

PREVENTING AND MANAGING CONFLICT OF INTEREST IN NUTRITION

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What is Conflict of Interest?

- A situation where someone is supposed to act one way but has incentive to act in another way (www.yourdictionary.com)
- A situation where a professional, or a corporation, has a vested interest which may make them an unreliable source (www.merriam-webster.com)



Actual vs Potential COI

- Actual COI means it already exists
- Potential or perceived means it is capable of being a COI
- Individual or institutional



Outline

- I. Forms of engagement as source of conflict of interest
 - A. Government perspective
 - B. Private sector perspective
- II. Prevention and management
- III. Lessons learned and moving forward



Forms of engagement as source of conflict of interest

GOVERNMENT PERSPECTIVE

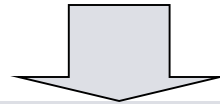


1. Protection, support and promotion of infant and young feeding practices

A grey curved arrow pointing from the top left towards the text boxes.

International Milk Code (1981)

EO 51 or Milk Code (1986)



DOH Administrative Order 2006-12 – Revised
Implementing Rules and Regulations

- Prohibits health workers from accepting support from milk companies
- Milk companies prohibited to provide sponsorships, inducements and using health system for its marketing

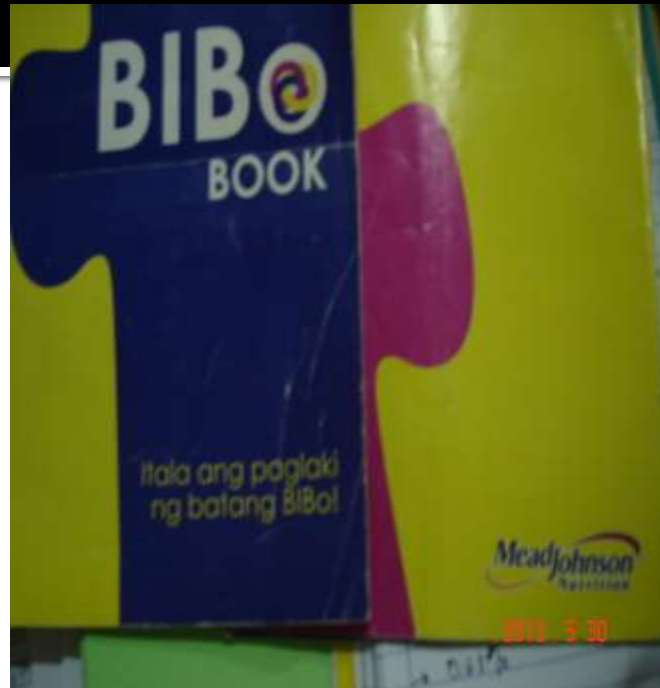


Milk Code

- No gifts of any sort, samples or donations from milk companies
- Health workers and health care system shall not be used as a means for promotion
- Also applies to other commodities which intend to replace, in whole or in part breastmilk and breastfeeding and not just infant formula



Milk Code violations



Milk Code violations



- Use social media to monitor violations

2. Nutrition education and promotion



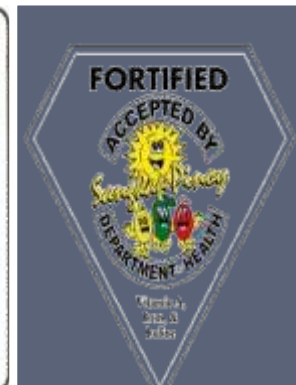
- Partnership with media through a contract to lay-down rules of engagement
- Food industry partnerships for support for production of collaterals, conduct of special events and conferences for nutrition workers
- Decline offers from makers of food supplements, instant noodles, cookies and eggs



3. Food Fortification



- Engaged food industry as members of technical working groups in planning the food fortification strategic plan as well as in resolution of issues on implementation and enforcement



4. Nutrition labelling



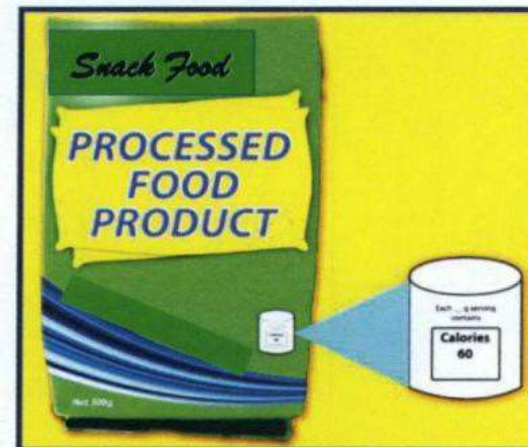
- Mandatory nutrition labelling guidelines for prepackaged food products (AO 2014-0030)
- Guidelines for voluntary front-of-pack label for energy content was pushed by food manufacturers

NUTRITION FACTS

No. of Servings per container/pack:		% RENI*
Amount per Serving:		
Calories (kcal)	Calories from Fat	
Total Fat (g)		
Saturated fat** (g)		
Trans Fat (g)		
Cholesterol (mg)		
Sodium (mg)		
Total Carbohydrates (g)		
Dietary Fiber (g)		
Sugar (g)		
Total Protein (g)		

*Percent RENI values are based on FNRI reference adult requirement of 19- 29 years old. However, if a product is specifically intended for a different age bracket group, percent RENI values are based on the appropriate FNRI reference requirement.

**For coconut products, Medium Chain Triglycerides (MCTs) is predominant.



Forms of engagement as source of conflict of interest

PRIVATE SECTOR PERSPECTIVE



1. Product promotion or marketing

- Sponsors annual conventions, seminars of professional organizations
 - COI among nutritionist-dietitians who espouse healthy diets but get as sponsors manufacturers of soft drinks and milk companies
- Nestle sponsors a radio program on consumer protection of the Department of Trade and Industry (DTI), one of the four member agencies of the Milk Code Interagency Committee that screen applications for marketing of milk companies

2. Product development and reformulation

- Voluntary reformulation of food products such as reduced trans fats, total calories, fat, sugar and increased levels of nutrients and fiber
- Food companies with “healthier” food products are likely to become sponsors



3. Partnerships as forms of corporate social responsibility



Minute Maid Nurisha Supplementary Program is under the Adopt-a-School Program of Coca-Cola Philippines with the Department of Education



3. Partnerships as forms of corporate social responsibility



Department of Education with IPNAP (organization of milk companies) for a vegetable gardening project in schools



... with instant noodles company to promote family meal time; distribute flyers to schools

4. Funding for research such as product development



- Government research agency partnered with milk company since “not” under scope of Milk Code



Prevention and management of COI

Instruments to manage COI

1. Code of Conduct and Ethical Standards for Public Officials and Employees
 - Must resign or divest himself of shareholdings when there is COI
 - Substantial stockholder, member of the Board, officer or owner or partner
 - When such interest opposes or affects faithful performance of duty



Instruments to manage COI

2. Revised Rules and Regulations of the Milk Code
 - Prohibits milk companies from engaging the health system
 - Researches must be free from commercial influence or bias; disclosure of potential COI
 - Exclusion from decision-making activity on infant and young child feeding
 - Prohibits milk donations



Instruments to manage COI

3. Public-Private Partnership (PPP) Policy
 - Encourages greater participation of private sector in public programs including health programs
 - Emphasis on transparency, accountability and good governance
 - Standards of practice of PPP as guide



Instruments to manage COI

4. Transparency seal

- Government agencies to post in websites information on budgets, procurements, contracts, suppliers and contracts
- Shift towards openness in access to government by the public



Lessons learned



1. Engagement of salt producers in salt iodization program facilitated development of plans and guidelines to be more supportive rather than restrictive
2. Limited appreciation of the Milk Code resulting to misinterpretation of its scope

Lessons learned



3. Having a champion for breastfeeding helps reduce COI issues
4. COI is prevented when milk companies adhere to Milk Code provision on having prior written consent and approval of marketing activities
5. Monitoring of COI is difficult as disclosures rely on honesty and integrity of individuals or organizations

Gaps

- No policy on COI in nutrition yet
- Reporting of Milk Code “violations”
- Resources for scaling up nutrition interventions (which private sector can provide assistance)



Development of Policy for Private Sector Engagement in Nutrition

- Consistent with ICN2 recommendation:

Strengthen and establish, as appropriate, national cross-government, intersector, multi-stakeholder mechanisms for food security and nutrition to oversee implementation of policies, strategies, programmes and other investments in nutrition. Such platforms may be needed at various levels, **with robust safeguards against abuse and conflicts of interest.**



OECD policy on COI management

Modern approach to conflict-of-interest policy seeks to strike a balance by:

- identifying risks
- prohibiting unacceptable forms of private interest
- raising awareness of the circumstances in which conflicts can arise; and
- ensuring effective procedures to resolve conflict-of-interest situations



What is expected from D/CNPCs?

- Uphold and be guided by the highest ethical and scientific standards
- Be in the forefront in the promotion of good health and nutrition practices that are free from commercial influence and any form of conflict of interest
- Avoid potential conflicts of interest
- Monitor and report conflict of interest



D/CNPCs action on COI

- Risk assessment
- Avoidance
- Due diligence
- Disclosure and Transparency
- Remedial actions

Pinocchio



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