Operational Directive

Enquiries to: Principal Nursing Advisor
Child and Adolescent Community Health Service

OD number: OD: 0666/16

Phone number: 9224 8534

Date: 05 Feb 2016

Supersedes: OD0204/09

File No: F-AA-38206

Subject: INFANT FORMULA COMPANIES AND SUPPLIES

This policy outlines WA Health staff responsibilities regarding the acceptance, marketing and distribution of infant formula in hospitals and community health services statewide.

Staff are reminded that WA Health adheres to the World Health Organisation’s (WHO) International Code of Marketing of Breast Milk Substitutes (WHO Code)\(^1\), the Marketing in Australia of Infant Formulas: Manufacturers and Importers Agreement (MAIF Agreement)\(^2\), and the National Health and Medical Research Council (NHMRC)’s Infant Feeding Guidelines for Health Workers\(^3\).

The Western Australian Health Act 1911\(^4\), Section 246S Advising use of artificial food for infants, states: A person who, for the purpose of promoting the sale of any artificial food for infants, advises the mother or any person in charge of a child under the age of 6 months to use any particular class or description of artificial food, in preference to natural food or the purpose of feeding that child commits an offence.

The Act\(^4\), codes and standards aim to ensure safe and adequate nutrition for infants by protecting the promotion of breastfeeding, ensuring the proper use of infant formula on the basis of adequate information, and through appropriate marketing and distribution.

Pharmaceutical Company Representatives

WHO Code\(^1\), Article 4.3 states: donations of informational or educational equipment or material by manufacturers or distributors should be made only at the request and with the written approval of the appropriate government authority or within guidelines given by governments for this purpose. Such equipment or materials may bear the donating company’s name or logo, but should not refer to a proprietary product that is within the scope of this Code, and should be distributed only through the health care system.

Therefore, all pharmaceutical and infant formula representatives wishing to visit hospital staff, must first contact the hospital’s Head of Department of Pharmacy or the Head of Department of Nutrition and Dietetics. All WA Health staff are encouraged to adhere to their relevant Nutrition and Dietetics Department or Pharmacy Department guidelines.
Infant formula representatives wishing to demonstrate products at community health facilities and distribute information to staff should first contact the Nutrition Policy Officer, Child & Adolescent Community Health Policy (Statewide).

**Infant formula samples**

WHO Code\(^1\), Article 6.2 states: No facility of a health care system should be used for the purpose of promoting infant formula or other products within the scope of this Code, and WHO Code,

Article 7.4 states: health workers should not give samples of infant formula to pregnant women, mothers of infants and young children, or members of their families.

WA Health staff may not give branded samples to the general public. Supply of any infant formula and branded written materials to the general public by a health professional or health facility may be reasonably interpreted as endorsement of the product. Note: Refer to local hospital guidelines regarding the provision of infant formula within the context of appropriate clinical care.

**Information and education materials from infant formula companies**

According to Article 4.1 of the WHO Code\(^1\), governments "should have the responsibility to ensure that objective and consistent information is provided on infant and young child feeding for use by families and those involved in the field of infant and young child nutrition."

Infant formula companies may only provide scientific and factual information about their products to staff through meetings or materials, as approved by the Area Health Service Nutrition and Dietetics Department or Pharmacy Department or Policy Unit. Only new or updated informational and educational materials (written, audio or visual) that comply with the MAIF Agreement\(^2\), clause 4(a) and 7(a) will be permitted for distribution. All products within the scope of the WHO Code\(^1\) must also conform to standards for quality, composition and labelling.

Where appropriate, information from infant formula companies will be incorporated into the ‘Child and Antenatal Nutrition: a guide for community and child health professionals’ manual or bulletin.

WA Health staff should also consider the message about infant feeding that their actions and their health service gives to parents. There should be no display or distribution of products or of company materials that refer to a product or encourage artificial feeding.

Companies may not offer, and WA Health staff may not accept, gifts or other inducements that might influence a health professional’s product recommendations to parents or health service.

Refer to Western Australian Public Sector Standards\(^5\) regarding the receipt of gifts and sponsorships. Research and study grants must be disclosed and comply with the Royal Australasian College of Physicians (RACP) Guidelines for the Funding of Paediatric Research by Formula Companies.
SUPPORTING DOCUMENTS


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This document can be made available in alternative formats on request for a person with a disability.

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