



28 February 2023

To: Secretary of State for Health and Social Care and Health and Social Care Ministers

Secretary of State for Health and Social Care, Steve Barclay

Cabinet Secretary for Health and Social Care, Scottish Government, Humza Yousaf

Minister for Health and Social Services, Welsh Government, Eluned Morgan

Permanent Secretary, Department of Health Northern Ireland, Peter May

RE: The need to retain key food and nutrition laws with respect to the Retained EU Law Bill

I am writing to you on behalf of the Baby Feeding Law Group UK (BFLG-UK), which works with its 32 members to protect infant, young child and maternal health by ending marketing practices which commercialise infant feeding, mislead consumers and threaten breastfeeding.

We are gravely concerned that the [Retained EU Law \(Revocation and Reform\) Bill](#) has the potential to threaten the health of infants and young children in the UK. Many of the laws that fall within the remit of the Department of Health and Social Care ensure that the foods we eat are safe by laying down legislation on composition and labelling as well as marketing. We are particularly concerned about the following laws relating to the composition, labelling, and marketing of foods for infants and young children, whose specific nutritional needs and vulnerabilities make comprehensive legislation of their food stuffs exceptionally important:

- [Regulation \(EU\) No. 609 of 2013](#) on Food for Specific Groups
- [Commission Delegated Regulation \(EU\) 2016/127](#) supplementing Regulation (EU) No 609/2013 as regards the specific compositional and information requirements for Infant Formula and Follow-on Formula and as regards requirements on information relating to infant and young child feeding
- [Commission Delegated Regulation \(EU\) 2016/128](#) supplementing Regulation (EU) No 609/2013 of the as regards the specific compositional and information requirements for Food for Special Medical Purposes
- [Commission Directive 2006/125/EC](#) on processed cereal-based foods and baby foods for infants and young children

We would therefore like to echo the recommendations of the nutrition legislation team in the Department of Health and Social care and strongly urge you to recommend that these are retained unamended, as the minimum legal requirement to protect them from diet-related harms.



Once the Bill has been dealt with we will continue our advocacy that in future these laws be further strengthened in line with international recommendations in the form of the [International Code of Marketing of Breast-milk Substitutes and subsequent World Health Assembly Resolutions](#). This is necessary to address current gaps in UK legislation and to control the widespread and exploitative marketing of commercial milk formula; including the advertising of follow-on formula (for use from 6-12 months) and formula milks for use from 12-36 months, both of which the NHS describes as 'unnecessary'. Stronger regulation is important to protect mothers and caregivers from harmful misinformation and ensure that any information available on infant and young child feeding is free from commercial influence.

Please feel free to contact us if you have any questions or require any clarification.

Yours sincerely,

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Baby Feeding Law Group UK Members:

Association of Breastfeeding Mothers (ABM), Association for Improvements in the Maternity Services (AIMS), Baby Milk Action, Best Beginnings, the Breastfeeding Network (BfN), the Centre for Lactation, Infant Feeding and Translational research (LIFT), Code Monitoring Northern Ireland, Community Practitioners and Health Visitors Association (CPHVA), Doula UK, The Fatherhood Institute, First Steps Nutrition Trust, GP Infant Feeding Network (GPIFN), HENRY, Hospital Infant Feeding Network (HIFN), the Human Milk Foundation, Institute of Health Visiting, Lactation Consultants of Great Britain (LCGB), La Leche League GB (LLLGB), Leicester Mammias, Local Infant Feeding Information Board (LIFIB), Midwives Information and Resource Service (MIDIRS), National Breastfeeding Helpline, the National Childbirth Trust (NCT), Royal College of Midwives (RCM), Save the Children, UK Association of Milk Banking (UKAMB), Unicef UK Baby Friendly Initiative, Unison, Women's Environmental Network (WEN), World Breastfeeding Trends Initiative (WBTi) UK, Dr Robert Boyle and Natasha Day (independent members)
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