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Breaches in Baby Food Advertisements

In a growing competitive market, companies in the nutrition sector have been trying to strengthen their market position by enlarging their product scope. In this respect, the baby food sector is expanding.

In order to develop their market share in this sector, many nutrition companies have started launching intensive advertising campaigns. However, under the effect of severe competition in the market, baby food advertisers have shown a tendency to ignore valid advertising principles under Turkish law. In some advertisements baby food products are being presented as nutritionally equivalent to breast milk.

Social Background

Research proves that no manufactured baby food has the equivalent nutritional benefits of breast milk. Nursing a baby for at least three months after the birth without any supplementary food is essential for his or her physical and cerebral growth. Unfortunately, particularly for working mothers, it is not always possible to nurse the baby during the day.

Thus, in recent years, under the pressure of demanding working conditions and with the encouragement of baby food advertisements that present products as almost as good as breast milk, the number of women feeding their babies with supplementary baby food has significantly increased.

Therefore, in order to heighten social awareness, some social associations have been working with the relevant administrative authorities to organize publicity campaigns to promote the benefits of feeding with breast milk.

Legal Background

In Turkey, a vast amount of legal material regulates baby food production, packaging requirements, food additive content and official registrations - in particular, the government's Communiqué on Baby and Infant Food, which was published in the *Official Journal* on August 16 2000. Unless the baby food is produced in accordance with regulations, the product cannot be introduced into the market or advertised as baby food. In addition, the applicable legislation prevents companies from releasing advertisements that present the baby food as nutritionally equivalent to breast milk.

However, despite the clear wording of the relevant legislation, the number of baby food advertisements breaching these advertising principles has increased. As a result, the Advertising Board has commenced imposing severe penalties on infringing baby food producers.

In a recent decision regarding the advertising of a baby food produced by one of the largest nutrition companies in Turkey, the Advertising Board banned the advertisement and fined the company TRY60,000 (approximately €30,000). This fine will be doubled if the same producer infringes the advertisement regulations for a second time. The fined advertisement bore the tagline "infant formula, one step closer to breast milk", which the board determined would encourage consumers to replace breast milk with the baby food. Advertising baby food by way of emphasizing a nutritional equivalence between the product and breast milk is forbidden in Turkey as it may encourage mothers to feed their babies with baby food instead of breast milk.

Comment

Despite strict monitoring by the regulators, market advertisers are under severe competition and thus continue to advertise their baby foods as magic formulae. The educational campaigns to be launched by consumer and health associations, as well as the efforts of the relevant regulatory authorities, will be of great importance in heightening the social awareness of Turkish mothers.

