

## Senator Edward Kennedy and the Breastfeeding Movement – a tribute

- excerpts from “*The Politics of Baby Foods. Successful challenges to an international marketing strategy*” by Andrew Chetley.

The publicity that grew up around the Nestlé boycott had another effect. Not only did people who were boycotting write to Nestle to let the company know of their displeasure, but many people also wrote to their Congressional representatives and senators asking them to take a stand on their issue. One of the senators who became interested in the issue was Edward Kennedy. He was chairman of the Senate Sub-Committee on Health and Scientific Research which had previously held hearings on the pharmaceutical industry. As the volume of mail about the infant-feeding issue grew, Kennedy decided to hold a hearing in May 1978 on the advertising, marketing, promotion and use of infant formula in developing countries.

Health workers with experience in developing countries, a representative from the WHO, a marketing expert, representatives from NGOs and executives from four companies – Abbott/Ross, Bristol-Myers, Nestlé and Wyeth – testified and submitted evidence. The hearing elevated the campaign in the United States and stimulated another wave of publicity. Public pressure had helped bring the hearing about, and as a result of the hearing, some of it which was televised, more people heard about the issue and more pressure generated. It vastly increased the amount of information available on the issue as well. A 1,500 page report of the hearing was crammed with argument and counter argument<sup>1</sup>.

Although the company representatives faced tough questioning from Kennedy and the other members of the committee, the conclusions of the hearing were little more than that more talks were needed. Kennedy recognized that the manner of infant-formula marketing in developing countries was adding to the enormous problems of infant illness and that the end-usage of formula products was not seen by the companies as a “prime factor” in their marketing considerations. This lack of responsibility concerned him and in June 1978 he organized a meeting with representatives from the industry to pursue the question further. He concluded that unilateral action by the United States to control the behavior of the American – based companies “might not be appropriate”<sup>2</sup>. He felt that an international solution to an international problem was required. He asked Dr Halfdan Mahler, director-general of WHO to convene an international meeting on the subject. International Council of Infant Food Industries (ICIFI) quickly notified WHO of its willingness to participate in such a meeting. As Nestlé put it, such a meeting would be the “proper forum for discussion of all questions related to the problems”<sup>3</sup>.

WHO and UNICEF agreed to hold the meeting and picked October 1979 as the date. Before the meeting took place, the industry exploited the “proper forum” message, avoiding wherever possible any public debate and calling for an end to the boycott and other public protest. The point being stressed was that there was no longer any need for public concern. The international agencies would be able to deal with the matter and an amicable solution would be found. For the industry it was an opportunity to regain control of the controversy by moving from the public arena to a more private place. Or in Nestlé’s words, “...the industry wished to shift the discussion on infant formula marketing back to the sphere of relevant government authorities, health professionals and industry experts”<sup>4</sup>.

As it happened, the October 1979 meeting was a much more public gathering than the industry had anticipated. It proved to be an important forum for the NGOs and truly launched the internalization of the campaign.

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<sup>1</sup> US Senate (1978), op. cit.

<sup>2</sup> P.T. Scott, “Innocents abroad: infant food technology at the law’s frontier”, *Virginia Journal of International Law*, 20,3,1980, pp641-2

<sup>3</sup> A. Furer, personal correspondence, 14 August 1979.

<sup>4</sup> McComas et al., op. cit., p.14