods.

Companies are expected to play their part in contributing to optimal infant and young child nutrition and achieving nutrition goals, particularly those set by the World Health Organization (WHO) for 2025 and national governments to combat growing levels of overweight and obesity and reduce deaths and illness from diet-related chronic diseases² - by complying with the Code and relevant national legal measures.

This report summarizes the context of the BMS and CF market in China and presents the country findings of the BMS Marketing and the CF Marketing Indexes 2024 for China.

The importance of infant and young child nutrition and the Code

Adequate nutrition is particularly important within the first 1,000 days of a child's life (from conception to age two), a critical stage that shapes optimal growth and development.

The WHO recommends that infants everywhere be exclusively breastfed for the first six months, after which point safe, adequate, and nutrient-rich foods should be introduced when breastmilk or milk formula alone are no longer adequate to meet the nutritional requirements of growing infants. This period is also known as complementary feeding, which generally starts at the age of six months and lasts up to 23 months of age, although breastfeeding may continue beyond this period, as recommended by WHO³.

Optimal breastfeeding has myriad benefits for infants and young children and their mothers. Breastmilk is the most sustainable and nutritious source of food for infants, carrying protective factors that safeguard children's health and their future well-being.^{4 5} Studies estimate that, breastfeeding can help prevent around 823,000 deaths in children younger than five years and 20,000 deaths in mothers from breast cancer annually.⁶

Nevertheless, while breastfeeding up to the age of two years is encouraged, the importance of appropriate complementary foods from the age of six months onwards should not be overlooked. The complementary feeding period is critical to prevent all forms of childhood malnutrition, including stunting, wasting, micronutrient deficiencies, overweight, obesity and diet-related non-communicable diseases⁷. Complementary foods of poor nutritional quality, like



those that are high in sugar and calories, can contribute to weight gain, while those of suitable nutritional quality have the potential to reduce stunting in young children.⁸ These foods should have appropriate energy density, macronutrient levels, and micronutrient levels, either inherently or through fortification, to provide all of the vitamins and minerals essential for healthy development.⁹

Due to the sub-optimal rates of breastfeeding worldwide, and continuing infant mortality and poor health outcomes, in 2014, WHO set a global target for 2025 of achieving 50% exclusive breastfeeding in the first six months of age in all countries and regions.¹⁰ This target was extended in 2016 to at least 70% exclusive breastfeeding by 2030.¹¹ The latest United Nations Children's Fund (UNICEF) estimates of exclusive breastfeeding rates during the first six months of life show that, globally, as of 2022, exclusive breastfeeding is up to 48% and on track to reach the 2025 target – but remains far from the 2030 target. It is worth noting there are regional disparities, as six of the nine global UNICEF regions have rates below 50%, while Western Europe has no regional data on these practices; and only South Asia and Eastern and Southern Africa currently surpass the 2025 target.¹²

Latest UNICEF estimates show that, in 2021, only 18% of older infants and young children between 6-23 months of age globally consumed a minimum acceptable diet that is sufficient in diversity and frequency, as per complementary feeding recommendations.¹³

Following a rise in urbanization and income growth, coupled with inadequate parental work policies and insufficient healthcare advice, parents are faced with various challenges to practice optimal infant and young feeding.¹⁴ Furthermore, the baby food market, consisting of breast-milk substitutes and commercial complementary foods, is also growing,¹⁵ and studies show these products are increasingly becoming a part of infant and young children's diets.

Evidence shows that inappropriate marketing of breast-milk substitutes undermines breastfeeding. The analyses revealed that BMS sales were inversely associated with breastfeeding at one year of age in 126 countries. In addition, many commercial complementary foods are marketed as suitable from four months of age, potentially displacing breastmilk in the first six months of life as recommended by WHO¹⁶.

A recent study (2023) of mothers surveyed in five Southeast Asian countries revealed that more than one-third of them gave commercial complementary foods to their 6–23-month-old child at least once a day, and almost half of mothers fed their child such products at every or most feedings or meals. While factors such as convenience and affordability influenced the purchase of these products, the mothers reported that the perceived nutritional benefits of commercial complementary foods were a primary reason in resorting to these foods.¹⁷

The responsible marketing of breast-milk substitutes and commercial complementary foods is imperative to ensure they are not promoted in any way that would influence caregivers' decisions in feeding their infants and young children.

The WHO has been responding to concerns about the irresponsible marketing of foods for infants and young children since 1981, when the International Code of Marketing of Breast-milk Substitutes was adopted by the WHA as a minimum requirement to protect and promote appropriate infant and young child feeding. It sets out, inter alia, provisions on the appropriate labeling of breast-milk substitutes and restrictions on the promotion of these products in public settings and within the healthcare system.¹⁸ Since 1981, several WHA resolutions have been passed that augment or reinforce the original Code given evolving marketing challenges.¹⁹ Adopted in May 2016, WHA resolution 69.9 extended the scope of products covered by the Code to include any milks (or products that could be used to replace milk, such as fortified soya milk alternatives), in either liquid or powdered form, that are specifically



marketed for feeding older infants and young children up to the age of three years.²⁰ This resolution also supported the WHO's Guidance on Ending Inappropriate Promotion of Foods for Infants and Young Children. It introduced recommendations for the appropriate marketing of commercial complementary foods marketed as suitable for older infants and young children aged between 6 and 36 months.²¹



2. Context for the China study

Infant and young child feeding practices in China

According to the China Nutrition and Health Surveillance of Children and Lactating Women 2016–2017, 35% of infants aged less than six months are exclusively breastfed in China, which is lower than the latest regional (41%) and global (48%) average rates of exclusive breastfeeding within this age group²². This falls short of the WHA target of increasing the rate of exclusive breastfeeding to at least 50% by 2025²³.

In terms of diets and feeding practices of infants aged over six months, the China Nutrition and Health Surveillance of Children and Lactating Women 2016–2017 reveals that around 83% of older infants aged six to eight months received solid, semi-solid or soft foods during the previous day. 22% of children continued breastfeeding up to two years of age. In addition, 43% of children are fed a minimum acceptable diet sufficient in minimum diversity and frequency as per complementary feeding recommendations²⁴. Research shows that in 2018 almost 94% of children aged six months up to two years consumed grains, roots, and tubers, whereas less than 50% of children consumed protein-rich foods such as meats/fish/poultry. Almost 17% of children aged six months up to two years consumed sugar-sweetened beverages whereby consumption of such beverages was found to increase with age²⁵.

The Cost of Not Breastfeeding tool showed that, as of December 2022, an estimated 424,249 deaths globally of children between birth and 23 months can be attributed each year to inadequate breastfeeding according to WHO recommendations²⁶. The same tool estimates that for China, based on the current breastfeeding rates²⁷:

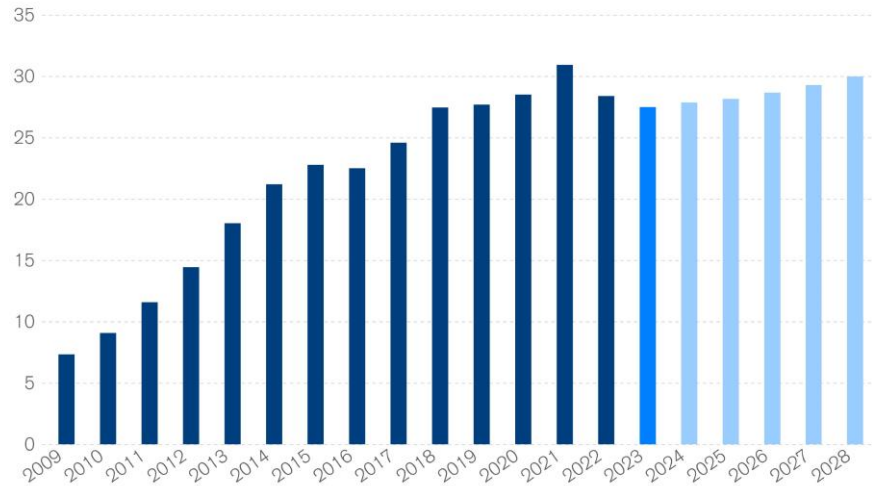
- 8,905 annual child deaths from diarrhea and acute respiratory illness could be prevented if breastfeeding practices were in line with public health guidance.
- Over 325,983 cases of child obesity per year could be attributable to suboptimal breastfeeding rates in China.
- For mothers in China, inadequate breastfeeding leads to around 4,205,457 cases of type II diabetes, and 45,073 cases of breast and ovarian cancer each year.
- Annual health-related costs in China of not breastfeeding, namely morbidity costs, are estimated to amount to almost USD 102 billion (~687 billion RMB in 2022), or 0.61% of the Gross National Income (GNI).
- Inadequate breastfeeding has human capital costs, leading up to an annual loss of 11,110,671 school years in China.
- The data also estimates costs of the use of breast-milk substitutes amounting to USD 7.1 billion (~47.8 billion RMB, 2022 exchange rate) per year to feed children with these products.

The Chinese infant and young child food market

Globally, the baby food market is growing, reaching up to over USD 71 billion in 2022, an increase from over USD 68 billion in 2018. As seen in Figure 1, the baby food market in China is worth approximately USD 28 billion (2022) showing an increase from approximately USD 7 billion in 2009. The market is forecast to continue growing in the future, according to Euromonitor, reaching a market value of almost USD 30 billion by 2028²⁸.



Figure 1. Sales of baby foods in China (USD billion)



Source: Euromonitor International Limited, Dairy Products and Alternatives Edition, 2022 data, © All rights reserved.

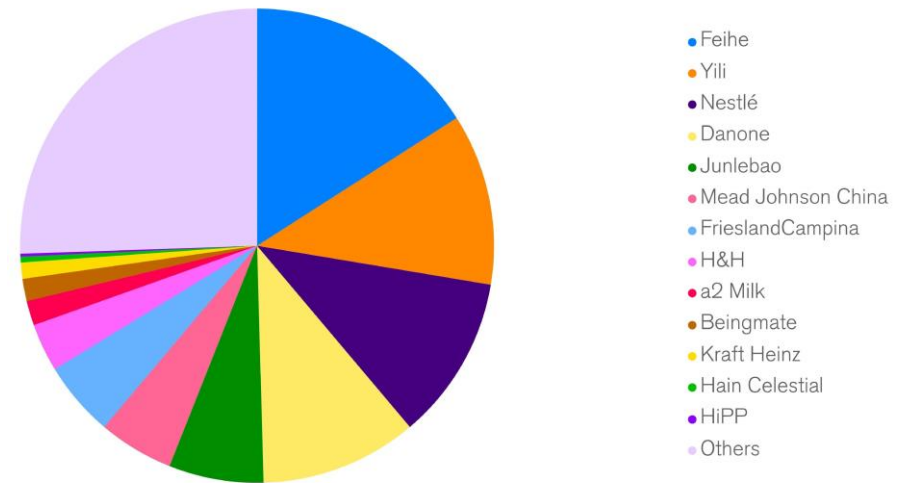
Feihe holds a relatively high share of the baby food market in China (~16%), followed by Yili, Nestlé and Danone which each hold more than 10% of this market. These four companies collectively account for almost 50% of the Chinese baby food market.

While Junlebao holds over 6% of the baby food market in China, Mead Johnson China and FrieslandCampina account for almost 5% of it, each. H&H, a2 Milk, Beingmate, and Kraft Heinz each holds less than 5% of the Chinese

^e Euromonitor categories of milk formula include: standard milk formula, follow-on milk formula, and growing-up milk formula which correspond to infant formula, follow-up formula, and growing-up milks, respectively, which are the terms used throughout this report.

baby food market, whereas Hain Celestial and HiPP each account for under 1% of this market.

Figure 2. Company shares of the Chinese baby food market (2022)



Source: Euromonitor International Limited, Dairy Products and Alternatives Edition, 2022 data, © All rights reserved.

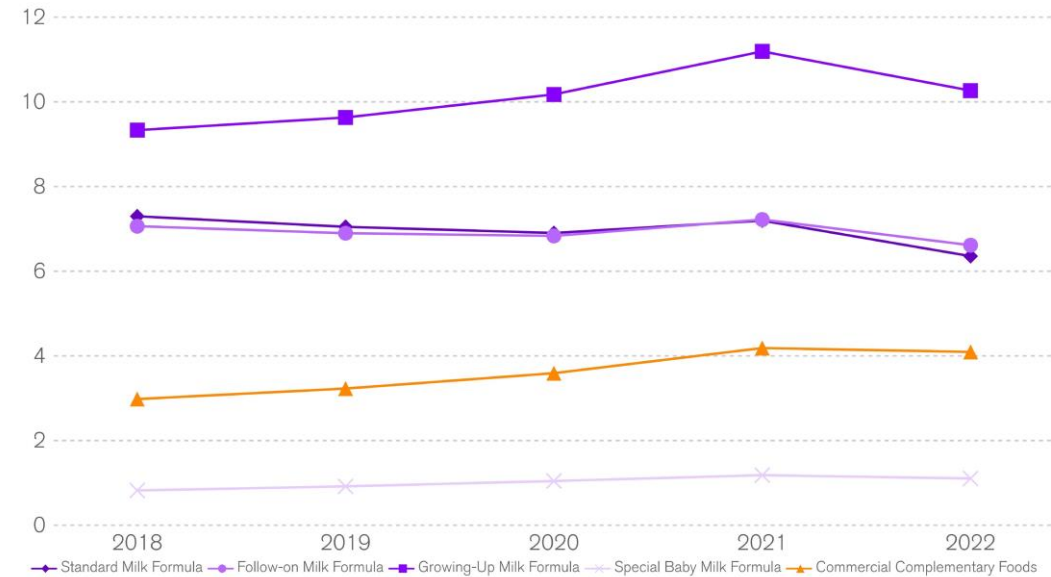
The commercial baby food market constitutes two distinct markets: Breast-Milk Substitutes (BMS), which includes milk formula products^e, and commercial Complementary Foods (CF), which includes different types of foods for infants and young children.^f

^f Euromonitor categories of commercial complementary foods include: dried, prepared and other snack baby foods.



- Globally the BMS market is worth approximately USD 53 billion (2022). The BMS market in China is worth approximately USD 24 billion (2022), decreasing from a high of approximately USD 27 billion in 2021 possibly due to the declining birth rate in China (from 7.52 births per 1,000 people in 2021 to 6.77 births per 1,000 people in 2022)^{29,30}. Growing-up milk formula continues to dominate the market, representing over 40% of the BMS market in China³¹. Both growing-up milk formula and special milk formula show an increase in sales from 2018 to 2022 (as shown in Figure 3), growing by almost 10% and up to 35%, respectively. On the other hand, sales of milk formula for infants under 1 year of age decreased between 2018 to 2022 (as shown in Figure 3), by over 10% for infant formula and over 5% for follow-up milk formula.
- Globally, the commercial CF market is worth over USD 18 billion (2022), while the CF market in China is worth approximately USD 4 billion (as shown in Figure 3), marking a roughly 40% increase in sales since 2018. As of 2022, commercial CF represent almost 15% of China's baby food market. Dried baby foods (e.g. cereals) used to dominate the CF market in China up until 2020. Snack baby food sales however increased by up to 76% between 2018 and 2022, and now constitute the majority of the CF market after dried baby foods, for which sales only increased by 8% in this period. Sales of prepared baby foods (e.g. purees) have also been on the rise in China, increasing by roughly 50% from 2018 to 2022.

Figure 3. Trends in baby food product sales in China (USD billion)



Source: Euromonitor International Limited, Dairy Products and Alternatives Edition, 2022 data, © All rights reserved.



Laws and regulations restricting the marketing of foods for infant and young children in China

In 2021, the Chinese government set a five-year breastfeeding promotion action plan that is focused on strengthening the healthcare system, improving public facilities by providing dedicated breastfeeding rooms, and supporting mothers in the workforce through, for example, maternity leave and breastfeeding breaks. The action plan highlights the importance of exclusively breastfeeding infants in the first six months and continuing breastfeeding up to two years of age after introducing complementary foods and aims to achieve an exclusive breastfeeding rate of 50% and over in the first six months of life in China.³²

According to a 2024 Status Report on National Implementation of the International Code by the WHO, UNICEF and the International Baby Food Action Network, China's national legal measures include 'Some provisions of the Code'³³ after the country's Code regulations had been repealed in 2017³⁴. Current relevant regulations in China cover infant and follow-up formula milk for infants aged 0-12 months and were last revised in 2023³⁵. The China Advertising Association had also established a voluntary code of conduct in 2016, which was updated in 2019, covering some of the Code provisions relating to the advertising and labelling of BMS products³⁶.

The 2024 Status Report shows that China has some provisions in place on restricting the advertising of BMS products but not on restricting promotions of BMS at the retail level, nor on prohibiting company contact with mothers³⁷.

China's regulations, according to the 2024 Status Report, have some provisions in place on the marketing of BMS in healthcare systems that mainly prohibit financial or material inducement to health workers to promote BMS products and prohibit the provision of BMS product samples, however several provisions of the Code that deal with the donation of BMS products and

equipment and the sponsorship of scientific meetings, for example, are not covered by regulations in China³⁸.

In addition, China's regulations have limited provisions regarding BMS product labelling in line with the Code in terms of required information and prohibited content; for example, the use of health, nutrition, and marketing claims as defined by WHO is not prohibited in China³⁹. The China Advertising Association's voluntary code of conduct however recommends adding statements on the packaging of infant formula that promote breastfeeding, "exclusive breastfeeding up to 6 months, continuous breastfeeding until 2 years old", or similar advice⁴⁰.

For commercial complementary foods, China has a National Food Safety Standard of Canned Complementary Foods for Infants and Young Children that applies to CF for children aged between six and 36 months. This standard requires indicating the appropriate age and consumption methods for feeding the product to infants and young children⁴¹.



3. Methodology

Country assessments in ATNI's BMS and CF Marketing Indexes


ATNI's BMS and CF Marketing Indexes 2024 collectively assessed the 20 largest baby food companies globally, based on 2021 retail sales estimates. ATNI estimates these companies hold >70% of the global baby food market share of breast-milk substitutes and commercial complementary foods⁴².

Both the BMS and CF Marketing Indexes consist of two main types of assessment:

- the **Corporate Profile** assessment which examines global corporate policies and procedures
- the **Country Studies** assessment which measures companies' marketing practices in selected countries

The Corporate Profile and Country Studies evaluate the extent to which company policies and practices align with the various provisions of the Code. It is worth noting that while the Corporate Profile assesses company policies and commitments on all aspects of the Code, the Country Studies assess marketing practices against specific provisions of the Code.

The [methodology](#) for the BMS and CF Marketing Indexes 2024 includes additional information about the companies selected and the respective Index(es) they are assessed in, as well as the basis and nature of the assessments for each component and how they feed into the overall Indexes. For further details specifically on the Country Studies, refer to the section on 'Country Studies: BMS and CF' on pages 19-26 of the methodology. Annex I and Annex II of the methodology include a list of all the indicators against which companies are assessed on for the Corporate Profile of the BMS

Marketing Index and CF Marketing Index, respectively. Indicators with this symbol  are those that are also used in the Country Studies to assess companies' practices against the specific Code requirement. More details on which Code requirements are assessed, and how, are explained in the section in this report on [Assessment methods and scoring](#).

ATNI's assessments are based on the standards of the Code and its definitions. The following products are assessed in each of the respective Indexes:

- The **BMS Marketing Index** assesses company standards on the marketing of breast-milk substitutes, hereinafter referred to as BMS products. These include any milks (or products that could be used to replace milk, such as fortified soya milk alternatives), in either liquid or powdered form, that are specifically marketed for feeding older infants and young children up to the age of three years; namely:
 - **IF:** infant formula (intended for infants younger than six months of age)
 - **FUF:** follow-up formula (intended for older infants between six months up to one year of age)
 - **GUM:** growing-up milks or toddler milks (intended for young children between one to three years of age)

It is important to note that the Code never made exceptions to formulas for special medical purposes, therefore these products are also included within the scope of ATNI's studies. However, bottles and teats are not included in ATNI's assessments as these products generally would not be manufactured by food and beverage companies.

- The **CF Marketing Index** assesses the marketing of commercial complementary foods, hereinafter referred to as CF products. These include baby porridge and cereals, dairy/fruit/vegetable-based baby



purées, savory meals and snack foods, as well as baby teas, juices and water for infants and young children between six up to 36 months of age.

CF products marketed to infants aged under six months are considered unwanted breast-milk substitutes, as these products interfere with exclusive breastfeeding in the first six months. However, ATNI will assess these products in the CF Marketing Index rather than the BMS Marketing Index to emphasize that CF products are intended for older infants and young children aged from 6 to 36 months and not be introduced to infants aged under six months who should be exclusively breastfed.

The BMS Marketing and CF Marketing Indexes 2024 can be found here for the [BMS Marketing Index 2024](#) and the [CF Marketing Index 2024](#). Individual [company scorecards](#) are also available where company performance is compared across the selected markets.

Country selection: China

As part of the Country Studies component of the BMS Marketing and the CF Marketing Indexes 2024, five countries were selected for assessment. This report focuses on the findings from China. Similar [in-country reports](#) are published for the other four countries selected: Germany, Indonesia, the US and Viet Nam.

As the company scope has expanded for the BMS and CF Marketing Indexes 2024 (from nine companies assessed in 2021 to 20 companies for this assessment), the geographic variability of the companies' markets warranted the selection of a minimum of five countries, to ensure each of the 20

⁹ The five countries in which ATNI conducted assessments of marketing practices for the BMS and CF Marketing Indexes 2024 are: China, Germany, Indonesia, United States, and Viet Nam.

companies is assessed on BMS/CF marketing in at least one country. China was one of the five countries⁹ selected for assessment for several reasons, all of which are linked to the country selection criteria as described on page 20 of the [methodology](#). Out of the 13 companies, five sell baby foods only in China: Beingmate, Feihe, Junlebao, Mead Johnson China, and Yili. In addition, China is one of the largest baby food markets for six of the 13 companies: a2 Milk, Danone, FrieslandCampina, H&H, Kraft Heinz, and Nestlé. Hain Celestial and HiPP also sell baby foods in China. Collectively, the 13 companies are estimated to constitute almost 75% of China's baby food market⁴³.

Four of the 13 companies sell both breast-milk substitutes and complementary foods in China: Beingmate, Danone, HiPP, and Nestlé. Hain Celestial and Kraft Heinz only sell complementary foods in China. The remaining seven companies only sell breast-milk substitutes in the Chinese market.

This report presents the companies' findings on the marketing practices of BMS products for all 11 companies, and the findings on CF products for the six companies, separately.



Assessment methods and scoring

The methodology for the in-country assessments is guided by the second edition of the NetCode protocol for periodic assessment published in 2017⁴⁴. ATNI has adapted the scope to ensure that relevant elements of the guidance supported by WHA resolution 69.9 are incorporated.

The main areas of marketing assessed in the country studies for the BMS and CF Marketing Indexes 2024 are **online points-of-sale, traditional and online media outlets, and product labels**. Data collection is conducted using forms adapted from the 2017 edition of the NetCode toolkit, namely:

- Form 5: List of relevant products sold at point-of-sale
- Form 6: Promotions at retail outlets and pharmacies
- Form 7: Desk review of labels
- Form 8: Desk review of promotions on the media

The aim is to assess compliance with the Code. This is not an assessment against local regulations.

In addition, due to the increased number of companies and countries assessed compared to the previous ATNI country studies, data collection methods were adapted by using online tools to capture marketing practices.

^h Social listening is monitoring the web and social media for mentions of defined key words or phrases, which can be gathered, organized, and analyzed.

ⁱ An advertisement can be any audiovisual material meant to promote relevant products.

The three main forms of assessment are described below:

I. Social listening^h

Purpose of the assessment: monitor companies' marketing activities online to determine level of compliance with Article 5 of the Code and the guidance supported by WHA resolution 69.9 (see Box 1).

Objectives:

1. Identify the number of company paid advertisementsⁱ of BMS/CF or related sponsored content, if any.

2. Identify the number of promotions^j on BMS/CF products, if any.

Each identified advertisement and promotion of BMS is counted as an observation of non-compliance. Meanwhile, they are counted as such for CF if the advertisement or promotion is of a CF product intended for infants younger than six months of age (CF < 6), otherwise if it is of a CF product intended for older infants and young children between six months and three years of age (CF 6-36), the advertisement/promotion would be counted as an observation of non-compliance if it does not meet recommendations 4 and 5 of WHA 69.9.

Each observed incidence of non-compliance is counted and used to calculate a company's country score.

3. Record additional incidences of non-compliance associated with an observed advertisement or promotion.

^j Promotions include any incentives for product purchase, such as discounts, offers, and give-aways, as well as information posts on infant and young child feeding, or they can be in the form of company contact via sign-up to baby clubs or contests.



These are not counted towards the country score but provide context of the extent and nature of non-compliances. Examples include: claims or solicited contact.

Box 1:

Article 5 of the Code includes provisions on advertising BMS to the general public, especially to caregivers. It stipulates that companies should not advertise or promote their BMS products on any form of media nor in retail environments (both physical and online). WHA 69.9 recommendations further prohibit companies that sell BMS from establishing contact with caregivers, providing them information on infant and young child feeding, and cross-promoting their BMS products in digital environments.

WHA 69.9 recommendations also include provisions on CF promotions. While advertisements for these products are not prohibited, certain requirements must be met to ensure the products are appropriately promoted. These specifically pertain to recommendation 4.

It is important to note that the Code recommends the introduction of CF products no earlier than six months of age to protect exclusive breastfeeding in this period. As products intended for babies younger than six months should not be available on the market, they were counted as observations of non-compliance and not assessed on any further indicators that evaluate appropriate marketing practices.

Note: Multiple forms of non-compliance may be attributed to a single BMS/CF product or brand advertisement or promotion; these would be considered collectively as a single incidence of a non-compliant observation. If the same advertisement is found on more than one social media platform, each instance would be counted as a separate observation of non-compliance.

Methods: Online platforms were monitored for mentions of a combined set of keywords across three main channels: web, social media and retail^k.

The keywords, which are based on desk research in consideration of similar studies conducted, included:

- Names of the companies and BMS and CF brands assessed in a country, including the local company and brand names
- Wording related to infant and young child feeding, specifically breastfeeding, complementary feeding, baby formula, and commercial baby foods (e.g., baby formula, first milk, weaning food)
- Wording relating to promotions and claims (e.g., sale, discount, and immunity and comfort)

ATNI contracted Carnstone who supported the team in translating the keywords into Chinese to ensure that local content was monitored and collected. In addition, ATNI worked closely with the service provider, Digimind, to revise and refine the list of keywords until relevant content was being delivered by the tool.

^k ATNI contracted 'Digimind' to conduct the social listening and collect relevant mentions.



The platforms monitored were:

- Companies' local websites and Weibo channels^l.
- Parenting websites: Up to 10 of the most popular websites and social media platforms (based on popularity and number of mentions), as captured by the social listening tool, that provide information to parents and caregivers on infant and young child feeding.
- Retail websites: Up to five of the most popular local retail websites (based on popularity and number of mentions), as captured by the social listening tool, that sell BMS and CF products.

See [Annex I](#) for a complete list of the websites and Weibo platforms monitored in China which was developed based on initial scoping and desk research, as well as based on the platforms that the tool could monitor and collect relevant content from.

Time frame: monitoring spanned for eight weeks between May 12 2023 – July 6 2023

II. Traditional media monitoring

Purpose of the assessment: monitor companies' marketing activities on traditional media to determine the level of compliance with Article 5 of the Code and the guidance supported by WHA resolution 69.9 (see Box 1 above).

Objectives:

1. Identify the number of paid advertisements^m of BMS/CF or related sponsored content, if any.

^l Weibo is the Chinese equivalent of 'X' (formerly Twitter).

^m An advertisement can be any audiovisual material meant to promote relevant products.

Each identified advertisement of BMS is counted as an observation of non-compliance. For CF, advertisements of CF < 6 are counted as an observation of non-compliance, as well as advertisements of CF 6-36 products that do not meet recommendations 4 and 5 of WHA 69.9.

Each observed incidence of non-compliance is counted and used to calculate a company's country score.

2. Record additional incidences of non-compliance associated with an observed advertisement.

These are not counted towards the country score but provide context of the extent and nature of non-compliances. Examples include promotions, claims, or solicited contact.

Note: Multiple forms of non-compliance may be attributed to a single BMS/CF product or brand advertisement; these would be considered collectively as a single incidence of a non-compliant observation. If the same advertisement is found on more than one channel, each instance would be counted as a separate observation of non-compliance.

Methods: creatives by advertisers of the companies assessed were monitored on traditional media platforms (broadcast media and print) for content related to BMS and CF products and brandsⁿ.

The platforms monitored in China are:

- Television: a total of 157 government, private, and cable channels
- Radio: a total of 58 channels

ⁿ ATNI contracted Nielsen Ad Intel International to monitor traditional media channels and collect relevant creative advertisements.



- Print: a total of 287 print materials, including 201 newspapers and 86 magazines

See [Annex II](#) for a complete list of the broadcast channels and print media monitored in China.

The sources monitored have a reach of > 70% of the population in the country.

Time frame: Monitoring spanned a total of six months between January 1 2023 – June 30 2023. Across all channels, live monitoring took place between May 4 2023 – June 30 2023 (two months), whereas historical content was retrieved for the period between January 1 2023 – May 3 2023. The monitoring was continuous and not limited to a specific time interval during the day.

III. Review of product labels:

Purpose of the assessment: evaluate companies' product labels to determine their level of compliance with Article 9 of the Code and guidance supported by WHA resolution 69.9 (see Box 2).

Box 2:

Article 9 of the Code includes provisions on labelling requirements for BMS which are further augmented by recommendation 4 of WHA 69.9. Labelling requirements for CF products are specified in recommendation 4 of WHA 69.9.

Labels of CF < 6 products are counted as observations of non-compliance as those products should not be available on the market, thus they were not assessed on any further indicators that evaluate appropriate marketing practices.

° ATNI contracted Innova Market Insights to access the product database and obtain information on BMS and CF products in the markets of interest.

Objectives:

1. Identify the number of non-compliant product labels, if any.

Each identified non-compliant label is counted as an observation of non-compliance, contributing to the country score.

2. Record additional non-compliance associated with an observation.

A non-compliant label may have more than one type of non-compliance. The various instances of non-compliance identified per label are not added up within the country score, but they provide context on the extent and nature of non-compliance. Examples include inappropriate use of pictures and images, claims or missing instructions of appropriate preparation.

Methods: BMS and CF product information was obtained from a third-party product database[°] that also included images of the product labels.

Time frame: products selected for the assessment included those launched between March 2020 and February 2023. The aim was to include BMS and CF products that were on the markets assessed in the first half of 2023.

Overall country score

For each company, the sum of all incidences of non-compliance with the Code identified from the social listening, traditional media monitoring, and product label review corresponds to a country score that feeds into the Index score (see Table 1 below). In this study, the higher the number of observed incidences of non-compliance for a company, the less compliant it is to the Code, whereas a company would be considered fully compliant



with the Code if no incidences of non-compliance are found across online and traditional media and for product labels.

Table 1. Company country scores based on observed incidences of non-compliance with the Code

Observed incidences of non-compliance with the Code in a country	BMS or CF country score
0	100%
1-10	66%
11-20	33%
> 20	0%

Data verification for China

Once data collection was completed, ATNI informed all companies separately about the assessments and the countries they took place in, China being one of them. As part of the fact-checking process, ATNI requested that each company confirm whether the brands captured correctly represent the markets studied during the research timeframe. As the verification process entails fact-checks and requests for additional information, it has no influence on the assessments and findings.

For the label assessment, companies were specifically requested, in some cases, to share additional product information and materials that could not be found in the public domain if images of the product packages were missing or when the images available to ATNI were not clear enough to extract the information needed to complete the assessments.

In regard to the online findings, companies were asked to confirm whether they had contractual relationships with parenting websites (targeting

parents/caregivers of infants and young children) in situations where company-related incidences of non-compliance were found, and with online retailers where point-of-sale promotions were monitored. As this is an assessment of company practices, ATNI verifies if companies have any agreements with parenting websites and online retailers or influence on their marketing practices, to determine whether the companies are responsible in any way for the findings and thus if they should be attributed to the company or excluded from the assessments.

If companies did not respond to ATNI's requests, all identified incidences of non-compliance were included in the assessments, and where clear images were missing, the label assessments remained incomplete and are noted as such. See Table 2, below, for information on the companies' level of engagement in relation to the findings in China.

During this process, companies can review their findings, along with the evidence of all observed incidences of non-compliance in the form of images and screenshots, videos, and links. ATNI follows an independent and transparent approach with the companies to confirm to them ATNI's observations of non-compliance and where they were identified. These details also serve to provide the companies with the information they need to take corrective action.



Table 2. Level of company engagement on the findings in China

Company	Has the company engaged with ATNI on the country findings?	Changes to label findings			Changes to online findings		
		Excluded products	Reason for exclusion	Additional requested material provided	Excluded findings from online retailers	Excluded findings from parenting websites	Reason for exclusion
a2 Milk	No						
Beingmate	No						
Danone	Yes	12	6 BMS and 3 CF discontinued 3 BMS parallel imports*	Yes for CF Incomplete for BMS	61 for BMS Not applicable for CF	Not applicable for BMS and CF	No contractual relationship
Feihe	No						
FrieslandCampina	Yes	0	-	Yes for BMS	0 for BMS	Not applicable for BMS	-
Hain Celestial	No						
H&H	Yes	2	2 BMS discontinued	Yes for BMS	6 for BMS	Not applicable for BMS	No contractual relationship
HiPP	Yes	0	-	No for BMS and CF	0 for BMS and CF	Not applicable for BMS and CF	-
Junlebao	No						
Kraft Heinz	Yes	9	9 CF discontinued	Yes for CF	0 for CF	Not applicable for CF	-
Mead Johnson China	No						
Nestlé	Yes	9	3 BMS discontinued 6 CF discontinued	Incomplete for BMS Yes for CF	11 for BMS 3 for CF	Not applicable for BMS and CF	No contractual relationship
Yili	No						

Note: "Not applicable" indicates there was no observation of this company's BMS/CF products on the retailer or parenting websites monitored.

* Parallel imports are branded goods that are imported into a market and sold there without the consent of the owner of the trademark in that market.



4. Marketing practices in China for BMS

The findings on the extent to which 11 selected companies market their Breast-milk Substitutes (BMS) products in China in line with the Code are presented in Table 3. A total of **676 incidences of non-compliant marketing practices for BMS products** were found during the research period. As seen in Table 3, non-compliant marketing practices were found for all 11 companies.

In total, 433 (64%) of the total incidences of non-compliance found in this study (676) were attributed to BMS-related promotions on online retail or online media channels.

A total of 24 (~4%) of the 676 incidences of non-compliance found in this study were attributed to traditional media promotions (on TV, radio, and print).

Of the 225 labels assessed from the 10 companies^P, 219 had at least one incidence of non-compliance with the Code (representing 32% of the total incidences of non-compliance found in this study). The remaining six BMS products (three by Junlebao and three from Yili) did not have sufficient information to complete their label assessment, therefore it was not possible to determine whether these six products comply with the requirements of the Code.

[Annex III](#) provides an overview of the brands captured for each company during the monitoring and across the different marketing channels.

^P ATNI could not assess the labels for HiPP's BMS products due to missing product information (see Table 2).



Table 3. Number of non-compliant marketing practices for BMS products by company and by marketing channel in China

Company (Estimated BMS market share in China*)	Example of brands assessed	TOTAL number of incidences of non-compliance (n)	Promotions							Non-compliant labels out of number of product labels assessed (Of products launched between March 2020 and February 2023)
			Online (May 12 2023 – July 6 2023)			Traditional (January 1 2023 – June 30 2023)				
			Retail	Media	Total	TV	Radio	Print	Total	
a2 Milk (2%)	a2 Milk	14	3	9	12	0	0	0	0	2/2
Beingmate (2%)	Abeco, Beingmate, Bexiner, Crown, Jingai	38	14	0	14	0	0	0	0	24/24
Danone (11%)	Aptamil, Neocate	51	0	39	39	0	0	0	0	12/12
Feihe (19%)	Astrobaby, Feihe, Xingfeifan, Zhenai Beihu, Zhenzhi	104	55	18	73	0	0	0	0	31/31
FrieslandCampina (5%)	Friso Natura, Friso Prestige, Frisolac Gold	69	25	37	62	1	0	0	1	6/6
H&H (4%)	Biostime	63	7	35	42	2	0	0	2	19/19
HiPP (<5%)	HiPP	23	18	5	23	0	0	0	0	0 labels assessed
Junlebao (7%)	Baolechun, Chunhu, Lebo, Lezhen, Quanzhenai, Tianshi	87	37	2	39	4	0	1	5	43**/46
Mead Johnson China (6%)	Enfa, Nutramigen	102	82	10	92	0	0	0	0	10/10
Nestlé (10%)	NAN, ILLUMA, S-26, Belsol	44	0	14	14	0	0	0	0	30/30
Yili (13%)	Hyproka 1897, Jinglingguan, Kabrita, OZ farm, Pure Nutra, Yili	81	6	17	23	9	7	0	16	42**/45
TOTAL		676	247	186	433	16	7	1	24	219/225

* Source: Euromonitor International Limited, Dairy Products and Alternatives Edition, 2021 data, © All rights reserved.

** 3 products for Junlebao and Yili each did not have images that clearly showed all parts of the package, thus the assessment of these products is incomplete. As noted in the previous section on Data verification, the two companies did not provide ATNI with additional information to complete the assessment of these 6 products, therefore it was not possible to determine whether they comply with the requirements of the Code.



Online retail

There were 247 point-of-sale promotions found on the websites of the four most popular online retailers in China; the majority were for Mead Johnson China products (82), Feihe (55), Junlebao (37), FrieslandCampina (25), HiPP (18), and Beingmate (14). Promotions were also found for seven H&H products, six Yili products and three for a2 Milk products.

Danone and Nestlé provided evidence that they did not have contractual relationships with the online retailers monitored; therefore, none of the point-of-sale promotions found were attributed to the two companies.

Around 86% of the promotions found on online retailer sites were price-related discounts. Other forms of point-of-sale promotions identified included special offers with gifts of formula or other baby products, as well as coupon offers. Out of the 247 BMS promotions on online retail websites, 86 (35%) also had invitations for retailer memberships to enjoy more benefits such as additional discounts and the chance to win gifts and prizes.

Promotions of growing-up milk products were most common on online retail websites (73%). Point-of-sale promotions of follow-up formula were also found for all nine companies (65 in total) amounting to 26% of the 247 BMS promotions identified on online retail websites in China. Most were for follow-up formula by Mead Johnson China (27), followed by Feihe (10), Junlebao (9), FrieslandCampina (8), HiPP (5), H&H (3), and a2 Milk, Beingmate, and Yili (1 each). Point-of-sale promotions were also found for infant formula products belonging to Junlebao (1) and Mead Johnson China (1). Both companies did not engage during the fact-checking phase, therefore their contractual relationships with the retailers were not confirmed nor contested and the assessments were maintained. See Table 2 for more information on the companies' level of engagement on the findings in China.

In addition, 30% of the 247 BMS point-of-sale promotions advertised the companies' BMS products from different stages, except for a2 Milk and Beingmate.

Online media

For all companies, except Beingmate, a total of 186 advertisements and promotions related to BMS brands were found online during the research period. All promotions were found on the companies' Weibo channels, except for Mead Johnson China for which all ten BMS advertisements found were on the company's local website. Out of the 176 findings observed on the Weibo channels for the companies' BMS brands, most were for Danone (39), FrieslandCampina (37), and H&H (35), followed by Feihe (18), Yili (17), Nestlé (14), a2 Milk (9), HiPP (5) and Junlebao (2). No BMS promotions were found on the monitored local parenting websites during the eight-week research period.

Along with the advertisements identified, which are non-compliances with Article 5.1 of the Code, additional instances of non-compliance were observed pertaining to Article 5 of the Code, such as offers of gifts, discounts, and prizes. Some advertisements had further instances of non-compliance with recommendations 5 and 6 of the guidance supported by WHA resolution 69.9, by allowing company contact through solicited sign-ups to baby clubs and contests, and by sharing information on infant and young child feeding. Other observations of non-compliance with the Code include the promotion of bottle feeding and comparing the BMS products to breastmilk.



Out of the 186 advertisements, 130 (70%) contained a nutrition, health or marketing claim^q, such as “*Want to raise future academics? Choosing the right milk powder is the first step!*” (marketing claim).

Most of the online adverts promoted growing-up milk products (85%). In total, 10% of online adverts were not related to specific BMS products, but rather advertised brands associated with products within the scope of the study. Only one of the promotions was of a follow-up formula; this product belonged to Mead Johnson China. In total, eight promotions (4%) were also found for infant formula products: four by Danone and four by Mead Johnson China.

Traditional media

A total of 24 BMS advertisements were found for four of the 11 companies (FrieslandCampina, H&H, Junlebao, and Yili) on traditional media channels in China, a non-compliance with Article 5 of the Code. Of the 24 advertisements, a total of 16 were found on television channels for the four companies, seven on the radio promoting Yili BMS brands, and one on print media promoting Junlebao’s BMS brand.

The majority of advertisements concerned observations where no age is specified on a product or no specific product is promoted, but the observation is associated with a BMS brand (63%). The remaining were for growing-up milk products from Yili (36%). Each of the 24 advertisements included a nutritional, health and/or marketing claim, such as “*nurture inner protection for babies*” (health claim) or “*trusted choice of mothers*” (marketing claim).

^q In this study, ATNI referred to WHO Europe’s Nutrient and Promotion Profile Model for the definition of the different types of claims.

^r ATNI could not assess the labels for HiPP’s BMS products due to missing product information (see Table 2).

BMS product labels

Of the 225 BMS labels assessed for the 10 companies^r, 219 labels contained one or more instances of non-compliance per label, with an average of two up to four instances of non-compliance per label. The remaining six BMS products (three by Junlebao and three from Yili) did not have sufficient information to complete their assessment, therefore it was not possible to determine whether these six products comply with the requirements of the Code.

It should be noted there were in total 100 products with missing images across all companies, except FrieslandCampina and H&H, so for these products it was not possible to do the full assessment^s (see Table 4 below). For the companies that did not engage during the verification phase (see Table 2), between 42% and up to 100% of their products found did not have clear images and therefore remained with incomplete assessments.

In total, 77% of the labels assessed contained one or several claims: nutritional claims (161 out of 225 labels), health claims (74 out of 225 labels), and/or marketing claims (26 out of 225 labels), for example “*contains prebiotics*” (a nutrition claim) or “*supports eye health*” (a health claim).

Furthermore, 56% of the labels^t did not include a statement on the importance of exclusive breastfeeding in the first six months of life and continued breastfeeding for up to two years or beyond, as per recommendation 4 of the guidance on inappropriate promotion of foods for infants and young children

^s Where products were missing clear images, if at least one incidence of non-compliance was identified from the existing images, these labels were counted as a non-compliant observation.

^t Two products had missing images, resulting in incomplete assessments for these products on this requirement (see Table 4).



supported by WHA resolution 69.9. The remaining 99 labels belonged to products without clear images^u, therefore it could not be confirmed if the labels included this statement or not.

43% (96 out of 225 labels) did not contain a statement that the product should be used only on the advice of a health worker, in a font size that is easily visible, in bold and on a contrasting background, as required by Article 9.2 of the Code. Out of the remaining 129 labels, 98 belonged to products without clear images^v, therefore it could not be confirmed if the labels included this statement or not. On the other hand, a total of 31 labels from Danone (3), Feihe (1), FrieslandCampina (2), H&H (3), Nestlé (15) and Yili (7) included the required statement. These labels mostly belonged to BMS products intended for infants under 12 months of age, except for three growing-up milks which were also found to include the required statement (1 from H&H and 2 from Yili).

In addition, 35% (79 out of 225 labels) did not include an “Important Notice” or an equivalent statement that highlights the superiority of breastfeeding as the best form of feeding and the benefits of breastmilk on child growth and development. While a total of 53 labels from all companies, except a2 Milk, included such a statement, 93 belonged to products without clear images^w, therefore it could not be confirmed if the labels included a similar statement or not. Only eight of the 53 labels that included the “Important Notice” belonged to growing-up milks, all by Nestlé; the remaining 45 labels belonged to BMS products intended for infants under 12 months of age.

^u A total of 99 products had missing images, resulting in incomplete assessments for these products on this requirement: 2 from a2 Milk, 10 from Beingmate, 3 from Danone, 19 from Feihe, 27 from Junlebao, 6 from Mead Johnson China, 6 from Nestlé, and 26 from Yili (see Table 4).

^v A total of 98 products had missing images, resulting in incomplete assessments for these products on this requirement: 2 from a2 Milk, 10 from Beingmate, 3 from Danone, 19 from

Of the BMS labels assessed for China with at least one incidence of Code non-compliance, 37% were from growing-up milk products, 33% were from infant formula, and 30% were from follow-up formula. See Table 4 for an overview of the number of product labels assessed per company and the respective incidences of non-compliance, including the most frequently identified ones. A full list on BMS product label results can be found in [Annex IV](#).

Feihe, 27 from Junlebao, 6 from Mead Johnson China, 6 from Nestlé, and 25 from Yili (see Table 4).

^w A total of 93 products had missing images, resulting in incomplete assessments for these products on this requirement: 2 from a2 Milk, 10 from Beingmate, 3 from Danone, 19 from Feihe, 24 from Junlebao, 4 from Mead Johnson China, 6 from Nestlé, and 25 from Yili (see Table 4).



Table 4. Overview of BMS product label assessment

	Number of (n)			Average number of non-compliances per non-compliant label (n)	Most common non-compliances on product labels			
	Products assessed	Products with missing images	Non-compliant labels		Contain claims	No statement on the importance of breastfeeding in line with WHO recommendations	No clear statement on the use of BMS on the advice of health workers	No Important Notice stating the superiority of breastfeeding
a2 Milk	2	2	2	3	2	0	0	0
Beingmate	24	10	24	4	22	14	14	13
Danone	12	3	12	3	12	9	6	7
Feihe	31	19	31	2	27	12	11	8
FrieslandCampina	6	0	6	4	5	6	4	4
H&H	19	0	19	4	10	19	16	12
HiPP	0	Not applicable as no BMS product labels were assessed for this company due to limited product information						
Junlebao	46	27	43	2	28	19	19	15
Mead Johnson China	10	6	10	4	9	4	4	4
Nestlé	30	7	30	3	21	24	9	1
Yili	45	26	42	3	38	19	13	15
TOTAL	225	100	219		174	126	96	79

Note: Shaded values in red indicate images were missing or unclear to complete the assessment on the respective indicators.



5. Marketing practices in China for CF

None of the marketing practices of commercial complementary foods observed during the research are fully compliant with the Code. The findings on the extent to which six companies market their complementary food (CF) products in China in line with the Code are presented in Table 5 below. A total of **95 incidences of non-compliant marketing practices for CF products** were found during the research period, of which 65 were from online media,

and 30 were found on all the CF product labels assessed for these companies.

There were no observations of CF marketing on traditional media during the research period.

[Annex V](#) provides an overview of the brands captured for each company during the monitoring and across the different marketing channels.

Table 5. Number of non-compliant marketing practices for CF products by company and by marketing channel in China

Company (Estimated CF market share in China*)	Example of brands assessed	TOTAL number of incidences of non-compliance (n)	Promotions							Non-compliant labels out of number of product labels assessed (Of products launched between March 2020 and February 2023)
			Online (May 12 2023 – July 6 2023)			Traditional (January 1 2023 – June 30 2023)				
			Retail	Media	Total	TV	Radio	Print	Total	
Beingmate (2%)	Beingmate, Jingai	12/12	4/4	0	4/4	0	0	0	0	8/8
Danone (<5%)	Aptamil, Neocate	9/9	0	4/4	4/4	0	0	0	0	5/5
Hain Celestial (<5%)	Earth's Best, Ella's kitchen	1/1	0	0	0	0	0	0	0	1/1
HiPP (<5%)	HiPP	28/28	6/6	20/20	26/26	0	0	0	0	2/2
Kraft Heinz (8%)	Heinz	29/29	8/8	15/15	23/23	0	0	0	0	6/6
Nestlé (14%)	Gerber	16/16	0	8/8	8/8	0	0	0	0	8/8
	TOTAL	95/95	18/18	47/47	65/65	0	0	0	0	30/30

* Source: Euromonitor International Limited, Dairy Products and Alternatives Edition, 2021 data, © All rights reserved.



Online retail

During the research period, a total of 18 point-of-sale promotions (product discounts) were found for products from Beingmate (4), HiPP (6), and Kraft Heinz (8) on the websites of the four most popular online retailers in China.

For three of these products from Beingmate, no clear recommended age was specified. All of the promotions contained at least one type of claim: a health claim, a nutrition claim and/or a marketing claim. Further, none included a statement on the importance of exclusive breastfeeding in the first six months of life and continued breastfeeding for up to two years or beyond. These non-compliances all link to what is specified under recommendation 4 of the guidance supported by WHA resolution 69.9. No observations of CF point-of-sale promotions were found for Danone, Hain Celestial, or Nestlé, in the eight-week period the retail channels were monitored.

Online media

A total of 47 non-compliant advertisements or promotions related to CF brands were found online for all the companies except Beingmate and Hain Celestial: 20 for HiPP, 15 for Kraft Heinz, 8 for Nestlé, and 4 for Danone. All promotions were found on the companies' Weibo channels. No CF promotions were found on the monitored local parenting websites during the eight-week research period.

Out of the 47 Weibo posts, a total of 29 (62%) did not have a clear age indicated: 13 for Kraft Heinz, 8 for HiPP, and 4 for Danone and Nestlé each. One of the posts by HiPP was for its CF brand, while the remaining 17 advertisements promoted CF products aimed at children above six months of age from Kraft Heinz (2), HiPP (11) and Nestlé (4).

The advertisements assessed had an average of three Code non-compliances each. The company Weibo posts included incidences of non-compliance with

recommendations 5 and 6 of the guidance supported by WHA resolution 69.9, by allowing company contact through solicited sign-ups to baby clubs and by sharing information on infant and young child feeding. Danone, HiPP, and Nestlé also market BMS products, thus posing an unwanted risk of cross-promotion and conflicts of interest.

None of the CF advertisements assessed included a statement on the importance of exclusive breastfeeding in the first six months of life and continued breastfeeding for up to two years or beyond, as per recommendation 4 of the guidance supported by WHA resolution 69.9.

From the 47 advertisements assessed, a total of 36 from the four companies contained a nutrition, health, or marketing claim, such as “*no added sugar*” (nutritional claim) or “*baby fruit puree is convenient, time-saving, hygienic and portable*” and “*it is the choice of many mothers to get a variety of fruits and nutrition at one time*” (marketing claims).

Traditional media

No findings of CF advertisements on traditional media channels (radio, television or print) were reported for the six companies in the six-month period the selected channels were monitored.

Commercial CF product labels

All 30 product labels assessed from the six companies were found to be non-compliant, with an average of one up to three observed incidences of non-compliance per label.

Of these labels, a total of five products from Beingmate (1), Hain Celestial (1), and Kraft Heinz (3) did not have a clear recommended age of introduction, therefore they could not be classified as CF intended for infants below or above six months of age. The remaining 25 products were clearly aimed at



older infants aged six months and older. Out of those 25 products however, eight CF from Nestlé and one from Beingmate included an image or logo with a baby, which might suggest use for infants under the age of six months.

It should be noted there were five products for Beingmate and one product by Hain Celestial with missing images, so for these products it was not possible to do the full assessment^x (see Table 6 below). Both companies did not engage during the verification phase (see Table 2), thus more than half of Beingmate's and all of Hain Celestial's products remained with incomplete assessments.

While the labels of four CF products by Nestlé did not have any form of claim, a total of 26 out of the 30 labels assessed contained at least one claim, nutrition, health, and/or marketing claim, such as “*contains a variety of nutrients, specially formulated for the growth and development of infants and young children*” (health claim) and “*crispy, delicious, and nutritious*” (marketing claim).

80% (24 out of the 30 labels) did not include a statement on the importance of exclusive breastfeeding in the first six months of life and continued breastfeeding for up to two years or beyond as per recommendation 4 of the guidance supported by WHA resolution 69.9. The remaining six labels belonged to products without clear images^y, therefore it could not be confirmed if the labels included this statement or not.

Other incidences of non-compliance against recommendation 4 were identified for two Danone CF product labels which contained text that undermines or discourages appropriate complementary feeding or that may suggest that the product is inherently superior to home prepared foods, for

^x Where products were missing clear images, if at least one incidence of non-compliance was identified from the existing images, these labels were counted as a non-compliant observation.

example “*Rice from the purest source, cares for your baby avoiding major allergen sources, allowing you to make the right feeding choice for your baby*”.

See Table 6 for an overview of the number of product labels assessed per company and the respective non-compliances, including the most frequently identified ones. A full list of CF product label results can be found in [Annex VI](#).

^y A total of 6 products had missing images, resulting in incomplete assessments for these products on this requirement: 5 from Beingmate and 1 from Hain Celestial (see Table 6).



Table 6. Overview of CF product label assessment

	Number of (n)			Average number of non-compliances per non-compliant label (n)	Most common non-compliances on product labels			
	Products assessed	Products for which clear images were not available	Non-compliant labels		Contain claims	No statement on the importance of breastfeeding in line with WHO recommendations	Contains any text, or image that might suggest use for infants under 6 months	No clear recommended age of introduction
Beingmate	8	5	8	2	8	3	1	1
Danone	5	0	5	2	5	5	0	0
Hain Celestial	1	1	1	1	1	0	0	0
HiPP	2	0	2	2	2	2	0	0
Kraft Heinz	6	0	6	3	6	6	0	3
Nestlé	8	0	8	3	4	8	8	0
TOTAL	30	6	30		26	24	9	4

Note: Shaded values in red indicate images were missing or unclear to complete the assessment on the respective indicators.



6. Conclusions and recommendations

This study was guided by the NetCode protocol with the Code as a benchmark. Although the number of incidences of non-compliance varied between the companies, **none of the 13 companies assessed in China during the research period between January 2023 to July 2023 market all their BMS and CF products fully in line with the Code.** A total of 457 BMS product promotions and 65 CF product promotions were observed on online or traditional media during the time of research, and all advertisements assessed contained one or more incidences of non-compliance (mostly claims). Of the labels assessed, 219 out of 225 BMS products and all 30 CF products contained several non-compliances each. The remaining six BMS products (three by Junlebao and three from Yili) did not have sufficient information to complete their label assessment, therefore it was not possible to determine whether these six products comply with the requirements of the Code.

There was a total of **676 incidences of non-compliant marketing practices found for BMS products during the research period.** Around 55% of these incidences were from BMS products from Feihe (104), Mead Johnson China (102), Junlebao (87) and Yili (81). These four companies collectively hold 45% of the BMS market share in China.

A total of **95 incidences of non-compliant marketing practices for CF products** were found during the research period for the two companies assessed. The majority of the incidences of non-compliant marketing practices (60%) were found for Kraft Heinz (29) and HiPP (28) CF products, which collectively only hold a share of less than 10% of the market for CF products in China.

For the BMS products, the majority of the observed incidences of non-compliance were related to growing-up milks (429 out of 676). For the CF products, most of the incidences of non-compliance (57 out of 95) concerned CF products for older infants and young children above six months of age. Incidences of non-compliance were also related to a total of 38 CF products with no clear recommended age of introduction or CF brand promotions.

China's Code regulations had been repealed in 2017 and the country's current legal measures only include some provisions of the Code. This could partially explain the high number of incidences of Code non-compliant marketing practices found for BMS and CF products in China during the time of the research. While some restrictions are placed on advertising BMS products, promotions at the retail level and the use of health and nutrition claims are not prohibited. This is reflected in the findings from this study and other similar research conducted in 2019 that has also shown that BMS marketing is increasing on e-commerce platforms in China, with messages heavily focused on claims for improved child health and development⁴⁵.

ATNI recommends that companies strengthen their marketing policies and ensure their marketing practices comply fully with the recommendations of the Code and all subsequent relevant resolutions, including the guidance supported by WHA resolution 69.9. ATNI has developed a [model company policy](#) on the responsible marketing of breast-milk substitutes which can guide companies on how to incorporate Code provisions and align with the latest public health requirements in practice.

Recommendations to BMS and CF companies

Online media and traditional media channels

ATNI urges companies selling products within the scope of the Code to take responsibility for monitoring their marketing practices beyond local regulations, according to the principles and the aim of the Code and subsequent relevant



resolutions, and to take steps to ensure this includes online media channels as well as traditional media channels. Given the extent of online media findings in this study and considering the findings from WHO, which stated that 40% of mothers in China reported seeing BMS marketing on social media⁴⁶, it is clear that companies need to set stronger standards and create procedures and control mechanisms for responsibly marketing their products in digital environments that are in line with the latest guidance by the World Health Organization on restricting digital marketing of foods for infants and young children⁴⁷.

Promotion on online retailers' platforms

ATNI recognizes that not all promotions found within the selected online retail sites will have been initiated by, or agreed between, companies and retailers. Nevertheless, it is the responsibility of all market participants to monitor their marketing practices and take steps to ensure they conform to the Code. ATNI recognizes that companies must operate in compliance with anti-trust regulations which prevents, inter alia, any company influencing the pricing decisions of another. Within that context, companies are encouraged to look for ways to engage with their industry associations, retailers and/or regulators to ensure there are no promotions of BMS products in the retail environment and see that CF products are appropriately promoted in line with the 2016 WHO Guidance on ending the inappropriate promotion of foods for infants and young children.

Product labelling

The companies that reviewed the initial label assessments by ATNI all indicated that product labels are reviewed and approved by the local authority and compliant to the country regulations. However, according to WHA resolution 63.23, nutrition and health claims shall not be permitted for foods for infants and young children, except where specifically provided for relevant Codex Alimentarius standards or national legislation; thus, the labels were

found to be non-compliant with the Code. BMS product labels for infants up to one year of age were generally found to be more compliant with the requirements of the Code compared to growing-up milks.

All companies are urged to adopt Code-compliant policies and practices, so their products are labeled according to the Code and relevant elements of the guidance supported by WHA resolution 69.9. Based on this resolution, the scope of the Code has extended to growing-up milks, which companies should also cover in their policies and practices.

In addition, the WHA 69.9 supported guidance includes recommendations around which messages should be present on CF labels to support optimal infant and young child feeding, and which are inappropriate and could undermine recommended practices. Companies should incorporate these recommendations in their policies and practices and apply them to their CF products, as none of the CF products in this assessment fully met these requirements.

Recommendations to policy makers

As the current national legal measures in China only cover some of the provisions of the Code, policy makers are encouraged to (re-)establish regulatory policies dedicated to the enforcement of the Code. The findings presented in this study could be used to identify which areas need to be considered with most urgency in relation to the marketing of BMS and CF.

It is important to fill the gaps between the current legal measures and the Code, as well as extending the scope of all of those measures to encompass formulas intended for older infants and young children up to 36 months of age, and all types of commercial CF for children up to three years of age – which, as shown earlier, are products that represent the largest proportion of the baby food market in China, which continues to grow.



ATNI advises the Chinese authorities and local stakeholders to implement regular monitoring of the marketing of BMS and CF marketed as suitable for infants and young children up to three years of age, and to design control mechanisms to drive more compliance with local regulations and the Code in support of increasing the country's breastfeeding rates⁴⁸. The results of this study indicate that monitoring and enforcement of advertising and promotion on all forms of media and the labelling of products should be strengthened.

Authorities are encouraged to ensure that distributors and retailers understand their obligations under local regulations and the Code, and that suitable penalties are in place to deter infraction of those obligations. Specifically, attention should be focused on price-related discounts or gifts, given the high number of such incentives that were found.

It is evident that digital marketing is now the primary means of promotion of BMS brands and products for national and multinational BMS companies, representing up to 70% of total advertising spend⁴⁹. Based on the evolving digital marketing space, regulatory clarity and possibly amended or additional laws and regulations are needed to address newer digital strategies, such as: social media influencers, promoting and disseminating user-generated content, online social networks or "baby clubs", professional advisory lines, and data harvesting for message targeting⁵⁰.

Recommendations to civil society and NGOs

Article 11.4 of the Code calls for non-governmental organizations (NGOs), professional groups, institutions and individuals, to draw the attention of manufacturers or distributors to activities that are incompatible with the principles and aim of the Code. Most of the companies assessed in this study for example have reporting channels which any member of the public can use to report on an observed non-compliance by a company, so that it can take any necessary action to rectify the non-compliant practice.

It is worth acknowledging that NGOs, civil society, and academia also have a critical role in continuously developing tools and means to address current public health concerns. In light of the rise in digital marketing of BMS, an innovative tool was developed by Alive & Thrive and the FHI Solutions Innovation Incubator, called [VIVID](#). This tool uses artificial intelligence to scan the internet for BMS Code violations, and it is hosted on the CATCH platform which acts as a virtual hub to disseminate, communicate, and connect the auto-detected findings. It is hoped this tool can be used by governments to support overall Code monitoring, enforcement, research, and adoption, or the strengthening of national legal measures to restrict inappropriate digital marketing⁵¹.



7. Study limitations

The increased number of selected companies and countries assessed for the BMS and CF Marketing Indexes 2024 warranted a modified approach to conducting the assessments for the Country Studies, considering the resources available to ATNI. ATNI undertook an [extensive consultation process](#) in which these changes were discussed. Despite the modifications, the methods are still guided by the NetCode protocol.

- The increased number of selected companies and countries assessed for the BMS and CF Marketing Indexes 2024, versus the resources available to ATNI, limited the capacity to assess and report on other companies which are not part of the BMS and CF Marketing Indexes 2024 but which sell BMS and CF products in China (as done in previous BMS and CF Marketing assessments).
- Although commitments in the following areas are assessed to a certain extent within the Corporate Profile component of the BMS and CF Marketing Indexes 2024, ATNI recognizes the limitation in not capturing how companies' commitments are reflected in practice on these issues:
 - Articles 1-3 (the aim, scope, and definitions of the Code), including recommendations 1 and 2 of the guidance associated with WHA resolution 69.9, provide the context and structure for the in-country studies but are not monitored, per se.
 - While point-of-sale promotions were monitored online, they were not monitored in physical retail stores given limitations in conducting this form of on-the-ground assessment for the BMS and CF Marketing Indexes 2024.
- Due to a number of limitations, articles 6 and 7 of the Code and recommendation 6 of the guidance supported by WHA resolution 69.9, which address marketing within healthcare systems and to healthcare workers, were not within the scope of the in-country studies for the BMS and CF Marketing Indexes 2024.
- Article 10 of the Code requires special inspection of manufacturing processes, which is not covered by the NetCode protocol and, therefore, not within the scope of the on-the-ground assessments.
- Similarly, Article 11 of the Code primarily targets governmental responsibilities. However, the NetCode protocol did not address this, and is therefore not within the scope of the in-country studies. Furthermore, corporate lobbying is not monitored as part of the on-the-ground studies; however, this topic may be explored in future iterations, as noted in ATNI's consultation report.
- While ATNI's methodology in this study is based on the Code, including all WHA resolutions up to WHA 71.9, it is worth acknowledging that the provisions of the Code can be further clarified and updated in future resolutions by the World Health Assembly and/or other relevant international guidance and guidelines published by the World Health Organization and UNICEF.
- It is possible that some non-compliances may not have been captured by the social listening method. Limitations may be attributed to the keywords used or website access restrictions, for example. Also, the social listening tool was only able to capture newly published content during the research period, therefore it is possible that not all cases of non-compliance were captured from the websites and social media platforms monitored. In addition, there are possible limitations in the scope of the websites and social media platforms selected for monitoring, depending on the sources the social listening tool was able to collect data from. Therefore, the channels monitored may not



be representative of all local company/brand, retailer, and parenting websites and social media platforms.

- Due to the intricacies and various forms of contractual relationships that can exist between the companies and online retailers or parenting websites, the extent to which these relationships could be confirmed was limited. ATNI had limited capacity and resources in this research to perform additional and thorough external validation checks.
- Some products did not have images for every side of the package, or images were blurry, which limited the completion of the label assessments for these products and it was not possible to confirm if certain requirements were met or not.
- The extent of products and brands assessed may not be an exhaustive list of the products and brands covered by each company's BMS/CF market in China, despite ATNI's efforts to ensure so. Although assessing more products would likely mean an increase in the number of incidences of non-compliance found, this is not a limitation as Code-compliant labels were found in the other country studies.



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Annex I List of websites and Weibo channels monitored

Type of Source	Company												
	a2 Milk	Beingmate	Danone	Feihe	Friesland Campina	H&H	Hain Celestial	HiPP	Junlebao	Kraft Heinz	Mead Johnson China	Nestlé	Yili
Company /Brand website	a2nutrition.cn	beingmate.com	aptamil.com.cn nutrilonholland.com.cn nutriciachina.com	feihe.com	frisobaby.com	biostime.com.cn	/	hipp.cn	en.junlebaoruye.com	kraftheinzchina.com	meadjohnson.com.cn	/	yili.com/en kabrita.com.cn 1897.com neolac.com holisure.com
Company /Brand Weibo account	a2: weibo.com/u/3920678309	/	Aptamil: weibo.com/u/5133202435 Nutrilon: weibo.com/u/3075025424	Feihe: weibo.com/1888345895?refer_flag=1001030103	Friso: weibo.com/friso	Biostime: weibo.com/u/1114262954	/	HiPP: weibo.com/u/1999063271	Junlebao: weibo.com/1958446775?refer_flag=1001030103	Heinz: weibo.com/u/1878884722	/	Gerber: weibo.com/u/2053689391 S-26: weibo.com/GerberBaby	Yili: weibo.com/2360878517?refer_flag=1001030103
Parenting website	mamaclub.com m.mama.cn	mamaclub.com m.mama.cn	mamaclub.com m.mama.cn	mamaclub.com m.mama.cn	mamaclub.com m.mama.cn	mamaclub.com m.mama.cn	mamaclub.com m.mama.cn	mamaclub.com m.mama.cn	mamaclub.com m.mama.cn	mamaclub.com m.mama.cn	mamaclub.com m.mama.cn	mamaclub.com m.mama.cn	mamaclub.com m.mama.cn



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Online retailer website	JD.com Suning.com Tmall.com VIP.com	JD.com Suning.com Tmall.com VIP.com	JD.com Suning.com Tmall.com VIP.com	JD.com Suning.com Tmall.com VIP.com	JD.com Suning.com Tmall.com VIP.com	JD.com Suning.com Tmall.com VIP.com	JD.com Suning.com Tmall.com VIP.com	JD.com Suning.com Tmall.com VIP.com	JD.com Suning.com Tmall.com VIP.com	JD.com Suning.com Tmall.com VIP.com	JD.com Suning.com Tmall.com VIP.com	JD.com Suning.com Tmall.com VIP.com	JD.com Suning.com Tmall.com VIP.com

* Highlighted are the platforms where the findings presented in this study were captured.

Annex II List of broadcast channels and print monitored

The full list is presented in the following [excel file](#).

Annex III BMS brands identified

Company	Brand	Number of non-compliant product labels out of number of products assessed			Product/brand promotion found during online monitoring?	Product/brand promotion found during traditional media monitoring?
		IF	FUF	GUM		
a2 Milk	a2 Milk	-	1/1	1/1	Yes	No
Beingmate	Abeco	-	1/1	1/1	No	No
	Beingmate	-	1/1	1/1	Yes	No
	Bexiner	1/1	-	-	No	No
	Crown	-	1/1	1/1	No	No
	Eunmi	1/1	1/1	1/1	No	No
	Jingai	1/1	1/1	1/1	Yes	No
	Ke Ruixin	-	-	1/1	No	No
	Meisiya	1/1	1/1	1/1	No	No
	Tongxiang	-	1/1	1/1	No	No
	Zhenyou	-	1/1	1/1	No	No
	Zhi Yue	1/1	1/1	1/1	No	No
	Danone	Aptamil	1/1	1/1	1/1	Yes
Nutrilon		3/3	3/3	3/3	Yes	No
Feihe	Astrobaby	-	-	1/1	Yes	No
	Beishuxiao	1/1	-	-	No	No
	Chunrui	1/1	1/1	1/1	No	No
	Jiarui Miaoke	1/1	1/1	1/1	No	No
	Miao Shu Huan	1/1	1/1	1/1	No	No
	Organic Zhenzhi	1/1	1/1	1/1	Yes	No
	Star Feifan A2	-	1/1	-	Yes	No
	Xingfeifan A2	1/1	-	-	Yes	No
	Xingfeifan Zhuo Rui	1/1	1/1	1/1	Yes	No
	Xingjie Youhu	1/1	1/1	1/1	No	No
	Zhenai Beihu	1/1	1/1	1/1	Yes	No
	Zhenai Feifan	1/1	1/1	1/1	No	No
	Zhuoyao	1/1	1/1	1/1	No	No
FrieslandCampina	Friso Gold	1/1	1/1	1/1	Yes	Yes
	Friso Natura	1/1	1/1	1/1	Yes	No
H&H	Biostime	7/7	7/7	5/5	Yes	Yes
HiPP	HiPP	-	-	-	Yes	No
Junlebao	Banner Dairy	6/6	5/5	6/6	Yes	No
	Baolechun	1/1	0*/1	1/1	Yes	No
	Junlebao	1/1	1/1	1/1	Yes	No
	Lebo	1/1	1/1	1/1	Yes	No

	Lezhen	1/1	1/1	1/1	Yes	No
	Quanzhenai	0*/1	1/1	1/1	Yes	No
	Tianshi	1/1	1/1	1/1	Yes	No
	Utree	1/1	1/1	1/1	Yes	Yes
	Zhenweiai	1/1	1/1	1/1	Yes	No
	Zhizhen	1*/2	1/1	2/2	Yes	No
Mead Johnson China	Enfagrow	2/2	1/1	1/1	Yes	No
	Enfamil	1/1	1/1	1/1	Yes	No
	Enfinitas	-	-	1/1	Yes	No
	Enfa A Plus	1/1	-	1/1	Yes	No
	Nutramigen	-	-	-	Yes	No
Nestlé	Belsol	1/1	1/1	1/1	No	No
	Illuma	3/3	2/2	3/3	Yes	No
	NAN	6/6	3/3	5/5	Yes	No
	S-26	1/1	1/1	3/3	Yes	No
Yili	Aunulife	-	-	1/1	No	No
	Ausnutria	3/3	2/2	2/2	No	No
	Golden Crown	5*/6	4*/5	6/6	Yes	No
	Hyproka 1897	0*/1	-	1/1	No	Yes
	Jinglingguan	-	-	-	Yes	Yes
	Kabrita	2/2	1/1	2/2	Yes	No
	OZ farm	-	-	1/1	No	No
	Pure Nutra	1/1	1/1	1/1	No	No
Yili	3/3	3/3	3/3	No	Yes	

* One of the products did not have sufficient information to complete its label assessment, therefore it was not possible to determine whether the product complies with the requirements of the Code or not.

Annex IV Performance on BMS product label Code requirements

The full assessment is presented in the following [excel file](#).

Annex VII Commercial CF brands identified

Company	Brand	Number of non-compliant product labels out of number of products assessed			Product/brand promotion found during online monitoring?	Product/brand promotion found during traditional media monitoring?
		CF <6	CF 6-36	No age		
Beingmate	Beingmate	0/0	2/2	0/0	No	No
	Champion Baby	0/0	4/4	0/0	No	No
	Jingai	0/0	1/1	1/1	No	No
Danone	Aptamil	0/0	3/3	0/0	Yes	No
	Neocate	0/0	2/2	0/0	No	No
Hain Celestial	Earth's best	-	-	-	Yes	No
	Ella's kitchen	0/0	0/0	1/1	No	No
HiPP	HiPP	0/0	2/2	0/0	Yes	No
Kraft Heinz	Heinz	0/0	5/5	1/1	Yes	No
Nestlé	Gerber	0/0	8/8	0/0	Yes	No

Annex III Performance on commercial CF product label Code requirements

The full assessment is presented in the following [excel file](#).

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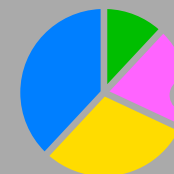
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