

## Commercial Activities Policy

### Introduction, scope and authority

This policy sets out guidelines that will assist trustees to determine whether or not a specific commercial relationship is acceptable to Oxfordshire Breastfeeding Support (OBS).

Commercial activity is: any transaction or joint working between OBS and a funding body or partner organisation, involving the promotion or exchange of income, goods, services or brand value.

OBS expects all partners to be accountable for the information they provide and to behave in good faith in terms of complying with this policy.

This policy is owned by OBS's trustees and decisions about commercial relationships will be made by a quorum of trustees.

Trustees will review the policy every three years.

### Principles

#### ***Evidence-based Information***

Parents have a right to evidence-based independent information from reliable non-commercial sources about products and services relating to breastfeeding and bringing up children. OBS supports the WHO International Code of Marketing of Breastmilk Substitutes and subsequent WHA resolutions, and the Advertising Standards Authority Code of Practice.

#### ***Fundraising***

OBS relies on fundraising and donations to allow the continued provision of its services to Oxfordshire families. Commercial activity also contributes to our income, and extends our reach raising awareness of what we offer to new audiences.

### **Endorsement**

Any link with a company may be seen as an implicit endorsement of that company, product or service and this perception must be taken into account when considering new commercial activities. In making a decision about funding or partnerships, we will be considering the values that OBS *does* want to project as well as the values that it does not.

### **Protection**

With an appropriate decision-making process and consultation where necessary, OBS will ensure that its reputation and interests will not be damaged by undertaking a particular commercial activity.

### **Policy**

#### **We will not work with any company, brand or product that**

<i>Category</i>	<i>Criteria</i>
Fails legal and regulatory non-compliance	<ul style="list-style-type: none"><li>● Partners must meet all applicable legal requirements</li><li>● Advertises or promotions must comply with the ASA Advertising Codes (<a href="http://asa.org.uk">asa.org.uk</a>)</li></ul>
Falls within excluded sectors	Partners, including any parent organisation, must not be: <ul style="list-style-type: none"><li>- Involved in the manufacture or distribution of weapons</li><li>- Tobacco manufacturers, or those which are mainly known for tobacco related products</li><li>- Involved in pornography</li><li>- Fossil fuel companies</li></ul>
Fails our policy on infant feeding	<ul style="list-style-type: none"><li>● We will not work with manufacturers of products that come under the scope of the WHO Code.</li><li>● A detailed note on the World Health Organisation Code and subsequent resolutions and OBS's compliance with it is set out below</li></ul>
Fails to evidence claims of benefits	<ul style="list-style-type: none"><li>● There must be no existing body of evidence of harm, or an existing body of authoritative opinion that suggests the reasonable possibility of harm related to a partner company, brand or product</li><li>● If medical or other claims are made for a partner company, brand or product, there must be good quality evidence to substantiate the claim</li></ul>
Exerts undue commercial pressure on parents	<ul style="list-style-type: none"><li>● Partner organisations, brands and products must not be positioned as essential, nor undermine normal physiological processes, nor normalise a rare situation.</li></ul>
Might reasonably cause reputational risk	<ul style="list-style-type: none"><li>● In any partnership, there must not be a clear and foreseeable reputational risk, for reasons beyond those specific exclusions listed above</li></ul>

## **What we ask of commercial partners**

Any commercial partner must be made aware that OBS will not allow the interests of the partner to influence the policies, written text or other content of OBS material, both physical and digital.

## **Infant Feeding and OBS's Commercial Activities Policy**

### ***The International Code of Marketing of Breastmilk Substitutes***

The International Code of Marketing of Breastmilk Substitutes (The Code) was developed as a global public health strategy and adopted by the World Health Assembly in 1981, with updating resolutions since. The Code aims to protect infant feeding, and thus public health, from the commercial pressures that affect parents, health workers and healthcare systems. The Code sets out provisions for the quality, marketing, labelling and presentation of formula milks, and the marketing of bottles and teats.

### ***The UK Law***

The UK regulates the marketing of breastmilk substitutes through the Infant Formula and Follow-on Formula Regulations 2007. These control labelling and restrict advertising. However, they are not as robust as The Code. In particular, the European Directives on which UK regulations are based enable 'follow-on milk' to be advertised with the same brand names and logos as 'infant formula'.

### ***UNICEF Baby Friendly Initiative***

Baby Friendly accreditation is based on a set of evidence-based standards for maternity, health visiting, neonatal and children's centres services, with a remit to support best practice in relation to supporting infant feeding and attachment. The National Institute for Health and Care Excellence (NICE) recommends the Baby Friendly Initiative as a minimum standard for postnatal care. Services seeking Baby Friendly accreditation must adhere to The Code and subsequent WHA resolutions.

### ***The UK Context***

UK breastfeeding rates are very low by international standards. Many mothers find that they have to stop breastfeeding before they want to, often in the first few weeks. Determinants of infant feeding behaviours are multifactorial and enabling positive experiences requires a collective societal effort. In line with the evidence, OBS promotes and protects the conditions that support mothers' decisions to breastfeed. These include WHO code compliance.

### ***What does this mean for OBS?***

OBS provides information, education and support for expectant and new parents, and undertakes to adhere to The Code. The Code intends to restrict the influence of commercial interests, but does not restrict the provision of independent information about content of formula milks, bottle feeding or solid foods. OBS believes that *all* parents should have access to evidence-based and non-commercial information about baby feeding, to support them in whatever way they decide to feed their babies. This position reflects and is compatible with The Code.

OBS therefore commits to the following within its services for parents:

- To provide independent and evidence-based information on all aspects of breastfeeding and human milk feeding to reflect families' unique circumstances and changing needs.
- To ensure that there is no advertising of infant formula, follow-on formula, bottles or teats, nor of drinks or solid food for babies.
- Not to provide free samples of infant formula, follow-on formula, bottles, or teats, nor of drinks or solid food for babies.

OBS will not work in partnership with manufacturers of any products covered by the WHO Code.

### **Overview of the International Code of Marketing of Breastmilk Substitutes**

The Code applies to the following products: breastmilk substitutes, including infant formula; products, foods and beverages marketed or represented as suitable for the partial or total replacement of breastmilk; feeding bottles and teats.

#### ***Information and education materials on infant feeding for expectant and new parents***

- Information and educational materials are independent, objective and evidence-based.
- Information and educational materials include: health risks of not or partially breastfeeding, preparation for and maintenance of breastfeeding; and difficulties of introducing partial bottle feeding or reversing the decision not to breastfeed.
- Where appropriate, information on the use of infant formula may be provided. This includes: social and financial implications; health hazards of inappropriate foods or feeding methods; and health hazards of improper use.
- Free samples of the products will not be distributed.
- There will be no advertising or other form of promotion of the products.
- Company representatives may not initiate direct or indirect contact with families.

Date of policy: July 2018

Date for review: July 2021