

## SIGNATORIES' EVALUATION OF MEIJI'S CALL TO ACTION ROADMAP

The Signatories' intention was that companies would first commit to all of the asks set out in the Call to Action and deliver a roadmap to outline how and when each of the commitments would be implemented.

Meiji submitted an initial response on 25<sup>th</sup> September 2020 and a further letter on December 9<sup>th</sup> 2020 which was its final submission and on which ATNI and the signatories' final assessment was based. A follow-up letter on 25<sup>th</sup> December 2020 outlined an action plan (and which is being treated here as the Roadmap). It was essentially a short (1 paragraph) high-level description of what the company plans to do. Given some ambiguity in that letter, ATNI requested clarification of some points; the company responded on 11<sup>th</sup> May 2021. The original wording and the explanation provided in May are the basis of the analysis set out here.

In terms of Call to Action specific steps:

	<b>Meiji's commitments in relation to the Call to Action</b>	<b>Related action as set out in roadmap</b>	<b>Signatories' evaluation of roadmap ATNI provides input in assessing the planned actions against the 4 Asks of the Call to Action</b>
Ask 1	<p>In its first submission on 25<sup>th</sup> September 2020, followed by its letter of 9<sup>th</sup> December 2020, Meiji committed to full Code compliance by 2030.</p> <p>The signatories acknowledged this commitment – one of only two companies to make it – in their published assessment and public statements of 23<sup>rd</sup> March 2021.</p>	<p>In its 25<sup>th</sup> December 2020 letter, Meiji stated '<i>We will implement this action plan in accordance with the relevant laws, government guidelines and agreement with industry organizations in the countries where we operate.</i>'</p> <p>It continued .. '<i>Specifically, we will terminate the following activities deemed to infringe the WHO Code: Marketing, promotional activities, and providing free samples targeting general consumers. For advertisement, we will terminate advertising breastmilk substitutes in the media. Products for termination are breastmilk substitutes for infants age 0 to 36 months. To ensure the implementation of this action plan, by 2025 we will examine and clarify the status of all activities in the countries in which we are doing business. According to these results we will develop a detailed implementation process. We will start implementing this action plan from 2026 based on this implementation process steadily and thoroughly. Furthermore, we will establish an internal monitoring structure to check the progress of action plan and ensure full compliance with the WHO Code and WHA Resolution.</i>'</p>	<p>While we welcomed the company's initial commitment to fully comply with the Code by 2030, the signatories are concerned that Meiji only appears to begin implementing its plan to implement this commitment from 2026 (though the company stated in its letter of 11<sup>th</sup> May it may take action before then depending on research it undertakes by the end of 2025 to formulate its detailed action plans for each country.) We urge the company to start work immediately to bring its marketing practices into line with The Code as soon as possible.</p> <p>Further, we are unable to determine from the company's letters whether the company intends to unilaterally bring its marketing into line with The Code by 2030</p>

		<p>On 23<sup>rd</sup> April, having set out the context for writing, ATNI asked for clarification as follows, in relation to the letter of 25<sup>th</sup> December 2020:</p> <p><i>'We understand your commitment to mean that Meiji has pledged to market all of its formulas from 0 - 36 months of age (including any formulas for special medical purposes which are covered by The Code) fully in line with The Code by 2030, even in markets where this is not required by law and even if your competitors do not do so. We would be grateful if you would confirm that this is the case. We are querying this point because the language used in your letter could be interpreted to mean that your commitment is limited to following only the legal measures in all countries, and not to going beyond them.</i></p> <p>Having reiterated its original commitment, the company added: <i>'However, we believe that the goals of the BMS CTA will not be achieved only by our faithful and full compliance. We strongly hope that laws and regulations will be implemented in accordance with local conditions in the countries in which we operate, or that our competitors will also make a commitment and take action toward full compliance. By the end of 2025, we will research the status of our own and our competitors' marketing activities in each country to clarify the actual situation. We will formulate detailed action plans for each country in which we operate, and implement them sequentially starting in 2026. Depending on the content of the implementation plan, we may make changes to our marketing plan prior to 2026.'</i></p>	<p>even where there are not legal measures in each of its markets and irrespective of whether its competitors take similar steps. We urge the company to confirm publicly that this is its intention.</p>
Ask 2	<p>Meiji did not commit to take the first step of extending its current BMS Marketing to apply to IF 0-6 and FoF globally.</p> <p>ATNI's BMS/CF Marketing Index 2021 did not include Meiji. ATNI has therefore</p>	<p>See above. Meiji stated that it will START implementing its action plan from 2026 - or may make some changes earlier.</p>	<p>As noted in our initial assessment of the company's response to the Call to Action, the company did not take the first step by the end of 2020 that was requested in Ask 2.</p>

	not assessed the extent to which the company's current BMS Marketing policy aligns to The Code, though it is in the public domain.		
Ask 3	<p>The company does not make the requested commitment as it does not explicitly commit to supporting FULL implementation of the Code for all products 0 – 36 months.</p> <p>It stated 'we will commit to upholding our policy in all jurisdictions where regulations are absent or less stringent than our policy. We basically recognize that it is the each countries' Authorities [sic] to adopt and implement legislation. We will follow the Authorities' policy.</p> <p>This fell short of Ask 3: as the company did not state that it will support the adoption and implementation of national legislation <u>fully</u> aligned with the Code.</p>	<p>See above.</p> <p>In its response of 11<sup>th</sup> May 2021, the company stated '<i>However, we believe that the goals of the BMS CTA will not be achieved only by our faithful and full compliance. We strongly hope that laws and regulations will be implemented in accordance with local conditions in the countries in which we operate, or that our competitors will also make a commitment and take action toward full compliance.</i>'</p>	<p>While the signatories agree with Meiji's view that achieving the goals of the CTA will require strong action by regulators and other companies, we are concerned that Meiji has not committed to use its influence with regulators to lobby in favour of <u>fully</u> Code aligned regulation in all markets, for ALL formulas, for infants from birth – 36 months of age. We urge the company to outline an approach to encouraging governments and supporting the adoption and implementation of national legislation that is fully aligned with The Code.</p>

Ask 4	Meiji agreed to provide information on its policy and practices to ATNI. Given the company was not included in the BMS/CF Marketing Index 2021, no information was been requested/ submitted within that process.	Meiji responded to ATNI's email in May 2021.	The Signatories welcome the company's willingness to engage with ATNI and its response to their enquiry in April 2021.
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