

# Senate Community Affairs Committee

## ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

### HEALTH PORTFOLIO

**Additional Estimates 2015 - 2016, 10 February 2016**

**Ref No:** SQ16-000242

**OUTCOME:** 1 - Population Health

**Topic:** Breast-milk Substitutes

**Type of Question:** Hansard Page 83, 10 February 2016

**Senator:** Moore, Claire

**Question:**

Senator MOORE: One of the things under the original implementation strategy—and they had a list of things that were important to them starting out with effective statistics, breastfeeding friendly environments, support in hospitals, which I know is one of the things that I am talking to my state government about in terms of effective hospital processes—was revisiting the WHO International Code of Marketing of Breast-milk Substitutes. Do you know what the status of that work is?

Dr Southern: I know about it. I would have to take on notice to get back to you with the details.

**Answer:**

In 2010, the Australian Health Ministers' Conference (AHMC) agreed on priorities to implement the Australian National Breastfeeding Strategy 2010-2015 (the Strategy) which included a commitment to revisit Australia's response to the World Health Organization (WHO) Code. The Department of Health commissioned research to examine how other comparable developed countries have adopted the WHO Code and whether its implementation has had an effect on breastfeeding rates.

A copy of the final report can be found at:

[www.health.gov.au/internet/publications/publishing.nsf/Content/int-comp-whocode-bf-init](http://www.health.gov.au/internet/publications/publishing.nsf/Content/int-comp-whocode-bf-init)

Australia currently implements the WHO Code and related World Health Assembly (WHA) resolutions in a number of ways that are appropriate to Australia's social, legal and economic environments. Australia implements the WHO Code through three main mechanisms:

- The *Marketing in Australia of Infant Formulas: Manufacturers and Importers Agreement* (MAIF Agreement), a voluntary, self-regulatory code of conduct between manufacturers and importers of infant formula in Australia.
- Labelling laws as they pertain to infant formula – Food Standards Australia New Zealand is currently reviewing *Standard 2.9.1 – Infant Formula Products* through Proposal P1028.

- The 2012 *Infant Feeding Guidelines – Information for health workers*, which includes guidance for health workers on interpreting the WHO Code in Australia, and includes the endorsement of the Baby Friendly Hospital Initiative.

In July 2015, the Infant Nutrition Council submitted an application to the Australian Competition and Consumer Commission (ACCC) seeking revocation of the current authorisation (s) (A90539 and A90540) of the MAIF Agreement. The new authorisation seeks to substitute in their place a new authorisation of the MAIF Agreement, on the same terms as the original authorisations, for a period of 10 years.

In response to the application by INC, the ACCC invited interested parties to provide comment. The ACCC then released its draft determination (proposed to re-authorise the MAIF Agreement for 10 years) and again sought comment from interested parties and gave an option for interested parties to call for a pre-decision conference. A pre-decision conference was held in December 2015. The ACCC's assessment on this matter is yet to be finalised.