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E-004866/2025

Answer given by Mr Várhelyi
on behalf of the European Commission
(23.2.2026)

EU food law governs the labelling, presentation, advertising, promotional and commercial practices for infant and follow-on formula, in line with the principles of the International Code of Marketing of Breast-milk Substitutes. Commission Delegated Regulation (EU) 2016/127¹ restricts the advertising of infant formula to publications specialising in baby care and scientific journals requiring that their content be scientific and factual, without suggesting bottle-feeding equals or surpasses breastfeeding. The Regulation also allows Member States to further restrict or prohibit advertising of infant formula.

Member States are primarily responsible for the correct application of EU food law and must ensure that the requirements of EU food law are respected.

In line with the World Health Organization (WHO) guidelines and the European Food Safety Authority (EFSA) advice on sugar intake, the Commission is working on revising compositional requirements for processed cereal-based foods and baby foods taking into account concerns over excessive intake of sugars.

The Commission is following developments after a resolution² by the World Health Assembly that urges WHO member states to reinforce regulations and monitoring for marketing breast-milk substitutes and foods for young children. The WHO Director-General is to report on this resolution's implementation at the Eighty-first World Health Assembly in 2028 as part of the maternal, infant, and young child nutrition plan. The Commission is closely following the WHO work and may consider proposing regulatory adjustments, if appropriate.

¹ Commission Delegated Regulation (EU) 2016/127 of 25 September 2015 supplementing Regulation (EU) No 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for infant formula and follow-on formula and as regards requirements on information relating to infant and young child feeding. OJ L 25, 2.2.2016, p. 1.

² World Health Organization, Seventy-Eighth World Health Assembly WHA78/18.