

Marketing of Breast-milk Substitutes: National Implementation of the International Code

— STATUS REPORT 2020 —



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ACRONYMS

BMS	breast-milk substitute(s)
IBFAN	International Baby Food Action Network
ICDC	International Code Documentation Centre
IYCF	infant and young child feeding
NetCode	Network for Global Monitoring and Support for Implementation of the International Code of Marketing of Breast-milk Substitutes and Subsequent relevant World Health Assembly Resolutions
NFS	WHO Department of Nutrition and Food Safety
UNICEF	United Nations Children's Fund
WHA	World Health Assembly
WHO	World Health Organization

EXECUTIVE SUMMARY

This report provides updated information on the status of implementing the International Code of Marketing of Breast-milk Substitutes (BMS) and subsequent relevant World Health Assembly (WHA) resolutions (“the Code”) in countries. It presents the legal status of the Code, including to what extent its provisions have been incorporated in national legal measures. The report highlights specific provisions considered to be particularly instrumental in addressing and eliminating promotion of BMS, feeding bottles and teats to health workers and in health facilities.

Methodology

WHO, UNICEF and IBFAN collected information from their regional and country offices on new or additional legal measures adopted by countries since 2018. For countries with missing or incomplete information in 2018, further investigation was conducted on the status of Code implementation. For those countries that have adopted legal measures since the 2018 report, the relevant legal documents were obtained through ministries of health with the assistance of regional and country offices. Documentation was also obtained from legal databases (Lexis/Nexis and FAOLEX), national gazettes and internet search engines.

The legal measures for all countries were analysed based on an expanded, standardized WHO/UNICEF/IBFAN checklist of provisions in the Code. The checklist included relevant provisions covered in World Health Assembly resolutions, including the guidance associated with WHA69.9. A scoring

While progress has been made, far too few countries have legal measures in place to effectively stop marketing that undermines breastfeeding.

Findings: Legal status of the Code

Over the past two years, protections against inappropriate marketing of BMS have been strengthened in 44 countries around the world. Since the 2018 report, 11 countries – Bahrain, Chad, Egypt, Lao People’s Democratic Republic, Nigeria, Pakistan (Punjab), Republic of Moldova, Saudi Arabia, Turkey, United Arab Emirates and Uzbekistan – enacted new Code-related legislation or amended existing legal measures. In addition, strengthened restrictions on promotion to the general public and through the health care system came into effect in the European Union in 2020.

As of April 2020, 136 (70%) of 194 WHO Member States (“countries”)¹ had enacted legal measures with provisions to implement the

Code. Of these, 25 countries had measures substantially aligned with the Code; a further 42 had measures which are moderately aligned; 69 had only included some provisions and 58 had no legal measures at all. (Report annexes provide details of countries’ specific measures).

Findings: Legal provisions related to promotion to health workers and in health facilities

Health systems in many countries continue to be used as major conduits for promoting products falling under the scope of the Code. Key target audiences, such as

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