



Nestlé Central America Region – El Salvador

***Independent assurance of compliance with the
World Health Organisation (WHO) International
Code of Marketing of Breast Milk Substitutes
(1981) and subsequent World Health Assembly
(WHA) resolutions***

September 2009



Introduction

Bureau Veritas has been commissioned by Nestlé S.A. to provide an independent assurance of Nestlé Central America Region (Nestlé CAM) compliance with the World Health Organisation (WHO) International Code of Marketing of Breast Milk Substitutes (1981) and subsequent World Health Assembly (WHA) resolutions (herein known as the WHO Code) in El Salvador. This follows similar work previously conducted by Bureau Veritas for Nestlé in its other global operations.

Scope of Work and Methodology

The assurance was conducted in El Salvador between 8 and 18 September 2009 by two assessors from Bureau Veritas UK Ltd with extensive experience of undertaking WHO Code compliance related work, supported by a representative of Bureau Veritas' regional Guatemala City office.

Preceding the assurance activities in El Salvador, Bureau Veritas conducted the following activities:

- ▶ requested a list of Nestlé CAM employees in Costa Rica (Regional Head Office) and El Salvador, hospitals and healthcare professionals (HCPs), distributors and retailers from Nestlé CAM. This list was amended and supplemented by Bureau Veritas to arrange an independent schedule of interviews and visits for the assessment period;
- ▶ identified other external stakeholders (through the Bureau Veritas office in Guatemala) and local non-governmental organisations (NGOs) concerned with the protection, promotion and support of breastfeeding in El Salvador; and
- ▶ independently determined a schedule of interviews to take place in El Salvador between 8 and 18 September 2009.

During the assurance Bureau Veritas:

- ▶ undertook forty-four interviews with a comprehensive range of key external stakeholders (multilateral organisations, NGOs and HCPs). Nestlé was not disclosed as the client in order to avoid bias during interviews neither was Nestlé CAM informed in advance of who would be interviewed (except where stated);
- ▶ selected and visited twenty-four healthcare facilities (twelve private and twelve public) and fifty-one retail locations to visually assess compliance with the WHO Code with reference to articles relating to labelling and promotion of products; and
- ▶ selected Nestlé CAM staff and records in Costa Rica and El Salvador for respective interview and review, as part of an evaluation of Nestlé CAM's own management system documentation relating to compliance with the WHO Code.

Findings

The following is a summary of findings from interviews and document review undertaken with a range of key stakeholders:

Healthcare facilities and professionals

Evidence gathered through interviews with HCPs and observations made by Bureau Veritas within healthcare facilities indicate that the majority of IF manufacturers appear to be regularly operating in contravention of the WHO Code within El Salvador.



97% of HCPs interviewed stated that IF manufacturers frequently provided them with samples of IF products, often as frequently as once a month. Bureau Veritas observed both full sized (400g) and sample sized (160g) IF formula samples in all private healthcare facilities visited.

None of the samples observed by Bureau Veritas were Nestlé IF products.

Anecdotal evidence suggests Nestlé has a good reputation amongst HCPs, with a number of HCPs commenting on the knowledge and professionalism of Nestlé delegates. 38% explicitly stated that Nestlé CAM Medical Delegates do not provide samples of IF products and 18% considered Nestlé CAM Medical Delegates to be more professional and ethical in their approach to WHO Code compliance.

However, one HCP interviewed stated that Nestlé frequently provided free samples of NAN HA, but Bureau Veritas was not able to determine any objective evidence in support of this claim. Further investigation of Nestlé records regarding the provision of samples for professional assessment did not corroborate the claim made by the HCP and therefore this claim remains unsubstantiated.

There was no evidence to suggest that Nestlé CAM engage in the promotion of IF products in healthcare facilities. No examples of Nestlé promotional material were observed in waiting areas or consulting rooms. However other IF manufacturers were found to be distributing a range of professional materials to HCPs carrying IF brand names and proprietary branding which were visible to mothers in HCP consulting room.

A selection of baby gift packs and bags bearing competitor IF brand names and proprietary branding (each containing one or two 400g samples of IF) were observed in 16% of the facilities visited. These gifts were donated to the private facilities for distribution to new mothers indirectly. Nestlé was observed to be the only IF manufacturer in El Salvador not undertaking this type of promotional activity.

Multilateral organisations/NGOs

Three multilateral organisations/NGOs with an interest in the WHO Code and in the protection and promotion of exclusive breast-feeding for the first six months were interviewed. One organisation generally held a positive view of Nestlé explicitly stating that Nestlé had the most professional and ethical of the IF manufacturers in its approach towards marketing of IF products and WHO Code compliance in El Salvador.

Government Officials

During the assessment, Bureau Veritas was able to secure interviews with two representatives from the Ministry of Health with an interest in the WHO Code. It is the opinion of both individuals that the new Government and the Ministry of Health is open to the engagement and involvement of the IF manufacturers in the formulation of future policy and legislation regarding breastfeeding and marketing of IF products in El Salvador.

One individual stated a view that there has been a significant change in behaviour of IF manufacturers over the last 3 years which has seen a decrease in the promotion of IF products to the



general public through national media channels with manufacturers increasingly concentrating their promotional activities in healthcare care facilities. It was also their view that this change was evident by “some more than others”.

Retailers (Supermarkets and Pharmacies)

Visual observations indicate that there is no systematic promotion of Nestlé (or competitor) IF brands within El Salvador through in-store advertisements, coupon redemption schemes, promotional pricing or any other promotional devices. Consistent pricing structures and labelling was evident at all retailers visited.

Nestlé CAM

All employees demonstrated that there was a good understanding of the WHO Code and the requirements it places upon their roles and the completion of their day-to-day responsibilities.

One item recently utilised by Nestlé CAM in the education and medical detailing of products to HCPs was considered by Bureau Veritas to be in contravention of Nestlé own guidelines for such materials. Nestlé CAM promptly issued a communication to halt distribution of the material in question and to undertake a recall of those items previously distributed.

Bureau Veritas opinion

From our assurance activities it is our opinion that:

- ▶ none of the free samples or promotional materials observed during the assessment period were attributable to Nestlé CAM;
- ▶ no other significant evidence came to our attention to indicate that Nestlé CAM is systematically operating in contravention of the WHO Code in El Salvador;
- ▶ there is recognition amongst external stakeholders (particularly HCPs) that Nestlé CAM can be considered to be amongst the leading manufacturing companies with regard to WHO Code compliance in El Salvador.

Bureau Veritas recommendations

Detailed findings and recommendations from our assurance activities have been provided to Nestlé S.A. in the form of an Internal Management Report.

Limitations

- ▶ Stakeholder interviews were limited to San Salvador, Santa Tecla, San Miguel, Santa Ana and their environs;
- ▶ Some additional stakeholders were identified but due to issues outside of Bureau Veritas control were unable to be interviewed

This limited assurance is not intended to provide a definitive opinion as to whether or not Nestlé CAM complies with the WHO Code within El Salvador. Consequently, neither the limited assurance conducted by Bureau Veritas nor this statement constitutes a guarantee or assurance by Bureau Veritas that infringements against the WHO Code have not taken place.



Statement of independence, impartiality and competence

Bureau Veritas is an independent professional services company that specialises in quality, health, safety, social and environmental management advice and compliance with almost 180 years history in providing independent assurance services.

Bureau Veritas has implemented a code of ethics across its businesses which ensures that all our staff maintains high standards in their day to day business activities. We are particularly vigilant in the prevention of conflicts of interest. This assurance assignment did not raise any conflicts of interest.

Bureau Veritas UK Ltd
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