

Annexure 8 – Guidelines developed by the former Advisory Panel on the Marketing in Australia of Infant Formula related to financial incentives (clause 7c)

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The remaining APMAIF Clause 7 guidelines currently under review by the MAIF Complaints Committee are available below for reference.

Clause 7(c): Manufacturers and importers of infant formulas should not offer any financial or material inducement to health care professionals or members of their families to promote infant formulas, nor should such inducements be accepted by health care professionals or members of their families. (WHO Code Article 7.3)

Inducements

- Items such as pens and papers (with the company name or logo only) designed for personal use may be handed out at a conference. However, if the gifts were designed to be taken home, this may be classed as an inducement. These materials should not be left in a hospital ward or other health care facility (September 1993).
- Anything intended or likely to be taken home may be considered an inducement.
- Competitions, included in information material for health professionals, which are clearly for the purpose of emphasising information that is restricted to the scientific and factual, may be acceptable. Such competitions, however, should not be an inducement to promote infant formulas. Therefore the prize should not exceed a value of \$100. Manufacturers should also be mindful of clause 4(c) (February 1996).
- The provision of basic refreshments at informational/educational events is acceptable provided it is in association with a presentation that coincides with a mealtime and is not of a lavish nature (March 1994).

Advertising

- A diary may be considered an inducement; however, where the diary provides information regarding infant formula in a subtle and appropriate manner, the information conforms with the requirements of the MAIF agreement and its interpretations, and the diary offers a source of scientific information not readily available to health professionals, then the diary may be viewed as primarily informational with the intention that the diary be for professional use rather than home use. Without the appropriate informational component, the diary may be considered similar to an item intended to induce the professional health care worker (September 2003).

Clause 7(d): Manufacturers and importers of infant formulas should not provide samples of infant formulas, or of equipment or utensils for their preparation or use, to health care professionals except when necessary for the purpose of professional evaluation or research at the institutional level. (WHO Code Article 7.4)

- Infant formula given to child care or day care centres for distribution in single or small quantities to parents when a mother has forgotten to bring her own formula or when the

baby's formula has unexpectedly been exhausted, will be considered, according to the definition in the MAIF Agreement, as a 'sample'. Child care centres are not a setting in which professional evaluation of infant formula occurs, there is therefore no valid reason for manufacturers to give samples of infant formula to child care centres (May 1995).

The position of APMAIF on conferences, seminars or publications, under the auspices of another organisation, by manufacturers of infant formula

Sponsorship of conferences, seminars or publications by manufacturers of infant formula does not necessarily breach the Agreement. However:

- Any sponsorship of meetings, seminars or conferences should be declared. There should be no conditions which relate to the marketing of the sponsor's product or to restrictions on promotion of breastfeeding.
- The sponsor should not exert any influence on the choice of speakers or the content of presentations.
- In line with clause 4(c) of the Agreement, any conference materials may bear the donating company's logo, but should not refer to a proprietary infant formula, and should be distributed only through the health care system.