

An IBFAN-ICDC report on baby food marketing practices



This page forms part of the global monitoring report – Breaking the Rules, Stretching the Rules 2010. Companies' marketing behaviour is measured against the International Code of Marketing of Breastmilk Substitutes and WHA resolutions.

Hero AG Company profile & Code violations

The Executive Summary to Breaking the Rules, Stretching the Rules 2010 is available at www.ibfan.org

Hero was founded in 1886 in Lenzburg, Switzerland. Its history is rooted in jam making. The name Hero came from the first two letters of the names Henckell and Roth, respectively the founder and share-holder of the company. In recent years, Hero has developed from a local Swiss company into a pan-European player with the acquisitions of European brands such as Galactina, Adapta and Céralino in 2004, Semper in 2006 and Organix in 2008. Hero also has distribution licences for Blédina brands in Belgium, Netherlands and Luxembourg.

In 2005 Hero acquired the US-based Beech-Nut and became the second largest baby food company in the US. Recent forays into Africa/Middle East and Turkey/Central Asia have turned Hero into an international enterprise; big enough to flex its muscles against competitors and regulators alike in the promotion of baby foods.

In 2009 Hero's infant & nutrition category accounted for 42% of total revenue and Hero now considers it a core business category.

Through Beech-Nut, Hero collaborates with Abbott, the maker of Similac infant formulas, to offer a combination of both their parenting information and promotional offers at Similac.com, StrongMom.com and BeechNut.com. Since Similac does not make complementary foods and Beech-nut does not make formula (in the USA), they are able to complement each other in their promotion without the threat of losing out to competition – a tidy win-win solution to catch mothers at both ends of the baby feeding spectrum.

In February 2010 the US Food and Drug Administration issued a warning letter to Beech-Nut for misbranding and using unauthorised nutrient content claims. The company was ordered to take prompt action to correct the violations. In line with its internationalisation, other bold actions are taken to step up sales, oftentimes using tactics which are in direct contradiction of the Code.

For these reasons and for its attempt to undermine Code-based national law (story overleaf), Hero makes it into the pages of this publication for the first time.

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Brands

Hero baby
Beech-Nut
Galactina
Adapta
Céralino
Organix

Logos



This page focuses on specific responses to issues and discernible trends in the marketing of baby foods by the company under scrutiny. It forms part of the Breaking the Rules, Stretching the Rules report.

LOOK AT THIS!

HERO BABY CONCEDES TO LABEL CHANGES IN THE DOMINICAN REPUBLIC

Company backs off after mounting challenge on the law

Challenge in the Dominican Republic

In the Dominican Republic, the Code has been implemented as a strong law since 1995.

In 2009, the *Comisión Nacional Lactancia Materna* (CNLM) which administers the law, objected to the registration of **Hero Baby** as a formula product brand name. CNLM felt that Hero's formula should be distinguishable from other Hero products such as complementary foods, which are also branded **Hero Baby**. Authorities confiscated the product at points of sale. Angered by this, Hero challenged the decision using trade and intellectual property arguments. Hero complained of "discriminatory and excessive treatment" and requested corrective action through the country's Ministry of Trade and Industry. With backing from ICDC, CNLM stood firm and was able to show that its action was legally justifiable. (Registered trademarks do not give the owner the right to use them indiscriminately; all a registered trademark does, is prevent others from using it). Hero retreated and agreed to re-label its formula products.

Pictures show the cosmetic changes Hero made to its infant formula and follow-on formula. The plain blue label only shows the product type and age indication. The company logo has been reduced in size and gone is the image of the feeding bottle from the infant formula label.

Minor but significant changes and a victory for the protection of breastfeeding against commercial promotion. ICDC congratulates CNLM for its vigilance!

BEFORE



AFTER



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Promotion to the public and in shops

- Article 5.1 of the Code prohibits advertising and all other forms of promotion of products under the scope of the Code.
- Article 5.3 of the Code bans promotional devices at the retail level.
- Article 5.5 of the Code prohibits marketing personnel from seeking direct or indirect contact with pregnant woman and mothers.
- ❖ In Switzerland:

- Adapta has a set of information materials for young parents under the **Hellomama** series. In the part on Nutrition Plan, *“the traditional Swiss brand Adapta (formerly Galactina)”* is recommended by Hero as *“the foremost baby experts”* to parents and as a way *“to feed your children right, a pre-requisite for health development”*. The brochure promotes the Nutri Care building blocks which **Adapta** milk formulas are alleged to contain together with essential vitamins and minerals to support the healthy development of infants. (see 1)

The brochure gives a hotline number to facilitate contact with mothers.

- To push **Adapta** to parents, the Hero website (<http://www.hero.ch/en-us/produkte/adapta.html>) refers to it as healthy food – *“what your child needs to speed his or her development.”* (see 2)

- ❖ In the US, **Beech-Nut** undermines breastfeeding by offering families with new born babies discount coupons for 10 **Beech-Nut** products. The coupon shown on the right is found in the Beech-Nut website under the section for Newborns – 3 months. (see 3)

VIOLATION 1

hellomama
Wissen und Tipps für junge Eltern.

Ernährungsplan
Das richtige Nahrungsmittel zur richtigen Zeit.

Adapta®

NUTRI CARE Bausteine für Babys gesunde Ernährung

Adapta entspricht den neuesten wissenschaftlichen Empfehlungen und versorgt das Säugling in jeder Wachstumsstufe mit allen wertvollen Nähr- und Aufbaustoffen.

- L** **LC-PURFA**
LC-PURFA sind hochwertige, mehrfach ungesättigte Omega-3- und Omega-6-Fettsäuren (DHA und ARA), wie sie auch in der Muttermilch enthalten sind. DHA ist Baustein der Gehirnzellen und wichtig für die Entwicklung.
- N** **NUCLEOTIDES**
Nucleotide sind wichtige Bausteine der Körperzellen, die auch in der Muttermilch vorkommen. Sie unterstützen den Säugling bei der Entwicklung der Körperzellen.
- P** **PREBIOTICA**
Prebiotische Nahrungsfasern, wie FOS und Inulin, stimulieren das Wachstum von Bifidobakterien im Darm, die für gesunde charakteristisch sind, und beeinflussen die Darmflora positiv.
- α** **ALPHA-LACTALBUMIN**
Alpha-Lactalbumin ist ein essentielles Aminosäureprotein. Das Protein der Muttermilch trägt entscheidend zur Immunisierung des Säuglings bei.
- HA** **HYPOLALLERGEN**
Die beste Allergieprävention für Ihr Kind ist das Stillen; deren Muttermilch wirkt nicht allergen und unterstützt das Immunsystem. Um das Milchprotein in Adapta 10 abgemindert zu enthalten, wird ein so genanntes spezielles Verfahren der Aminosäurehydrolyse, so stark aufgearbeitet, dass die allergisierende Wirkung weitgehend abgemindert wird.
- β** **BETAPOD**
Bisoprolol ist ein strukturell optimiertes pflanzliches Fett und dempingen der Muttermilch nachgebildet.
- Fe** **FESENLEFER**
Eisen ist notwendig für die Blutbildung und den Transport von Sauerstoff in die Gewebe, um die Energie zu gewinnen.
- F** **FOLSAURE**
Folsäure ist ein Vitamin, das notwendig ist für die Blutbildung. In der Schwangerschaft ist es zudem wichtig für die Entwicklung des Neugeborenen beim abgetragenen Kind.

Hero

Adapta

Healthy food is what your child needs to speed his or her development.

Over 100 years experience in the development and manufacture of high-quality foods for babies and young children have made Adapta® into a leading Swiss manufacturer of foods for children.

Jobs | Search | Deutsch | Français

VIOLATION 2

VIOLATION 3

Feeding By Age

Newborn - 3 Months

For the first three months, your baby is still with natural immunity. Feeding on her or his breast, or often, breastfeeding time. That's a healthy way to feed your baby. If you're using a formula, be sure you're using the right one for your baby's needs.

STILL EXPECTING

STAGE 1: NEWBORN - 3 MONTHS

STAGE 2: 4 MONTHS - 6 MONTHS

STAGE 3: 6 MONTHS - 1 YEAR

KEEP FOR YOUR RECORDS!

BUY BEECH-NUT® AND SAVE \$4.00

It's easy. Just save 48 proofs of purchase from any Beech-Nut product. Then mail them with this certificate to the address below. You'll get four coupons for \$1.00 off any 10 Beech-Nut® items.

Questions about this offer? Call 1-800-BEECH-NUT (1-800-233-2468) or visit us at www.beechnut.com.

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

MAIL TO: Beech-Nut EB 709, P.O. Box 2610 St. Louis, MO 63116

I understand that this offer is limited to one mail-in certificate per envelope, and is only available to those households that have actually purchased the product to which the offer applies. Good only in the USA. APOR, EPCs, Void where taxed, prohibited or restricted. Allow 8 weeks for shipment. Group entries void. Sale, purchase, assignment or other transfer of certificate prohibited. Fraudulent submission could result in prosecution under federal mail fraud statutes. Void where prohibited by law. Offer expires, December 31, 2010.

PROOF OF PURCHASE IMAGE

Offer# EB 709

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Promotion to health workers & health facilities

- Article 6.2 bans the promotion of products within the health care system.
- Article 6.3 prohibits the display of products, placards and posters or the distribution of company materials unless requested or approved by the government.
- ❖ In health facilities in Egypt:
 - A leaflet in Arabic with a picture of a mother kissing her child and the slogan “Hero Baby – the Smarter Choice for a smarter child” promotes the full range of Hero Baby products for every part of the day and night. Products include infant formula, juices, jarred foods, “good morning cereals” “whole day cereals” to “good night cereals” which Hero calls “the whole collection for infant nutrition with Swiss Quality”. (see 1)
 - Prescription pads are widely distributed to doctors to make it easy for them to prescribe any or all of the full range of products. When issued, such prescriptions serve as valuable endorsement of Hero Baby products. (see 2)
 - Posters displaying the entire range of Hero products alongside the slogan about smart choices and smart babies. As mothers wait their turn to see the doctor, they are necessarily influenced by this propaganda. (see 3)
 - Two different brochures for Hero Baby 1 and 2 pack a powerful punch with the heading “Trust and Care for Future Generations” and the product slogan “The smarter choice for a smarter baby”. The brochure for Hero Baby 1 (see 4) explains that “feeding during the first months of life has a decisive influence, not only in early development but also in their long-term-health”. Hero Baby 1 is pushed as the solution since it supplies the fatty acids “essential for brain, nervous system and visual development.” The brochure also claims that Hero Baby 1 “supplies adapted proteins closely resembling those of mother’s milk”. The brochure for Hero Baby 2 (see 5) states that the follow-on formula “meets all the nutritional needs of late infancy.” The brochure warns mothers that iron deficiency can lead to delays in mental and psycho motor development which may not be reversible. The implied solution is not breastfeeding but the iron-enriched formula.



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- A brochure on complementary foods promoting “Hero Baby Whole Day Cereals” also bears the “smart choice for a smarter baby” slogan. Although the products shown are recommended from 6 months onwards, the fact that the brochure is found in a health care facility where mothers with young babies gather undermines breastfeeding. WHA resolution 49.15[1996] requires that complementary foods are not marketed in ways that undermine exclusive and sustained breastfeeding. WHA resolution 54.2 [2001] recommends the widest possible use of indigenous nutrient-rich foodstuffs in complementary feeding. (see 6)
- A second brochure entitled “the right meal for the right time” shows the food and nutrition for each part of the day, morning, day and night (see 7). A third brochure then explains how omega 3 and omega 6 contained in Hero Baby Good Morning Cereals support healthy growth and optimum mental and psycho motor development. (see 8) A fourth brochure continues with how Hero Baby Goodnight Cereals provide the right dinner for baby because it is easy to digest, avoids night hunger, induces satiety and gives constant energy during night sleep. (see 9 and editor’s note below)
- Two display signs, one promoting Hero Baby Good Morning Cereal “for a good start to the day” and another showing just the Hero Baby logo say very little but are big on selling Hero Baby products. (see 10)



Editor’s note: According to The UK Scientific Advisory Committee, there is no scientific evidence that “Good Night” follow-on formulas offered any advantage over other formulas. Instead, parents may be encouraged to believe that it is desirable for a baby to sleep longer when there is considerable variation in normal sleeping behaviour. Parents may also consider the product as suitable for “settling” infants and use them on occasions additional to bedtime, or to “settle” infants younger than six months. The same concerns also apply to “Good Night” complementary foods.

With the adoption of By Law No. 2075 of 2010 in Egypt on 2 July 2010, promotion of products for babies under two years is prohibited without the permission of the Ministry of Health. Unless permission is obtained, the promotion shown in this section should no longer happen.

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Labels

- Article 9 of the Code requires labels to NOT discourage breastfeeding but inform about the correct use of the product, the risk of misuse and abide by a number of other points.
- WHA resolution 54.2 (2001) advises exclusive breastfeeding for six months which means that the recommended age for use of complementary foods cannot be under 6 months.
- ❖ In Azerbaijan, Hero cereal sourced from its Turkish subsidiary Ülker is recommended for 4 month old babies. (see 1)
- ❖ In Kyrgyzstan, the label of **Bebe** milk biscuit, also sourced from Ülker, violates the Kyrgyz law by showing an idealising picture of a mother and baby. It contains a message to mothers to start feeding baby complementary foods from 4 months and explains how **Bebe** has twelve vitamins and seven minerals which are ideal for baby's development. Apart from a sticker in Russian showing the product's nutrient content, everything else is in Turkish. (see 2)
- ❖ In Switzerland, the labels of the entire **Adapta** formula range normalise bottle feeding with a drawing of a feeding bottle – a hard to clean model to boot. (see 3)
- ❖ In the UAE, the **Hero Baby Cereal with Follow-on Milk** (see 4) and **Apple Compote** (see 5) are recommended as suitable for babies from 4 months. The cereal label also promotes other complementary foods and juices.

