

La Forche SAS's Marketing of Breastmilk Substitutes Disclosure

1. Introduction to La Fourche and the marketing of breastmilk substitutes

La Forche SAS is an online subscription organic retailer in France that offers its customers discounts through their annual membership. They sell products considered breastmilk substitutes that include (e.g. *infant formulas for 0- 6 months, follow-on milks 12-24 months, and growing up milks for 24-36 months, as well as complementary foods and drinks from 0-36 months that include infant cereals and porridges, ready meals, snacks and desserts*). These products are sold under the brands (Babybio, Bel Nature, Hipp, Good Goût, France Bébé Bio, Popote, Holle, Vegebaby, Etikébio, Junéo, Bébé Mandorle, Prémibio and Le Biberon Français) with operations and sales in France. In 2021, these products account for 1.8% of overall turnover.

As a retailer, La Fourche SAS has created a Marketing of Breastmilk Substitute Policy. La Fourche SAS's policy includes a commitment to the principles of the WHO Code:

"La Fourche acknowledges the importance of, and commits to, the principles of, the International Code of Marketing of Breast-Milk Substitutes adopted on 21st May 1981 (the "WHO Code"). The company acknowledges the importance of, and commits to the principles of the subsequent relevant resolutions of the World Health Assembly ("WHA")."

As determined by B Lab's independent Standards Advisory Council, companies involved in the Marketing of breastmilk substitutes are eligible for B Corp Certification if they meet specific requirements for the industry, including disclosure of their practices. These requirements vary by type of company and industry, and apply specifically to retailers where revenue from the sale of breastmilk substitutes/complementary foods accounts for >1% of annual revenue.

Retailers of Breastmilk Substitutes are eligible to certify if they meet the immediate expectations of the BMS Call to Action (listed below) at a minimum at the time of certification, and achieve full Code compliance, with respect to the elements of the Code that apply to distributors, by 2030 in order to maintain the certification. The immediate expectations of the BMS Call to Action are as follows:

- Have a policy in place that at minimum meets the following criteria:
 - i. Covers products designed for use 0-12 months after birth,
 - ii. Is applied globally,
 - iii. Is upheld in jurisdictions with less stringent or no regulations, and adheres to national law when those laws are more stringent than the policy.



All retailers with >1% of their revenues from the sale of breastmilk substitutes/complementary foods are required to disclose their marketing practices and areas of non-compliance with the Code.

For more information on B Lab's position on the marketing of breastmilk substitutes, please refer to B Lab's statement on the breast milk substitute industry and B Corp Certification [here](#).

2. La Fourche SAS's Policies and Practices on Marketing of Breastmilk Substitutes

Areas of Non-Alignment with the WHO Code

La Fourche SAS has identified and acknowledges the following areas where the company policy may not align with the WHO Code, or where there may be differing interpretations in how the WHO Code and WHA Resolutions should apply:

Definition/Scope of Products Included in WHO Code and La Fourche SAS's Policy

La Fourche SAS's policy regarding the marketing of breastmilk substitutes applies to a scope of products that differ from the complete scope of the WHO Code.

Article 2 of the WHO Code states "The Code applies to the marketing, and practices related thereto, of the following products: breastmilk substitutes, including infant formula; other milk products, food, and beverages, including bottle fed complementary foods, when marketed or otherwise represented to be suitable, with or without modification, for use as a partial or total replacement of breast milk; feeding bottles and teats. It also applies to their quality and availability, and to information concerning their use." Breastmilk substitutes are defined as "Any food being marketed or otherwise presented as a partial or total replacement for breast milk, whether or not suitable for that purpose."

La Fourche SAS's policy applies to (products included in the scope of company policy):

- Breast-milk substitutes, including infant formula. This should be understood to include any milks (or products that could be used to replace milk) that are specifically marketed for feeding infants and young children up to the age of one year, including follow-up formula and growing-up milks;
- Other foods and beverages promoted to be suitable for feeding a baby during the first 6 months of life when exclusive breastfeeding is recommended. This would include baby teas, juices, and waters;
- Feeding bottles and teats.

La Fourche SAS follows national regulations where they are stricter than its policy, in addition to its own policy.

La Fourche does not operate in any high-risk countries.

In La Fourche SAS's policy, products not included within the scope of the policy, but that are produced or sold by La Fourche SAS, include:

- (1) Breast-milk substitutes, including infant formula. This should be understood to include any milks (or products that could be used to replace milk) that are specifically marketed for feeding infants and young children from 12 - 36 months,
- (2) Complementary foods 6 - 36 months

WHA Resolutions Subsequent to the WHO Code

Since the adoption of the WHO Code, a number of World Health Assembly resolutions have either added to, revised, or clarified the content of the original WHO Code. La Fourche SAS's policy support for the recommendations made in subsequent WHA relevant resolutions.

Management Practices of the Company

In accordance with La Fourche SAS's policy on the marketing of breastmilk substitutes, La Fourche SAS has the following management practices in place to manage compliance with their policy globally:

- Compliance check made by the responsible of CSR,
- Data protection: if products are sold under promotions, an alert will be sent to the data team which will be in charge of contacting the responsible for CSR to stop the promotion.

Next Steps

As stipulated by the requirements for B Corp Certification, La Fourche SAS will remain eligible for B Corp Certification as long as they work towards and achieve full WHO Code compliance, with respect to the elements of the Code that apply to distributors, by 2030.