

**Submission to the LegCo Panel on Health Services**

**Special Meeting on 10<sup>th</sup> April 2017**

***Re: The Hong Kong Code of Marketing of Formula Milk and Related Products, and Food Products for Infants & Young Children (The HK Code)***

We are members of the Taskforce set up in 2010 to assist the Government in drafting the Hong Kong Code, with the primary aim to protect breastfeeding, in the context of aggressive and unethical promotion of formula milk (FM) at the time.

The expansion in the market share of FM often implies a decrease in the proportion of mothers feeding their infants and young children optimally and a threat to their health. As FM is in direct competition with breastfeeding and optimal feeding of young children, it should not be treated as an ordinary commodity and its promotion should be regulated.

The prevailing promotional practices include frequent and ever-expanding advertising of FM for children below 3 years through mass media (notably, television) and social media, as well as one-on-one promotion to parents. The promotional materials are notorious for being loaded with exaggerated, biased or even misleading messages which aim to confuse and lure parents and the public alike. Studies have shown that all these had negatively impacted not only on the parental choice of optimal feeding but also the perceptions of the general public on breastfeeding and complementary feeding. The HK Code will help to stop this misinformation and rectify the situation.

The draft HK Code, as submitted to the Government by the Taskforce, had been subjected to several rounds of consultation among different stakeholders, including a large-scale public consultation in 2012-13. We understand that there had also been rounds of amendment in response to public opinions, as well as changes and anticipated changes to aspects of the legislation governing FM for infants and young children. We consider launching of the voluntary HK Code a small but important step towards protecting breastfeeding and the health of children despite, in our opinion, the current proposed HK Code being a somewhat attenuated version.

While being frustrated by the lack of progress in the implementation of the HK Code in the midst of continued or even mounting FM promotion since the inception of the Taskforce, we take comfort in witnessing some positive changes, such as the public awareness of the merits of breastfeeding and the needs of mother and babies; the availability and accessibility of comprehensive and unbiased information for parents; and the supportive environment in health facilities and the community for breastfeeding mothers and infants, thanks to the partnerships between the Government and the community. We agree that

the momentum for changes will need to be further accelerated e.g. in the provision of extended maternity leave. However, the absence of the HK Code is a conspicuous omission in the Government's comprehensive strategy to protect, promote and support BF in the community.

It is remarkable that the proposed HK Code, while condemned by those with vested interests in the trade, is widely supported by many sectors of the society concerned about the health and wellbeing of children – the most vulnerable group of Hong Kong citizens. Championing the HK Code to protect our children's rights to health and wellbeing is therefore a matter of social justice and should be the commitment of any community leaders.

We strongly urge the Government to launch the HK Code as a priority.

#### **Members of the former Taskforce on HK Code**

Dr Lilian Leong (Chairperson)

Dr Patricia Ip

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