

Concern over proposed regulations regarding foodstuffs for infants and young children

The Infant Feeding Association has expressed deep concerns over proposed new legislation which, in the interests of promoting breast feeding, will restrict the dissemination of information about formula or bottle feeding and will apply to product labels, advertisements and promotional material, educational material and editorial content in magazines and other media. If you're a new mom and you cannot breast feed your baby due to health reasons, you may need to start feeding your baby infant foodstuffs (formula) from a bottle. If you're a new mom and you need to go back to work, leaving your baby in a daycare facility or with a nanny or grandmother, you will either need to express milk to feed baby, or you will need to give baby formula via a bottle. What if you cannot have access to any information about formula or bottle feeding? Where do you find your information on how much and what type? From magazines? Infant foodstuff advertising? Bottle-feeding advertisements? Consumer help lines? As of next year, this type of information may be banned by a new government proposal.

The proposed legislation will attempt to encourage breast-feeding by limiting access to information on bottle-feeding. The Minister of Health has drafted a white paper regarding foodstuffs (formula) for infants and young children and this could become legislation next year. With this proposed legislation, the minister has targeted labels on formula and infant feeding containers, advertisements and promotional material, educational material and editorial content in magazines and other media.

What does this new legislation propose? Some of the points include:

1. Labeling on formula containers is not to show illustrations, diagrams, or graphics.
2. Formula labels are not to provide any nutritional or health information.
3. Bottle, teat and dummy labels must include a statement that cup feeding is safer for infants.
4. Manufacturers may not sell, sample or advertise products in a health establishment.
5. There may be no direct or indirect contact with the public through print media, TV, radio or the Internet.
6. No help line details may be displayed on formula labels.
7. Manufacturers may not pay for, donate or distribute educational material to health establishments.
8. Media will be curtailed in their coverage of issues relating to bottle-feeding.

While the Infant Feeding Association is aware of and appreciates the benefits of breastfeeding, this legislation does pose some serious problems to South African society, and most specifically to women and children:

1. The labeling regulations suggested in the new legislation are confusing to both consumer and healthcare worker, thereby posing an even greater health risk to babies.
2. The legislation makes no mention of HIV+ mothers and the high risk of mother-to-child transmission with breastfeeding.
3. The regulations imply that without access to bottle-feeding information, mothers will have

to breastfeed for the first two years of their child's life. This means that for the first few months, every two hours, a woman should be with her child in order to breastfeed. Where does this leave the country's working mothers? Is the government suggesting that women stay home instead of work? In a country where gender equality is finally becoming realized, this takes us two steps backwards.

4. The proposed Act does not take into account women who are unable to breastfeed. Neither does it consider babies who are orphaned and who do not have access to breastfeeding at all. In a country where Aids orphans are a reality, can this prejudice be allowed?

5. With the new labeling and packaging requirements, the cost of formula will increase, making it even more difficult for already cash-strapped mothers to feed their babies.

6. The price increase will also make it un-viable for top quality products to do business in South Africa, opening the gap for cheaper, inferior quality products.

7. The prohibition of advertising and the curtailment of media coverage denies mothers their right to information - information that is vital to the health and survival of their babies.

8. The prohibition of education material means that there is even less education and information in a country where we need more.

9. The curtailing of media coverage contravenes the basic right to freedom of speech in the press.

10. The legislation is stifling the growth of the infant food market, which may result in large scale job loss through restrictions on marketing. A country with already high unemployment statistics can surely not afford this?

11. The legislation suggests that in order to prevent nipple-confusion, cup feeding for babies should be promoted over bottle-feeding. According to the South African Paediatric Association's research, this suggestion is not valid.

This legislation has not yet been promulgated and is currently at White Paper stage, put out for comment until the 26 December 2003. After which time, it goes forward to be drafted into a Bill and thereafter becomes legislation. It is clear that research into issues such as HIV and working women have not been considered in the drafting of this bill.

We need to educate people in South Africa, giving them more options, not deprive them of choice, forcing them into a direction that, for lifestyle, health or other reasons may not be possible. What happens to a country when the government legislation contravenes the basic rights and freedoms of the people, embedded in the constitution? Is this paternalistic approach not reminiscent of the apartheid era? What we need is more, not less education. We need magazine articles, media coverage and help lines that supply accurate information and advice to the people of South Africa.

We have to contest this issue in order to get the government to modify such restrictive and unrealistic legislation. The media and the public need to rally together to fight for the future mothers and babies of South Africa. (Issued by: IFA, sourced through Biz-community)

This information is by no means Netbaby's opinion and was copied from the Health Systems Trust. More information can be found at : <http://www.hst.org.za/news/concern-over-proposed-regulations-regarding-foodstuffs-infants-and-young-children>