

# Introduction

**B**reaking the Rules, Stretching the Rules 2007 (BTR 2007) is based on evidence collected from June 2004 to October 2007. The International Code of Marketing of Breastmilk Substitutes and subsequent World Health Assembly resolutions are the ‘Rules’ used to measure Code compliance. The basis for these same standards for all countries lies in Article 11.3 of the International Code which provides that, independently of any other measures taken for Code implementation, companies should take steps to ensure that their conduct at every level conforms to the Code.

BTR 2007 combines the results of independent monitoring carried out by volunteers on an ad hoc basis over a three year period. Evidence from reports of monitoring projects by IBFAN groups and affiliates was also incorporated.

## Flexible data collection and thorough checking

Data for the BTR are submitted in many ways: electronically with scanned forms and digitised pictures or by snail mail through submission of actual specimen. The tool that is most commonly used by monitors is SIM, the Standard IBFAN Monitoring tool. SIM has been devised by ICDC to popularise monitoring, yet maintain standard questionnaires so that groups and individuals use the same protocol to report evidence from wherever they are. With SIM, anyone and everyone can monitor at minimal or no cost. BTR 2007 and its predecessor BTR 2004 stand as testimony. See form on inside back cover.

Outside the SIM structure, ICDC also received evidence from concerned individuals who sent in actual samples as and when they encountered a marketing practice which they felt violates the Code. As many of these violations came to ICDC in their rawest form, much time was required to pursue more information from source. The introduction of a new device on the IBFAN website also opened up a new worldwide avenue for reports.

**In total, more than 3,000 reports were received from 67 countries, some only with very sparse information, others with hundreds of entries each.\***

Information is first checked, translated and collated by SIM collection centres in Europe, Latin America and Asia. The data are then merged into one large database and undergo thorough legal and factual checking by ICDC, before being sorted by company and by type of violation.

## Monitoring makes a difference

Evidence of Code violations is being used by international organisations and ethical investment companies. Manufacturers are increasingly being challenged about their social responsibility and observance of human rights based on our reports. Governments are also taking heed and monitoring has led to prosecutions (although this does not happen enough) and to strengthening of national measures. Where there are no laws, or where laws are not enforced, independent monitoring is the only way of putting pressure on companies to behave, the only way of teaching consumers about new tactics, of informing health professionals about the latest propaganda. Companies are not behaving as they should but if there were no independent monitoring, companies would not need to look over their shoulders and promotion would be much worse.

By and large, the reporting style, layout and design of BTR 2007 follow that of BTR 2004. This edition is designed, however, so that the report on each company can stand alone and be disseminated singly. Some companies are scrutinised more than others and reports on them can be downloaded separately. ICDC is experimenting with electronic versions in order to cut down on printing and mailing costs.

## BACKGROUND

The International Code was adopted in 1981 as a “minimum” standard to help protect and promote breastfeeding in all countries.

The Code’s preamble explains that “the marketing of breastmilk substitutes requires special treatment which makes usual marketing practices unsuitable for these products”.

The Code, summarised on pages x and xi, spells out which marketing practices should be discontinued.

Since its adoption, the Code has been re-affirmed by the World Health Assembly (WHA) on at least 17 occasions and new resolutions with the same legal status as the Code have been adopted to clarify certain provisions and to attempt to keep up with changing products and practices.

## SCOPE

BTR 2007 covers promotion for products under the scope of the International Code of Marketing of Breastmilk Substitutes. The scope includes infant formula, follow-on formula, complementary foods when marketed for babies below 6 months, feeding bottles and teats.

Practices involving products which do not come under the scope of the Code but which undermine breastfeeding or practices which give rise to conflicts of interest are reported in a “Stretching the Rules” section under each company.

\*All data were reviewed and double checked. Entries not sufficiently substantiated by evidence were rejected. All efforts were made to verify the accuracy of this report but any errors of this report remain the responsibility of the editors.