

Independent assessment report of Danone’s marketing practices in Czech Republic against the Danone Policy for the Marketing of Breastmilk Substitutes (BMS)



Introduction

Bureau Veritas UK Limited ('Bureau Veritas UK') has been engaged by Danone Early Life Nutrition ('Danone') to provide an independent assessment of alignment of its business in the Czech Republic, operating as Danone a.s. (the 'CBU'), with the Danone Policy for the Marketing of Breast-Milk-Substitutes 2018 (the 'BMS Policy'), the corresponding internal Corporate guideline, the BMS Directive, and any applicable local regulation ('reference documents').

In the Czech Republic, the Government has implemented the WHO Code and related requirements mainly through Regulation (EU) No 609/2013, Commission Delegated Regulation (EU) 2016/127, and Act No. 40/1995 on the regulation of advertising (collectively the 'Local Code').

Products covered by the BMS Policy and the Local Code are BMS intended for infants aged between 0 and 6 months ('Covered Products').

Scope of Work and Methodology

The assessment activities were conducted between September and October 2025 using one Lead Auditor from the Bureau Veritas UK and one Auditor from Bureau Veritas Czech Republic. The Bureau Veritas UK Lead Auditor conducted the head office interviews via videoconference calls and other desk-based reviews, and the Bureau Veritas Czech Republic Auditor conducted the in-country marketplace audit in Prague and provided translation support, as required.

During the audit, Bureau Veritas undertook the following activities:

- Interviewed 16 CBU personnel responsible for BMS sales, marketing, and compliance using video conferencing applications;
- Reviewed requested documentation and records relating to BMS marketing practices on a sample basis via file-sharing and screen-sharing applications. Topics covered included:
 - local procedures and alignment with the BMS Policy and other reference documents;
 - compliance monitoring, consumer and medical marketing materials and events, labels, internal and regulatory approvals, distribution of product for professional evaluation and training;
- Reviewed 5 e-commerce sites selling Covered Products, and social media webpages managed by the CBU;

Bureau Veritas UK Ltd, 5th Floor, 100 Lower Thames Street, London EC3R 6DL | 0845 600 1828 |

www.bureauveritas.co.uk

Registered in England 1758622

Bureau Veritas Registered Office: Suite 206 Fort Dunlop, Fort Parkway, Birmingham B24 9FD

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- Visually assessed 52 retail locations selling Covered Products in Prague. Bureau Veritas independently selected the locations that were visited;
- Conducted visits to five health care facilities in Prague; and
- Placed two anonymous inquiries to the customer careline.

Any findings identified during the verification have been categorised as per the following:

Non-conformance:

- Any failure to follow a written requirement specified within the BMS Policy
- A failure to achieve Local Code requirements as per our interpretation
- A purposeful failure of the company to correct non-conformances

Opportunity for improvement (OFI):

- A process/activity/document that, while currently conforming to the BMS Policy and the Local Code, could be improved to further strengthen the CBUs practices.

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The following is a summary of key findings which include non-conformances and opportunities for improvement.

Non-conformances:

1. Internal Reporting

Bureau Veritas reviewed the process for internal quarterly reporting as per section 17.2 of the BMS Policy. The CBU was found to be monitoring the market for any non-compliances with the BMS Policy, taking appropriate action when needed. Self-identified instances of non-compliance are currently not included in quarterly internal reporting as these do not constitute allegations where there is a complainant present. However, Bureau Veritas interprets that under 17.2 of the BMS Policy any BMS Policy related breaches identified should be included in quarterly internal reporting.

Bureau Veritas notes that under the new Danone Baby Formula Marketing Standards (2024) being implemented by end of 2025, the difference between an allegation and a self-identified non-compliance, and the related internal reporting requirements for each, has been clarified.

2. E-commerce multi-buy offer

Bureau Veritas identified one instance of a multi-buy offer on an e-commerce platform where the per unit price was lower than the single pack price of the Covered Product available on the same e-commerce platform. This constitutes a promotional device to induce sales and has been classed as a non-conformity in relation to section 3.3 of the BMS Policy, which states “Danone does not use point of sale, advertising, sampling or any other promotional devices to induce sales of Covered Products directly to the consumer at retail level”. There was no evidence to suggest that this multi-buy offer was placed at the request of the CBU. Bureau Veritas also reviewed evidence during the audit confirming that the CBU had communicated the BMS Policy to the e-commerce platform.

Opportunities for improvement

1. Training of Partners

Whilst the CBU communicates on the BMS Policy/regulatory framework periodically to its Partners, delivering formally documented training to Partners in line with section 11.1 is not standard practice. Bureau Veritas recognises that dedicated training slides are available for this purpose when required and that internal controls are in place to manage and oversee the activities of third-party Partners, such as marketing agencies. Nonetheless, Bureau Veritas does not consider the provision of information as equivalent to training. The CBU is encouraged to identify all relevant Partners involved in the sale and/or marketing of Covered Products and deliver training for these in line with Section 11.1 of the BMS Policy, which stipulates that “All Danone Employees and Partners responsible for the Marketing of Covered Products receive training”

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Opportunities for improvement continued

2. Stage 1 reference in social media post

A social media post entitled "Which infant milk to choose?" [trans.] referenced relevant product stages according to a baby's age, directing the general public to stage 1 for 0-6 months. The CBU explained this is intended as an educational post. However, the carousel of images includes pack shots for Nutrilon products stages 2 and above and could therefore be perceived as an advertisement of non-Covered Products. The CBU should make a clear distinction between content for information purposes and advertisement of non-Covered Products when posting social media content and keep these separate. Moreover, the CBU should consider including the full mandatory statement in line with section 2.2 of the BMS Policy when providing informational materials to the general public, rather than an abridged version as was included on the post in question.

3. Price comparison site identifying price drops for Covered Products

Bureau Veritas searched for Covered Products on a price comparison site and found that the platform has an in-built function to highlight price drops across sellers with a percentage reduction, thereby giving the appearance of a discount promotion. Whilst there is no evidence to suggest that this automated website function is in place at the request or with the involvement of the CBU, Bureau Veritas recommends that the CBU proactively engage with the site on the BMS Policy and local code requirements on an ongoing basis, informing them of the risk of perceived discounts for Covered Products.

There were a number of areas identified where the compliant practices are well-managed, and these instances have been summarised in an internal report to Danone.

Limitations

Amended Assessment Approach

We have transitioned to an amended hybrid delivery approach where the Bureau Veritas UK team leading the audit does not travel to the country of assessment, but a Bureau Veritas in-country auditor conducts visits to retail outlets to visually assess alignment with the Policy in the Czech Republic and also carries out a telephone survey of HCPs instead of face-to-face interviews due to continued restrictions in place at most Health Care Organisations. This amended delivery approach has the limitation that interviews with stakeholders may not provide the same level of detail or information when conducted remotely. These are in addition to the limitations of conducting this type of engagement where travel to the country of assessment does take place.

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Visual inspections of retail outlets were limited to the city of Prague. Whilst our methodology is designed to provide an objective independent assessment, it remains that some of the statements made by stakeholders are anecdotal, and evidence may not be available to support their claims.

This statement is not intended to provide a definitive opinion as to whether the CBU complies with the BMS Policy. Neither the assessment conducted by Bureau Veritas nor this statement constitutes a guarantee or assurance by Bureau Veritas that infringements against the BMS Policy and local legislation have not taken place.

It is also not within Bureau Veritas' scope of work to provide an opinion or assessment over the appropriateness of the BMS Policy.

Statement of independence, impartiality, and competence

Bureau Veritas is an independent professional services company that specializes in quality, environmental, health, safety, and social accountability with over 190 years history in providing independent assurance services.

Bureau Veritas has implemented a Code of Ethics across its business which ensures that all our staff maintains high standards in their day-to-day business activities. We are particularly vigilant in the prevention of conflicts of interest.

Our assessment team members do not have any involvement in any other projects with Danone outside those of an independent assessment scope and we do not consider there to be a conflict between the other services provided by Bureau Veritas and that of our assurance team.

The core team of Bureau Veritas UK has extensive experience of undertaking WHO Code assessment related work. Our team completing the work for Danone has extensive knowledge of conducting assurance over environmental, social, health, safety and ethical information and systems, and through its combined experience in this field, an excellent understanding of good practice in corporate responsibility, assurance and the WHO Code.



Bureau Veritas UK Ltd

London

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