

Hong Kong Code of Marketing of Formula Milk and Related Products, and Food Products for Infants & Young Children (“HK Code”)

A Summary of the HK Code

<u>Article</u>	<u>Major Provisions</u>
1. Title of the Code	This Code is named as the Hong Kong Code of Marketing of Formula Milk and Related Products, and Food Products for Infants & Young Children (“the HK Code”).
2. Aim and Scope	<p>The HK Code aims to contribute to the provision of safe and adequate nutrition for infants and young children by protecting breastfeeding and ensuring the proper use of designated products, on the basis of adequate and unbiased information and through appropriate marketing.</p> <p>The HK Code applies to the following <u>designated products</u> for infants and young children under 36 months old:</p> <ul style="list-style-type: none"> ● Infant formula ● Follow-up formula ● Formula milk related products: Feeding bottles and teats ● Prepackaged food products for infants and young children
3. Definitions	Terms used in the HK Code are defined.
4. Information and Education (to the general public, expectant parents and parents)	<p><u>Information and education provided by manufacturers or distributors (M&Ds)</u></p> <p>M&Ds of designated products should not perform / sponsor educational activities nor produce and distribute informational / educational materials on <i>breastfeeding and formula milk feeding</i>.</p> <p>Nevertheless, M&Ds may:</p> <ul style="list-style-type: none"> ● distribute and reproduce the informational / educational materials on <i>breastfeeding and formula milk feeding</i> prepared by the Department of Health, with the source of information acknowledged, and

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	<ul style="list-style-type: none"> ● produce, donate or distribute informational / educational materials <i>on matters related to infants and young children other than breastfeeding and formula milk feeding</i>, <p>provided that such materials do not contain the name, brand name, packshot, logo and / or trade mark of any formula milk and formula milk related product.</p> <p><u>Provision of product information by M&Ds</u></p> <p>M&Ds should only provide product information about formula milk, feeding bottles and teats <u>upon request</u>, via electronic (e.g. websites, emails) or physical means (e.g. hot-lines, at the premises of retailers or at health care facilities). The information provided should be factual and correct and does not undermine or discourage breastfeeding.</p> <p>Notification of pre-order service for formula milk provided by any parties should only contain essential information pertaining to the operation of order and delivery.</p> <p><u>Information and education provided by other parties</u></p> <p>Parties other than M&Ds may produce or distribute informational / educational materials on <i>infant-and-young-child feeding and nutrition</i>, provided that such materials:</p> <ul style="list-style-type: none"> ● do not contain the brand name, logo or trade mark of formula milk and formula milk related product nor the name of M&Ds except for matters concerning public health / risks, and for patient care; and ● explain the relevant points about breastfeeding, complementary feeding, formula or bottle feeding as specified.
5. Promotion to the Public	<p>M&Ds should not carry out promotional activities involving formula milk, and formula milk related products. Such activities include but are not limited to advertising, using special displays, and offering prizes or gifts such as free samples.</p> <p>M&Ds may promote prepackaged food for infants and young children, provided that the promotional activity does not:</p> <ul style="list-style-type: none"> ● cover infants less than 6 months of age, ● take place in health care facilities, and ● promote formula milk or formula milk related products.

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	M&Ds should not seek directly or indirectly personal details of infants, young children, expectant parents or parents of children under the age of 36 months; or inviting their participation in activities including baby shows and mother craft activities, for the purpose of promoting designated products.
6. Promotion in Health Care Facility	<p>M&Ds of designated products should not:</p> <ul style="list-style-type: none"> ● offer free designated products; ● provide equipment, gifts or samples; and ● promote or distribute designated products to any person via health workers / health care facilities.
7. Information and Promotion to Health Workers	<p>Informational materials about products provided by M&Ds should be limited to scientific and factual matters.</p> <p>M&Ds may provide designated products to health workers only for the purpose of professional evaluation or research at the institutional level.</p> <p><u>Sponsorship of Continuing Medical Education Activities:</u></p> <ul style="list-style-type: none"> ● M&Ds should exert no influence on the choice of speakers, topics to be discussed and sponsorship recipients. ● Any interest in or relationship with M&Ds should be disclosed. ● M&Ds should not distribute gifts / materials or promote designated products through the continuing education activity.
8. Labelling	<p>The container or label of a designated product should not:</p> <ul style="list-style-type: none"> ● include any image, text or other representation that is likely to undermine or discourage breastfeeding, that makes a comparison to breastmilk, or that suggests that the product is nearly equivalent or superior to breastmilk; ● promote bottle feeding; and ● convey an endorsement by a professional or other body.

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	<p>Product labels of formula milk, feeding bottles and teats should clearly state breastfeeding as the norm of infant feeding. Product labels of formula milk should also clearly state the need for the advice of a health professional before the use of formula milk and the health hazards of its use.</p>
<p>9. Implementation and Evaluation</p>	<p>M&Ds themselves are responsible for monitoring their marketing practices according to the principles and aim of the HK Code.</p> <p>Non-governmental organisations, professional groups, institutions and individuals concerned are invited to draw the attention of M&Ds to activities which do not follow the principles and aim of the HK Code.</p> <p>All parties are invited to collaborate with the Government to evaluate the overall effectiveness of the HK Code.</p> <p>Surveys will be conducted from time to time to evaluate the overall trends in marketing practices of designated products. Feedback and suggestions from members of the public will also be collated and analysed. The overall effectiveness of the HK Code will be reported to the Committee on Promotion of Breastfeeding, which will further advise the Government on the future strategies and actions to promote and protect breastfeeding and infant-and-young-child nutrition.</p>

Food and Health Bureau

Department of Health

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