

Response Letter

To Meridian Institute:

Your letter of initiative has been well received! Our company understands and supports the “International Code of Marketing of Breast-Milk Substitutes” (hereinafter referred to as the “Code”) issued by the WHO, and has been working to promote the establishment of appropriate laws and regulations by the national health authorities. Also, we have developed and implemented our own regulations related to the marketing of breast-milk substitutes. Our reply to your appeal is as follows:

Signatories’ assessment

Ask 1: Publicly commit your company to full compliance with the International Code of Marketing of Breast-milk Substitutes and subsequent resolutions (the Code) globally (including covering of breast-milk substitutes up to 36 months of age), and disclose a concrete plan for achieving this goal by 2030 at the latest, with delineation of clear incremental steps.

The company does not make the requested commitments.

I. After the “Measures for the Administration of Marketing of Breast-milk Substitutes” was abolished in 2017, China has not yet released any regulation regulating the marketing of breast-milk substitutes. Our company will, together with the industry organizations, push the government to speed up the legislative process so that the whole industry could be legally required to comply with the breast-milk substitutes marketing laws and regulations in order to promote the fair and healthy development of the industry.

Signatories’ assessment

Ask 2: As a first step towards full Code compliance, by the end of 2020, adopt a Code-aligned BMS marketing policy for all countries for products marketed as suitable for infants between birth and 12 months of age, and commit to upholding your policy including in all jurisdictions where regulations are absent or less stringent than your policy. In countries where national law is more stringent than your policy, adherence to national law always takes precedence.

The company states that it developed and implemented its own regulations related to the marketing of breast-milk substitutes. To fully meet this ask, the company would need to add that its policy is Code-aligned for all countries for products marketed as suitable for infants between birth and 12 months of age, and that it commits to upholding its policy including in all jurisdictions where regulations are absent or less stringent.

Further evaluation will be needed to determine whether the policy is fully Code-aligned.

II. During the promotion of national legislation, our company will conduct self-compliance according to the “Advertising Law of the People's Republic of China” as well as the “requirements for marketing of breast-milk substitutes” that are stipulated in the “Code of Conduct for Infant Formula Industry of European Chamber of Commerce in China” for its members.

Signatories' assessment

Ask 3: Commit to support the adoption and implementation of national legislation fully aligned with the Code in order to create a level playing field for all companies.

The company states that it will push the government to speed up the legislative process so that the whole industry could be legally required to comply with the breast-milk substitutes marketing laws and regulations. To fully meet this request, the company would need to add that it will support legislation that is fully aligned with the Code.

III. In the process of implementing self-compliance, our company will fully share the implementation experience with the government and industry organizations; meanwhile, we will advocate more companies to promote the benefits of breastfeeding, and to voluntarily formulate and implement their own regulations for the marketing of breast-milk substitutes.

Our company is also willing to cooperate with the various international organizations to supplement and improve the “Code” and enhance the health level of global mothers and infants.

Signatories' assessment

Ask 4: Agree to provide information on your company's policies and practices to the Access to Nutrition Initiative (ATNI) as requested, recognizing ATNI as an independent actor responsible for monitoring companies' progress toward their plans for achieving Code compliance.

The company does not make the requested commitment.

Feihe is included in ATNI's forthcoming 2021 BMS Marketing Index.

Heilongjiang Feihe Dairy Co., Ltd.

Sept. 15, 2020