



MEDIA RELEASE

18th October 2024

Australian Breastfeeding Association welcomes the Government's commitment to mandating the MAIF Agreement.

The Australian Competition and Consumer Commission (ACCC) has today published submissions from the Department of Health and Aged Care and the Assistant Minister for Health, Ged Kearney. These submissions respond to the ACCC's Draft Determination that proposes ending the Marketing in Australia of Infant Formula: Manufacturers and Importers Agreement (MAIF Agreement).

The Australian Breastfeeding Association (ABA) welcomes the commitment from the Assistant Minister and Department to mandating the MAIF Agreement.

This decision is aligned with a key recommendation of the Government's MAIF Agreement Review, which determined that the MAIF agreement's, "voluntary, self-regulatory approach is no longer fit for purpose" and stated that "a prescribed mandatory code is the recommended approach".

ABA Executive Officer, Victoria Marshall-Cerins said: "We congratulate the Government's commitment to introducing new legislation which will capture further provisions of the International Code of Marketing of Breast-milk substitutes and subsequent WHA resolutions (the WHO Code)."

Australia is a signatory to the 1981 WHO Code, which prohibits the marketing and promotion of infant and toddler formulas to parents. Only the presence of enforceable statutory legislation that encompasses the full scope of the WHO Code, fulfils a member state's obligations as a signatory. Australian law includes some existing legal provisions within the scope of the WHO Code, through the Food Standards Act 1991 ([Status of the WHO Code in Australia report](#)). If the ACCC's final determination is to end the voluntary, self-regulatory MAIF Agreement, these legal measures will not be affected.

ABA fully supports the ACCC's draft determination not to reauthorise the MAIF Agreement. Ms Marshall-Cerins urged the Government to ensure that the scope of proposed new legal measures addresses the marketing of unnecessary and unhealthy toddler milks: "We are encouraged to hear of the work to be led by the Food Standards Australia and New Zealand (FSANZ) in relation to the regulation of toddler milk and look forward to further details."

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