

Press statement and full response

Nestlé fails to address criticism regarding lack of science behind its baby milk range

LONDON, 14 February 2018

The Changing Markets Foundation, Globalization Monitor and SumOfUs are calling on Nestlé to provide meaningful answers to the findings of new report *“Busting the myth of science-based formula”* which revealed a lack of scientific consistency in the composition and claims of Nestlé’s infant milks sold in 40 different countries.

Today Changing Markets, Globalisation Monitor, SumOfUs responded to Nestlé’s letter and statement,¹ which falsely asserts that there are inaccuracies in the report and furthermore avoids answering the main question: whether the multinational will commit to follow scientific nutritional advice consistently across its whole baby milk product range.

Adequate nutrition for infants and young children is critical for healthy development. Companies like Nestlé have a huge responsibility to provide products that are safe, nutritionally complete and informed by the best available science. However, they fail to act when confronted with findings that illustrate how nutritional science is used as a marketing tool rather than in the best interest of children and their families.

Nusa Urbancic from the Changing Markets Foundation says: *“As a company that claims to be committed to science, we believe that Nestlé should take immediate action to address inconsistencies identified in the composition of its products at a global level. While we welcome their new commitment to phase out certain unhealthy ingredients, such as sucrose, we are disappointed that their statement only touches the surface of the concerns flagged up in our report and eludes any meaningful commitment in response to our findings.”*

Rena Lau from Globalization Monitor, based in Hong Kong, says: *“As a responsible multinational company, Nestlé should ensure all the ingredients in its products are consistent and they should comply with the WHO Code of marketing. In addition, we call for transparency in the pricing policy of its infant milk products in order to protect the interests of parents and their children.”*

Eoin Dubsy from SumOfUs, a global consumer watchdog, says: *“Decades of tireless campaigning by citizens groups, churches, and progressive politicians led to international standards controlling infant formula ingredients and marketing. Now more than 100,000 people have mobilised again to hold Nestlé’s CEO Ulf Mark Schneider to account. There is no excuse for brands like Nestlé to use manipulative marketing to swindle sleep-deprived and cash-strapped parents, who only want what’s best for their children.”*

ENDS

¹ <https://www.nestle.com/ask-nestle/health-nutrition/answers/changing-markets-foundation-report-infant-formula-marketing>

For further information and interviews please contact:

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Full response enclosed below



Christian Frutiger
Global Head of Public Affairs
Nestlé S.A.

By email: Christian.Frutiger@nestle.com

London, 14 February 2018

Dear Mr Frutiger,

We would like to thank you for your response to the recent report “**Busting the Myth of Science-Based Formula**” and for providing your perspective on some of the concerns it raises. We would like to use this opportunity to answer your allegations about ‘inaccuracies’ in the report. In addition, we would like to state that we are open to engaging in further dialogue with you to discuss our recommendations.

We feel it is important to emphasise that the main question posed by the report - whether Nestlé plans to commit to follow scientific nutritional advice across its whole product range - remains unanswered in your response. Adequate nutrition for infants and young children is critical for healthy development and companies like Nestlé have a huge responsibility to provide products that are safe, nutritionally complete and informed by the best available science. As a company that claims to be committed to science, we believe that Nestlé should rectify the inconsistencies detected in the report at a global level. Unfortunately, we see no such commitment in your response.

In response to the specific observations raised in your letter, it is difficult to understand how your stated commitment to the International Code of Marketing of Breastmilk Substitutes (‘the Code’) is translated in practice when it comes to claims associated with your products. We would like to emphasise that the Code and subsequent World Health Assembly (WHA) resolutions consider claims that idealise the use of formula, or that attribute certain nutritional and health benefits to its use, examples of “*inappropriate promotion*” and as such these claims should not be made for foods for infants and young children².

Furthermore, we reject the assertion that there are inaccuracies in the report. More specifically we would like to make the following points;

- You claim “*not to use any statements on infant formula that idealise or imply that your products are superior to or equivalent to breastmilk*”. If that is the case,

² WHO Guidance on Ending the Inappropriate Promotion of Foods for Infants and Young Children. More information <http://apps.who.int/iris/bitstream/10665/260137/1/9789241513470-eng.pdf>

it is difficult to understand what purpose statements included on some of your products, such as “*our closest to breastmilk*” (i.e. USA Stage 1 Gerber Good Start Gentle Formula), are trying to serve if not attempting to draw an equivalence with breastmilk;

- The fact that you claim that statements “*mentioned in the US, Hong Kong, Switzerland and Spain, are compliant with regulatory requirements in these countries*” puts your commitment to the Code under question. You seem to be content to continue to make claims explicitly prohibited by the Code in countries not deemed high risk, as long as these countries have not explicitly prohibited such claims. This is also problematic from the perspective of your scientific credibility, as there is clear scientific consensus that formula can never be close to breastmilk. Furthermore, despite the language used (i.e. “*our closest to breastmilk*”, “*following the example of breastmilk*”, “*inspired by human milk*”, etc), all the products identified in the report had different nutritional composition and the rationale for such differences is not addressed in your response;
- Your response fails to address points regarding the inconsistencies between the composition of your products and your own nutritional advice. The addition of sucrose and flavourings is not explicitly prohibited by legislative requirements, but you use the absence of these ingredients in your products as a marketing tool in some countries. The report does not claim that there is sucrose in products between 0-6 months, as pointed out in your response, but questions the inconsistencies found in Nestlé’s formula product range i.e. advising against adding sucrose on some products, yet putting it into others. We welcome your commitment in your letter to phase out sucrose from all your products for infants under 12 months. We encourage you to follow the same logic with vanilla flavourings, which is rightly described on some of Nestlé’s formulas as a less healthy substance;
- You fail to provide any information regarding the scientific basis behind certain health claims made about Nestlé’s formula range (i.e. probiotics and prebiotics) where existing assessments by scientific bodies, where conducted (i.e. EFSA), have failed to validate the claimed health benefits. If Nestlé is a science-based company, surely you should follow independent scientific opinions across all countries? Moreover, you have not answered any of the report’s claims regarding products sold in the UK and Greece, which do not seem to have been authorised under European law;
- You fail to provide answers to the question regarding the general lack of scientific rationale behind the composition of your products in different countries. You claim that “*CODEX and local regulations determine the essential ingredients needed in infant formula*” and that you “*comply with regulations of every country in which you operate, which may differ*”. As far as we are aware, none of the countries investigated in our report, currently mandate the addition of substances such as DHA, dietary fibres or friendly bacteria most commonly used in the differentiation of your product range. It is therefore unclear what role local regulations play in these additional substances in your products, and so we ask again for you to explain the scientific rationale behind your product ranges in different countries;

- We would also be grateful to receive any information available that will help us better understand what factors such as “*import duties, local taxes, costs of production, distribution, packaging, overhead costs, and margin expectations of trade partners*” drive the large price differences observed across your products, particularly when these are observed within a specific country. For example, the products included in China reviewed in this report show the most extreme variation with prices ranging between 3.4 to 6.5 USD per 100g of dried powder. Our research indicates that companies like Nestlé pursue premiumisation strategies to increase their profits at the expense of families, especially in low and middle-income countries.

Given your aspiration to be the world’s leading “*nutrition, health and wellness company*”, we call for you to put science before short-term profits by reviewing the nutritional composition of your product range, and removing the products that contradict your own nutritional advice or do not comply with the Code and subsequent WHA resolutions.

Yours sincerely,



Nuša Urbančič
Campaigns Director, Changing Markets Foundation



Rena Lau
Executive Director, Globalization Monitor



Eoin Dubsky
Campaign Manager, SumofUs