

NFG VIETNAM

Code of Marketing Practice for Breast Milk Substitutes

I. Introduction

The Nutritional Foods Group (“NFG”), a sector Committee under Eurocham, was established to promote science-based nutrition and to promote a high standard of quality acceptable to the government, medical and allied professions for its members’ products related to pediatric nutrition. In addition, the NFG encourages the self-regulation and compliance among its members.

This Code of Marketing Practice for Breast Milk Substitutes (“Code”) should serve as evidence of the commitment of NFG members to upholding and abiding by Vietnamese and international laws and regulations related to the marketing of infant nutrition, including but not limited to, the WHO Code, Decree 21/2006 and the Joint Implementing Circular. NFG thereby demonstrates its desire to work in partnership with all stakeholders and partners in achieving its goals of improved health and well being for all Vietnamese.

II. Key principles of the Code

The NFG voluntary Code applies to the marketing of any milk & food products for infants up to the age of 6 months and any milk products for infants up to the age of 12 months (“Breast milk substitutes”).

The NFG members agreed that the following key principles will be applied for the marketing of breast milk substitutes:

- NFG members encourages and supports breastfeeding as the best choice for babies;
- NFG members should not advertise or promote breast milk substitutes to consumers;

- NFG members should not either directly or indirectly contact with mothers, pregnant women or family members for the purpose of selling or promoting breast milk substitutes;
- NFG members should not, directly or indirectly, distribute free of charge samples of breast milk substitutes to pregnant women, mothers of infants, their families, health care professionals (“HCPs”) and health care institutions. However, this does not prevent the providing of samples to the health sector for the purpose of professional research based on approved protocol by authorities to improve the science-based nutrition of Vietnamese;
- NFG members should not give financial or material incentives/gift/donation to HCPs for the purpose of selling or promoting breast milk substitutes;
- NFG members should provide scientific and factual information on nutrition of infant and young child to HCPs.

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Article 1: Aim of the Code

The aim of the Code is to contribute to the provision of safe and adequate nutrition for infants:

- by the protection and promotion of breastfeeding; and
- by ensuring the proper use of breast milk substitutes, when it is necessary*, on the basis of adequate information and appropriate marketing.

** Note: for the purposes of this Article, ‘necessary’ includes mothers or carers who make the informed decision to provide breast milk substitutes to their infants.*

Article 2: Application

This Code applies to the marketing activities in member companies of NFG. In the event of any conflict between any of the provisions in this Code and the with laws and

regulations issued by the competent Vietnamese authorities, laws and regulations shall prevail to the extent of such conflict.

Any provision of the Code which is held by law to be illegal, void, or unenforceable, in whole or in part, shall to such extent be severed from and be deemed not to form part of the Code, but the validity and enforceability of the remainder of the Code shall not be affected or invalidated, and shall continue in force to the fullest extent permitted under applicable law.

Article 3: Definitions

For the purpose of this Code, the below terms should have meaning as follows:

<i>Advertising</i>	Introduction of breast milk substitutes to consumer in any form for marketing purpose. However, price information at point of sale, composition and usage information for consumers and HCPs, other information published by or under the control of Vietnamese authorities are excluded from this definition.
<i>Breast milk substitutes</i>	Any milk & food products for infants up to the age of 6 months and any milk products for infants up to the age of 12 months
<i>Health care institution</i>	Public or private institution engaged directly/indirectly in health care for mothers, infants & pregnant women; nurseries or child-care institutions. For the purpose of this Code, health care institution including hospital, medical examination institution, general clinic, specialized clinic, family doctor, traditional medicine clinic, delivery house, diagnostic institution, medical service institution, medical station at commune level and equivalent. Pharmacies or other established sales outlets are excluded from health care institution.
<i>Health Care Professional</i>	Personnel of health care institution engaged, directly or indirectly, in health care for mothers, infants and pregnant

