



## Wholesome Market's Marketing of Breastmilk Substitutes Disclosure

Wholesome Market is a retailer in Australia that sells products considered breastmilk substitutes that include one plant-based infant formula for 0 - 12 months, and one follow-on plant-based toddler drink for 12+ months. These products are sold under the brand Sprout Organic with operations and sales in Australia. In 2022, these products account for 4% of the company's annual revenue.

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

*"Wholesome acknowledges the importance and supports the aim and principles of the World Health Organisation's 1981 International Code of Marketing of Breast-Milk Substitutes (WHO Code) to contribute to the provision of safe and adequate nutrition for infants, by the protection and promotion of breastfeeding and by ensuring the proper use of Breast-Milk Substitutes (BMS), when these are necessary, on the basis of adequate information and through appropriate Marketing and distribution."*

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](#).



## **Wholesome Market's Policies and Practices on Marketing of Breastmilk Substitutes**

### **Areas of Non-Alignment with the WHO Code**

Wholesome Market 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 Wholesome Market's Policy**

Wholesome Market'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."

Wholesome Market's policy applies to:

- Infant Formula (formulated to meet the normal nutritional requirements of infants 0 – 12 months after birth) and information concerning its use,
- Any other food or beverage that is presented to be a partial or total replacement for breast milk, for infants up to six months of age, whether or not suitable for that purpose, and information concerning their use,
- Delivery products (such as bottles and teats) and information concerning their use.

Wholesome Market follows national regulations where they are stricter than its policy, in addition to its own policy.

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

- (1) Toddler Drink (formulated as a supplementary beverage for infants 12+ months old).

*Company Comments:* We sell one infant formula brand, Sprout Organic. Sprout Organic's formula and toddler drinks are made from 100% plant-based and natural ingredients and are intolerance-friendly and free from common allergens such as dairy, soy, and gluten. Sprout Organic is a member of the Infant Nutrition Council Australia & New Zealand and a signatory to



the Marketing in Australia of Infant Formulas: Manufacturers and Importers Agreement 1992 (MAIF). They are also Australian Certified Organic.

### **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. Wholesome Market's policy does not reference or state support for the recommendations made in the guidance associated with [WHA69.9](#) (2016)

### **Management Practices of the Company**

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

- This Policy applies to all employees of Wholesome involved in the marketing, distribution, selling, education and/or governance of Covered Products. Wholesome operates exclusively in Australia,
- It is mandatory for all Employees and authorised third parties acting under the direction of Wholesome Market's Policy,
- Wholesome does not engage in advertising or any form of promotion of Covered Products directly to the general public. This applies to the Wholesome website and should Wholesome open a physical store in the future,
  - It should be noted that Wholesome will not apply the Member pricing (up to 30% less than retail pricing) on all products for Covered Products. This change was fully implemented on the Wholesome website as of 01 August 2023. Covered Products will not be included in any type of temporary promotion, discount, or special.
- Employees will be trained on this Policy and to consistently maintain and check that only one price is offered for existing and new Covered Products and Covered Products are always excluded from temporary promotions, discounts, or specials. New employees will receive training on the Policy when joining the company. Compliance checks and training will be conducted on a periodic basis by management throughout the year to ensure compliance.

### **Next Steps**

As stipulated by the requirements for B Corp Certification, Wholesome Market 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.