

Independent assessment report of Danone’s marketing practices in Gabon against the Danone Policy for the Marketing of Breastmilk Substitutes (BMS)



Introduction

Bureau Veritas UK Limited ('Bureau Veritas UK') has been engaged by Danone Early Life Nutrition ('Danone') to provide an independent assessment of alignment of its business in Gabon, operating as Danone Specialized Business in Gabon (the 'CBU'), with the Danone Policy for the Marketing of Breast-Milk-Substitutes (the 'BMS Policy'), the corresponding internal Corporate guideline, the BMS Directive, and any applicable local regulation ('reference documents').

In Gabon, the marketing of Breast Milk Substitutes is regulated through national level instrument called Decree No. 33 on the promotion and protection of breast-feeding and regulating the quality, marketing methods and use of infant food in the Republic of Gabon ('the Local Code').

Products covered by the BMS Policy and the Local Code are BMS intended for infants aged between 0 and 6 months ('Covered Products').

Scope of Work and Methodology

The assessment activities were conducted remotely between 02 -15 October 2023 using one Lead Auditor from the Bureau Veritas UK and one auditor from Bureau Veritas Cameroon. The Bureau Veritas UK Lead Auditor conducted the head office interviews via videoconference calls, and the Bureau Veritas Cameroon Auditor and the Bureau Veritas UK Lead Auditor conducted the marketplace audit both in country and remotely.

During the audit, Bureau Veritas undertook the following activities:

- Interviewed 13 CBU and 2 distributor personnel responsible for BMS sales, marketing, and compliance using video conferencing applications;
- Reviewed requested documentation and records relating to BMS marketing practices on a sample basis via file-sharing and screen-sharing applications. Topics covered included:
 - local procedures and alignment with the BMS Policy and other reference documents;
 - compliance monitoring, consumer and medical marketing materials and events, labels, internal and regulatory approvals, distribution of product for professional evaluation and training;
- Reviewed 2 e-commerce sites selling Covered Products, and social media webpages managed by the CBU;
- Visually assessed 44 retail locations selling Covered Products in Libreville city, Gabon. Bureau Veritas independently selected the locations that were visited;

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- Conducted a Health Care Professional (HCP) survey with five respondents and visited five health care facilities in Libreville; and
- Two anonymous inquiries to the customer careline.

Any findings identified during the verification have been categorised as per the following:

Non-conformance:

- Any failure to follow a written requirement specified within the BMS Policy
- A failure to achieve Local Code requirements as per our interpretation
- A purposeful failure of the company to correct non-conformances

Opportunity for improvement ('OFI'):

- A process/activity/document that, while currently conforming to the BMS Policy and the Local Code, could be improved to further strengthen the CBUs practices.

The following is a summary of key findings which includes non-conformances and opportunities for improvement.

Non-conformances:

Promotion of Covered Products

During the visual inspection performed for retail locations, it was observed that one retail store kept Nurse Confort Stage 1 (0-6 months) products along with some other brands at POSM counters with a visible price tag. The same products were available in the shelves that are inside the stores. From the on-the-spot observations and images captured, it was concluded as promotional activity for the covered products.

There was no evidence to suggest that these perceived promotions were placed at the request or with the approval of Danone or the CBU. However, these cases amount to a non-conformance in the marketplace with Danone Policy Articles 3.1 and 3.3.

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Opportunity for Improvement:

Training records maintained at CBU

It was observed that various categories of trainings were conducted by the CBU on topics such as BMS Compliance, Corporate induction, e-learning compliance, Careline, Partner training etc. Each training category has its training calendar developed for the year and record keeping system such as attendance sheet, certificate, excel based records etc. Keeping this in view, the CBU may consider a single system of record (A summary consolidated report) with all the trainings conducted across the year for all categories. This will explain all the relevant details in one training summary record.

There were several areas identified where the compliant practices are well-managed, and these instances have been summarised in an internal report to Danone.

Limitations

2020-23 – Amended Assessment Approach

Since the COVID-19 pandemic outbreak in 2020, Bureau Veritas has transitioned to an amended hybrid delivery approach. In this instance, UK based auditors conducted the CBU interviews remotely and in-country auditor conducted visits to retail outlets only in order to visually assess alignment with the BMS Policy in Gabon. HCP surveys were conducted by telephone instead of face-to-face interviews at HCOs. This amended delivery approach has the limitation that interviews with stakeholders may not provide the same level of detail or information when conducted remotely. These are in addition to the limitations of conducting this type of engagement where travel to the country of assessment does take place.

Visual inspections of retail outlets were limited to the city of Libreville. Whilst our methodology is designed to provide an objective independent assessment, it remains that some of the statements made by stakeholders are anecdotal and evidence may not be available to support their claims.

This statement is not intended to provide a definitive opinion as to whether the CBU complies with the BMS Policy. Neither the assessment conducted by Bureau Veritas nor this statement constitutes a guarantee or assurance by Bureau Veritas that infringements against the BMS Policy and local legislation have not taken place.

It is also not within Bureau Veritas' scope of work to provide an opinion or assessment over the appropriateness of the BMS Policy.

Bureau Veritas UK Ltd, 5th Floor, 66 Prescott Street, London E1 8HG | 0845 600 1828 | www.bureauveritas.co.uk

Registered in England 1758622

Bureau Veritas Registered Office: Suite 206 Fort Dunlop, Fort Parkway, Birmingham B24 9FD

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Statement of independence, impartiality, and competence

Bureau Veritas is an independent professional services company that specializes in quality, environmental, health, safety, and social accountability with over 190 years history in providing independent assurance services.

Bureau Veritas has implemented a Code of Ethics across its business which ensures that all our staff maintains high standards in their day to day business activities. We are particularly vigilant in the prevention of conflicts of interest.

Our assessment team members do not have any involvement in any other projects with Danone outside those of an independent assessment scope and we do not consider there to be a conflict between the other services provided by Bureau Veritas and that of our assurance team.

The core team of Bureau Veritas UK has extensive experience of undertaking BMS compliance assessment related work. Our team completing the work for Danone has extensive knowledge of conducting assurance over environmental, social, health, safety and ethical information and systems, and through its combined experience in this field, an excellent understanding of good practice in corporate responsibility, assurance and BMS compliance.



Bureau Veritas UK Ltd

London

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