

ASAHI
FINAL ASSESSMENT OF BMS CALL TO ACTION SIGNATORIES

[] December 2020

Meridian Institute
P.O. Box 1829
Dillon, CO 80435
USA

To Whom It May Concern:

Please find attached our revised response to the Breast-milk Substitutes (**BMS**) Call to Action dated 25 June 2020 and the signatories' reply at 30th October. We revised the former statement about national legislation aligned with the Code (Answer 3).

We understand that the BMS Call to Action mainly concerns infant formula and follow-up formula products sold by our subsidiary, Asahi Group Foods, Ltd. We would like to highlight that such products are mostly sold in the Japanese domestic market, with very small amounts being exported to other countries. Therefore, please note that our response is heavily based on the current laws and regulations in Japan.

If you have any questions to our response, please let us know.

Sincerely yours,

Kayoko Kondo
Head of Sustainability
Asahi Group Holdings, Ltd.

Response to the Breast-milk Substitutes (BMS) Call to Action**1. Full compliance with the International Code of Marketing of Breast-milk Substitutes and subsequent resolutions (the Code) for BMS up to 36 months of age**

We acknowledge that breast-milk is the best food for the health and growth of infants and young children. “Our Policy for the Marketing of Breast-Milk Substitutes”, as posted on our website, confirms our understanding of the importance of the Code and the WHA’s resolution on infant and young child feeding and sets out our commitment to conduct business activities for the healthy growth of infants and young children.

We understand that the laws, regulations and guidelines in relation to the promotion of breastfeeding, as well as those in relation to the sales and marketing and the standards for composition of BMS vary by country, and this is due to the different childcare environment and nutritional status in each country.

We also understand that the question of whether products for young children between 12 months and 36 months should be categorized as BMS has yet to be determined by the Codex Committee on Nutrition and Foods for Special Dietary Uses in relation to the Codex Standard for Follow-up Formula.

In light of the above circumstances, our commitment to comply with the Code globally (including coverage of BMS up to 36 months of age) will be limited to the extent that it is adopted in the national laws and regulations. We will continue to follow the developments in the national laws and regulations on the sales and marketing and standards for composition of BMS in each country and will comply with any amendments should they be adopted in the future based on our understanding of the thinking of the maternal and child health authority in each country.

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.

2. Adoption of a Code-aligned BMS marketing policy for BMS up to 12 months of age

We have adopted a BMS marketing policy, as set out in “Our Policy for the Marketing of Breast-Milk Substitutes” on our website.

Our policy confirms that in respect of higher risk countries, we will not advertise or promote infant formula for infants under the age of 12 months. With respect to our domestic Japanese market, our policy confirms that we will comply with national laws and regulations for the manufacturing and sales of infant formula and will not conduct excessive marketing activities through hospitals and maternity clinics.

As mentioned above, the laws, regulations and guidelines in relation to the promotion of breastfeeding, as well as those in relation to the sales and marketing and the standards for composition of BMS vary by country. We will continue to comply with such national laws and regulations of each country and will comply with any amendments should they be adopted in the future.

Signatories' assessment

Ask 2: As a first step towards full Code compliance, by the end of 2020, for a company that has a BMS marketing policy in place (as is the case for Asahi), ensure that your current policy and practices (including promotion to consumers and healthcare providers) are Code-aligned and for products marketed as suitable for infants between birth and 12 months of age, extend them to all countries, and commit to upholding your policy in all jurisdictions even 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 has published a policy and commits to not advertise or promote infant formula for infants under the age of 12 months in higher risk countries. To fully meet this request, the company would need to add to its policy to fully align with the Code and apply its policy in all countries (i.e. lower risk countries as well as higher risk countries).

3. Supporting the adoption and implementation of national legislation fully aligned with the Code

In the event that the maternal and child health authority in each country determines, after due consideration of the childcare environment and the nutritional status in such country, that it is necessary to adopt and implement national legislation fully aligned with the Code, we will support

such action and comply with such legislation.

In Japan, when new law is introduced, the authorities usually disclose the draft law and seek public comments or seek feedback through relevant industry associations. In such cases, we will support the adoption and implementation of national legislation aligned with the Code and comply with such legislation.

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 appears to make the requested commitment.

4. Providing information to the Access to Nutrition Initiative (ATNI)

We will provide as much cooperation as we can to the ATNI in their monitoring activities in relation to Code compliance.

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 makes the requested commitment.

Asahi is not included in ATNI's forthcoming 2021 BMS Marketing Index. It may be included in future Indexes.