

Summary of responses to consultation on:

The Infant Formula and Follow on Formula (Scotland) Regulations 2008 – Guidance Notes.

(Consultation issued: 20/11/2007, ended: 13/02/2008)

File No: LCS/0660

Response from	Comment	Initial View
<p>Nutrition Society</p>	<p><i>Scotland copied into response to consultation in England</i></p> <p>In addition to actively encouraging and supporting exclusive breastfeeding until infants are six months of age, the Society believes that the continuation of breastfeeding for as long as the mother wishes after this point should also be supported (alongside the introduction of appropriate solid foods). This is in line with the recent draft guidance from NICE on infant feeding. The Society therefore suggests that the recommendation to industry outlined in regulation 17(1) (e) (Guidance paragraph 21) is extended to include the labelling and advertising of follow-on formula.</p> <p>Paragraph 7, bullet point 1. The Society suggests definitions of: ‘infants’, ‘young children’, ‘infant formula’, ‘follow-on formula’, ‘pesticide residue’ be included in the guidance document. These definitions are not included in the Regulation, the document that is expected to be read alongside the guidance, and the Society feels that expecting manufacturers to refer to a third document – the Directive – may reduce precision in compliance.</p> <p>Paragraph 7, bullet point 2. There is no definition of ‘reduction of disease risk claim’ in the guidance as stated here. Also the reference is incorrect: definitions are in paragraph 27 not B.</p> <p>Paragraph 9, bullet point 7. Value is spelt incorrectly.</p>	<p>The important notice requirement in regulation 17(1)(e) is not repeated in regulation 18. Only where there is a specific requirement in the Regulation can the Agency provide guidance on its application.</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>

	<p>Paragraph 11. Regulation 4 refers to an aspect of marketing, not to a compositional aspect of formula as stated here. The Nutrition Society suggests guidance is required to aid compliance.</p> <p>Paragraph 12. This is the only place the abbreviations IF and FOF are used in the guidance. For the sake of consistency it is suggested they replace them with 'infant formula' and 'follow-on formula'.</p> <p>Paragraph 32. The Society recommends stating that age range, 'infant formula'/'follow-on formula', AND brand name should all be of a similar font size, and that guidance as to what size that should be, as a minimum, be given.</p> <p>Paragraph 47, bullet point 2. The Society is of the opinion that there is not enough guidance to ensure labelling of infant formula and follow-on formula are clearly distinguishable.</p> <p>Paragraph 49, bullet point 2. This is the responsibility of the retailer. The Society would like to highlight that they – the retailer - will need to be made aware of this Regulation.</p> <p>Paragraph 63. Guidance is given that specific, named infant formula should not be included in the advertising of feeding products. The Society suggests this be extended to include that infant formula should not be referred to at all, and mention that equivalence or superiority to breastfeeding be advised against.</p> <p>Paragraph 65, bullet point 5. The Society advises that this be extended to include 'or could possibly be perceived as being under six months of age'.</p>	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>The BRC have been consulted on the Regulations and Guidance.</p> <p>Noted</p> <p>Noted</p>
Breastfeeding Network	<ul style="list-style-type: none"> • Fully support Baby Feeding Law Group (BFLG) submission. • Disappointed that many of the recommendations of the BFLG were not incorporated in the Regulations. Surprised and dismayed to see that these recommendations have not been taken on board, when 	

	<p>something as serious as infant health is at stake.</p> <ul style="list-style-type: none"> • Feel an important chance has been missed in terms of protecting breastfeeding but also to protect babies fed on infant formula. • Believe the accompanying guidance notes need to be explicitly clear and include points below from the BFLG, which we fully endorse. • Efforts made in the Regulations and Guidance Notes to treat one classification of breast milk substitute differently from another risks creating confusing and extra work for companies, enforcement authorities and our members alike (we also include follow-on milk as a breast milk substitute and would like to see the marketing of this product treated the same way as infant formula). • Pleased the Government will be reviewing the operation of the Regulations and Guidance Notes. BFLG will be contributing evidence from our on-going monitoring of this process. • Welcome assurance that Regulations and Guidance Notes will be strengthened if the type of aggressive marketing practices are not stopped. • Some specific parts of the Guidance Notes could be revised to better protect infant health and the rights of mothers and carers to accurate and objective information, however they feed their children. • The definition of advertising should cover all means of promotion, including websites and telephone 'carelines'. Current Guidance Notes attempt to specify that information through these channels should be 'specific and factual'. We would prefer they are subject to the same advertising restrictions as other promotional methods. • We call on the Guidance Notes to make clear that commercially produced and sponsored materials are not welcomed and will not be cleared for distribution. It is our experience that such material undermines the objective and independent information available from health workers. This will be a far clearer position than attempting to clean up such material through complicated provisions. 	<p>The provision at regulation 22 addresses concerns that advertising of follow-on formula could be taken as advertising for infant formula and undermine breastfeeding. The independently chaired review of the new controls will assess whether this has been effective and if not the Agency will consider if further action needs to be taken.</p> <p>Noted</p> <p>The Agency will review the Guidance on advertising accordingly.</p> <p>The materials to be circulated to mothers or healthcare professionals should conform to government policy on breastfeeding and the promotion of infant and follow-on formula.</p>
<p>The Advertising Association</p>	<ul style="list-style-type: none"> • Welcomes Guidance Notes that aim to help industry, enforcement officers and other interested parties. • AA is concerned that the FSA is consulting on Guidance Notes to 	

accompany regulations which are already in force. The consequences of an unrealistic implementation timetable do not appear to have been considered.

- The AA is concerned that the Guidance Notes seem to go further than the European Commission Directive 2006/141/EC on infant formula and follow-on formula and the Infant Formula and Follow-on Formula Regulations 2007.
- The AA is concerned that the FSA has failed to fully involve the advertising and media industries in the consultation process and related discussion panel.
- The AA questions the ethics of further diminishing the opportunity to inform healthcare professionals regarding choice and availability of infant formula for those nursing mothers who are either unable or chose not to breast feed their babies.

Detailed comments on the Draft Guidance Notes

Timing for implementation

- Guidance Notes were not published three months before statutory instruments. Guidance Notes still under consultation when the Regulations were in force.
- AA is concerned that the immediate application of the guidelines in their current form will incur considerable loss for advertisers and publishers who will have to revise and/or stop advertisements already scheduled to run over the next six months.
- Unclear whether advertisers would be retrospectively liable for those campaigns already in print that do not comply with the guidance.

Definition of scientific journal

- 2007 regulations state that 'no person shall advertise infant formula except in a scientific publication'. The draft guidance notes take this further by adding 'where such publications report the results of original scientific research reviews'. This extends the terms unnecessarily, removing the right to advertise infant formula in professional journals and specialist publications aimed at healthcare practitioners.
- Clarification is needed in this area of professional journals. The AA

The Guidance Notes aim to help interpret the requirements the Regulations introduce and provide the Agency's view on how to comply with those requirements.

The Regulations were consulted on in July 2007, and have been in place since January 2008. The draft Guidance was issued for consultation in November 2008.

The FSA will review all comments received and will review the guidance on 'scientific publication' accordingly.

	<p>also considers that the FSA should take into account the loss of revenue to professional publications.</p> <p>Detail of rules</p> <ul style="list-style-type: none"> • Concerned by the excessively detailed nature of the rules relating to the advertising of both infant formula and follow-on formula. Far from ensuring clarity, details of the images which may be used, wording and size of font will confuse advertisers and could lead to inadvertent breaches of Guidance. • It seems unnecessary for advertisers to submit planned campaigns to the FSA in advance of implementation. This service is already available to the industry via its own self-regulatory bodies. <p>Guidance of website information</p> <ul style="list-style-type: none"> • AA would like to seek clarification on appendix III of the draft Guidance since it removes the right to advertise and/or include editorial content in online scientific publications that would otherwise be allowed in print. We consider it would be reasonable for the FSA to make provisions for online advertising to be allowed in specialist publications and professional journals provided they are password protected and cannot be accessed by the general public. <p>Offences and enforcement</p> <ul style="list-style-type: none"> • It is common practice to incorporate a ‘publisher’s defence’ within Regulations creating an advertising offence. AA would request an interim ‘publisher’s defence’ be written into the guidance, with a view to the regulations being amended to incorporate such a provision at the very earliest opportunity. <p>Monitoring and review</p> <ul style="list-style-type: none"> • The AA requests that the industry is consulted prior to the review of these Guidance Notes, which should not be made unnecessarily and unreasonably restrictive when reviewed and/or updated. • The AA considers that the ‘monitoring and review’ section of the draft Guidance would benefit from further detail being added in order to 	<p>The Guidance Notes aim to help interpret the requirements the Regulations introduce and provide the Agency’s view on how to comply with those requirements.</p> <p>Noted</p> <p>Noted</p> <p>Noted</p> <p>The Guidance will be reviewed when either the Regulations or Agency advice changes.</p>
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	clarify its meaning.	
Infant & Dietetic Foods Association	<p><i>Scotland copied into response to consultation in England</i></p> <p>Two elements of the guidance notes are outside the control of the Infant and Follow-on Formula industry. The two particular elements are Point 49 and point 65.</p> <p>We welcome the inclusion of these points and stress that we will continue in this practice.</p> <p>17. & 32. Age suitability is stated on front of packs</p> <p>18. Already state on packs 'Failure to follow instructions may make your baby ill' as agreed with FSA previously</p> <p>33. & 34. Name 'Follow-on Formula' is afforded a high degree of prominence on packs. The information required by virtue of regulation 18(1)(a) has been present on the labels of follow-on formula for many years. It has been placed under the words 'Important Notice'.</p> <p>43. Advertising of follow-on formula does not include pictures or text that compare products to breastmilk, and only babies over six months of age are used in advertising.</p> <p>44. Careline staff are highly trained, and provide factual support to parents and carers on request.</p> <p>45. Infant formula and follow-on formula products are clearly labelled with suitable age for use, and designed with different colour or numerical schemes to ensure simple identification by parents and carers.</p> <p>Detailed comments</p> <p>16. & 17. Goes beyond the legislation, the suitable age range is always stated clearly on the front of packaging. Manufacturers must decide on the compositional elements (colour, font etc) that will best achieve this. However, we would like to express concern whether legibility guidance set by the FSA could be met on all pack sizes, particularly small 'tetra-paks', as legibility is a function of pack size. Minimum font sizes are not always possible, and the focus should be on clarity rather than prescriptive guidance.</p>	<p>Noted</p> <p>Noted</p> <p>The Guidance Notes aim to help interpret the requirements the Regulations introduce and provide the Agency's view on how to comply with those requirements. The Agency's "Clear Food Labelling" Guidance contains best practice advice on minimum font size, choice of font and contrast etc. which, if</p>

	<p>18. & 20. The statement ‘Failure to follow instructions may make your baby ill’ is commonly included on packaging currently. We are not aware of any evidence that the above statement has been inadequate. Similar statements have been used since the mid 1970s.</p> <p>We do not support the alternative wording proposed in the Guidance Notes on the grounds that this may be alarmist and not easily understood by the consumer. Such a warning statement could lead consumers to use inappropriate products such as other powdered milk or other liquids (not infant or follow-on formulae) which do not have such warnings.</p> <p>25. Goes beyond the legislation (except pictures of infants). We do not agree that the items quoted would idealise the use of an infant formula, and are aware of no evidence to support that view. The law specifically refers to pictures of infants only (regulation 17(3)(a)).</p> <p>29. Point 2 goes beyond the legislation, health claims are regulated under the Nutrition and Health claims legislation, and this needs to be reflected in the Guidance Notes.</p>	<p>followed, will assist labelling and clarity on all pack sizes.</p> <p>FSA-funded focus group research found that caregivers were concerned that powder formula was not sterile. Overall, as it poses a potential risk to babies, parents and healthcare professionals agreed that information about non – sterility and what it means should be clearly communicated to parents, so that they can make informed decisions and choices.</p> <p>Some manufacturers of infant formula products are already labelling their products to indicate that these are non-sterile. We are not aware of any evidence of caregivers turning to inappropriate products as a result of the non-sterile message being used.</p> <p>Regulation 17(3) (b) refers to any other picture or text which may idealise the use of the product.</p> <p>Paragraph 29 (point 2) relates to claims made on infant formula, which are controlled by the regulation 17(1).</p>
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	<p>31. Goes beyond the legislation, we consider that it is the responsibility of the industry to provide clear labelling on packaging, consulting sources of information, which include the FSA 'Clear Labelling Guidance' amongst other information, as appropriate.</p> <p>32. We already state the age range clearly on the front of packaging. We believe it should be the responsibility of manufacturers themselves to determine the appropriate size of the font in relation to other elements of the packaging including pack size. We are unaware of any case in which a product has been used inappropriately because of a lack of clarity over the appropriate age range.</p> <p>42. & 50. Healthcare Professional (HCP) journals are scientific publications that enable HCPs to keep up to date with infant formula information. Healthcare Professional journals do not present the results of original research and reviews per se but present relevant scientific information for their target audience. Preventing infant formula advertising and information provision in these journals would restrict important factual, and accurate information about infant formulae getting to HCPs with infant feeding responsibilities.</p> <p>43. Growing up milks are not within the scope of the regulations and therefore should not be referred to in the guidelines.</p> <p>Perception of babies less than six months of age is very subjective. Manufacturers always ensure the babies are over the chronological age of six months. Final bullet: we are concerned that this would restrict communication about key elements of formulae (For instance iron, which is common to both infant and follow-on formula. It is an important element in follow-on formula and its presence offers a proven benefit for infants over six months of age and communication about the presence of iron is an important feature.)</p> <p>47. Goes beyond the legislation, we are not aware of any evidence to show that consumers are confused between infant formula and follow-on</p>	<p>Noted</p> <p>The Guidance Notes aim to help interpret the requirements the Regulations introduce and provide the Agency's view on how to comply with those requirements.</p> <p>The Agency will consider all comments received and will be reviewing the guidance on "scientific publication" accordingly.</p> <p>Noted</p> <p>Regulations 19 and 22 require a clear distinction between infant formula and follow-on formula so as to avoid any risk of confusion. The Agency has provided guidance on how this should be achieved.</p> <p>The Guidance Notes aim to help interpret the requirements the</p>
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	<p>formula as our packs already differentiate using clear notices about age suitability and different colour schemes.</p> <p>We consider that the proposal that infant and follow-on formula should feature different labelling elements (such as pictures and blocks of text) in differing spatial arrangements to be above and beyond the requirements of the EU Directive. We do not believe it is in the interest of consumers to change labels if there is no clear evidence of any confusion.</p> <p>We agree that a reference to breast milk or breast feeding should not be made on follow-on formula in such a way that implies equivalence or superiority to breastmilk or unless required by legislation.</p> <p>49. Goes beyond the legislation, the proposal to locate infant and follow-on formula in different parts of store may readily lead to confusion amongst parents who may start to introduce inappropriate foods and drinks to the diet of a six month old infant e.g. cows' milk etc if the existence of follow-on formula is not clear to them. In addition, this is simply not practical in small stores like convenience stores, corner shops and pharmacies.</p> <p>54. As stated previously, we agree that a reference to breast milk or breastfeeding should not be made on follow-on formula, in such a way that implies equivalence or superiority to breast milk or unless required by legislation. However, infant formula is a breast milk substitute and as such it may be appropriate to refer to breast milk in certain circumstances to</p>	<p>Regulations introduce and provide the Agency's view on how to comply with those requirements.</p> <p>The provision at regulation 22 addresses concerns that advertising of follow-on formula could be taken as advertising for infant formula and undermine breastfeeding. The independently chaired review of the new controls will assess whether this has been effective and if not the Agency will consider if further action needs to be taken.</p> <p>Noted</p> <p>Noted. The Guidance Notes aim to help interpret the requirements the Regulations introduce and provide the Agency's view on how to comply with those requirements.</p> <p>The provision of information about follow-on formula must comply with the requirements of the Regulation. Regulation 21(3) makes it a requirement that any</p>
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	<p>provide necessary information to enable an informed choice. We agree that any reference to breastfeeding must not discourage breastfeeding.</p> <p>58. Goes beyond the legislation, the requirement for scientific and factual information on advertisements is mandatory, however we consider that any comment about style (i.e. no subjective or emotive language) is beyond the requirement of these Guidance Notes.</p> <p>In addition, subjective language can legitimately be used as part of advertising, providing it does not mislead, is factual, decent, honest and true and does not idealise the use of an infant formula or undermine breastfeeding.</p> <p>59. In an advertisement scientific and factual information will be provided and if that includes clinical study results from a breast fed group, the opportunity to communicate such results needs to be available. The important notice will always clearly state the superiority of breastfeeding.</p> <p>60. We do not agree with the recommendation to avoid the use of generic references to formula milks or formulae in advertising. In communications and advertisements to health care professionals, the term 'formulae' may be used to refer to the range of 'special' formulae for infants with particular nutritional needs. Used appropriately we believe these terms are informative.</p> <p>63. Goes beyond the legislation, we believe that parents and carers have a right to request and receive information from a company that makes products being fed to their child. This information is always sent following a request. The statement that the examples quoted are advertising and therefore prohibited is an interpretation that is not warranted by the Regulations.</p>	<p>reference to breastmilk in association with infant formula must not undermine breastfeeding.</p> <p>The Guidance Notes aim to help interpret the requirements the Regulations introduce and provide the Agency's view on how to comply with those requirements.</p> <p>Regulation 21(2) states "advertisement for infant formula shall only contain information of a scientific or factual nature."</p> <p>Regulation 21(3) states "Shall not imply or create a belief that bottle-feeding is equivalent or superior to breastfeeding".</p> <p>Noted, however, where generic references are made to formula milks all information provided would need to comply with the requirements of the Regulation.</p> <p>Ultimately whether or not a specific leaflet constitutes advertising will depend on the nature of the information it contains and this should be considered by manufacturers</p>
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	<p>We believe that a brand name not uniquely associated with a specific infant formula is not an infant formula brand name.</p> <p>65. Advertising of follow-on formula is conducted in a manner to ensure that the nature of the product is clear, as is the suitability from six months. Point 5 goes beyond the legislation. Bullet 1. It is a manufacturer's responsibility to decide on the compositional elements (colour, font etc) that will best achieve the identification of the product as being follow-on formula. Bullet 2. We agree that infants featured in follow-on formula advertisements must be over the age of six months, however we do not agree that a clear indication of the age of the child is required. Bullet 5. These notes represent an interpretation beyond the legislation.</p> <p>67. There is no promotion of products in multi-packs where they are not the normal form in which the product is offered for sale. The reference to multi-packs is not warranted by the wording of the regulation.</p> <p>70. This guideline requires further details to outline the practical aspects of how this proposal will be managed, what industry will be required to do and in turn what process the approval system will follow. Guidance on what 'donations' means in this context would be useful. Any system for the approval of materials must be transparent, have published criteria as to which materials are approvable, have defined and practicable timelines, and provide for a right of appeal.</p> <p>80. Discussions with Home Authority officers are already undertaken on a courtesy basis where appropriate. Due to timelines involved in producing material such as advertisements, it would be impractical to discuss every piece with the Home Authority. However, we will continue to strive to consult the Home Authority on advertising and labelling where</p>	<p>developing such material.</p> <p>Noted</p> <p>The Guidance Notes aim to help interpret the requirements the Regulations introduce and provide the Agency's view on how to comply with those requirements.</p> <p>Noted</p> <p>Materials to be circulated to mothers or healthcare professionals should conform to Government policy on breastfeeding and the promotion and advertising of Infant and Follow-on Formula. The main criteria will be a check on consistency with current Government policies.</p> <p>The Guidance Notes aim to help interpret the requirements the Regulations introduce and provide the Agency's view on how to comply with those</p>
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	<p>appropriate.</p> <p>Appendix II Several points in this appendix require clarification, in particular bullet points 2 and 7. Responding to requests for product information (orally or in writing) is a duty of manufacturers. This includes private correspondence between companies and their customers (such as retailers or wholesalers) and consumers. It is essential that infant formula brand names are used in communication pieces such as recall notices, safety notices and factual statements – this is not advertising and should not be treated in the same way.</p>	<p>requirements.</p> <p>Noted. Ultimately whether or not this constitutes advertising will depend on the nature of the information provided and this should be considered by manufacturers developing such material.</p>
PPA	<p><i>Scotland copied into response to consultation in England</i></p> <p>The PPA welcomes sensible guidelines on the advertising of a product such as infant and follow-on formula when health concerns are involved. The PPA calls on the FSA to:</p> <ul style="list-style-type: none"> • Incorporate a transitional period into the guidelines in order that campaigns already being carried do not breach them unwittingly • Incorporate a ‘publisher’s defence’ into the guidelines to cover unintentional breaches • Interpret the term ‘scientific publications’ less narrowly than it does in the current draft • Allow the advertising of infant formula online where it appears in journals not available to the general public which would be entitled to carry this advertising in their offline publications • Clarify what it means by editorial content and if possible work with publishers to reach a sensible conclusion in this area 	<p>The Guidance Notes help interpret the Regulations. The Regulations, which implement the EC Directive, do not put in place a transitional period.</p> <p>Noted</p> <p>The Agency will consider all comments received and will review the guidance on “scientific publication” accordingly.</p> <p>Noted</p> <p>Noted</p>

	<ul style="list-style-type: none"> • Give general principles which must be followed when advertising infant and follow-on formulae rather than an overly detailed and potentially confusing list 	<p>The Guidance Notes aim to help interpret the requirements the Regulations introduce and provide the Agency's view on how to comply with those requirements.</p>
<p>Advertising Standards Authority</p>	<p><i>Scotland copied into response to consultation in England</i></p> <p>Point 41 suggests that upheld ASA decisions on unsubstantiated claims would be enforceable in labelling and all advertising. The ASA will only take and enforce decisions on advertising that falls within the scope of the Advertising Codes. The FSA's interpretation of an advertisement is broader than the Advertising Codes, the ASA has no role in maintaining standards in these areas.</p> <p>The FSA's definition appears to capture editorial content or communications that are not disseminated and/ or paid for by the manufacturer of formula milks or their agents (e.g. an advertising agency or retailer). European law clearly considers that what constitutes an advertisement is restricted to materials disseminated by or on behalf of a commercial interest.</p> <p>The FSA appears to have used some of the concepts used within the Unfair Commercial Practices Directive, however the Directive very clearly defines that its provisions apply only to business-to-consumer commercial communications.</p> <p>Appendix II – 1st bullet point, “electronic and printed material (including editorial content and advertorials)” ; 9th bullet point, “press releases and other public relations material and activities...”</p> <p>Appendix II – 7th bullet point, “private correspondence” and 8th bullet point “oral communications, including telephone calls”</p>	<p>Noted</p> <p>The Agency will consider all comments received and will be reviewing the guidance on “advertising” accordingly.</p> <p>Noted</p>

<p>Baby Feeding Law Group (sent in by Baby Milk Action)</p>	<ul style="list-style-type: none"> • Detailed comments are contained in Baby Feeding Law Group's (BFLG) report 'Trying to make the UK's Weak Formula Law Work' and the detailed comments prepared by the National Childbirth Trust (BFLG member). Summaries of these documents can be accessed in the Summary table for the equivalent consultation issued in England at http://www.food.gov.uk/multimedia/pdfs/consultationresponse/infformresponse2007.pdf • Continued concern that previous comments on the Regulations have not be taken on board; this has created a complicated regulatory framework. Efforts made in the Regulations and Guidance Notes to treat one classification of breastmilk substitutes differently from another risks creating confusion and extra work for companies, enforcement authorities and our members alike. • Pleased that government will be reviewing the operation of the Regulations and Guidance Notes during the first year. • Some specific parts of the Guidance Notes could be revised to better protect infant health and the rights of mothers and carers to accurate, objective information, however they feed their children. • Definition of advertising should cover all means of promotion, including websites and telephone care lines. • Guidance Notes should make it clear that commercially produced and sponsored materials are not welcomed and will not be cleared for distribution (such material undermines the objective and independent information available from health workers). This will be a far clearer 	<p>The independently chaired review of the new controls will assess whether they have been effective and if not the Agency will consider if further action needs to be taken.</p> <p>The Guidance Notes aim to help interpret the requirements the Regulations introduce and provide the Agency's view on how to comply with those requirements.</p> <p>The Agency will consider all comments received and will be reviewing the guidance on "advertising" accordingly.</p> <p>Materials to be circulated to mothers or healthcare professionals should conform to</p>
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	<p>position rather than attempting to clear up such material through complicated provisions.</p> <ul style="list-style-type: none"> • Neither the Regulations or Guidance address BFLG’s concerns in the area of trials and research involving infants. 	<p>Government policy on breastfeeding and the promotion and advertising of Infant and Follow-on Formula. The main criteria will be a check on consistency with current Government policies.</p>
<p>Baby Milk Action forwarded 18 responses from individuals that supported the Baby Feeding Law Group submission</p>	<ul style="list-style-type: none"> • During first year of operation measures will need reviewing to see whether they are addressing concerns about continued aggressive marketing of formula. • Supported the position of the Baby Feeding Law Group (BFLG) for the Regulations to be brought into line with the International Code of Marketing of Breastmilk Substitutes and subsequent, relevant Resolutions for the World Health Assembly. • Supports BFLG’s call for the Guidance Notes to be as comprehensive as possible, given the limitations of the Regulations. • During the 12 months review, if company promotion continues to undermine breastfeeding and misleads parents and carers who use formula, then it is imperative the Government takes the action called for by the BFLG, the Government’s own Scientific Advisory Committee on Nutrition and LACORS to strengthen the Regulations. 	<p>The independently chaired review of the new controls will assess whether they have been effective and if not the Agency will consider if further action needs to be taken.</p> <p>The Guidance Notes aim to help interpret the requirements the Regulations introduce and provide the Agency’s view on how to comply with those requirements.</p>