

Holding Corporations Accountable

Mia Sutanto, SH, LL.M
Chairwoman Indonesian Breastfeeding Mothers' Association
(AIMI, 2012)





WHAT THEY ARE DOING





BIG DEALS!

Nestlé Fair

periode 26 September - 9 Oktober 2012

Beli 14x800g
DANCOW 1+, 3+ atau
Semua varian

Beli 7x1,5kg
DANCOW 1+
Semua varian

Gratis Sepeda Lucu untuk Si Kecil

Periode pembelian : 26 September - 25 November 2012.
 Periode Penukaran : 21 November - 4 Desember 2012.
 *Hanya berlaku di Jabodetabek, Medan, Palembang, Makassar, dan Surabaya

<p>Beli 1 DANCOW 1+, 3+ Semua varian 800g Dapatkan Potongan Harga Rp. 6.000</p>	<p>Beli 1 DANCOW BATITA/DATITA Semua varian 900g Dapatkan Potongan Harga Rp 5.000</p>
<p>Beli 1 DANCOW Instan, Instan Choco, Actigo Choco 800g Dapatkan</p>	<p>Beli 1 DANCOW NUTRIGOLD Semua varian 700g Dapatkan</p>

Carrefour

Daftar Anggota
Nama: _____
Alamat: _____
Email: _____
Nomor / Handphone: _____

SUSU FOR MURA

RUSU FORMULA MASA MUDA

20 CAP =

Rp 100.000

Sari Husada Fair

GRATIS

Sania Refill 2 Liter

Untuk pembelian produk Sari Husada senilai Rp 150 ribu* ibaraku kesiprati

Periode: 1 - 31 Oktober 2012

*Syarat pembelian Sari Husada 0-800-1-340-880. Ibaraku gratis. Ibaraku dan ibaraku. Tidak berlaku untuk pembelian susu formula di bawah 1 liter dan semua minuman lain. Ibaraku gratis.










Rumah Nutrisi Nestlé
42,530 likes · 8,629 talking about this

Product/Service
Teman bagi Ayah dan Ibu untuk berbagi informasi seputar nutrisi pada masa kehamilan serta anak di bawah usia 3 tahun.



 **Rumah Nutrisi Nestlé** About ▾

About

Teman bagi Ayah dan Ibu untuk berbagi informasi seputar nutrisi pada masa kehamilan serta anak di bawah usia 3 tahun.

Company Overview

Rumah Nutrisi Nestlé merupakan persembahan dari Nestlé Indonesia bagi Ayah dan Ibu sebagai tempat berbagi informasi seputar pemenuhan kebutuhan nutrisi Si Kecil.

Nestlé mendukung rekomendasi WHO akan pemberian ASI eksklusif hingga bayi berusia 6 bulan serta memperkenalkan makanan pendamping ASI seperti yang disarankan oleh ahli kesehatan.

Nestlé Indonesia Customer Service
... See More

Description

Syarat & Ketentuan Fan Page Rumah Nutrisi Nestlé:

1. Fan Page Rumah Nutrisi Nestlé ini adalah halaman resmi yang dikelola oleh dan berdasarkan pengawasan oleh PT Nestlé Indonesia.
2. Peraturan ini berlaku untuk Wall Post, Comment, Photo, Video, Notes dan segala bentuk pemberian informasi yang dilakukan oleh anggota di Fan Page Rumah Nutrisi Nestlé.
... See More

Basic Info

Joined Facebook	09/17/2012
Products	LACTOGEN 3, NAN HA 3, dan



www.kalbestore.com

donals rewards 2012

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KALBE e-STORE
Online Nutritionals Store

CUSTOMER SERVICE 0800-140-2000

LIVE CHAT CUSTOMER SERVICE

Email/Member ID

Sign In Forgot Password Register

Share [Twitter](#) [facebook](#)

Search All

Shopping Cart: 0 item(s)

ABOUT US PRODUCTS KALBE FAMILY PROMOTION POLICY CONTACT US FAQ

PRODUCTS

- Prenagen
- Mina
- Morinaga
- Nutrive
- Entrasol
- Diabetasol
- Zee
- Hydro Coco
- Cerebrovit

Prenagen Lactamom : Susu ibu menyusui untuk meningkatkan kualitas ASI

Double Point Rewards

KALBE family
REWARDS CARD

Daftar Sekarang

Belanja di Kalbe Home Delivery 500880 di wilayah Denpasar, Kuta Bali, Jabodetabek, Bandung, Medan, Surabaya, Yogyakarta, Solo, Klaten, Makasar, Pekanbaru, Batam, Tanjung Pinang serta

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- Zee
- Hydro Coco
- Cerebrovit

Prenagen Mommy : Susu hamil pilihan pertama ibu Indonesia

PRENAGEN Get Prenagen Feeding Set for Free!

- Berlaku dari tanggal 1-30 November 2012
- Setiap pembelian produk-produk Prenagen (vertikal dan skuran apa saja) senilai Rp. 300.000 akan mendapatkan 1 (satu) buah Prenagen Feeding Set
- Promo ini tidak berlaku kelipatan

Daftar Sekarang

Belanja di Kalbe Home Delivery 500880 di wilayah Denpasar, Kuta Bali, Jabodetabek, Bandung, Medan, Surabaya, Yogyakarta



4 TWEETS 31 FOLLOWING 99 FOLLOWERS

[Follow](#) ...

 **DancowParentingCentr** RumahDPC 04 Aug 10

@LindaGumelar ,ibu trm kasih dukungannya utk Rumah DANCOW Parenting Center, smoga kita bsama dpt mjadikan generasi Ind yg lbh sehat&cerdas

[View details](#) ↩ 🗨️ ⭐

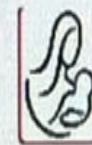
 **DancowParentingCentr** RumahDPC 10 Jun 10

[View details](#) ↩ 🗨️ ⭐

 **DancowParentingCentr** RumahDPC 03 Jun 10

Selamat pagi mbak @ninakarima :)

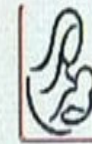
[View details](#) ↩ 🗨️ ⭐



Nutrisi Untuk Bangsa Nutrisi_Bangsa

Pantau keadaannya, spt apakah napas si kecil tersengal2 sehingga sulit tidur, menyusu, makan/minum? #batukanak

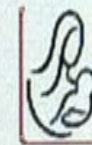
[View details](#) ↩ 🗨️ ⭐



Nutrisi Untuk Bangsa Nutrisi_Bangsa

Intermezzo. Untuk menyambut Hari Ibu, yuk ikuti kontes foto berhadiah. Klik FB Aku Anak SGM on fb me/TuXeJq ya :)

[View details](#) ↩ 🗨️ ⭐



Nutrisi Untuk Bangsa Nutrisi_Bangsa

Pengencer dahak terbaik antara lain ASI, air putih, air buah, serta sup. Cukup lazim kan? Yuk kita bahas lbh lanjut. #batukanak

[View details](#) ↩ 🗨️ ⭐



Nutrisi Untuk Bangsa Nutrisi_Bangsa

@windynabila kalau memang dahaknya terlalu sulit utk dikeluarkan dgn cara alamiah, bisa dgn obat ya Bun, jgn lupa konsul ke dokter anak dl.

[View conversation](#) ↩ 🗨️ ⭐





Seorang peserta mempresentasikan cara melakukan penyuluhan saat penilaian Kontes Posyandu Peduli Tumbuh Aktif Tanggap (TAT) di Jakarta, Rabu (17/10). Kontes yang diikuti kader-kader posyandu dari sejumlah daerah ini merupakan bagian dari gerakan posyandu peduli TAT untuk meningkatkan taraf hidup anak Indonesia.





MEMBERIKAN YANG TERBAIK BAGI SANG BUAH HATI



Kecerdasan Anak Berawal dari Orangtua yang Cerdas, dan Anda **PASTI BISA!**

Potensi yang ada pada sang buah hati bisa dikembangkan secara optimal sejak dini. Keterlambatan mengetahui adanya gangguan atau penyimpangan tumbuh kembang pada anak kita dapat berakibat permanen seumur hidupnya. Semakin dini diketahui akan semakin mudah untuk menjadi normal kembali.

Kenali dan ketahuilah tanda-tanda dini anak yang mengalami penyimpangan pertumbuhan dan perkembangan dalam kehidupan sehari-hari, sehingga potensi yang ada pada buah hati Anda bisa dikembangkan secara optimal sejak dini.

Kalbe Nutritionals didukung oleh Ikatan Dokter Anak Indonesia (IDAI) Jatim, mempersembahkan program istimewa bagi pelanggan setia produk-produk Kalbe Nutritionals:

Rahasia Mengoptimalkan Potensi Buah Hati Anda Sejak Dini

Seminar dan Workshop

**Deteksi Dini Tanda dan Gejala Anak
dengan Penyimpangan Pertumbuhan
dan Perkembangan Sehari-hari**



**Jumat, 13 November 2009
HOTEL SANTIKA PREMIERE
Jl. Letjen Sutoyo 79, Malang**

Materi Seminar dan Workshop didesain dan dibawakan oleh para Ahli Tumbuh Kembang Ikatan Dokter Anak Indonesia (IDAI) Jatim.

Pengarah:
Prof. dr. IGN. Gde Ranuh, SpA(K)
Prof. dr. Moersintowarti B. Narendra, MSc, SpA(K)

Petah:
dr. Ahmad Suryawan, SpA(K)
DR. dr. Mardhani YS, SpA(K)
dr. Irwanto, SpA

Materi Seminar dan Workshop:

- Mengetahui hak-hak anak untuk tumbuh dan berkembang
- Mengetahui pola pertumbuhan dan perkembangan anak normal
- Mengetahui tanda dan gejala dini anak dengan gangguan pertumbuhan dan perkembangan
- Cara-cara mengkreasi dan mengoptimalkan potensi anak sejak dini melalui stimulasi interaktif sehari-hari

CUSTOMER SERVICE
0800-148-2000
(HARIAN 24 JAM)
www.kalbenutritionals.com



Dukung implan Si Kecil untuk merubah dunia, karena Ia BISA!

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presents



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VANESSA
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MINGGU
11
APRIL

10-11
APRIL 2010
SENAYAN

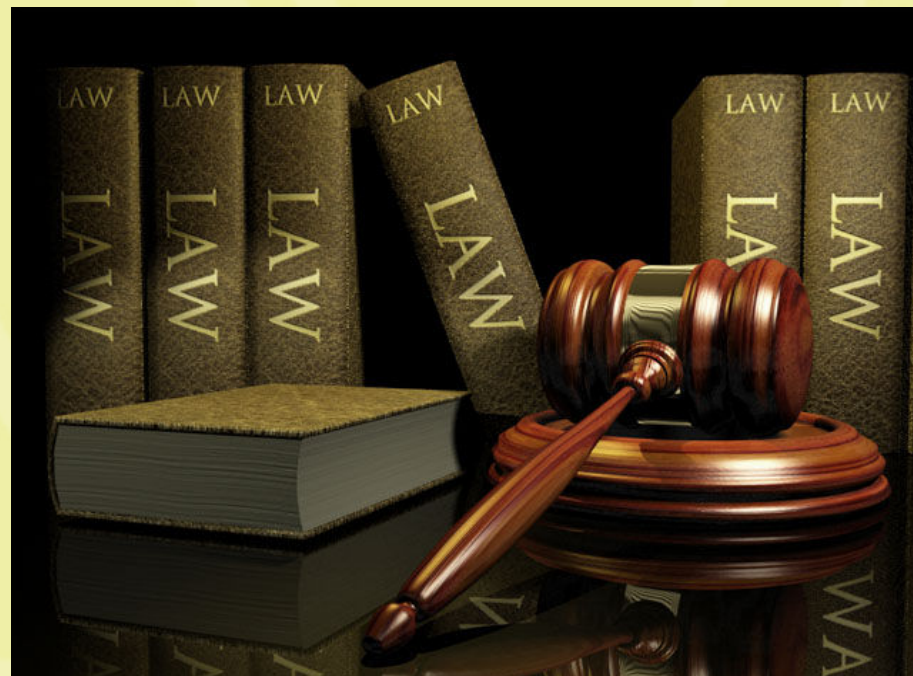


94.3FM WOMEN RADIO
KORNER IMPERUM 51st FL, JL. RAGUNA SARI KEM 1, SUNGAIL, JAKARTA 12060. P: +62 21





NATIONAL LEGISLATIONS



Health Law no. 36/2009

Article 128 (1) → babies are entitled to receive breastmilk, a minimum of 6 (six) months exclusively and may be extended to 2 (two) years together with complementary foods



Government Regulation no. 33/2012

A mother's responsibility?

- Article 6 → a mother must give only breastmilk to her baby for the first 6 (six) months
- Article 12 → a mother, or a member of her family, must refuse any offers to give infant formula to her baby

When is infant formula allowed?

- Article 15 → under such circumstance where a mother cannot give breastmilk exclusively to her baby, then infant formula may be given



Government Regulation no. 33/2012

Health professionals

- Articles 9, 10, 13 & 16: OBLIGATION (1) provide breastfeeding education, (b) provide early initiation of breastfeeding, (3) facilitate rooming-in, and (4) demonstrate proper use of formula (if needed)
- Articles 17, 21 & 23: PROHIBITION (1) receive, promote and/or give infant formula & other related baby products, (2) receive gifts and incentive from formula companies, and (3) exception to point (2) for training, R&D, scientific conventions, and similar activities



Government Regulation no. 33/2012

Health Facilities

- Articles 9, 10, 13, 16, 30, 33 & 35: OBLIGATION (1) provide breastfeeding education, (b) provide early initiation of breastfeeding, (3) facilitate rooming-in, (4) provide nursing room, (5) implement the 10 steps, (6) must have internal written policy on breastfeeding
- Articles 18, 19, 21, 23 & 25: PROHIBITION (1) receive, promote and/or give infant formula & other related baby products, (2) provide health services funded by formula companies (3) receive gifts and incentive from formula companies, and (4) receive formula samples/free products, and (5) exception to point (3) for training, R&D, scientific conventions, and similar activities



THE GAP



Health Law no. 36/2009

Are Corporations Accountable?

- Article 128 (2) (3) → members of the community, including corporations, are accountable if they do not support breastfeeding by providing opportunities and special facilities in the work place and public areas

Any sanctions?

- Article 200, 201 → (1) individuals, including corporate executives, are criminally liable for a max of 1 year sentence and rp100mio fine, (2) corporations to receive a max of rp300mio fine, revocation of business license and corporate status



No Sanctions for Violations of Promotional Activities by Formula Companies



Government Regulation no. 33/2012

Sanctions for Health Professionals

- Article 14 → verbal reprimand, written warning and/or revocation of license if do not: (1) provide breastfeeding education, (b) provide early initiation of breastfeeding, and (3) facilitate rooming-in
- Article 29 → verbal reprimand, written warning and/or revocation of license if: (1) do not demonstrate proper use of formula (if needed), (2) receive, promote and/or give infant formula & other related baby products, (3) receive gifts and incentive from formula companies, and (4) do not give written statement to supervisor regarding point (3) for training, R&D, scientific conventions, and similar activities



Government Regulation no. 33/2012

Sanctions for Health Facilities

- Article 14 → verbal and/or written reprimand by authorized body if do not: (1) provide breastfeeding education, (b) provide early initiation of breastfeeding, and (3) facilitate rooming-in
- Article 29 → verbal and/or written reprimand by authorized body if: (1) receive, promote and/or give infant formula & other related baby products, (2) provide health services funded by formula companies (3) receive gifts and incentive from formula companies, and (4) receive formula samples/free products, and (5) do not give written statement and report to Health Minister regarding point (3) for training, R&D, scientific conventions, and similar activities
- Article 36 → sanctions pursuant to articles 200 & 201 of Health Law if do not: (1) support breastfeeding, and (2) provide nursing room



**FORMULA COMPANIES ARE
ALLOWED TO DO WHAT ?**



Government Regulation no. 33/2012

Formula Companies Are Allowed To:

- Article 18: distribute product in emergency situations for humanitarian reasons upon approval from the Chief of the local Health Services
- Article 20: allowed to advertise infant formulas in medical publications upon from the Minister of Health
- Article 21: assist health professionals, health facilities, health learning facilities, associations of health professionals in conducting trainings, R&Ds, scientific conventions and other related activities
- Article 25: give gifts and/or assistance to parties referred to in article 21 and their respective family members



Government Regulation no. 33/2012

Any Sanctions for Formula Companies?

- Article 29: verbal and/or written reprimand by authorized body if: (1) promote and/or give infant formula to health professional and health facilities, (2) distribute product in emergency situation without required approval, (3) fund health services provided by health facilities (4) give gifts and incentives, and (5) give formula samples/free products, conduct door-to-door sales, give discounts or rebates (6) use health professional to communicate about product, (7) advertise infant formula in electronic & print media, and (8) do not report to Health Minister regarding point gifts and assistance for training, R&D, scientific conventions, and similar activities



the Government Regulation no. 33/2012 only gives administrative and not criminal sanctions to formula companies who are in violation – IS THIS ENOUGH ?



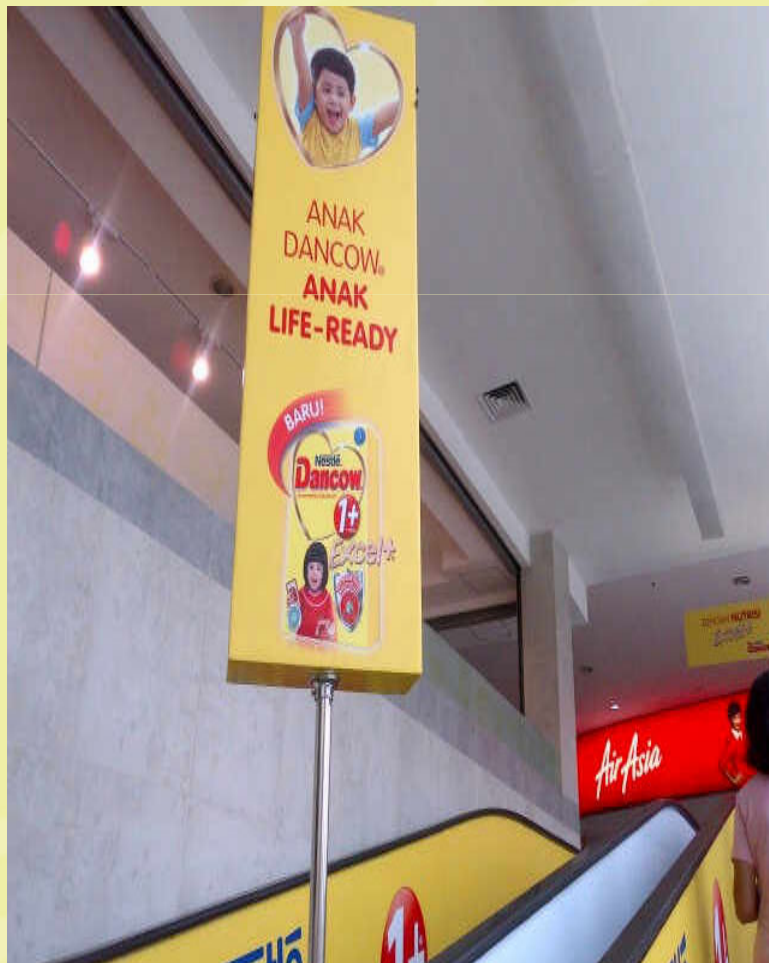
the Government and/or Regional Government may receive funding from formula companies for trainings, R&Ds, scientific conventions and other related activities as permitted by Law



no current regulations governing promotional and marketing activities via social media, or under the guise of public education or CSR programs



What of promotions for 12 months and above ?



- Not regulated by Law, Government Regulation or Ministerial Decrees
- WHO Code does not provide age limitation for the description of “breastmilk substitutes”
- Golden standard of infant feeding recommends breastfeeding for 2 years or beyond



**(Onyechi U.A. & Nwabuzor L.C. / Journal of Tropical
Agriculture, Food, Environment and Extension vol 9
no. 3 (2010) 193 - 199)**

The Effect of Milk Formula Advertisement on Breastfeeding and Other Infant Feeding Practice in Lagos, Nigeria

- Research conducted towards 225 mothers with children between 0-2 years, 70% breastfeeding, 1,8% giving formula and 27% mix feeding
- Conclusion: formula advertisements have a significant impact on infant feeding decisions
- Advertisements with the highest impacts are through television (31.6%) and magazines (24.9%)



**(H.L. Sobel et al. / Social Science & Medicine
73 (2011) 1445 - 1448)**

**Is Unimpeded Marketing for Breast Milk Substitutes
Responsible for the Decline in Breastfeeding in the
Philippines?**

- Research of 345 households with children under 24 months
- Conclusion: more likely to give formula if mother recalls key messages given by formula advertisements
- Breastfeeding mothers who also give formula to their children are 6.4 times more likely to stop breastfeeding before the child reaches 12 months of age



DR. Nina J. Berry et.al.

(Australian Marketing Journal, 2012)



Even though advertising infant formula for babies (0-12 months) is prohibited by law, BUT **growing up milk** for under 3s and under 5s – using the same brand name – **are allowed to be advertised.**

Based on this research, **consumers cannot tell the difference** whether it is advertisement for infant formula or for growing up milk. Most respondents (**66.8%**) who saw advertisements for growing up milk said that they saw advertisements for infant formula.



THE WAY FORWARD?



**PUSHING THE INDONESIAN
GOVERNMENT TO FULLY
ADOPT THE CODE AND ITS
SUBSEQUENT RELEVANT
WHA RESOLUTIONS AS A
NATIONAL LAW OF THE
HIGHEST HIERARCHY**





SEC Charges Pfizer with FCPA Violations

FOR IMMEDIATE RELEASE
2012-152

Washington, D.C., Aug. 7, 2012 – The Securities and Exchange Commission today charged Pfizer Inc. with violating the Foreign Corrupt Practices Act (FCPA) when its subsidiaries bribed doctors and other health care professionals employed by foreign governments in order to win business.

The SEC alleges that employees and agents of Pfizer's subsidiaries in Bulgaria, China, Croatia, Czech Republic, Italy, Kazakhstan, Russia, and Serbia made improper payments to foreign officials to obtain regulatory and formulary approvals, sales, and increased prescriptions for the company's pharmaceutical products. They tried to conceal the bribery by improperly recording the transactions in accounting records as legitimate expenses for promotional activities, marketing, training, travel and entertainment, clinical trials, freight, conferences, and advertising.

October 2004, and fully cooperated with SEC investigators. Pfizer took such extensive remedial actions as undertaking a comprehensive worldwide review of its compliance program.

The SEC further alleges that Wyeth subsidiaries engaged in FCPA violations primarily before but also after the company's acquisition by Pfizer in late 2009. Starting at least in 2005, subsidiaries marketing Wyeth nutritional products in China, Indonesia, and Pakistan bribed government doctors to recommend their products to patients by making cash payments or in some cases providing BlackBerrys and cell phones or travel incentives. They often used fictitious invoices to conceal the true nature of the payments. In Saudi Arabia, Wyeth's subsidiary made an improper cash payment to a customs official to secure the release of a shipment of promotional items used for marketing purposes. The promotional items were held in port because Wyeth Saudi Arabia had failed to secure a required Saudi Arabian Standards Organization Certificate of Conformity.

Following Pfizer's acquisition of Wyeth, Pfizer undertook a risk-based FCPA due diligence review of Wyeth's global operations and voluntarily reported the findings to the SEC staff. Pfizer diligently and promptly integrated Wyeth's legacy operations into its compliance program and cooperated fully with SEC investigators.

In settling the SEC's charges, Wyeth neither admitted nor denied the allegations. Pfizer consented to the entry of a final judgment ordering it to

Pfizer settles foreign bribery case with U.S. government

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By Toni Clarke
Tue Aug 7, 2012 1:21pm EDT

(Reuters) - Pfizer Inc has agreed to pay \$60.2 million to settle a U.S. government probe of the drugmaker's



**HOLDING CORPORATIONS
ACCOUNTABLE AT THEIR
PRINCIPAL PLACE OF
BUSINESS / HEADQUARTERS /
PARENT COMPANY FOR
VIOLATIONS CONDUCTED BY
SUBSIDIARIES IN OTHER
COUNTRIES**



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as a mother, you are not normal...you are extraordinary. having said that, perfection can only be seen through the eyes of the children you love

@miasutanto