



## MEDIA RELEASE

Date: 12 April 2024

**Title: Australian Government report finds current approach to regulation of infant formula marketing in Australia is no longer fit for purpose.**

The Australian Government has released its long-awaited report this afternoon into its review of the Marketing in Australia of Infant Formula: Manufacturers and Importers Agreement (the MAIF Agreement). The MAIF Agreement is a voluntary, self-regulatory code created by formula manufacturers and importers. The MAIF Agreement is claimed to be Australia's response to the World Health Organization's International Code of Marketing of Breast-milk Substitutes and subsequent World Health Assembly (WHA) resolutions (The WHO Code).

The Australian Breastfeeding Association (ABA) and World Breastfeeding Trends Initiative Australia (WBTi) welcome the publication of this report which was expected in 2023. It has found that the voluntary, self-regulatory approach of MAIF Agreement is no longer fit for purpose and recommends that a stronger regulatory framework is required to restrict the marketing of infant formula in Australia.

Whilst the report recommends a prescribed mandatory code, only enforceable legislation with significant penalties will protect parents from the inappropriate and aggressive marketing tactics of the formula industry.

ABA and WBTi support the report's recommendation of a review of the scale and impact of inappropriate marketing of infant formula by supermarkets and pharmacies however, there is already substantial evidence of digital marketing by both manufacturers and retailers and this review should not delay the implementation of other recommendations in the report.

We are also pleased with the recommendation that mechanisms for monitoring infant feeding be improved in Australia. The last Australian National Infant Feeding Survey was conducted in 2010 and there is significant variation in the state and territory data collection approaches since then.

Unfortunately, the report falls short of recommending the necessary measures to protect Australian parents' ability to make informed decisions about how to feed their babies, as it fails to encompass the implementation of the full scope of the World Health Organization's International Code of Marketing of Breastmilk Substitutes and subsequent WHA resolutions.

The WHO Code aims to contribute to safe and adequate nutrition for infants, by prohibiting the marketing of breastmilk substitutes, feeding bottles and teats, thereby protecting and promoting breastfeeding and ensuring proper use of breastmilk substitutes. As a result, parents are enabled to

make informed decisions around infant feeding without commercial influence. The Australian Government has been a signatory to The WHO Code as a member of the WHA since 1981.

The report recommends maintaining the status quo in relation to the scope of regulated products, thereby omitting toddler milks from 12 – 36 months. There has been significant Australian media attention recently about concerns of toddler milk being unnecessary, unhealthy and marketed as a proxy for infant formula.

In addition, the report also recommends excluding retailers from the scope of the proposed mandatory code, this would leave a gap between any new regulations in Australia and The WHO Code.

ABA and WBTi welcome the opportunity provided by the publication of the Department of Health report to strengthen Australia's commitment to protecting of breastfeeding and the health and wellbeing of Australia's mothers and babies.

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### **Media contacts and references**

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[Review of the MAIF Agreement: Final Report – Department of Health and Aged Care](#)

[WHO International Code of Marketing of Breastmilk Substitutes](#)

[End the exploitative marketing of formula and toddler drinks](#) – campaign video

[Lancet Series on Breastfeeding 2023](#)

[World Breastfeeding Trends Initiative Australia – 2023 Report](#)

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