

Evidence of violations of the International Code of Marketing of Breastmilk Substitutes and subsequent resolutions

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#### **PRODUCTS**

HiPP Organic Combiotic HiPP Organic / Bio HiPP Organic Good Night

#### **LOGOS & ICONS**







#### **GENERAL INFORMATION**

HiPP started out in the late 19th century when Joseph HiPP produced and sold baby food made of rusk flour in his bakery. The growing popularity of the product prompted his son, Georg, to found the HiPP company in his hometown of Pfaffenhofen, Germany in 1932. Today, the family-owned business is managed by grandchildren Claus and Paulus HiPP with family members from the fourth generation.

HiPP has expanded its product range to over 280 products covering baby milks, cereals, beverages (baby water, tea and juices), feeding products (bottles, cups, bowls, spoons) as well as teas and juices for pregnant and lactating women.

HiPP's lofty company slogan, "The best from nature. The best for nature" gives it an environmentally-friendly image and serves as a launching pad for the company to sweep violations under a "green" carpet.

The HiPP seal of organic quality found on the label of all products stands for "purest quality" something the owner Claus HiPP guarantees with his signature. No guarantee, however, is given on Code adherence in the 57 countries HiPP does business in. These include the Baltic States, Benelux, Bosnia, Bulgaria, Czech Republic, France, Hungary, Italy, Poland, Russia, Scandinavia, Slovakia, Slovenia, South Africa, Spain, Switzerland, Turkey, UK, Ukraine and Southern European countries. HiPP also exports its products to China, Vietnam and other Asian countries. HiPP is one of the two companies dominating sales of baby foods in Germany where its revenue stood at EUR 850 million in 2015.

HiPP's Ethical Charter lays down the company's Code of Conduct; a set of avowed "ethical" principles that has earned HiPP, the title of "Germany's most sustainable company", by WirtschaftsWoche, a business journal. Sadly, HiPP continues to neglect its responsibilities under the Code.

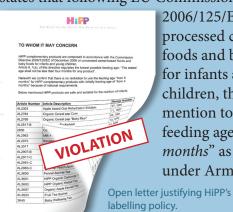
# HiPP products covered by the scope of the Code:

- **HiPP 1** products indicated as suitable for use from birth onwards.
- **HiPP 2** from 6 months onwards.
- **HiPP 3** from 12 months onwards.
- Complementary foods recommended from 4 months.
- Infants teas indicated as suitable from the first week of life.

These age indications mean the products are breastmilk substitutes as defined under the Code and confirmed by the 2016 Guidance on Ending the Inappropriate Promotion of Foods for Infants and Young Children (A69/7 Add.1). Promotion of these products should not be allowed following the minimum standard set by the International Code.

EU regional regulations and national measures on the marketing of breastmilk substitutes fall below the minimum standard set by the International Code and subsequent World Health Assembly Resolutions. Pursuant to Code Article 11.3, companies should regard themselves as responsible for monitoring their marketing practices according to the principles and aim of this Code, and for taking steps to ensure that their conduct at every level conforms to them. However HiPP considers itself to be governed only by EU regulations even when it is doing business outside of the EU.

In Armenia, the company even issued a letter to justify its labelling guidelines. The letter states that following EU Commission Directive



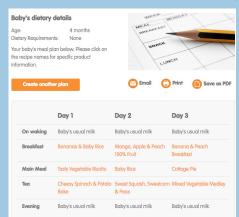
2006/125/EC on processed cereal-based foods and baby foods for infants and young children, there is no mention to use the feeding age "from 6 months" as required under Armenian law.

HiPP fails to understand that EU laws do not apply outside the EU. The company is always governed by the laws of the countries it operates in and the Code applies as a minimum standard everywhere.

#### À la carte menu for babies.

HiPP offers a different meal plan to babies in the UK from the one offered to babies in continental Europe. The meal plans, purportedly to help mothers create a balanced diet for their babies during their first year of life, are said to be grounded on scientific research and the company's experience. Apart from the uniform recommendation for the introduction of solid foods to start at 4 months (contrary to WHO recommendations), the number of feeds babies need in one day is different.

- In the UK, the 3-day meal plan recommends that four-month-olds be given five feeds per day three of complementary foods and two of baby's usual milk.
- In Austria, Bosnia, Bulgaria, Croatia and Serbia, the general meal plan is for infants aged four to six months old to be given four milk feeds, (breastfed or bottle-fed) and only one complementary food meal at lunchtime. Infants are allowed to be given 'baby water' and teas from birth if an increased intake of fluids is needed due to sweating or illness.



An example of a 3-day plan for a 4-months old baby from the UK. Complementary foods are recommended for three out of five meals.



This meal plan promoted to mothers in various countries in continental Europe is different from the one in UK.

Complementary foods are only recommended once a day. HiPP baby water and teas are recommended from birth.

## PROMOTION TO THE PUBLIC AND IN SHOPS

- Article 5.1 of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.
- Articles 5.2 and 5.4 of the Code prohibit companies from giving samples and gifts to mothers.
- Article 5.3 of the Code bans promotional devices at the retail level.
- Article 5.5 of the Code prohibits marketing personnel from seeking direct or indirect contact with pregnant women and mothers.

The 2016 Guidance on Ending Inappropriate Promotion of Foods for Infants and Young Children (A69/7 Add.1), contains a number of implications for the Code. Among them are –

- Clarification that follow-up formula and growing-up milks fall under the scope of the Code and should not be promoted.
- Recommendation that messages on complementary foods should always include a statement on the need for breastfeeding to continue through 2 years and that complementary foods should not be fed before 6 months.
- Recommendation that the labels and designs on products other than breastmilk substitutes need to be distinct from those used on breastmilk substitutes to avoid cross promotion.
- In Armenia,
  - Contrary to the national law and global recommendations, HiPP promotes its complementary foods as suitable for infants from 4 months; its infant teas from the first week of life.



HiPP says it's organic fennel tea is sugar free but babies aged 1 week and above require no additional fluids if they are breastfed.

- Special deals such as '*Buy 2, Get 3*' are offered for jarred fruit puree meant for four-month-old infants.



- **HiPP Pre** and **HiPP 1** infant formula milks are promoted in shops with free samples of **HiPP Organic Fennel Tea** – encouraging the early use of infant teas.



Teas nicely tied to **HiPP** infant formula milks to encourage early use.

■ In Austria, **HiPP Combiotic** growing-up milks are promoted as "*top-seller*" products. Free gifts are used as a sales inducement.



Each pack comes with a free drinking cup.

■ In Netherlands, the headline of a full-page ad featuring Anni Friesinger, speed skater and former Olympic champion, states - "As a mother, she trusts HiPP". As HiPP ambassador, the former Olympic champion endorses HiPP's organic baby milks with high praises. One picture in the ad shows Anni Friesinger bottle feeding her youngest daughter with HiPP 2 Combiotik and while another picture shows her offering her toddler a feeding cup. Pack



shots of **HiPP** products are cleverly placed in the pictures and the **HiPP** name and logo appear on feeding accessories such as the feeding-bottle, cup and bib.

This ad appears in METRO, a free newspaper available to commuters on trains throughout the Netherlands.

#### ■ In Moldova,

- A variety of **HiPP** products is advertised in a famous talk show called "*Dr. Komarovsky's school*" which hosts live classes on infant nutrition and health. During the show, mothers are shown feeding **HiPP** complementary foods to their children (wearing **HiPP** bibs) . **HiPP Combiotic** milks are presented with various nutritional claims (pre & probiotics) and products such as **HiPP** cereals, purees and juices are placed in strategic places to remind audiences at home who the sponsor of the programme is.



- 7% discount is offered for various **HiPP** products including cereals- suitable for infants below 6 months, **HiPP fennel baby tea**- suitable from the first week and **HiPP Organic Herbal tea** - suitable for 4-month old infants.



No products for infants below 6 months should be promoted.

- This cute smiling baby fronts the cover of a HiPP leaflet, advertising **HiPP Fennel Tea** as tooth-friendly and suitable from the first week on. The



picture of Claus HiPP and his son Stefan are shown with their signatures to guarantee HiPP's commitment to sustainability and production of high quality organic products.

Men and babies with toothy smiles make good ambassadors but the adults are Code violators.

#### ■ In Poland,

- **HiPP 2 BIO Combiotik** is promoted on Facebook as containing natural culture of lactic acid bacteria originally found in human breastmilk. This statement establishes a strong similarity between breastmilk and the product. This "natural ingredient" is said to prevent infections and described as one of many other natural ingredients that make **HiPP** milks special.



This happy healthy baby is the face of HiPP follow-up milk.

- A video promotes the easy and quick way of purchasing various **HiPP** products on Allegro, a HiPP authorised online shop, by showing a mother ordering **HiPP** products while taking care of her baby in the comfort of a relaxing environment.



HiPP heralds the era of modern online shopping.

- In another video, a happy mother praises **HiPP 2 Bio Combiotik** follow-up milk by explaining how satisfied her baby is since she started drinking **HiPP** follow-up milk. The product is said to be endorsed for its satisfying effect by 97% of all mothers interviewed.



A subtitle invites viewers to order free samples of the product online at www.HiPP.pl.

- **HiPP 2**, **3** and **4 Combiotik** milks "tailored for the age and stage of development of the growing-up child" are advertised in one single Facebook post. A footnote states, "*Breastfeeding is the best and cheapest form of infant feeding*". Describing breastfeeding as cheap belittles and undermines its attributes, most importantly, as free and natural form of infant feeding.

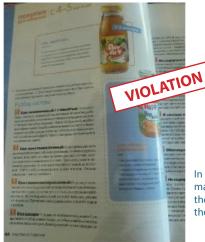


Why stick to one product when you can promote three at the same time?

- Special deals are advertised via Facebook postings in Lidl, a German owned - discount supermarket. The special offers include a variety of products such as **HiPP 2 Bio Combiotik** and **HiPP** complementary foods for infants below 6 months.



- In Russia,
  - A parenting magazine advertises **HiPP** juices as suitable for infants aged 4 months, clearly undermining the global recommendation for 6 months of exclusive breastfeeding.



In Russia, like the rest of Europe, marketing standards fall below the minimum standard set by the Code.

- **HiPP Comfort Special Formula** advertised on Facebook advises mothers to use the product if their babies experience tummy problems. HiPP claims the product supports digestion and is able to prevent colic and constipation.



The smiling elephant embodies satisfaction and well-being.

- In the UK
  - Special offers on the HiPP Facebook page promise to "make your pennies go further".



Money left for the piggy bank when you buy HiPP.

- A special weaning starter pack promoted in an online shop encourages early introduction of solid foods. Discount coupons, bibs (bearing the HiPP mascot for formula products) and spoons are included in the package.



The elephant on the bib is a clear example of cross promotion.

- In a video, HiPP uses statistical results to impress and convince mothers of the effect of its **Combiotic** milks. A survey concluded that 10 out of 10 mums (or 97% of 255 mums) agreed that their babies "seem happier on **HiPP Organic** milk". HiPP's use of statistics marks a new marketing strategy which is effective even though the results are likely to be based on highly biased evidence.



"Babies seem happier" is not only dubious but is also a statistically insignificant conclusion.

- HiPP entered into the league of serious Code violators when it partnered with NUK, a producer of bottle and teats and well known Code violator, to cap its bottles of liquid organic infant milk with latex-free **NUK** teats. The HiPP - NUK ready-to feed bottles are then packaged into a practical starter pack kit for infants for mothers on the go.



HiPP Organic First infant milk starter pack kit

Two code violators combine forces to target mummies on the go.

#### Welcome to the Club

Mothers around the globe are encouraged to join the HiPP Baby Club. Numerous benefits including free product samples, discount coupons and gifts are used as incentives to attract new members. The club is touted as a high-standard service that parents can fall back on anytime around the clock by email, Internet, telephone or fax. It is promoted as an online portal providing advice on infant nutrition and development by HiPP employees but in actual fact, such clubs operate to facilitate contact with mothers, a practice prohibited by the Code.



Baby Club in the UK offers a long list of benefits and services.



competitions to win exclusive prizes.

#### **News from Asia**

In Hong Kong, there are tournaments for parents and children to win **HiPP** products. Even young babies are allowed to get involved.



Fun and games to draw the crowd.

In the Philippines, **HiPP** co-sponsored an initiative called Project Mom, which offers resources and fun activities for mothers. Events include get-togethers and weekend getaways for mothers to rejuvenate. Project Mom also holds seminars on nutrition for women (pregnant and lactating) and their babies. In one such event, a special celebrity guest and a beauty consultant were invited to share their secrets on how to maintain a healthy body image.

A health professional giving a talk during, the event, courtesy of HiPP.



# PROMOTION IN HEALTH FACILITIES AND TO HEALTH WORKERS

- Article 6.2 bans the promotion of products within the health care system.
- Article 6.3 prohibits the display of products, placards and posters or the distribution of company materials unless requested or approved by the government.
- In Armenia, HiPP uses healthcare facilities as a venue to promote its name. Calendars, clocks, watches, storage tins and pens, bearing the HiPP
- watches, storage tins and pens, bearing the HiPP name and logo find their respective spots in doctors' offices and further around. Mothers are bound to see these HiPP materials as a form of medical endorsement of the products.



Innocuous stuff but they influence minds.

■ In Austria, free milk storage boxes imprinted with HiPP's name and logo as well as the mascot elephant are available in the waiting room of a paediatrician's practice. Next to the containers, promotional brochures on HiPP products and the HiPP Baby Club are offered to parents.

One leaflet entitled "Breastfeeding and the Time After" shows how HiPP repeatedly undermines the recommendations for exclusive, continued and sustained breastfeeding by advertising its entire product range with slogans like "The right milk for every stage" or "Baby food – following the example of nature".

The brochure on HiPP Baby Club encourages mothers to join with promises of free gifts including a variety of foods, suitable for babies below 6 months, toys, care products etc.

- Article 7.3 provides that there should be no financial or material inducement to health workers to promote products.
- WHA resolutions 58.32 [2005] and WHA 65.60 [2012]
  call on countries to ensure that financial support and other
  incentives for programmes and health workers do not create
  conflicts of interest.



HiPP promotional materials available from a doctor's office.

- A HiPP information board, found in a doctor's examination room, is strategically placed next to a padded platform where mothers prepare their infants for examination by the doctor. The title on the board promises that products are following the example of nature.



Product recognition - The smiling elephant mascot, found also on all HiPP formula labels, introduces the entire range of HiPP formulae. If the implicit endorsement of the doctor does not work for mothers, the elephant will do the trick.

- A calendar with the slogan "*The best from nature*. *The best for nature*" is seen in a doctor's office next to a framed poster (watch out - hot!) about a safety campaign. Both bear the HiPP name and logo.



■ In Croatia, HiPP often sponsors professional conferences and will have booths to display products and promotional materials. Banners promoting **HiPP** products can be seen at these events. Conference participants will be given product related materials as part of HiPP's promotional strategy.



Large banners promoting various HiPP products.



One of many booklets is distributed to conference participants advertises **HiPP Combiotic 1 & 2.** 

In Germany, **HiPP Bio Combiotik** is advertised in "*Praxis Ratgeber*" brochures that offer practical parenting guides for mothers. The ad states that **HiPP Organic Combiotik** contains important nutrients, natural lactic acid cultures and prebiotic fibres for baby's healthy digestion. Inside the brochure, a write-up discusses healthy intestinal flora and the research and clinical trials undertaken by HiPP to develop a new generation of formula modelled on nature. These brochures are normally found in doctors' waiting rooms and are endorsed with the words, "your personal copy" so mothers can bring them home.



Ad on the back cover extols 50 years of top quality HiPP products... and the latest in the range; modelled on nature after extensive research and clinic trials.

Inside the brochure - promotional content.

■ In Moldova, health professionals are given stationaries such as note blocks, pens and post-its pads, all bearing the HiPP company and brand name. One slogan in English states, "For the most valuable in life" – simple, yet open to different interpretations.



Social research shows that inexpensive items like these can influence prescribing behaviour.

#### In Russia

- A health workers give mothers a care package when they leave the maternity hospital. Among other things, the package contains samples of **HiPP** jarred complementary foods for 4-month old infants, a HiPP bib as well as a HiPP spoon, thus encouraging too early weaning.



Off to a good start for HiPP but not so good for exclusive breastfeeding.

- In Saint Petersburg, HIPP distributes booklets in the maternity unit of a hospital. Entire pages are reserved for promoting a variety of products, including **HiPP Combiotik** follow-up formula and growing-up milks. Infant teas and water are promoted from birth and complementary foods from 4 months.



Information booklets are flooded with promotional text and pictures of **HIPP** products. Distributing them in a hospital is a double Code violation.

### LABELLING

- Article 9 of the Code requires labels to NOT discourage breastfeeding and inform about the correct use of the product, the risk of misuse and abide by a number of other points.
- WHA 58.32 [2005] and 63.23 [2010] prohibit nutrition and health claims unless allowed in national legislation.
- The Guidance on Inappropriate Promotion of Foods for Infants [A 69/7 Add.1] requires that labels include a message about the appropriate age of introduction of the food which must not be less than 6 months of age.
- In Armenia, as well as other European countries, **HiPP** tea is labelled as suitable for babies from the first week. For a variety of other complementary food, HiPP persists in labelling them as suitable from 4 month onwards.



HiPP Organic Camomile Tea suitable from first week on.

- In Austria and Germany, **HiPP Baby Springwater** is labelled as suitable from birth. It is promoted as crystal clear spring water, ideal for the preparation of infant formula, teas, porridge etc.
  - Breastfed babies under six months do not need water and promoting it is <u>not</u> allowed by the Code. HiPP continues to disregard the Code and other WHA resolutions by advertising its BABY water.

The product is also available in Hong Kong.



Unnecessary and expensive, this products undermines exclusive breastfeeding.

■ In Luxembourg, the **HiPP 3 Combiotic** growing-up milk is labelled as suitable from 10 months to 3 years. This age indication was brought to the attention of the government, which responded in writing that the national law prohibits the labelling of growing-up milks below 12 months.



Parents are encouraged to buy two 6-packs to get one more pack for free.

The bottles can be easily transformed into feeding bottles.

#### **Bon Appetit**

In an online shop targeting Chinese consumers, HiPP promotes organic rapeseed oil for preparing baby foods and assures consumers that the product is suitable for 4-months old infants. The high Omega-3 content is said to be important for an infant's brain and nerve cells. The oil is also promoted to be "one of the best vegetable sources of Omega-3 fatty acids", which, when "used in baby food, is mild enough to not affect the taste of the food."



#### **Mother Nature Meets Science**

and said to be the benchmark against which HiPP baby milks are continuously measured. The company repeatedly attempts to establish similarities between breastmilk and HiPP baby milks by highlighting similar nutritional components. Ingredients like *Omega 3 & 6 LCPs (DHA & AA)*, prebiotic oligosaccharides (GOS), nutrients which are also found in breastmilk, are always highlighted. In some countries, HiPP Combiotic milks are even advertised to contain a natural culture of lactic acid bacteria originally acquired from human breastmilk. Idealising slogans such as "Science and nature hand in hand" and "Following the



example of nature" appear on various promotional materials implying similarity with breastmilk.

In Russia, **HiPP Combiotic 1** is advertised with the slogan 'We took the best from the breastmilk'. The label contains several claims based on components also found in breastmilk such as pre- and probiotics and ARA/DHA

Like other companies, HiPP pretends to be an advocate of breastfeeding. Its website gives advice on breastfeeding and updates consumers about the latest scientific updates on benefits of breastmilk and its unique biological components. It is, however, strikingly evident that the company is eager to mention only those components which are also found in **HiPP** products.



Play of words - While the Combiotic infant formula in Germany is formulated "following the example of nature", the British version is a product "based on science that goes hand in hand with nature".

#### For ravenous and sleepless babies

■ In the UK, a specially formulated infant formula, **HiPP Combiotic hungry infant milk**, is promoted for 'extra hungry babies'. The product

is presented as a nutritionally complete, casein-based, gentle infant formula, suitable for feeding from birth onwards. It is formulated to satisfy 'extra hungry babies' for a longer time than with ordinary whey-based infant formula.



Slow digesting proteins for hungry babies.

HiPP also offers a variety of **Good Night** products. Indicated as suitable for babies from 6 to 36 months, this formulated blend of creamy follow-on formula and gluten free cereals is promoted as an ideal meal to end the day. HiPP promises that the product will help babies have a peaceful and pleasant sleep the whole night.



HiPP's elephant mascot embodies a good night sleep after a heavy meal in this German ad for the "Good Night Bottle".



In the UK, the good night milk promises to be especially satisfying.

**Editorial Note:** The UK scientific committee on nutrition could not identify any scientific evidence that shows "good night milks" offer any advantage over the use of ordinary formula.

Instead, the Committee warned of the risks of parents being led to believe that it is desirable for babies to sleep longer despite variations in sleeping behaviour. There is also a risk that mothers may use the product on occasions other than bedtime to settle their babies.

# LOOK WHAT THEY'RE DOING IN SINCE TO A MILE OF THE PROPERTY OF



- In 2014, Viet Nam adopted a comprehensive decree on the marketing and use of breastmilk substitutes. The Decree bans advertising of breastmilk substitutes for infants and young children up to 2 years and imposes various restrictions pertaining to information and education as well as on labelling. There is also a duty imposed on health care facilities and on health workers to promote breastfeeding.
  - Despite the fact that the Vietnamese Decree applies to a full range of feeding products for young children up to 24 months, HiPP still applies inappropriate marketing strategies to promote its entire product range of baby foods.

#### Elephant mascot takes centre stage

• The Facebook page of HiPP Vietnam is flooded with postings promoting **HiPP Combiotic** milks including infant formula and follow-up milk. The terms '*Probiotics* and *Prebiotics*' are promoted as a great mix for healthy guts without explaining what these nutritional components consist of. In most cases, the smiling elephant mascot is present to depict a happy healthy infant at different stages of development.



Cheering **HiPP Combiotic** milks for their exceptional ingredients.



Bubbles around **HiPP Combiotic** milks illustrate the benefits of **Pre** and **Probiotics** composition on the digestive system.

#### **Product placement**

• HiPP places packshots of its products on Facebook and encourages fans to post videos of their children next to HiPP products, allowing the company to advertise its products at no cost. With more than 120,000 followers, HiPP can show the public's endorsement of its products. As fan uploads are only visible to the public with the authorisation of the page administrator HiPP is complicit in the promotion of its products.



(Left) With a little help from modern technology, HiPP transposes HiPP 1 Combiotic infant formula into a fan's original video. (Right) This picture of a baby beside HiPP 2 Combiotik follow-up milk is uploaded by a fan but it can only be viewed by the public if HiPP allows it.

#### HiPP - All day long



• By promoting various complementary foods for 4-months old infants, HiPP disobeys international recommendations and violates the Vietnamese Decree which applies to all products marketed to babies up to 2 years of age. Milk porridges are promoted for all day consumption while HiPP Good Night products are advertised as supporting better and longer sleep for babies with slogans such as "Nutrition helps her sleep".



A clear case of cross-promotion - the elephant mascot that appears on formula labels is shown holding a feeding bottle on this complementary food ad. The colourful **HIPP** company name has become a logo promoting all products.

#### **Happy Together Days**

• HiPP regularly organises public events featuring highly regarded experts on nutrition whose names are published in the invitations to attract parents. Parents are invited for face-to-face consultation sessions and there are fun activities available for children 0-5 years. The venues for these events are normally turned into fun arenas with festive HiPP decorations, slogan and ads. These events are announced and promoted on HiPP online platforms.



A medical doctor giving nutrition advice. HiPP promotional pictures are on display.



Play area to keep children occupied while parents are courted by HiPP.

Parents cheer as babies participate in crawling competition.

HiPP product tasting - teas, juices, milks whatever.