

Enforcing the Milk Code

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EXECUTIVE ORDER 51, SERIES 1986

The Philippine Milk Code

National Code of Marketing of Breastmilk Substitutes,
Breastmilk Supplements and Other Related Products

An evidence-based regulation of infant food marketing practices that
impact ethical standards, public health, and public nutrition.



DOH Admin. Order No. 2006-0012

- **Revised IRR of E.O. 51**, otherwise known as the '*Philippine Milk Code*', Relevant International agreements, penalizing violations thereof, and for other purposes

Why do we have the PH Milk Code?



TO ENSURE THAT

- **safe and adequate nutrition** for infants is provided, there is a need to protect and promote breastfeeding
- **inform the public about the proper use** of BABY FOOD**, BOTTLES , AND TEATS  through:
 - adequate, consistent, and objective information
 - appropriate regulation of the marketing and distribution

***breastmilk substitutes and supplements and related products*



What is the Scope of PH Milk Code?



“SCOPE” – extent where PH Milk Code is relevant, in terms of advertising and marketing (and related practices), and quality of the following products:

- 1. Breastmilk substitutes, including infant formula;**
- 2. Feeding bottles and teats**
- 3. OTHER milk products, foods and beverages, including bottle-fed complementary foods, WHEN marketed/represented to be suitable for use as a replacement of breastmilk**

These are **PRODUCTS WITHIN THE SCOPE OF THE CODE.**



What Does the PH Milk Code Regulate?



Information and
Education on
IYCF

Interaction with
the General
Public and
Mothers

Use of the
Healthcare
System &
Health Workers
in Marketing
and Advertising

Containers and
Labels of
Products

Quality of
Products

Information and Education on IYCF



Protect, Promote, Support, and Monitor Appropriate IYCF Practices

- BF Initiation
- Exclusive Breastfeeding from 0 to 6 months
- Appropriate complementary feeding from 6 months, onwards with continuous BF

Hazards and Complete Information on Breastmilk Substitutes and Replacements

- The use of breastmilk substitutes is proper if based on complete and updated information

Research

- IYCF research must be free from any commercial influence/bias; Conflict(s) of Interest declared
- Peer-reviewed



Information and Education on IYCF



PROHIBITIONS for Manufacturers and Advertising Agencies, Medical Representatives, Distributors, and Marketing Personnel

1. Participate in any policymaking body or entity in relation to the advancement of breastfeeding;
2. Conduct or involvement in any activity on breastfeeding promotion, education and production of Information Education and Communication (IEC) materials; and
3. Advertise or promote, either directly or indirectly, to pregnant women or with mother of infants and young children.



Use of the Healthcare System & Health Workers in Marketing and Advertising

PROHIBITIONS



Use of healthcare system facilities to promote products under the Scope of the Code

Use of facilities for display of products or placards or posters of said products

Use of Health Workers in Marketing and Advertising

PROHIBITIONS



Use of health workers and the **health care system** in the dissemination distribution and promotion



Acceptance by health workers and/or members of their families of **financial or material** inducements or **gift** of any sort that promote products



Sponsorships: assistance, support, logistics to health workers

Interaction with the General Public and Mothers

PROHIBITIONS



Education in relation to pregnant women or mothers of infants and young children



Equate or make the product appear to be as good or equal to breastmilk or breastfeeding



Exaggerated and unsubstantiated claims that product causes better individuals/greater love/intelligence, etc.

Interaction with the General Public and Mothers



PROHIBITIONS



Special displays



Discount coupons



Premiums/ Rebates



Special sales/ bonus tie-in sales



Interaction with the General Public and Mothers

PROHIBITIONS ON TEXT & IMAGES/VISUAL REPRESENTATIONS AND PRODUCT LABELS



Text and visuals on advertising/marketing materials that idealize the use of breastmilk substitutes and milk supplements.



Pictures of babies and children together with family on container or the label of milk products



“humanized”, “maternalized”, “close to mother’s milk” or similar words in describing breastmilk substitutes or milk supplements



All health and nutrition claims for products within the scope of the Code are absolutely prohibited.

Interaction with the General Public and Mothers



PROHIBITIONS ON TEXT & IMAGES/ VISUAL REPRESENTATIONS



False cover, detachable insert and inside front and back cover, and necktags, bundling, freebies, printed flyers, leaflets and similar materials.



Displays in stores/trade outlets, government/private facilities, medical and other allied health conventions and functions, and along highways



Advertisements posted/printed on any vehicle, residential, commercial and industrial buildings, schools, glass walls and panel, trees, posts and other public places



TV, Radio, digital plugs (shows and broadcasts) advertisements and other forms of advertising/marketing, including celebrity endorsements



Interaction with the General Public and Mothers



“TOTAL EFFECT”

- Promotion of products within the scope of this Code must be objective and should not equate or make the product appear to be as good or equal to breastmilk or breastfeeding in the advertising concept. It must not in any case undermine breastmilk or breastfeeding.
- Should not directly or indirectly suggest that buying their product would produce better individuals, or resulting in greater love, intelligence, ability, harmony or in any manner bring better health to the baby or other such exaggerated and unsubstantiated claim.



Inter-Agency Committee (IAC) on the PH Milk Code



COMPOSITION

Chairman - DOH Secretary

Members - DTI Secretary
DSWD Secretary
DOJ Secretary

Secretariat - FDA



Quality of Products



Food products within the scope of this Code shall, when sold or otherwise distributed, meet applicable standards recommended by the Codex Alimentarius Commission and also the Codex Code of Hygienic Practice for Foods for Infants and Children.



PROHIBITION

Distribution outlets, including the **sari-sari store**, shall not be allowed to open cans and boxes for the purpose of retailing them by the cup, bag or in any other form



Interaction with the General Public and Mothers

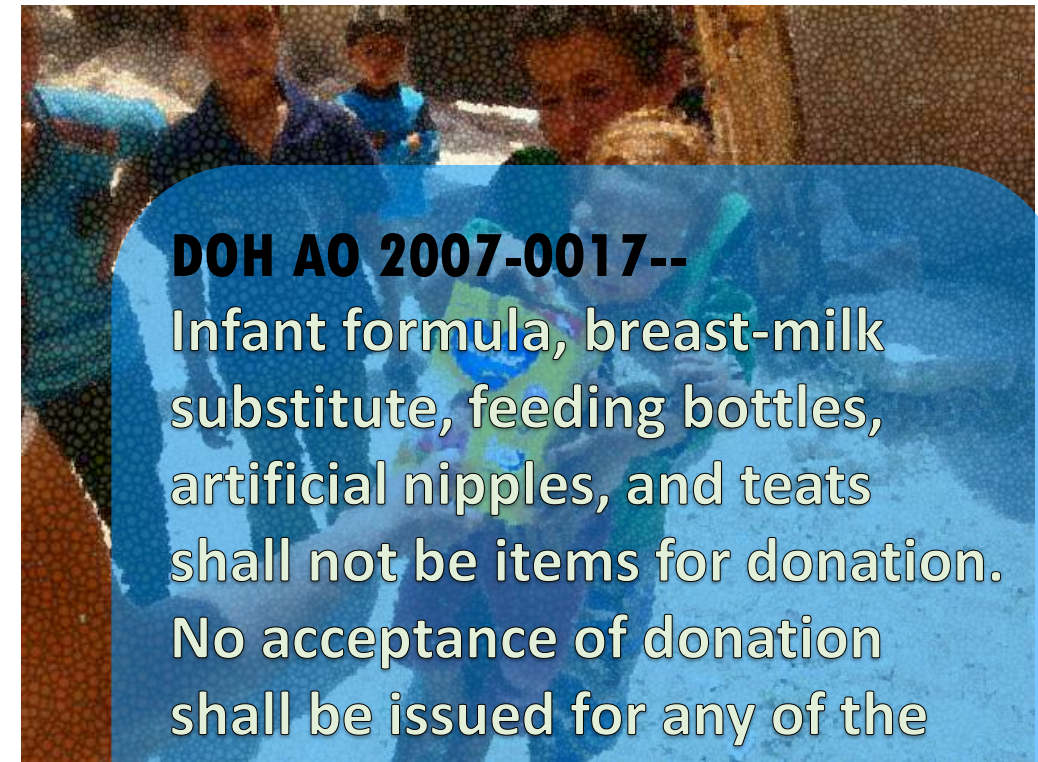


PROHIBITIONS

- **Donations of products, materials, defined and covered under the Milk Code and IRR.**
- Donations not falling under the scope, **whether in kind or in cash**, may only be *coursed through the DOH and the IAC.*

Conditions with Approval

- **No name/ logo**, no public relations, **no announcement** or the likes, of the donating company nor brand names of covered product on the donated items;
- **No name/logo of the donating company** nor brand names of covered product on the donated items



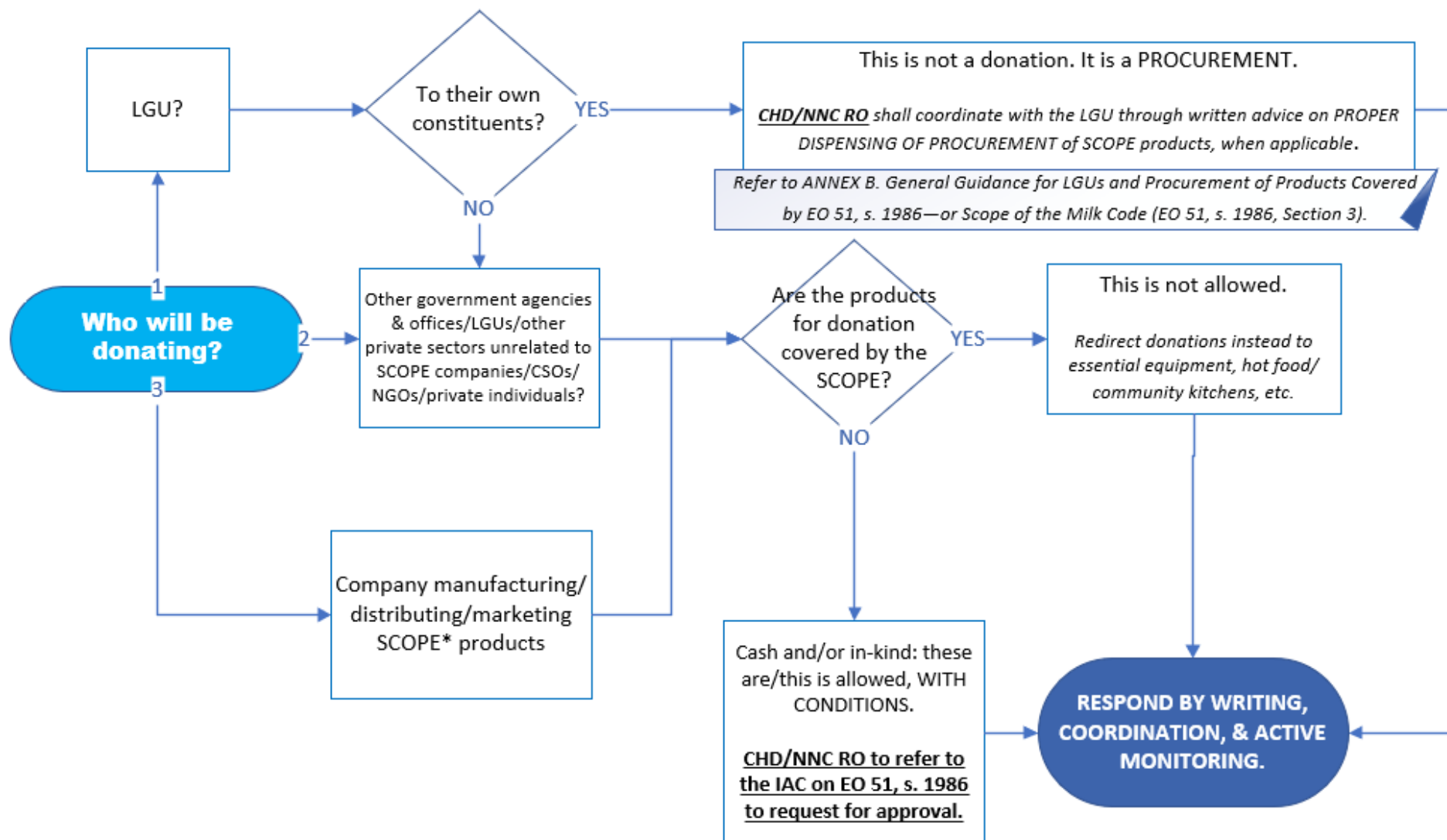
DOH AO 2007-0017--
Infant formula, breast-milk substitute, feeding bottles, artificial nipples, and teats shall not be items for donation. No acceptance of donation shall be issued for any of the enumerated items.



Donations: DOH DC 2020-0217

QUESTION

Are we allowed to donate milk products, equipment, food, and other in-kind donations, and cash?



Technical Guidance for LGUs and Procurement of Scope Products



Guided Target List

Proper, efficient distribution with education on proper handling and storage of the products

Keep proof of investment on supplies.

Refrain from posting photos and brand names of Scope-covered products in public fora.

Adequate counselling and support for breastfeeding mothers, and age-appropriate IYCF counselling.

Prioritization of nutritionally-at-risk women and children aged 3 years old and above to access balanced, nutritious meals





SANCTIONS

Two (2) months to one (1) year imprisonment



Fine of not less than One Thousand Pesos (P1,000.00) not more than Thirty Thousand Pesos (P30,000.00)



Any license, permit or authority issued by any government agency to any health worker, distributor, manufacturer, or marketing firm or personnel for the practice of their profession or occupation, or for the pursuit of their business, may be suspended or revoked

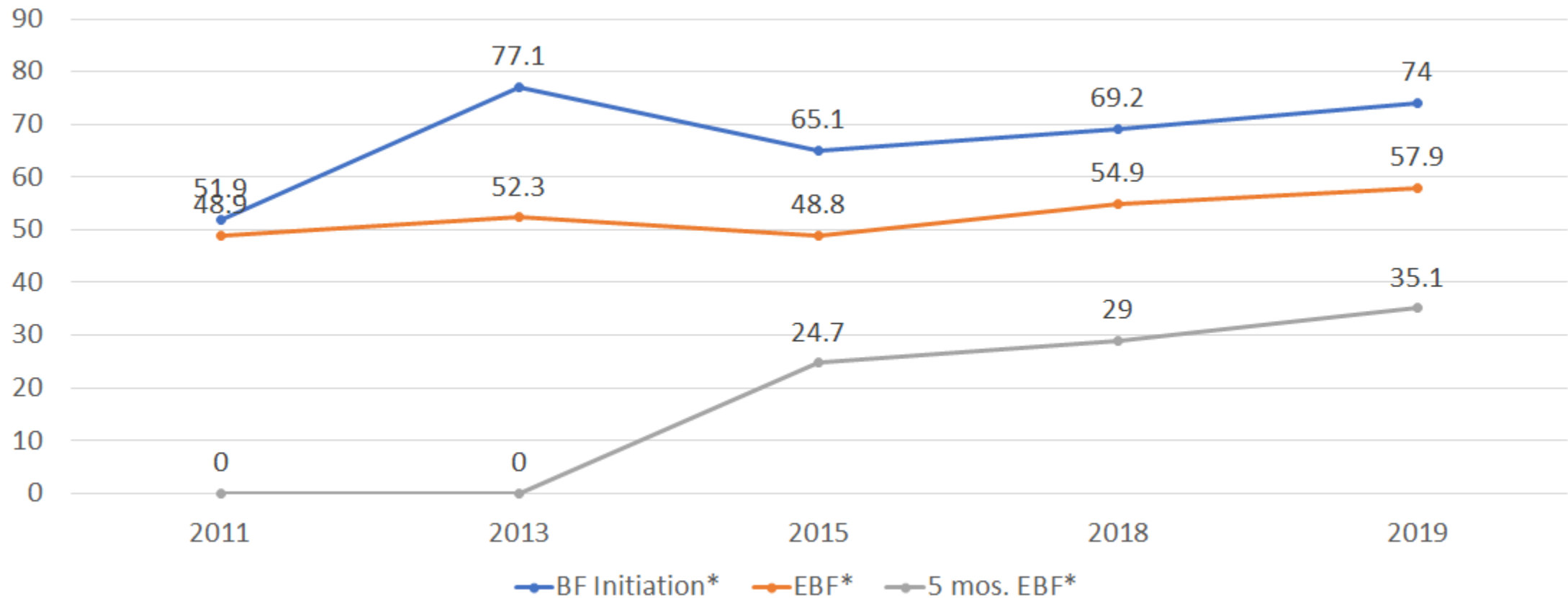
AS NAOs—what can we do?

THEORY

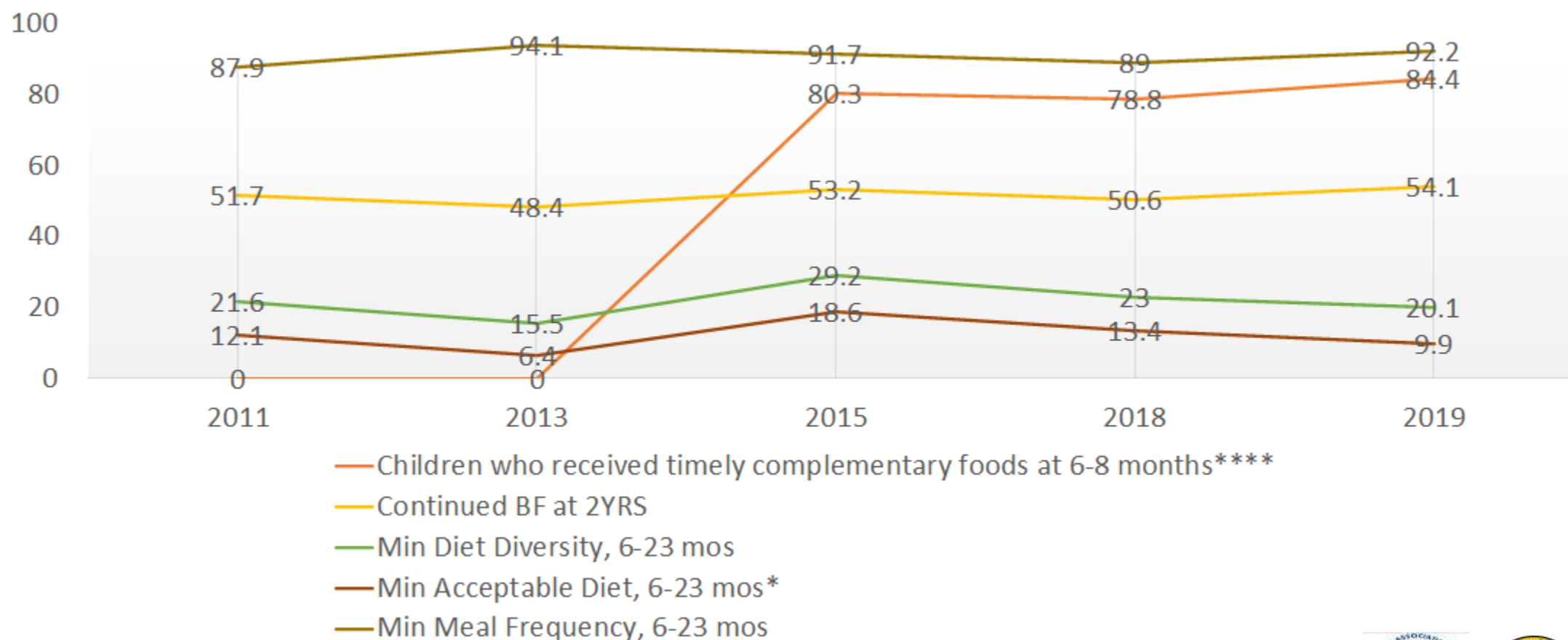
The success of Milk Code implementation is dependent on current status of implementation of infant and young child feeding (IYCF) services in my area.



Breastfeeding Practice Trend



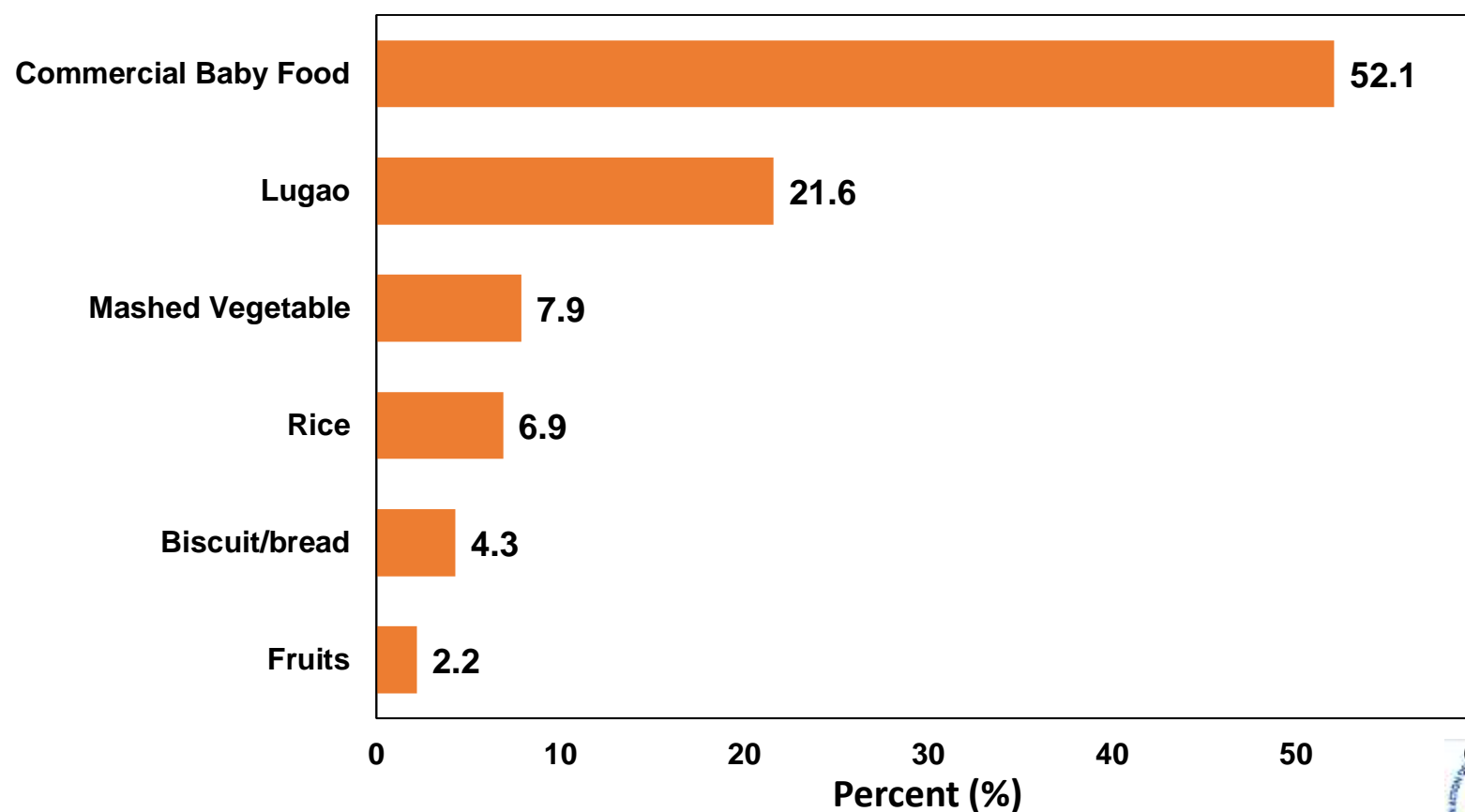
Complementary Feeding Practice Trend



Complementary Feeding Practice Trend



What complementary foods are young children 6-23 months old eating?



National Nutrition Survey 2019, DOST-FNRI

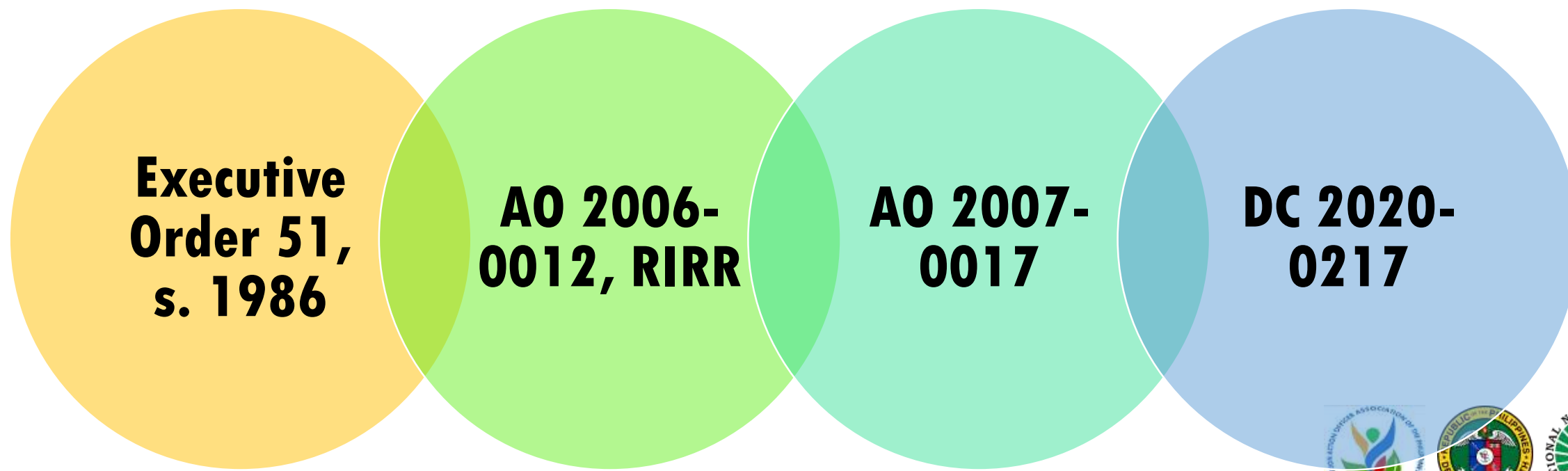


AS NAOs—what can we do?



THEORY

The success of Milk Code implementation is dependent on my own awareness of it, and my community's.



AS NAOs—what can we do?



THEORY

The success of Milk Code implementation is a basic awareness of it among the members of my community—and our intertwined vigilance.

LGU Monitoring Team

- CHD
- P/C/M Health Offices
- CHOs/RHUs
- Barangay Health Office
- DOH Accredited NGOs/CSOs

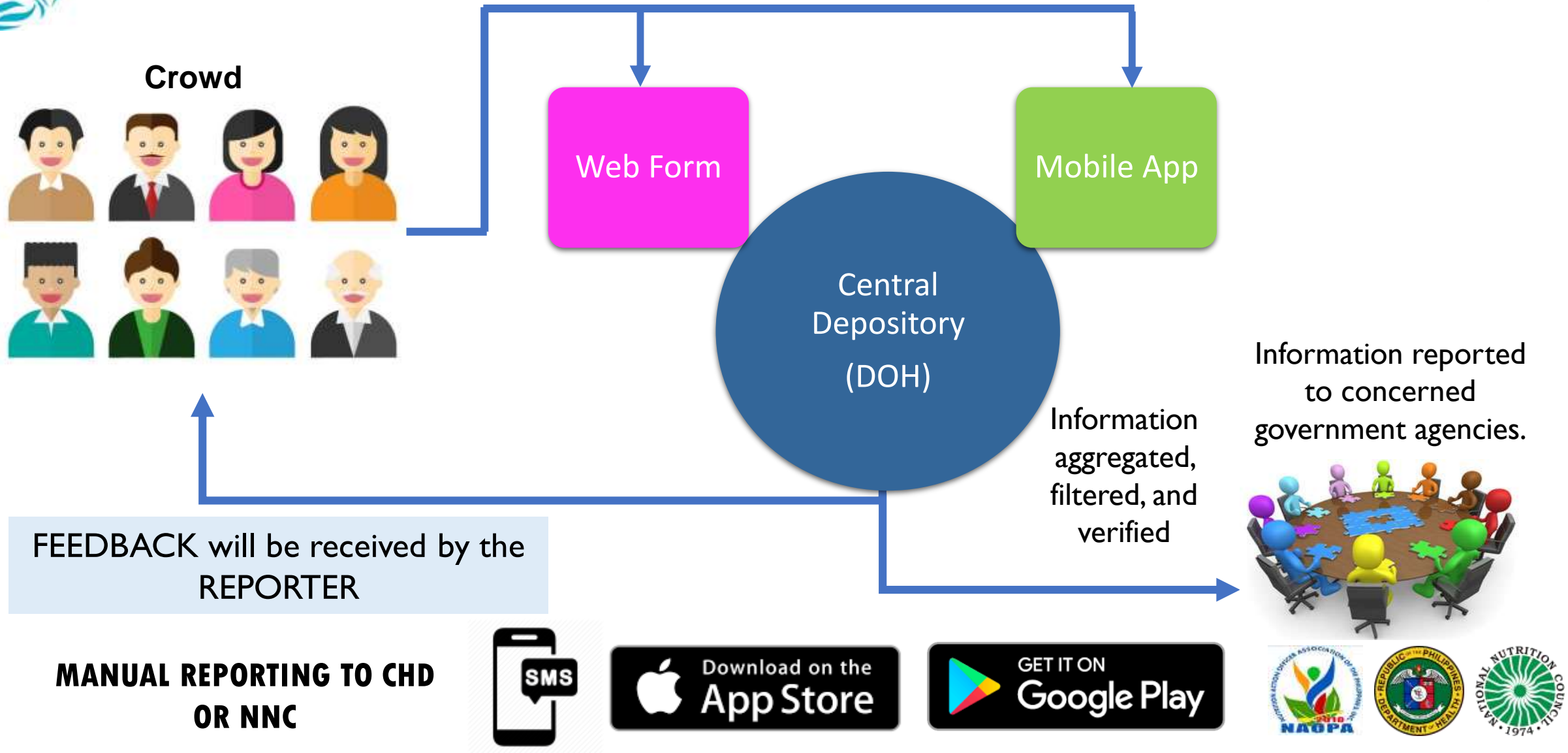
- Monitor compliance and implementation issues
- Verifies reported violations
- Monitors labels of Scope products and marketing practices
- Recommend punitive actions for Code violations
- Submits regular reports on status of Milk Code implementation



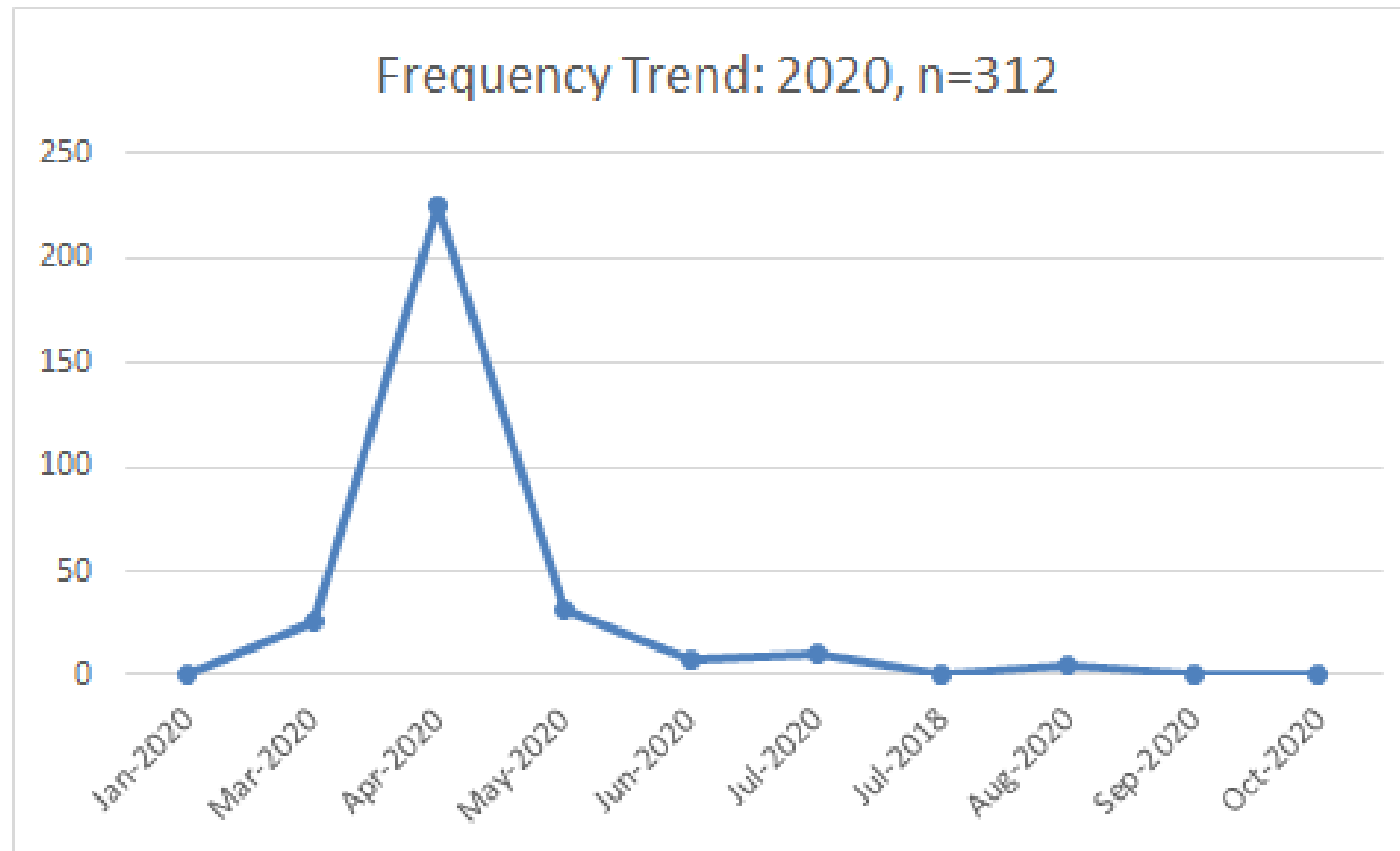


MOTHER-BABY FRIENDLY
PHILIPPINES

MBFP Reporting Process



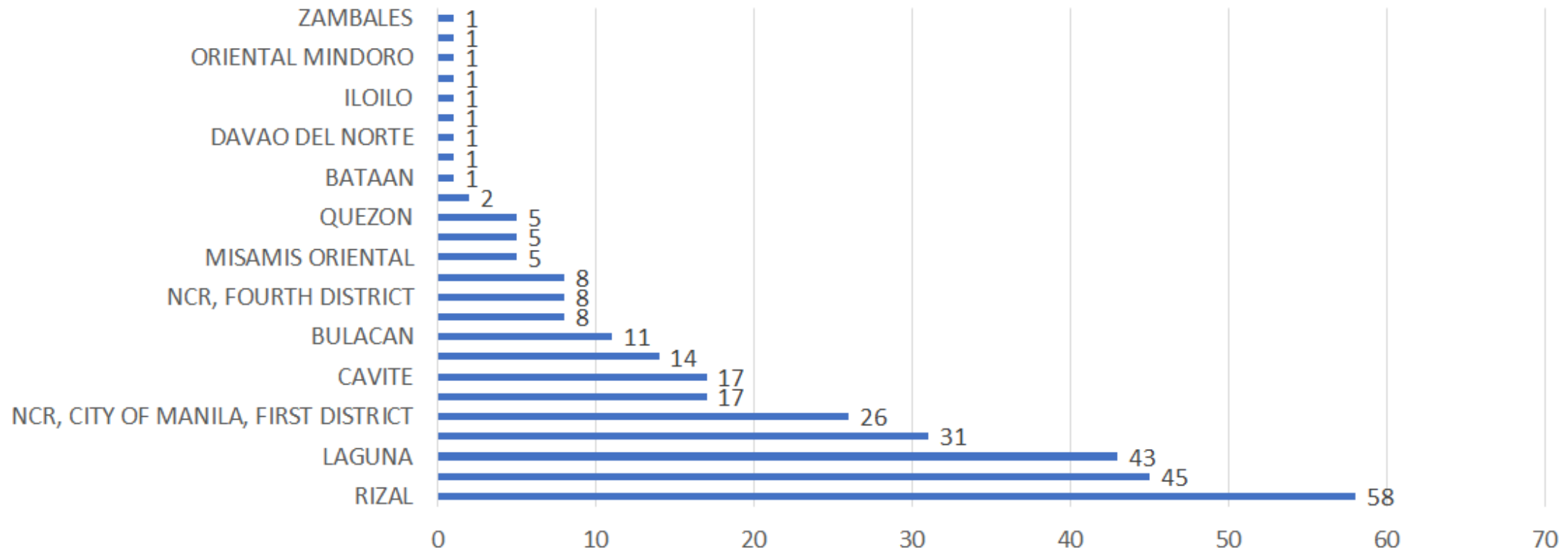
Violation Reporting Trends



Violation Reporting Trends



Report Source Trend: 2020, n=312



SUMMARY



- The **Philippine Milk Code** aims to protect and promote breastfeeding to ensure safe and adequate nutrition is provided in every stage of a child's life.
- **Policy literacy** and **frequent communication with DOH and NNC** is very important in enforcement.
- The guidelines for the **monitoring of milk code activities** aims to set forth guidelines for monitoring the compliance to E.O. 51 and A.O. No. 2006-0012 in the national, regional and provincial level.
- Frequent monitoring & reporting = **optimum enforcement**
- Implement the Milk Code to **strengthen local, sustainable IYCF practices, even in emergencies.**

