

NOTE

<https://www.vnfkd.nl/informatie/nieuwe-regels-voor-zuigelingenvoeding-per-februari-2020/>

VNFKD release on the implications of the arrival of Delegated Regulation 2016/127

4. Presentation and advertising

Regulation (EU) 2016/127 contains the same requirements as in Directive 2006/141/EC on the presentation and advertising of infant formulae for 0-12 months.

In the Framework Regulation (EU) No. 609/2013, the following general provisions have been included, which were previously in Directive 2006/141 EC for infant formulae (0-12 months):

- The labeling, presentation and advertising of infant formula (0-12 months) should be such that it does not discourage breast-feeding;
- The labeling, presentation and advertising of infant formula (0-6 months) and the labeling of follow-on formula (6-12 months) must not contain images of infants. It should also not contain any other graphics or text that could idealize the use of these nutrients. It is permitted to use graphics on infant formulae (0-12 months) to make the products easily identifiable and to illustrate the preparation methods.

5. Code of Conduct for the Advertising of Infant Nutrition

The VNFKD Code of Conduct for the Advertising of Infant Nutrition was amended on 22 February 2020 to meet the new European requirements. This Code of Conduct provides, among other things, an explanation of the following subjects for infant formula (0-12 months): the advertising ban for infant formula, the requirements for advertising follow-on infant formula, the use of nutrition and / or health claims (including children's claims) on (follow-on) infant formula, the use of the terms "new" or "renewed" and labeling requirements for infant formula (0-12 months).

Food for special medical purposes for infants is not covered by this Code of Conduct.

Since March 2018, the Advertising Code Foundation has included the Advertising Code for Infant Nutrition, which is based on this [VNFKD Code of Conduct](#). A new version of the Advertising Code will shortly be published on <http://www.reclamecode.nl/>: the content of this text is identical to the VNFKD Code of Conduct for Advertising Infant Nutrition of 22 February 2020. GRS note: the NRC Code effective July 2020 is here: <https://www.reclamecode.nl/nrc/reclamecode-zuigelingenvoeding/>

Companies may publish statements about infant formula and follow-on infant formula in order to submit a pre-clearance test to the KOAG / KAG Inspection Board. During a pre-clearance assessment, it is evaluated whether the expressions used on a label or in advertising meet the legal requirements. By agreement, the Inspection Board may issue a clearance number for the communication.

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