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May 12th 2021

Dear Mr Chrisp,

I am writing to you on behalf of the Baby Feeding Law Group-UK, an association of 30 members including health professional organisations and NGOs who work together to protect infant feeding in the UK. You can find out more about us at www.bflg-uk.org.

We are increasingly concerned about the emergence of unregulated, private, human milk companies; for example Best Milk (www.bestmilk.co.uk), NeoKare (<https://neokare.co.uk/about-us-hcps.php>) and Vyarna (www.vyarna.com).

Our concerns include, but are not limited to, the following factors:

- The safety of the products to those babies who are fed them: breastmilk may be diluted with other liquids to increase volume given that providers are paid by volume and penalised for not supplying sufficient milk; potential harms from lack of appropriate breastmilk provider screening; and with respect to products made with breastmilk, lack or absence of appropriate safety data, infant growth data and data on clinical effectiveness.
- The absence of or minimal lactation support for those women selling their milk in order to help establish supply, prevent oversupply and manage any infant feeding issues;
- The potential risk to the baby of the woman selling her milk, if he/she is deprived of it as a result;
- Lack of equity of access given the high cost of human milk/milk products to those buying them;
- Advertising includes product claims which are inaccurate and lack substantiation;
- The potential undermining of breastfeeding and public health message that donor milk should only be given in the absence of maternal milk;
- The potential undermining of NHS and non-profit milk banks which provide donated human milk under healthcare professional oversight and to recipient parents for free, recruiting donors without financial transaction.

Baby Feeding Law Group UK Members:

Association of Breastfeeding Mothers (ABM), Association for Improvements in the Maternity Services (AIMS), Baby Milk Action, Best Beginnings, Breastfeeding Network (BfN), the Centre for Lactation, Infant Feeding and Translational research (LIFT), Code Monitoring Northern Ireland, Community Practitioners and Health Visitors Association (CPHVA), Doula UK, The Fatherhood Institute, First Steps Nutrition Trust, GP Infant Feeding Network (GPIFN), HENRY, Hospital Infant Feeding Network (HIFN), Human Milk Foundation, Institute of Health Visiting, Lactation Consultants GB (LCGB), La Leche League GB (LLLGB), Leicester Mammias, Local Infant Feeding Information Board (LIFIB), Midwives Information and Resource Service (MIDIRS), National Breastfeeding Helpline, NCT, Royal College of Midwives (RCM), Save the Children, UK Association of Milk Banking (UKAMB), Unicef UK Baby Friendly Initiative, Unison, Women's Environmental Network (WEN), and World Breastfeeding Trends Initiative.

Secretariat: vicky@firststepsnutrition.org.



As we are sure you are aware, at present human milk is not regulated in the UK as a Medical Product of Human Origin, under MHRA, and rather is classified as a food stuff falling under the remit of the Food Standards Agency.

Both Best Milk and NeoKare claim in their marketing materials to adhere to NICE Guideline #93 on Donor milk banks: service operation; for example:

<https://bestmilk.co.uk/>: *At one of the busiest times of your life, you can rest assured knowing that our wetnurses have had all the necessary screening and serological testing to the highest standards, incorporating NHS NICE Clinical Guidelines 93.*

<https://neokare.co.uk/quality-safety-parent.php>: *Our quality processes far exceed the recommendations of NICE for the operation of milk banks.*

We believe these statements may mislead parents (in the case of BestMilk) and clinicians (in the case of NeoKare) in to assuming the safety of the products. We also find them inappropriate given that these guidelines are applicable only to donor milk and also because the commercial operations pool the breastmilk from different mothers (rendering tracking almost impossible and introducing other risks in terms of the presence of infections and contaminants).

We are writing to ask if you would be able to address this issue with both companies as a matter of urgency. But in addition, we are keen to understand if you have any plans for updating the current NICE guidelines to take in to account this new, worrying trend for commodification of human milk in the absence of appropriate regulation. Whilst we are aware that the guidelines were reviewed in 2018 and the consensus was that they did not require update, given the emergence of these companies since then the concerns we highlight above we believe an update is now warranted as soon as possible to better protect new mothers and their babies from commercial exploitation.

Yours sincerely

Dr Victoria Sibson

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