

Is there a working definition for “low-cost” supplies?

Yes. There is a general agreement that ending “low-cost” or “low-price” sales means ending sales at prices below the wholesale price or lower than 80 percent of the retail price, in the absence of a standard wholesale price. The reason for stopping low price sales is that low prices lead to the overuse of breast-milk substitutes.

Is the Code still relevant in view of the HIV pandemic and the increased need for formula?

Yes. Indeed the Code is even more important in the context of HIV, since the Code and resolutions:

- encourage governments to regulate the distribution of free or subsidized supplies of breast-milk substitutes to prevent “spillover”;
- protect children fed on replacement foods by ensuring that product labels carry necessary warnings and instructions for safe preparation and use; and
- ensure that a given product is chosen on the basis of independent medical advice.

The Code is relevant to, and fully covers the needs of, mothers who are HIV-positive. Even where the Code has not been implemented, its provisions still apply.