

**AUSNUTRIA**  
**FINAL ASSESSMENT OF BMS CALL TO ACTION SIGNATORIES**

December 24, 2020

To whom it may concern

Dear sir/madam,

Below you can find the Answers of Ausnutria Dairy Corporation LTD to CTA

Question 1 and 2

Mid 2020 Ausnutria has issued its Policy for the marketing of infant foods. In the Policy Ausnutria commits to the following:

Ausnutria is dedicated to develop and provide healthy and safe nutrition for normal growth and development of infants and young children worldwide. Especially for infants and young children who cannot receive breastfeeding due to medical, familial, practical or other reasons.

Years of research and study tell us children who are well-nourished from the very start are more likely to lead healthy and productive lives. Our objective is to advance the science of paediatric nutrition and to use this science to improve the nutritional status of infants and young children.

We develop product formulations using existing (paediatric) science and our own research. Our own research brings new knowledge about safety, quality and efficacy of new ingredients, new technologies and new product formats which we will transfer into our innovations.

We continuously innovate so that infants, young children, their parents and health-care professionals are served in the best way.

Ausnutria underlines that breastfeeding is the best choice for infants from 0-6 months and supports prolonging breastfeeding to two years of age.

Ausnutria also underlines and contributes to the provision of quality information regarding infant feeding, breastfeeding and formula feeding. In this way mothers can make an informed decision about the healthy nutrition of their child. To encourage healthy and safe nutrition for infants Ausnutria supports the aims and principles of the WHO "International Code for the marketing of breastmilk substitutes".

The Ausnutria Policy covers Breast Milk Substitutes i.e. milk based formulas for infants from 0-6 months and for infants from 6-12 months. The Policy is leading. Besides the Policy the marketing of infant foods must comply with local legislation taking into account the local social and cultural practices.

Formulated milk powders for young children (12 - 36 mo) are used and presented as an alternative to commercially available drinks such as cow's/goat's milk, fruit juices and soft drinks. Since these are not intended to replace breastmilk and are not promoted as Breast Milk Substitutes they are not covered by our Policy. Also, complementary foods for infants > 4 months are not intended to replace breastmilk and are not presented as Breast Milk Substitutes hence are not included in the Ausnutria Policy.

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Plan to achieve full compliance with the WHO Code:

i.	Issue Global Ausnutria Policy for the marketing of infant foods	Mid 2020
ii.	Explanation to Ausnutria employees (in all regions)	2020
iii.	Implement Policy in the different markets (in all regions)	2021
iv.	Review Policy and adjust where necessary <sup>1</sup>	End of 2021
v.	Develop global audit program	2022
vi.	Audit markets for baseline level assessment	2022/2023
vii.	Prepare report to Ausnutria Dairy board with findings and recommendations	2023
viii.	Re-assess need for extension of the scope of the Ausnutria Policy to include formulated milk powders for young children (12-36 mo) /complementary foods for infants > 4 mo.	
ix.	Revise Global Ausnutria Policy	End of 2023
x.	Explanation to Ausnutria employees (in all regions)	2024
xi.	Implement revised Policy in all regions	2024
xii.	Adjust audit checklist to reflect revisions	
xiii.	Audit 2 priority countries according adjusted audit checklist	2025

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**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's commitment is not clear. It has not stated its intention to unilaterally implement the Code in full, for all products marketed as suitable for infants and young children from birth to 36 months of age, in all countries, by 2030. However, in the plan presented above, the company has outlined its intention to revise its policy by the end of 2023 but has not stated the intended geographic or product scope for that policy revision. However, the title of the table indicates the intention is to achieve full Code compliance and the timeline indicates the deadline to be 2024. Further clarification is needed about the scope of the company's intentions, given the statements that its formulas for children 12 – 36 months are not viewed as BMS and that its complementary foods for infants over 4 months are also not considered BMS.

**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 appears to be the case for Ausnutria), 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 states that it took the first step of putting a policy in place by the end of 2020 which covers Breast Milk Substitutes i.e. milk based formulas for infants from 0-6 months and for infants from 6-12 months. To fully meet this ask, the company would need to ensure that its policy is fully Code-aligned for these products, apply this policy to all countries, and commit to upholding its policy in all jurisdictions, even where regulations are absent or less stringent.

Further evaluation of Ausnutria's policy is needed to determine if it fully meets the request. Although the company states that it published its BMS marketing policy in mid-2020, it does not seem to be available on its website and was not submitted with its response.

Question 3

Ausnutria Dairy commits to support the adoption and implementation of national legislation or Codes.

**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.**

Ausnutria commits to support the adoption and implementation of national legislation or Codes. To fully meet this request, the company would need to add that it supports national legislation fully aligned with the Code.

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Question 4

Ausnutria Dairy agrees to provide information on its company's policies and practices to the Access to Nutrition Institute.

**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.

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

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<sup>1</sup> This may be the case if there is for example no equal level of playing field in a specific country/region