

Independent Verification of Compliance with the Danone Policy (2018) and Procedure for the Implementation of The WHO International Code of Marketing of Breastmilk Substitutes (BMS)



Introduction

Bureau Veritas UK Limited ('Bureau Veritas UK') has been engaged by Danone Specialized Nutrition ('Danone') to provide an independent assessment of alignment of its business in Cameroon, 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 Cameroon, the Government has implemented the WHO Code and related requirements mainly through DECREE NO. 2005/5168/PM OF 1 DECEMBER 2005 REGULATING THE MARKETING OF BREAST MILK SUBSTITUTES that governs the marketing control on food for infants and young children in Cameroon (the Local Code).

Products covered by the BMS Policy and the Local Code are BMS intended for infants aged between 0-12 months ('Covered Products').

Scope of Work and Methodology

The assessment activities were conducted during the period with one auditor from the Bureau Veritas UK Assurance Services team undertaking activities remotely and one local auditor from Bureau Veritas Cameroon undertaking activities in-country ('the assessment team').

During the audit, Bureau Veritas undertook the following activities:

- Interviews with 14 CBU and 2 distributor personnel and responsible for BMS sales, marketing, and compliance;
- 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;
- Sample review of 1 local e-commerce sites selling Covered Products;
- Visual assessment of 46 retail locations selling Covered Products in Douala, Cameroon. Bureau Veritas independently selected the locations that were visited;
- A Health Care Professional (HCP) survey with 3 respondents

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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 CBU's practices.

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

Non-conformances:

1. Induction training delays

During the country Head Office interviews and through a review of training records it was found that the inductions of 2 new starters took place 8 months and 11 months respectively after starting i.e. later than required by clause 11 Employees and Partners which states 'All Danone Employees and Partners responsible for the Marketing of Covered Products receive training' and 15.3 Training Danone's Policy for the Marketing of Breast-Milk Substitutes which states 'Training is conducted initially on commencement of employment'. This non-conformance is acknowledged to be a partially self-identified issue.

2. Digital Point of Sale

During the market place audit it was noted that a online supermarket was offering Danone covered product at a discount. This is not consistent with Clause 3.3 Promotion of Danone Policy for the Marketing of Breast-Milk Substitutes which states 'Danone does not use point of sale, advertising, sampling or any other promotional devices to induce sales of Covered Products directly to the consumer at retail level' and clause 3.1 of the same which states 'Danone does not advertise or promote Covered Products to the general public'.

Bureau Veritas notes that there was no evidence to suggest that this promotion was at the request of or with the consent of Danone.

3. Digital Point of Sale - product description

During the marketplace audit it was noted that the 1 digital point of sale – a Cameroonian online supermarket (an e-commerce platform), were offering Danone covered product.

The e-commerce platform created a product description that is not consistent with the requirements of Clause 1. Protection of Breast-feeding, 1.3 Marketing activities of Danone's Policy for the Marketing of Breast-Milk Substitutes which states 'Marketing activities, Marketing Materials, Informational and/or Educational Materials for Covered Products are not presented in such a way as to discourage parents from breast-feeding or feeding breast-milk to their infants' and BMS Directive Clause 3 General Principles of Ethical Consumer Practices.

Bureau Veritas notes that there was no evidence to suggest that this promotion was at the request of or with the consent of Danone.

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Opportunities for improvement:

1. Training for partners on the policy for the Marketing of Breast-Milk Substitutes

Danone should consider clarifying, perhaps in a training matrix, precisely what partner roles require what level of training (awareness, general, special or no training) in the requirements of the Danone's BMS policy and Cameroon local code requirements for the governance of Covered Product.

2. Management of Allegation Log documentation

Bureau Veritas recommend developing a more formal and systemized document control and re-issue process for the allegation management log.

3. Partner training compliance

Bureau Veritas recommends that necessary resources and support are provided to enable Danone Regulatory Affairs and Quality Assurance functions to plan and review compliance with training requirements to add assurance to BMS and Quality Management System controls, as well as reviewing effectiveness of training methods to partners. Consideration could also be taken to provide incentives for application of good practices as well as sanctions when compliance is not followed.

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

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Limitations

2022 – Amended Delivery Approach

Due to the COVID-19 pandemic outbreak and associated travel restrictions, the delivery approach in 2022 was amended and the Bureau Veritas UK team leading this assessment was unable to travel to Cameroon.

The in-country auditor coordinated and conducted visits to retail outlets to visually assess alignment with the Policy in Douala. Interviews with the CBU personnel and review of relevant documentation were conducted remotely via video conferencing and electronic file-sharing. Face-to-face interviews with HCPs could not be conducted due to the health risks associated with visiting Health Care Organisations (HCOs) during the pandemic. Instead, a remote survey of HCPs was conducted via telephone. A detailed methodology of the assessment conducted is provided in the Scope of Work and Methodology section of this statement.

The amended delivery approach in 2022 has several limitations, such as document review and 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 is possible.

Visual inspections of retail outlets were limited to the city of Douala. 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.

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 verification 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.

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The core team of Bureau Veritas UK has extensive experience of undertaking WHO Code 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 the WHO Code.



Bureau Veritas UK Ltd

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