



Good food, Good life

Code of Interaction with Healthcare Professionals and Institutions for Nestlé Nutrition Business Units



Nestlé

Gu

Guideline
Recommended

General Use

Issuing department

B-Nutrition, Corporate Governance & Compliance, Global Public Affairs

Target audience

All employees, interested members of the public

Approver

Global WHO Code Compliance Committee

Repository

All Nestlé *Principles and Policies, Standards and Guidelines* can be found in *NestleDocs*, on the Nest

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Note: In October 2019, this current Guideline replaced the *Guideline on Sponsorship of Health Workers and Institutions for Professional Development and Scientific Research*.

Design

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1. Introduction

With 150 years of experience in infant and young child nutrition, we know that parents always try to give their children the very best start, and they deserve help and support. Parents should have access to all the unbiased information and support they need to make informed nutritional choices.

For that reason, Healthcare Professionals (HCP) and Healthcare Institutions (HCI) play an essential role in improving the nutrition of infants and young children. They guide and influence babies' feeding practices when they can provide objective, updated science-based advice about breastfeeding, weaning and appropriate nutrition.

Accurately informed health workers can help parents to understand what is best for their personal situation and their baby's nutritional needs when they are not breastfed. The WHO International Code of Marketing of Breast Milk Substitutes (WHO Code) and all relevant subsequent World Health Assembly (WHA) resolutions acknowledge this.

They highlight the importance of updating health workers on infant nutrition products developed or improved by manufacturers, and require that the information given by companies about their products is objective, scientific and factual, and does not imply that bottle-feeding is equivalent or superior to breastfeeding.

Healthcare professionals should regularly update their knowledge of nutritional science and research. However, not all public health administration, medical society or healthcare professionals have the resources to attend educational conferences and congresses.

The private sector provides important support by offering science-based nutrition information to these audiences. With clear guidelines and policies in place to ensure transparency and eliminate conflicts of interest, healthcare professionals can stay up-to-date on maternal, infant and young child nutrition research, which in turn can benefit the health and nutrition of their patients.

Interaction with healthcare system workers can take many forms. Symposia, congresses and other scientific events help disseminate relevant scientific or clinical knowledge and experience to and between health workers. Information on translating the latest Research & Development into new technology (or the evolution of product properties) may also be shared with health workers within the framework of professional meetings.

This is not only a one way flow of information. We need to collaborate with leading universities and research institutes worldwide and establish appropriate interactions with the scientific and medical community, to help us develop products with the best science and innovation. Such cooperation can provide an important contribution towards manufacturing infant nutrition products that are:

- science-based;
- supported by sound clinical validations;
- endorsed by scientists and health practitioners.

We benefit from the knowledge of the medical community as much as it benefits from us. This ultimately benefits mothers and babies and this is how we can contribute to providing optimal nutrition in the first 1000 days of life.

2. Scope and Responsibilities

This Code of Interaction with Healthcare Professionals and Institutions for Nestlé Nutrition Business Units (HCP Code) sets the principles for interactions between our Nutrition Business Units and the healthcare system.

Where these interactions relate to breastmilk substitutes, these guidelines complement the relevant sections of the *Nestlé Policy for implementing the WHO Code*, with more detailed guidance on how Nestlé interacts with health workers and institutions.

This HCP Code applies to all Nutrition businesses¹ in both high and lower risk countries and include infant and maternal nutrition.

All employees working in the Nutrition businesses, engaged in or supporting educational activities and interactions with Healthcare Professionals and Institutions are responsible for reading, understanding, and complying with this HCP Code.

In addition, the Management Responsibilities set out in the Nestlé Policy for implementing the WHO Code apply.

¹ Nutrition businesses refers to all Nutrition business units but does not include Nestlé Health Science business units.

3. Principles of Engagement

Our strong, compelling principles help us act in the best interests of mothers and babies:

- We are committed to support breastfeeding as the ideal nutrition for babies. We recommend breast feeding over all other feeding alternatives;
- Every child has the right to the best possible first 1000 days of life;
- Caregivers should have access to the highest quality solutions for the range of choices they may make;
- All solutions must be rooted in current, high quality nutritional and behavioral science;
- All mums should feel respected and at peace with their decision about how to feed their baby;
- Achieving the best possible nutritional outcomes requires responsible engagement and advocacy with all stakeholders;
- These principles apply equally, everywhere.

Based on these principles, it is paramount that the ultimate purpose of interactions with Healthcare Professionals is to enhance the practice of medicine in line with the aim of the WHO Code (art.1):

- *to contribute to the provision of safe and adequate nutrition for infants, by the protection and promotion of breastfeeding, and by ensuring the proper use of breast milk substitutes, when these are necessary, on the*

basis of adequate information and through appropriate marketing and distribution.

Interactions with Healthcare Professionals by employees in the Nutrition division must be consistent with the duties that Healthcare Professionals have to their patients or clients. At all times, these interactions must be ethical, appropriate and professional and should not create any conflict of interest.

All interactions must comply with applicable local laws, regulations and industry codes and the principles set forth in the Nestlé Policy for implementing the WHO Code. In the event of a conflict between HCP code and local applicable laws, regulations and industry codes or the Nestlé Policy for implementing the WHO Code, the more restrictive provision applies.

Guided by our adherence to the WHO Code, through our Nestlé Policy for implementing the WHO Code which define the conditions of interaction with healthcare workers and the healthcare system, we will²:

- emphasize the superiority of breastfeeding, the WHO Code and give objective information on scientific and factual matters pertaining to formula and its correct use. Claims must not imply that products, or an active ingredient, has some special merit, quality or property unless this can be substantiated.

² Please refer to art. 7.2, 7.3 and 7.5 of the Nestlé Policy for implementing the WHO Code.

- not provide financial or material inducements to healthcare workers or members of their families to promote breastmilk substitutes as defined by the local legislation or our Nestlé Policy for implementing the WHO Code whichever is stricter;
- inform transparently the healthcare workers' institutions about contributions for fellowships, study tours, research grants, attendance at professional conferences or the like.

4. Code of Practice

Events, professional meetings and hospitality

Healthcare Professionals attendance at events (organized by Nutrition businesses or third parties) will be linked to the scientific and medical aspects of nutrition and health of women of childbearing age, infants and young children. They could encompass good nutrition of mothers, optimal breastfeeding, appropriate use of breastmilk substitutes when children are not breastfed, adequate introduction of complementary food, and/or supporting the professional development of health workers, with the aim of improving quality of care, notably through better nutrition education and the development of the best products.

Sponsorship to attend an event must not be a reward to a favored health worker or institution, or an inducement to recommend, prescribe or purchase our breast milk substitutes or related services (including recommending in general breast milk substitutes over breastfeeding). The sponsorship does not require or imply endorsement by the recipients of Nestlé's policies or activities.

The activity and the sponsorship should be disclosed by Nestlé to the institution (or professional association if applicable) to which the health worker is affiliated. Conflicts of interests must be avoided.

Thus, we shall not organize or sponsor an event unless the following requirements are met:

- Sponsorship of health workers is limited to the payment of travel, meals, accommodation and registration fees;
- No payments are made to compensate health workers for time spent in attending the event;
- No payments are made in relation to costs associated with individuals accompanying invited health workers, unless such individuals independently qualify for payment of such costs. Therefore, spouses and other accompanying persons may not attend the actual meeting and may not receive any

associated hospitality at the company's expense; the entire costs which their presence involves are the responsibility of those they accompany.

We will not organize or sponsor an event that takes place outside a Nestlé entity's home country unless:

- a significant portion of the invited HCPs are from outside the Nestlé entity's country and it makes greater logistical or security sense to hold the event in another country; or
- the relevant resource or expertise that is the object or subject matter of the event is located outside the country of the Nestlé entity.

Hospitality shall be limited to refreshments and/or meals incidental to the main purpose of the event and shall only be provided to participants of the event. As a general rule, the hospitality provided may not exceed what health worker recipients would normally be prepared to pay for themselves, taking into account the local context, and should not take place in a lavish or extravagant venue. Instead, locations and venues must be conducive to the main purpose of the event and must not be renowned for their entertainment activities.

No standalone entertainment or other leisure or social activities shall be provided or paid for, including but not limited to: golf, sporting events, concerts, theatre or other live entertainment, paying the cover charge for a bar or a club, spa treatment, sightseeing tours etc.

Professional meetings organized with Healthcare Professionals to disseminate objective, factual and science-based information on products or solutions pertaining to infant and young children nutrition shall be held in an appropriate venue that are conducive to the main purpose of the event or meeting. Extravagant venues are to be avoided.

Third party conferences: Nutrition businesses and their entities may support with financial or material contribution the organization of independent educational and

scientific conferences and meetings. The purpose of such third party events must be to provide scientific or educational information. Such conferences should be generally recognized and respected within the medical community and relate to Nutrition in the first 1000 days of life. Such support must be disclosed, as required. Hospitality provided in connection to the event must be appropriate and will not include Nutrition businesses support or organization of entertainment events (i.e. leisure, sporting events, theatres...).

Consulting arrangements with health workers

Nestlé may enter into bona fide consulting arrangements with health workers for the legitimate purposes set out in this document.

A legitimate need and scope for the services of a Healthcare Professional must be clearly identified in advance of commencing the services or entering into contractual arrangements for the services.

Health workers who provide genuine advisory services under bona fide consulting arrangements may be offered reasonable, fair-market compensation for those services and reimbursement for reasonable travel, lodging and meal expenses incurred as part of providing those services.

Research, academic activities and scholarships

Nestlé may provide funds to support genuine independent research, advancement of science or education, or patient and public education in relation to maternal, infant and young child nutrition. Research may also be initiated and organized by a university or a recognized third party institute.

We may also sponsor health workers to benefit from academic activities. Activities might include funding of attendance at a course or seminar or funding for further education, such as fellowships, study tours and research grants. Decisions to fund academic activities must be solely based on their academic merits (such as their relevance to the health care profession) and the inherent bona fide interests in advancing education or science-based knowledge. Any contributions made must follow a clearly defined process and must not represent endorsement of, or create the impression of such endorsement of Nestlé's activities or infant nutrition products by the recipient.

Donations

Nutrition employees must not attempt to use items of significant value and any type of incentives to influence the prescribing, dispensing, supplying, purchasing, administering, recommendation, or use of a breastmilk substitute. The Healthcare Professional's decision to prescribe or recommend a particular breastmilk substitute must be based first and foremost on an evaluation of the available medical science and the need of mothers and babies.

The following types of donations pursue a legitimate purpose and are in accordance with the principle set out above:

Equipment and items of professional utility³ may not be used as an inducement to sell or prescribe products. If allowed by local regulations and consistent with company policies, items of professional utility may be provided to healthcare workers and other professionals working for healthcare institutions. These must be reasonable, modest and appropriate and must not create the appearance of improper influence or illegitimate advantage. Such material or equipment may bear the company name and logo, but may not bear any products brand or logo, as defined by the local legislation or the Nestlé Policy for implementing the WHO Code.

Educational items⁴: where permitted by local legislation and/or Nestlé Policy for implementing the WHO Code, Nutrition employees may give educational items (e.g. education charts, breastfeeding booklets, growth charts and videos) to Healthcare Professionals that are intended for the education of healthcare professionals or patients. Educational items must not have a value to a HCP outside the scope of his or her professional practice.

They should not name brands or contain brand logos of a breastmilk substitute as defined by the local legislation and/ or the Nestlé Policy for implementing the WHO Code and such material may only be made available to healthcare institutions and professionals upon their request and in accordance with any applicable government requirements or guidelines.

Donations and Grants (in cash or in kind or otherwise) to HCI are only allowed if:

- they are made for the purpose of supporting healthcare, research or education;
- they are documented and kept on record by the donor/grantor;

³ Please refer to art. 6.8 of the Nestlé Policy for implementing the WHO Code.

⁴ Please refer to art. 4.3 of the Nestlé Policy for implementing the WHO Code.

- they do not constitute an inducement to recommend and/or prescribe, purchase, supply, sell or administer specific Medicinal Products.

Donations and Grants to individuals are not permitted.

Products for professional evaluation (PPE)⁵

Samples of breastmilk substitutes as defined by the local legislation and/or the Nestlé Policy for implementing the WHO Code or equipment or utensils for their preparation or use, may not be provided to HCPs except for the purpose of professional evaluation and only in the following instances:

- To introduce a new product or new product packaging/labelling;
- To introduce a new formulation/recipe of an existing product;

- To introduce the range of products to new, or recently qualified, healthcare professionals;
- To gain experience of the efficacy of the product, including evaluating suitability and tolerance.

PPE may be provided to HCPs for short term use and in small quantities. Distribution of PPE is strictly limited in regularity and quantity to avoid excessive allocation of PPE to individual HCPs.

Products may also be provided for research or clinical validation, subject to completion of a research protocol. Clinical validations are not to be used as a sales inducement and are subject to detailed internal rules.

These products used for evaluation/clinical validation/research are required to be identified by stickers mentioning “Formula provided for evaluation/clinical validation/research – Not for Resale.”

⁵ Please refer to art. 7.4 of the Nestlé Policy for implementing the WHO Code.

5. Reporting a violation

Nestlé employees and the General Public are encouraged to speak up and report actual or potential violations of these Guidelines, the Nestlé Policy for implementing the WHO Code or applicable legislation.

Our internal and external grievance mechanisms can be used to report violations. If you are a Nestlé employee, you can:

- contact the Zone Nutrition Compliance Manager;
- contact the WHO Code Ombudsperson in your market;
- use *Speak up*, an externally run channel available to employees for raising concerns anonymously.

The concern will mandatorily be escalated to Global Public Affairs and to the General Counsel – Nutrition Strategic Business Unit.

If you are not a Nestlé employee, you can report your concern using *Speak Up* as well: it provides all our external stakeholders with a dedicated communication tool for reporting potential instances of non compliance with our Corporate Business Principles, policies and applicable laws, including WHO Code related matters. It is available worldwide 24 hours a day, 7 days a week, on our global and all markets’ corporate website.

The concern will mandatorily be escalated to Global Public Affairs and to the General Counsel – Nutrition Strategic Business Unit.

6. Definitions

Healthcare workers or healthcare professionals (HCP) are doctors, pediatricians, nurses, midwives and other caregivers working in the area of infant nutrition.

Healthcare institutions (HCI) are understood as the entity hiring healthcare professionals and delivering healthcare services to mothers and babies such as hospitals, clinics and dispensaries.

Donations and Grants: funds, assets or services obtained for free by HCPs or HCIs for the purpose of supporting healthcare, scientific research or education. Donations or grants do not imply any consequent obligation for the HCP or the HCI to the benefit of the donor in return.

Sponsorship: is a support provided by or on behalf of Nestlé, when permitted by law and as per these Guidelines as a contribution to support an activity (including an event) performed, organized or created by a HCI, a medical association or a Third Party.