

Bayer/United Pharmaceuticals

Evidence of violations of the International Code of Marketing of Breastmilk Substitutes and subsequent resolutions

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PRODUCTS INCLUDE—

Infant formula: *Novalac Stage 1, Novalac Reflux, Novalac Colic, Novalac Constipation, Novalac Diarrhoea, Novalac Sweet Dreams, Novalac Standard 1*
Follow-on formula: *Novalac Standard 2*

LOGOS & ICONS—

UNITED PHARMACEUTICALS



This teddy bear is the mascot of Novalac Italy.

These giraffe and zebra mascots are found on the labels of Novalac in Australia.



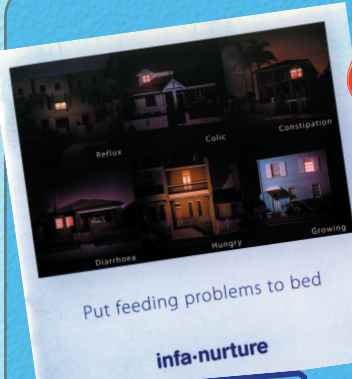
The bear and giraffe mascots are found alongside feeding bottles on the labels of Novalac in other countries.

The French company United Pharmaceuticals SA has produced Novalac products for over 10 years, and markets the products in Europe, Asia, Africa and the Middle East in partnership with various pharmaceutical companies.

Bayer AG, a German chemical and pharmaceutical company, distributes Novalac products in Australia, New Zealand and parts of Latin America.

An aggressive campaign for the Novalac range of formula products paints normal infant behaviour as problematic (see box below). In Australia, health workers and breastfeeding groups denounced the campaign in the mainstream press in conjunction with a parliamentary inquiry on obstacles to breastfeeding which also put promotional tactics by baby food companies and distributors such as Bayer under the spotlight.

Marketing 'down under' is restrained by a voluntary agreement called MAIF (Marketing in Australia of Infant Formulas: Manufacturers and Importers Agreement). Bayer, as a relative newcomer only signed the MAIF agreement in early 2007 but showed no signs of abating its campaign which has enabled it to capture a sizeable share of the Australian market.




LOOK AT THIS!

In Australia, Novalac markets a product "unique in the infant formula market" – **Novalac Sweet Dreams**. This formula is supposedly designed to provide a feeling of fullness for infants who wake often due to hunger.

Novalac ads describes "hungry" and "growing" as "feeding problems that need to be put to bed".

Novalac suggests that frequent waking can make infants cry and feel tired and that a clinical study in infants waking due to hunger showed that weight gain returned to normal after 30 days of being fed **Novalac Sweet Dreams**.

VIOLATION



BREAKING THE RULES 2007
STRETCHING THE RULES

Promotion to the public and at retail outlets

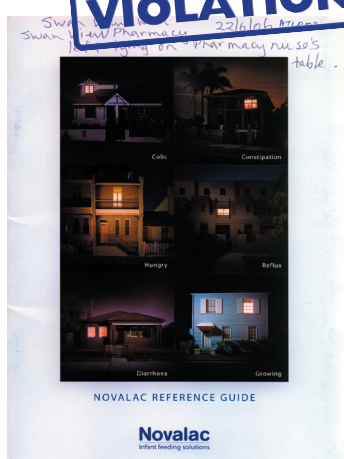
- Article 5.1 of the Code prohibits advertising and all other forms of promotion for products under the scope of the Code.
- Articles 5.2 and 5.4 of the Code prohibit companies from giving samples and gifts to mothers.
- Article 5.3 of the Code bans promotional devices at the retail level.

- In Albania, a pharmacy in Tirana shows poster advertising the 'Novalac solutions' showing pack shots of six different formulas for six different infant ailments.



- In Australia

- A Novalac reference guide available in pharmacies has on its front cover pictures of six houses in the middle of the night. Each house has a light on in one bedroom, suggesting sleepless nights for parents due to fussy babies. The back cover has the slogan "putting feeding problems to bed" and pack shots of regular and special Novalac formulas for six common "infant feeding problems": colic, constipation, hungry babies, reflux, diarrhoea and 'growth'.



This clever theme and innovative approach is used in all media: brochures, booklets, ads, internet pages. It is clearly competing with breastfeeding, making tired parents want to try the quick fix.

- The promotional guide promises that "Novalac formulas can help reduce crying and increase sleep, leaving infants content and parents more relaxed." Aside from the usual tiny 'breast is best' statement, nowhere does the Novalac material state or imply that breastfeeding is the natural way of feeding a baby and the best solution to "feeding problems".

- Another brochure, also given in bulk to pharmacies, takes the "put infant feeding problems to bed" theme further with a gimmicky pull-out chart that shows the lights going out in



the six houses, the parents and babies receiving a good night's sleep, having discovered the right solution – a Novalac special formula.

The reverse of the pull-out gimmick describes a competition for selected healthcare professionals in Australia which requires them to answer two true or false questions regarding Novalac. To be eligible to win, participants must provide the company with personal information to facilitate future contact. Clearly, Bayer uses this to build its own database of 'friendly' health workers. The first 10 valid entries win a prize of a Black Maglite flashlight worth AU\$73.95 each.

- An advertisement on the same "put infant feeding problems to bed" theme appears as full page ads in Australian professional journals, including *Neonatal, Paediatric and Child Health Nursing* and *Australian Family Physician* in an issue focusing on mother and baby. The same ad also appears in *Sydney's Baby*.



- A desktop stand bearing the **infa.nurture** trademark found in an Australian pharmacy contains attractive booklets. The take-away booklets with the lit windows on their covers bear the same "put infant feeding problems to bed" theme. The booklet describes the same common feeding problems infants can experience, and the 6 'Novalac solutions' for managing them.
- The www.novalac.com.au website also advertises its entire range of infant formula in the same campaign using houses in the night to illustrate infant feeding problems. Light on – mother and baby are awake and upset. Light off – problem solved, baby sound asleep.



Six houses, six problems, and six formulas as solutions. So easy!

Picture shows the colic problem house.

- In Croatia, the ‘Novalac solutions’ advertisement appears in *bebe* magazine, with pack shots of six different **Novalac** formulas for six different ailments. ►



- This display gives special prominence to cans and cans of brightly coloured **Novalac** formula, one for each of baby’s needs, in a Saudi Arabian pharmacy. ▼



- The Novalac Slovenia website (www.novalac.net) promotes the entire range of **Novalac** formulas and has links to Novalac Italy, Novalac Germany and an English-language website. ▼

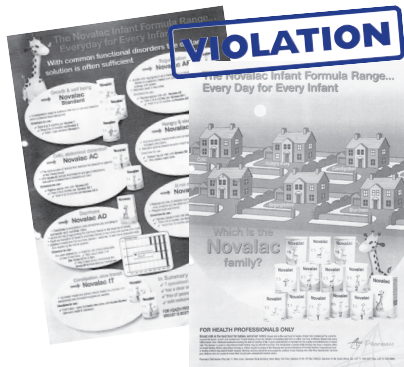


Click one of the blocks on the screen (above) and the Novalac line-up (below) pops up.

Promotion in health care facilities and to health care workers

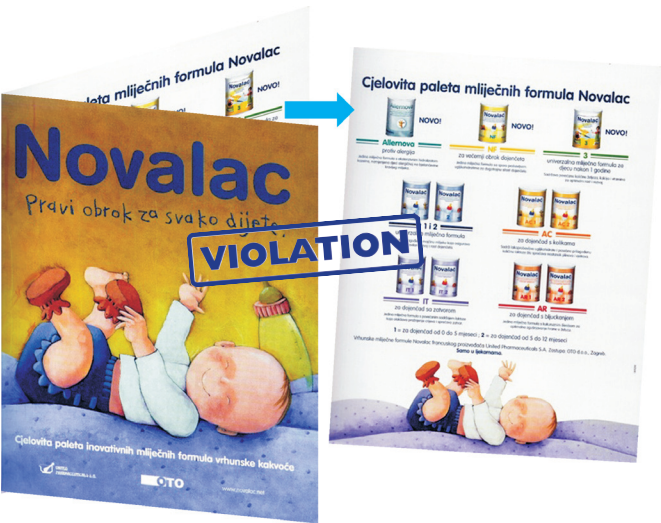
- WHA Resolution 47.5 (1994) urges an end to free or subsidised donations of products to all parts of the health care system.
- Article 7.4 allows samples to health workers only for research purposes. Health workers may not pass on samples.
- Article 6.2 bans the promotion of products within the health care system.
- Article 6.3 prohibits the display of products, placards and posters and the distribution of company materials unless requested or approved by the government.

- A variation of the ‘infant feeding problems’ concept is used in a brochure for health professionals in Botswana. Entitled *The Novalac Infant Formula Range... Every Day for Every Infant*, the brochure



shows five different houses, each with its lights on due to some infant feeding problem. The sixth house is in darkness and the question “which is the Novalac family?” was posed next to pack shots of **Novalac** infant and follow-on formula implying that **Novalac** is the solution to sleepless nights.

- A Novalac booklet distributed in a seminar for paediatricians in Croatia shows a drawing of a happy baby and a bottle on the cover. Inside is the same happy baby and the full range of **Novalac** product pack shots.



- In Lebanon, **Novalac** samples, brochures, posters, calendars and pens are distributed in health care facilities.



Promoting Novalac’s 6 solutions to common problems.



These instantly recognisable and gentle animals are from a popular cartoon common loved by children and toddlers. In this Lebanese Novalac poster, they are used instead to aggressively push formula to parents.



Idealising statements such as “Novalac AD rehydrates and feeds simultaneously providing optimal growth” and “Novalac – adapted formulas that work” are found inside the leaflet.



The perfect ballpen for writing out those Novalac prescriptions?



A closet-full of samples and supplies for the taking.

- In Mexico, a leaflet for Novamil, a new Bayer formula, is found in a maternity centre. It advertises the company’s new “Pediatric Line” including Starter & Follow-up formula; **Anticolic 1 & 2** formula; **Antiregurgitation 1 & 2** formula; **Satiate 1 & 2** formula; **Anticonstipation 1 & 2** formula; **Anti-diarrhoeal** formula.

