

# Development of Infant Formula Marketing Controls

## Stakeholder Forum

Virtual Webinar

Forum 1: Thursday, 12 June 2025, 10:00am

Forum 2: Tuesday, 17 June 2025, 9:30am



Australian Government  
Department of Health and Aged Care

[www.health.gov.au](http://www.health.gov.au)



# Acknowledgement of Country



Ngunnawal Country



Australian Government  
Department of Health and Aged Care

*The Department of Health, Disability and Ageing acknowledges the Ngunnawal people as the traditional owners of this land on which we work and live. We acknowledge and respect their continuing culture and connections to land, water and community, and pay respects to the Elders of the Ngunnawal Nation past, present and emerging.*

Picture source: <https://www.nma.gov.au/learn/encounters-education/community-stories/canberra>

# We are seeking stakeholder views on the development of mandatory controls on infant formula marketing

## Forum 1 – Thursday, 12 June 2025:

- Breastfeeding Advocacy Groups
- Government
- Health Peak Bodies
- Academic & Independent Experts
- Public Health Bodies

## Forum 2 – Tuesday, 17 June 2025:

- Industry Bodies
- Government

## Process:

- Identical format and content
- Pre-registered speakers only
- 3 minutes speaking time
- Summary of all questions and answers to be shared across both groups

## Objectives:

- Obtain useful information
- Increase our understanding of the various stakeholder views
- Provide transparency and information on implementation processes



# Mandatory controls on infant formula marketing in Australia are being developed to help protect breastfeeding rates

## Breastfeeding rates in Australia

Exclusive breastfeeding is recommended to around 6 months of age

Global breastfeeding rates have increased by 10% over the last 10 years to **48%**

Australia's breastfeeding rate is lagging at **37.5%**<sup>1</sup>

In 2022, only **2 in 5** infants were exclusively breastfed to 6 months

Only **43%** of infants aged 12 months were still receiving breast milk

## Why restrict marketing?

Protect breastfeeding rates

Support appropriately informed consumer choice

Limited controls in place until controls are mandated

MAIF Agreement not reauthorised

## Relevant policies

Previous MAIF Agreement

WHO International Code of Marketing of Breast Milk Substitutes

1. Australian Bureau of Statistics (2023). Breastfeeding, 2022. Australian Bureau of Statistics.

Note 1: The 2010 Australian National Infant Feeding Survey (AIHW, 2011) found only 15% of infants were exclusively breastfed to up to 6 months.

Note 2: The 2010 Australian National Infant Feeding Survey (AIHW, 2011) found just over 42% of infants aged 7-12 months were receiving any breastmilk

Note 3: Standard 2.9.1 and Schedule 29 of the Australia New Zealand Food Standards Code regulate composition, packaging, labelling and restrictions on sales requirements for infant formula products.



# The Government outlined plans to introduce mandatory controls for the marketing of infant formula in October 2024

2021

- July: MAIF Agreement reauthorised by the ACCC for 3 years.
- ACCC recommended a comprehensive review on the effectiveness of the MAIF Agreement be conducted prior to 2024 reauthorisation.

2021-  
2023

- Allen and Clarke Consulting engaged to conduct the independent review.
- Review concluded the MAIF Agreement was no longer fit for purpose.
- A stronger mandatory framework was recommended in its place.

2024

- March: Infant Nutrition Council requested a 5-year reauthorisation of the MAIF.
- The Department and Government provided a response to the ACCC supporting reauthorisation as a pathway towards mandatory controls.
- October: The Government announces its intention to mandate controls on infant formula marketing.

2025

- 6 February: ACCC did not reauthorise the MAIF Agreement.
- 28 February: the MAIF Agreement expired.

# The scope of the mandatory controls is intended to cover all provisions of the former MAIF Agreement

This will restrict manufacturers and importers of infant formula from:



Engaging in all forms of marketing of infant formula to mothers and the public, including on digital platforms



Providing free samples and gifts that may promote the use of infant formula



Using health care facilities for the purpose of promoting infant formula



Offering health care professionals financial or material incentives to promote infant formula



Utilising personnel employed in marketing to perform educational functions in relation to pregnant women or parents of infants and young children



# The Government would only expand the scope to toddler milks and retailers if/when there is supporting evidence in Australia

## The 2023 Review of the MAIF Agreement:

- Found insufficient evidence to justify expanding the scope of future regulations to include toddler milks and retailers.
- Suggested the potential benefits of expanding the scope would be unlikely to justify the costs.



The Department has commissioned the development of an AI monitoring tool to help monitor infant formula and toddler milk marketing

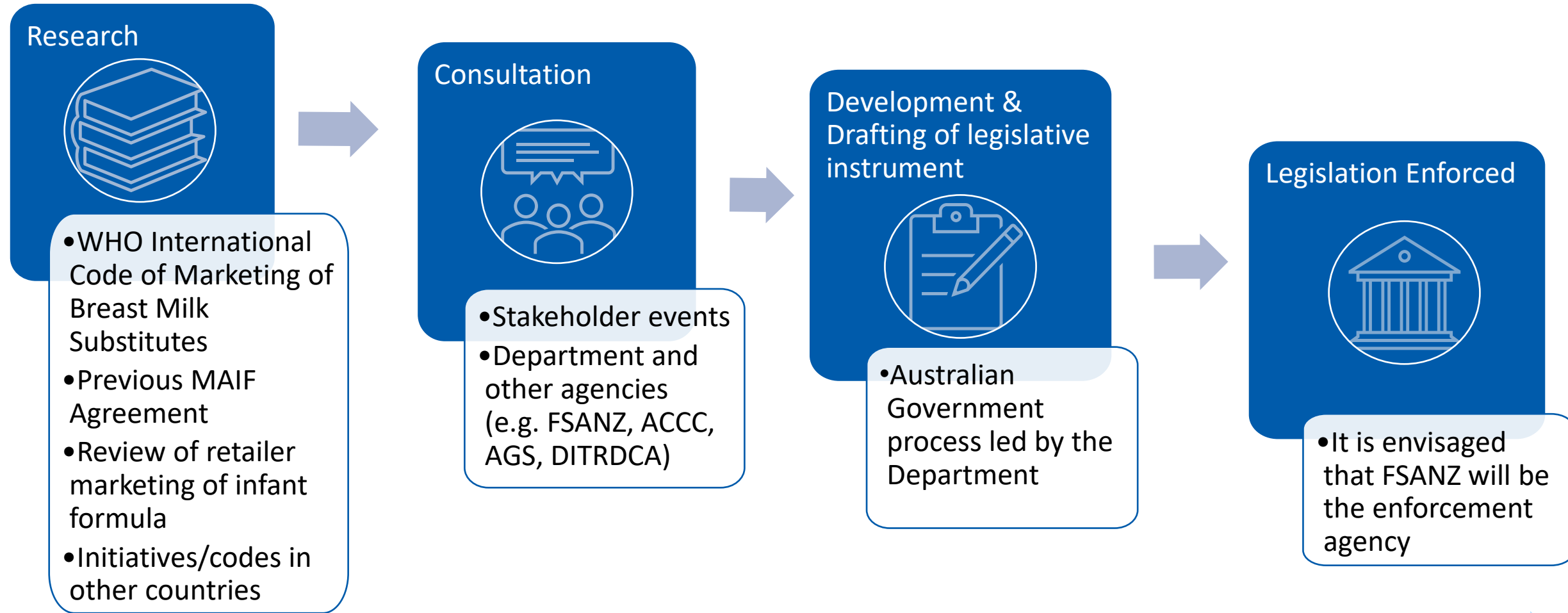
FSANZ to review toddler milk provisions in Food Standards Code



The inclusion of retailers (supermarkets and pharmacies) in future regulations is currently being explored in an independent review



# Developing legislation involves extensive research and consultation



Mandate announced

Research

Stakeholder Engagement

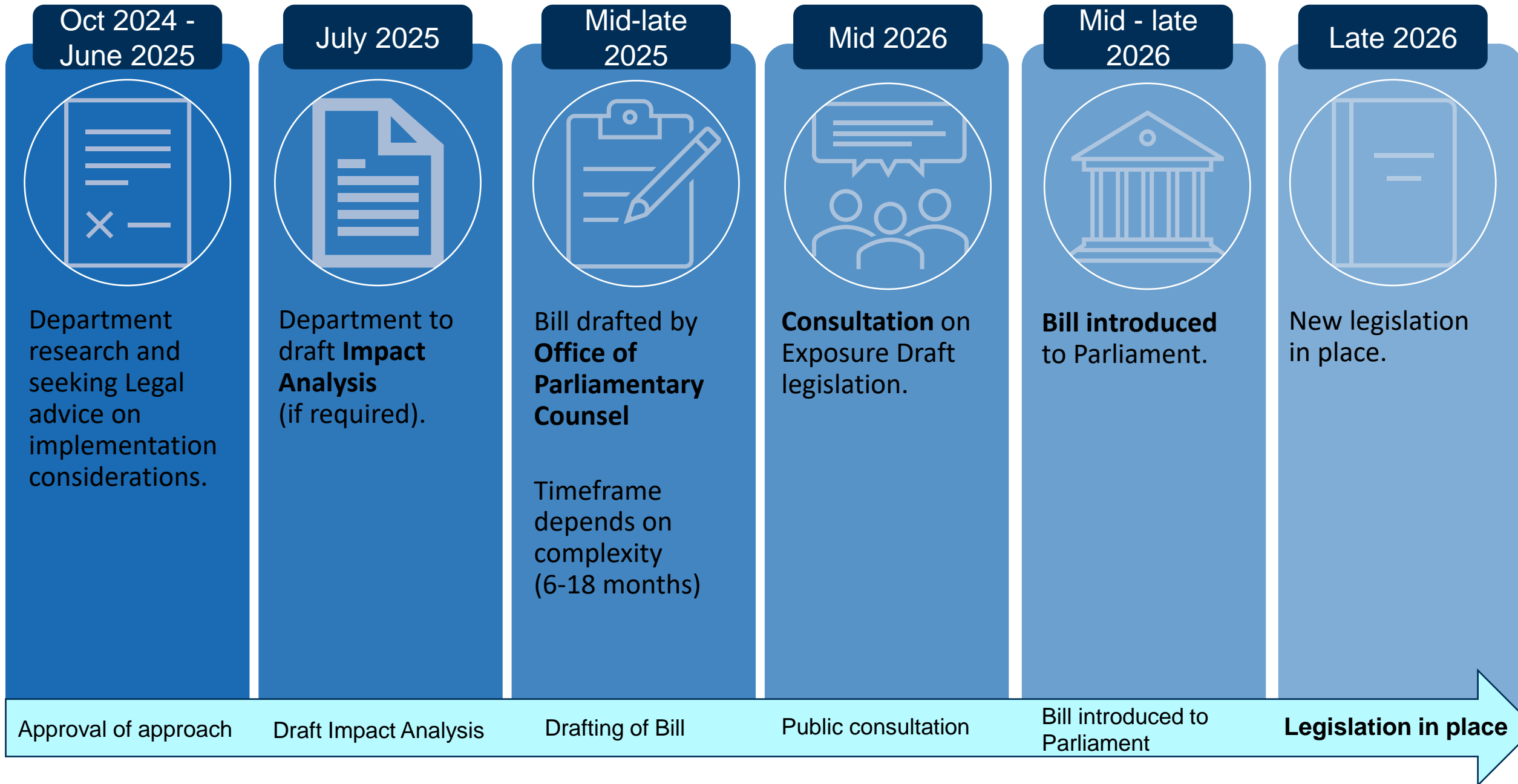
Drafting of legislation

Bill introduced to Parliament

**Legislation in place**



# Implementing legislation takes time...



# We want to hear your views to inform our process

Our questions include:

- What does success look like in 3 years time? And in 10..?
- Which restriction (media/setting) do you believe will have the greatest public health impact?
- Are there other aspects of the WHO Code that should be prioritised for adoption in Australia?
- What monitoring, evaluation and enforcement tools and processes do we need to consider?
- How important is separation of personnel involved in development and enforcement of controls?
- Are there any unintended consequences we should be considering?
- Is there anything else that should be considered?



A blurred background image showing a crowd of people with their hands raised, suggesting a public event or a meeting where questions are being asked.

# Over to you...

Please type any questions in the Q&A function in Teams

Written advice can also be sent to: [infantformula.policy@health.gov.au](mailto:infantformula.policy@health.gov.au)