

17 March 2017

Panel on Health Services  
Legislative Council Complex,  
1 Legislative Council Road,  
Central, Hong Kong

**Submission on LegCo Panel of Health Services on  
“Hong Kong Code of Marketing of Formula Milk and Related Products,  
and Food Products for Infants & Young Children” for the 20 March meeting**

Dear Chairman and Members,

Breastfeeding is an important public health issue. According to a [series](#) of papers published by *The Lancet*, breastfeeding saves lives and contributes to children’s development in rich and poor countries alike. Breastfed children have a lower risk of overweight and diabetes. Breastfeeding also contributes to brain development – longer breastfeeding is associated with up to 3 points higher IQ scores. Breastfeeding currently prevents almost 20,000 deaths from breast cancer every year. With an improvement of breastfeeding practices, this figure would double. It is estimated that high-income countries lose more than US\$230 billion every year (0.53% of Gross National Income (GNI)) due to their low breastfeeding rates.<sup>1</sup>

More Hong Kong mothers are now aware of the benefits of breastfeeding, with the breastfeeding rate on hospital discharge having increased from 19 per cent in 1992 to 89 per cent in 2015.<sup>2</sup> Hong Kong Committee for UNICEF (UNICEF HK) promotes ‘Say Yes to Breastfeeding’ and supports Baby Friendly Hospital Initiative Hong Kong Association to help mothers initiate and sustain breastfeeding, but we had always found inappropriate marketing of breastmilk substitutes one of the main barriers to breastfeeding.

Inaccurate claims of breastmilk substitutes, for instance, a product can improve a child’s health or intellectual performance, can mislead caregivers, urge them to give formula milk or to stop breastfeeding early. Such unsubstantiated health claims of formula milk also distort the public’s perceptions on breastfeeding, undermine mothers’ confidence and the social support they need. As a result, many children miss out on the benefits of the most nutritious food of babies — breastmilk, the health protection that comes with breastfeeding and from the act of breastfeeding itself.

Therefore, UNICEF HK appreciates the Government’s effort in drafting the HK Code, which is also adapted from the International Code of Marketing of Breastmilk Substitutes advocated by

<sup>1</sup> [https://www.unicef.org/media/media\\_89978.html](https://www.unicef.org/media/media_89978.html)

<sup>2</sup> <http://www.unicef.org.hk/en/world-breastfeeding-week-2016-celebration-event/>

UNICEF and WHO. We hope the HK Code, which only calls for voluntary implementation, can be put in place swiftly. Below are some key points that we would like to clarify:

- 1) This HK Code does not restrict the sale nor availability of breastmilk substitutes but is to stop the harmful promotion of these products so that caregivers can make an informed choice about how to feed babies based on unbiased and scientific facts. Even if a mother is not breastfeeding for whatever reason, under the HK Code, she can still readily access information on infant feeding, how to choose the formula milk appropriate for her baby, safely prepare and feed the milk free from commercial influence, for example, through the information prepared by the Department of Health or by consulting health professionals.
- 2) The scope of the draft HK Code covering formula milk and food products up to 36 months of age must be maintained – as infants should be exclusively breastfed for the first six months of life and thereafter receive nutritionally adequate and safe complementary foods while breastfeeding continues for up to two years of age or beyond. WHO has clearly stated the marketing of formula milk for use up to 3 years of age should be regulated.<sup>3</sup> Inappropriate marketing of breastmilk substitutes can mislead and confuse caregivers about the age appropriate and safe use of these substitutes. Mothers and other caregivers often do not understand the distinctions between milk products promoted for children of different ages.
- 3) The HK Code, even though voluntary in nature, is still an important step towards full compliance of the International Code and subsequent relevant World Health Assembly resolutions, and is a pragmatic approach towards enabling mothers to reach an informed choice on infant feeding given the scientific information are already available. Legislation would be the next step should the voluntary Code prove unable to curb the current aggressive marketing practices. Delaying the launch of the voluntary HK Code till legislation is in place, a long process, is putting the health of our children and mothers at avoidable risk.

Every child deserves a healthy start in life; hence every mother deserves to have access and exposure to impartial information to make the best choice on how her baby is fed. Her decision made today would have a profound effect on her baby's health now and in future. We hope you will support the HK Code for the well-being of every child in Hong Kong, and for the public health of our society.

Yours faithfully,  
Jane Lau  
Chief Executive  
Hong Kong Committee for UNICEF

<sup>3</sup> [http://apps.who.int/gb/ebwha/pdf\\_files/WHA69/A69\\_7Add1-en.pdf?ua=1&ua=1](http://apps.who.int/gb/ebwha/pdf_files/WHA69/A69_7Add1-en.pdf?ua=1&ua=1)