

COMPLAINT NUMBER	17/103
COMPLAINANT	C Epps
ADVERTISER	Fonterra NZ
ADVERTISEMENT	Fonterra NZ, Television
DATE OF MEETING	26 April 2017
OUTCOME	Not Upheld

SUMMARY

Two television advertisements promote Fonterra's Milk for Schools community programme.

In one, Richie McCaw says milk is 'a great source of nutrition' and it is pretty amazing' that 'every kid in New Zealand has the opportunity to get a milk every day' via Fonterra's programme.

In the second, a primary school principal talks about how calcium and protein building strong bones, teeth and muscles in children. She says 'Fonterra are looking at the long-term health benefits for New Zealanders, and starting with young children is definitely the way to go'.

The Complainant said the use of the terms 'long-term health benefits' and 'goodness of milk' were misleading and inaccurate and would lead to long-term harm and illness for future generations.

The Advertiser provided evidence to support their claims that there is 'goodness' in milk and that there are long term health benefits related to milk consumption. These claims are supported by the Ministry of Health, which recommends regular consumption of dairy products such as milk, because they contain important nutrients that are essential for optimal health.

The Complaints Board accepted the Advertiser's explanation and evidence and ruled that the nutritional and health claims made in the advertisements complied with the Food Standards Code and could be substantiated. The Board found that the advertisements were not likely to mislead or deceive consumers and had been prepared with a due sense of social responsibility.

Accordingly, the Complaints Board ruled the complaint was Not Upheld under the Code for Advertising Food.

[No further action required]

Please note this headnote does not form part of the Decision.

COMPLAINTS BOARD DECISION

The Chair directed the Complaints Board to consider the Fonterra advertisements with reference to the Code for Advertising Food, Principles 1, 2 and Guideline 2(a). This required the Board to consider whether the advertisements were likely to mislead or deceive consumers; whether nutritional and health claims complied with the Food Standards Code and could be substantiated; and whether they had been prepared with a due sense of social responsibility.

The complainant also laid a complaint under the Children's Code for Advertising Food, Principles 1 and 2. The Board felt that the language used in the advertisements meant the advertisements were aimed at adults and although children might engage with the advertisements, they were not the target market. Therefore the Chair ruled that the advertisements could not be considered under that code.

The Complaints Board ruled the complaint was Not Upheld under the Code for Advertising Food.

The Complaint

The Chair noted that the complaint appeared to be about two Fonterra television advertisements, one which featured Richie McCaw, the other a primary school principal. The Chair directed the Board to consider both advertisements.

The Complainant felt the use of the terms 'long-term health benefits' and 'goodness of milk' were misleading and inaccurate and would lead to long-term harm and illness for future generations.

The Advertiser's Response

Fonterra Co-operative Group Limited's response was comprehensive and they provided evidence to support their claims that there is 'goodness' in milk (referring to nutrients and/or health benefits) and that there are long term health benefits related to milk consumption.

These claims are supported by the Ministry of Health, which recommends regular consumption of dairy products such as milk, because they contain important nutrients that are essential for optimal health.

The Advertiser said that given the evidence provided, the claims in the advertisements were not exaggerated or misleading and that the advertisements had been prepared with a high standard of social responsibility.

The Complaints Board Discussion

The Complaints Board noted that the complainant held a particular ideological perspective about the harmfulness of milk consumption. Some of the Complainant's claims about milk processing appeared to come from a misunderstanding and those made about milk containing chemicals were unfounded. Little or no evidence was given to support the Complainant's claims.

The Board noted that Fonterra had comprehensively refuted each claim made by the Complainant. The Board also noted that the advertisements made only low-level claims about the "goodness" in milk and about long-term health benefits of children consuming it. The Board acknowledged the recommendations of the Ministry of Health regarding regular consumption of dairy products such as milk.

The response from the Commercial Approvals Bureau was considered, but not found to be helpful because the Bureau did not consider the advertisement to be a food advertisement, when in the view of the Complaints Board, it clearly was.

The Complaints Board ruled the advertisements were not in breach of Principles 1 & 2 or Guideline 2(a) of the Code for Advertising Food.

Accordingly, the Complaints Board ruled to Not Uphold the complaint.

DESCRIPTION OF ADVERTISEMENT

The two television advertisements promote Fonterra's Milk for Schools community programme.

One has Richie McCaw talking about how lucky school children are to get milk via Fonterra's programme. He says milk is 'a great source of nutrition' and New Zealand kids are lucky to get this every day.

The second has a New Zealand primary school principal talking about Fonterra's programme, while images of children at school and drinking milk are screened. The principal talks about calcium and protein building strong bones, teeth and muscles in children. She says 'Fonterra are looking at the long-term health benefits for New Zealanders, and starting with young children is definitely the way to go'.

COMPLAINT FROM C EPPS

I wish to state that I feel this advert is deeply misleading, and untrue, and will cause long-term and wide-spread harm and illness to coming generations.

Chiefly, the terms "long-term health benefits" and "goodness of milk", I feel violate standard 5, of accuracy, standard 1, of DECENCY, and standard 9 of Childrens Interests. The following outlines the WHY of these complaints.

Richie McCaw, poor fellow, appears in one of these ads saying "amazing" many times. I know eyes will be rolling at this, but when the term 'long-term health benefits' was mentioned, I couldnt stay silent. There is much contention about milk, and rightly so. There are so many health problems directly connected with milk, it is quite ridiculous for the public to still believe the programming that it is SO good for us. But this programming is deeply entrenched. Usually by a benefactor of the dairy industry or the Industry itself.

The health problems directly connected to, and exacerbated by commercial milk like Fonterra's, are nearly too numerous to mention!

Recently The American Federal Trades Commission asked the American Dairy Industry if it had evidence for the health claims made in its advertisements - like milk being good for bones. The Dairy Industry were forced to rescind their health claims, as they could not present credible evidence that milk IS good for bones, or ANYTHING else.

Many, many health professionals believe it's quite the contrary, and that dairy needs to be removed, or greatly restricted in our diet – myself included.

If the milk was raw and organic, and fermented, there MAY be SOME truth about health benefits, but the fact that it is full of fertilisers, hormones, antibiotics, round-up(many farmers spray hay crops with it BEFORE baling for silage, to kill the grass before sewing maize

crops - round-up/glyphosate is classed as a PROBABLE CARCINOGEN, though known for sure as one), and other chemicals, not to mention being homogenised(linked with cancers, probable cause of heart disease via an enzyme named xanthine oxidase which attacks the hearts arteries) and pasteurised (no lactase enzyme (or anything!) left alive to help us digest lactose, and done PURELY for LONGER SHELF-LIFE), gives it little chance of offering any health benefits besides hydration.

This cold, frankensteined, milk soup is sold to us as a natural health food, but I'm sure the public is not aware of the actual de-naturing processes it goes through before they pour it on their breakfast!

The Casein protein in milk was itself isolated by T. Colin Campbell and used to deftly generate Cancer cells in test animals, detailed in his book 'The China Study'.

The mucous forming tendency of milk causes no end of problems, not the least of which is lowered stomach acid, lowered overall nutrient absorption, and constipation via its stickyness in the bowel. Lets not even get started on the pretty eye-popping link with osteoporosis!

All these pervading diseases we have, have to come from somewhere. Jee, whats everyone eating and drinking a lot of??

So I think its a straight out lie to say Fonterra wants to do its part in taking care of the next generation. Taking care of its money more like, at the expense of its health. I would not be surprised the Dairy industry is holding hands somewhere with the Pharmaceutical companies.

I dont believe that Fonterra is blissfully unaware of all the health problems caused by Dairy. That would not be intelligent business.

I think these ads are a giant SCAM laid over on the whole of our society, and a veritable CURSE on our next generations, and they should be taken off air. But sick people keep the 'economy' going to a degree. But how long will the working population be able to support the furiously growing ill population?

I digress. I have made my complaint.

CHILDRENS CODE FOR ADVERTISING FOOD:

Principle 1: All advertisements should be prepared with and observe a high standard of social responsibility to consumers and to society.

Principle 2: Advertisements should not by implication, omission, ambiguity or exaggerated claim mislead or deceive or be likely to mislead or deceive children, abuse the trust of or exploit their lack of knowledge or without reason play on fear.

CODE FOR ADVERTISING FOOD

Principle 1 All food advertisements should be prepared with a due sense of social responsibility to consumers and to society. However food advertisements containing nutrient, nutrition or health claims*, should observe a high standard of social responsibility.

Principle 2 Advertisements should not by implication, omission, ambiguity or exaggerated claim mislead or deceive or be likely to mislead or deceive consumers, abuse the trust of or exploit the lack of knowledge of consumers, exploit the superstitious or without justifiable reason play on fear.

Guideline 2(a) All nutrient, nutritional and health claims should be factual, not misleading, and able to be substantiated. Claims should comply with the Food Standards Code*.

RESPONSE FROM ADVERTISER: FONTERRA NZ

Please find below Fonterra Co-operative Group Limited's ("**Fonterra**", "**us**", "**our**") response to C Epps's complaint to the Advertising Standards Authority dated 29 March 2017.

We understand that C Epps' complaint refers to two separate advertisements appearing on television which promote Fonterra's Milk for Schools community programme. We refer to those two advertisements separately as Richie's Advertisement and the Teacher's Perspective Advertisement. Below we provide the required information for both. The substantive response to C Epps' complaint is found at **Annexures 1 and 2**.

Richie's Advertisement

A basic, neutral description of the advertisement	Richie McCaw talking about his opinion of the Fonterra Milk For Schools programme, including images of children at school and drinking milk.
Date advertisement began	12 March 2017
Where the advertisement appeared (all locations e.g. TV, Billboard, Newspaper Website)	Television, Facebook, Fonterra's website, Youtube, Youtube pre roll and On Demand pre roll.
Is the advertisement still accessible – where and until when?	It is currently accessible on YouTube and Fonterra.com.
Who is the product / brand target audience? Please provide a copy of the media schedule.	The target audience was the general New Zealand public.
Clear substantiation on claims that are challenged by the complainant. Please see the Guidance Note.	<p>Complaint</p> <p>"The advertisement is "deeply misleading, and untrue, and will cause long-term and wide-spread harm and illness to coming generations. Chiefly, the terms "long term health benefits" and "goodness of dairy", I feel violate standard 5, of accuracy, standard 1, of decency, and standard 9 of Children's' Interests."</p> <p>Please see Appendix 1 and 2 for a response to this complaint and substantiation of the claims made in the Advertisements, as well as responses to the claims made in C Epps' complaint.</p>
A copy of the script	One of the things with milk that I've always thought was is the calcium that you need – bone strength and what not and it's certainly in the game I was in playing rugby – it was a pretty vital part so the fact that every kid in New Zealand has the opportunity to get a milk every day through Fonterra Milk For Schools is pretty amazing.

	<p>Ten and a half thousand farmers that own Fonterra are hugely passionate about New Zealand, hugely passionate about the land, but also about the people.</p> <p>It's a way that they're able to give something back to the next generation of Kiwis.</p> <p>I get pride in it and I'm not even a farmer, let alone the guys that are producing this milk to enable that.</p> <p>New Zealand's farmers affectively are gifting it to the future of New Zealand and that's got to be a great thing for this country where our kids are getting the opportunity to get a great source of nutrition every day, so I think that's amazing.</p> <p>END</p> <p>Graphics: Fonterra Milk for Schools logo Trusted Goodness stamp Fonterra.com</p>
CAB key number and rating	70125039 Rating: G

Teacher's Perspective Advertisement

A basic, neutral description of the advertisement	A principal of a New Zealand primary school talking about her opinion of the Fonterra Milk for Schools programme while there are images of children at school and drinking milk.
Date advertisement began	29 January 2017
Where the advertisement appeared (all locations e.g. TV, Billboard, Newspaper Website)	Same as above.
Is the advertisement still accessible – where and until when?	Same as above.
Who is the product / brand target audience? Please provide a copy of the media schedule.	Same as above.
Clear substantiation on claims that are challenged by the complainant. Please	Same as above.

see the Guidance Note.	
For Broadcast advertisements:	
A copy of the script	<p>These kids are active. They are active all the time. They start to lag a little bit after lunch, so they need to regenerate that energy to learn.</p> <p>Being able to offer those children milk has been quite amazing. The calcium and the protein builds strong bones, strong teeth, and muscles that provides our children with resilience for their bodies.</p> <p>What is fascinating that these cartons could be recycled and made in to roofing tiles for homes in Thailand. Just phenomenal.</p> <p>I am so grateful to the farmers for providing the milk. Fonterra are looking at the long-term health benefits for New Zealanders, and starting with young children is definitely the way to go.</p> <p>END</p> <p>Graphics: Fonterra Milk for Schools logo Trusted Goodness stamp Fonterra.com</p>

Annexure 1

Complaint

C Epps seems to refer to two different advertisements in the complaint, which we deduce must be the Milk for Schools advertisement starring Ritchie McCaw ("**Ritchie's Advertisement**"), and the Milk for Schools advertisement starring a principal of a school ("**Teacher's Perspective Advertisement**") (together the "**Advertisements**").

C Epps states in the complaint that the advertisements are "deeply misleading, and untrue, and will cause long-term and wide-spread harm and illness to coming generations. Chiefly, the terms "long term health benefits" and "goodness of dairy" [C Epps] feel[s] violate standard 5, of accuracy, standard 1, of decency, and standard 9 of Children's' Interests."

In Ms O'Dowd's letter regarding this complaint, the relevant sections in the Advertising Codes of Practice are identified as:

- Children's Code for Advertising Food - Principle 1 and Principle 2; and
- Code for Advertising Food – Guideline 2(a), Principle 1 and Principle 2.

The "standards of Children's Interests" referred to in C Epps' complaint are not within the Advertising Codes of Practice governed by the Advertising Standards Authority ("**ASA**"). It is not clear where the standards that C Epps has referred to have come from. Therefore, this response will focus on the principles and guidelines identified by Ms O'Dowd, which are the correct codes governed by the ASA.

Children’s Code for Advertising Food - Principle 1 and Principle 2

The Children’s Code for Advertising Food, Principal 1, states that *Advertisements should be prepared with and observe a high standard of social responsibility.*

Principle 2 states that *Advertisements should not by implication, omission, ambiguity or exaggerated claim mislead or deceive or be likely to mislead or deceive children, abuse their trust or exploit their lack of knowledge or without reason play on fear.*

Code for Advertising Food – Guideline 2(a), Principle 1 and Principle 2

The Code for Advertising Food, Principal 1, states that *All food advertisements should be prepared with a due sense of social responsibility to consumers and to society. However food advertisements containing nutrient, nutrition or health claims*, should observe a high standard of social responsibility.*

Principle 2 states that *Advertisements should not by implication, omission, ambiguity or exaggerated claim mislead or deceive or be likely to mislead or deceive consumers, abuse the trust of or exploit the lack of knowledge of consumers, exploit the superstitious or without justifiable reason play on fear.*

Guideline 2(a) states that *All nutrient, nutritional and health claims should be factual, not misleading, and able to be substantiated. Claims should comply with the Food Standards Code (available on the FSANZ website).*

Response

The overarching complaint by C Epps is that the health claims about milk and dairy in our Advertisements are untrue. Fonterra has extensive evidence to support the claims that there is “goodness” in milk (which refers to nutrients and/or health benefits) and that there are long term health benefits related with milk consumption. We include some of that evidence in the table **in Annexure 2 at row 1**.

We are concerned that some of the claims and statements about milk/dairy included in C Epps’ complaint are untrue, outdated, or based on misinformation. We would like to take this opportunity to dispel some of these common myths associated with milk and to provide a fulsome response to C Epps’ complaint. We include responses to C Epps’ statements about milk/dairy in **Annexure 2 at rows 2 - 7**.

In light of the evidence relating the health benefits of milk which make the relevant claims in the Advertisements **true**, as illustrated by the information in **Annexure 2**, Fonterra is confident that in promoting the health benefits of milk the Advertisements have:

- been prepared with and observed a high standard of social responsibility;¹
- **not** by implication, omission, ambiguity or exaggerated claim:²
 - o misled or deceived or been likely to mislead or deceive children or consumers;
 - o abused their trust;
 - o exploited their superstitions;
 - o exploited their lack of knowledge; or
 - o played on their fear.

Furthermore, all of the nutritional and health claims are factual, not misleading, and are able to be substantiated. We do not consider that the general messaging in the Advertisement

¹ Children’s Code for Advertising Food, Principal 1, Code for Advertising Food, Principal 1.

² Children’s Code for Advertising Food, Principal 2, Code for Advertising Food, Principal 2.

breaches the Food Standards Code.³ Without any specific references to sections of the Food Standards Code and related claims made in the Advertisements, we cannot respond more fully to this alleged breach. We would welcome the opportunity to do so if the Advertising Standards Authority considers this to be appropriate or helpful.

Annexure 2

Substantiation to support claims in Advertisements, and response to claims in C Epps' complaint letter

Row#	Challenge	Response
1.	Querying the long term health benefits and goodness of milk	<p>The Teacher's Perspective Advertisement contains the following statement: "Fonterra are looking at the long-term health benefits for New Zealanders, and starting with young children is definitely the way to go." C Epps is concerned with the part of the claim that asserts that there are long-term health benefits related with milk consumption.</p> <p>The Teacher's Perspective Advertisement and Richie Advertisement both end with the written words on screen: "Trusted Goodness". We believe this is the statement that C Epps is concerned with in the complaint when quoting the words "goodness of milk" (as these exact words do not appear in the Advertisements). We understand that C Epps' view is that the words "Trusted Goodness" imply that milk/dairy is nutritious and/or good for one's health, so below we provide substantiation to support this implied claim.</p> <p>The two statements referred to above are both true and can be substantiated.</p> <p>Experts including the Ministry of Health recommend regular consumption of dairy products such as milk as they contain a range of important nutrients that are essential for optimal health. At least two to three serves of milk and milk products are recommended each day as part of a healthy diet for good health (Ministry of Health, 2015).</p> <p>Dairy products such as milk, cheese and yoghurt are considered to be highly nutritious with multiple health benefits (some of which are listed below), and are an important part of a healthy balanced diet. They are a natural source of energy and contain high quality protein, carbohydrate (lactose) and fat. Dairy products are also naturally rich in essential nutrients, with minerals such as calcium, potassium, and phosphorus, as well as essential vitamins including vitamins A (in full-fat products), B2 (riboflavin), and B12.</p> <p>The long term health benefits of consuming milk and dairy on a regular basis as part of a healthy diet include (but are not limited</p>

³ Code for Advertising Food – Guideline 2(a).

		<p>to):</p> <ul style="list-style-type: none"> - Healthy growth and development of children (Goulding et al. 2004; Konstantynowicz et al. 2007; Du et al. 2004; FAO, 2013). - Strong bones (International Osteoporosis Foundation, 2006) and muscles for mobility (Radavelli-Bagatini et al. 2013). - Helping to maintain a healthy body composition (Abargouei et al. 2012) - Provision of essential nutrients which perform numerous additional functions in the body (based on Ministry of Health, 2014; Visser et al. 1981 and Food Standards Australia New Zealand, 2016). These include helping: <ul style="list-style-type: none"> o cell structure and function; o vision; o energy metabolism; o dental health o psychological function; o protection from oxidative stress; o maintenance of healthy skin; o immunity support; o supporting a healthy nervous system; and o helping to reduce tiredness and fatigue. <p>Establishing good nutrition patterns in childhood is important for good health throughout life and the habits and behaviours developed at this stage often influence behaviours in adulthood. Also, there is emerging evidence that health during childhood impacts on health during adulthood. (Ministry of Health, 2012).</p>
2.	<p>Querying that milk is good for bones and suggesting it is detrimental for osteoporosis risk</p>	<p>Bone strength is related to the density (mass) of bone. Osteoporosis is a condition of low bone density and quality which is associated with increased risk of bone fracture. Calcium is one of the main dietary factors affecting bone mass and 99% of the body's calcium is in bone (FAO, 2013).</p> <p>Public health experts and scientific authorities such as the International Osteoporosis Foundation recommend consumption of milk and dairy products as the most readily available dietary sources of calcium, and also for being a good source of protein for good bone and general health and to help prevent osteoporosis (International Osteoporosis Foundation 2006; International Osteoporosis Foundation, 2015).</p> <p>Milk ensures efficient absorption of calcium and also ensures, over the long term, that calcium is retained and used for bone mineralisation (Gueguen L et al, 2000). The effect of pasteurisation and homogenisation on milk does not affect the body's ability to utilise the calcium in milk. A 2013 review of the risks and benefits of raw and heat treated milk concluded that "heat treatment (and homogenization) appears to have no significant effect on the bioavailability of calcium". (Claeys et al, 2013)</p>

		Most of the skeletal mass is laid down during childhood and adolescence (Lanham-New et al. 2007), making childhood a critical window of opportunity. Children who avoid drinking cow's milk have been shown to be at increased risk of prepubertal fractures (Goulding et al., 2004).
3.	"Many, many health professionals believe [re: milk being good for bones] it is quite the contrary and that dairy needs to be removed or greatly restricted in our diet "	The Ministry of Health is the authoritative source of dietary recommendations for New Zealanders. Their food and nutrition guidelines recommend at least two to three serves of milk and milk products a day for good health (Ministry of Health, 2015). These guidelines to eat a healthy diet including dairy are also supported by credible organisations in New Zealand such as NZ Nutrition Foundation (2013), Dietitians New Zealand (2015) and the Heart Foundation (2016).
4.	"If the milk was raw and organic and fermented , there may be some truth about the health benefits..."	<p>Pasteurisation involves the rapid heating and cooling of milk and ensures that milk is safe for the consumer by destroying potentially harmful micro-organisms. It is a legal requirement for all milk for retail sale in New Zealand. Heat treatment such as pasteurisation does not substantially change the nutritional value from that of raw milk or reduce or affect other health benefits associated with raw milk consumption. (Claeys et al, 2013)</p> <p>Nutrition benefits of organic milk compared to conventional milk are generally due to differences in cow feeding practices used overseas ie organic milk from grass fed cows compared to conventional milk from grain fed cows (Srednicka-Tober et al, 2016). However, in New Zealand, cows are mainly grass-fed so there is no evidence to suggest nutritional inferiority of conventional milk compared to organic milk in this country.</p> <p>There are some additional benefits to fermentation of milk (eg due to the presence of cultures in yoghurt). This does not detract from the fact that the consumption of unfermented milk also has health benefits.</p>
5.	"... but the fact that it is full of fertilisers, hormones, antibiotics, round-up... and other chemicals..."	<p>In New Zealand, the regulatory control of agricultural compounds (veterinary medicines/plant compounds –pesticides) including importation, manufacture, sale and use is through the Agricultural Compounds and Veterinary Medicines (ACVM) Group within the New Zealand Ministry for Primary Industries (MPI), as governed by the Agricultural Compounds and Veterinary Medicines Act 1997. Fonterra's milk must comply with the ACVM and all associated regulations.</p> <p>Fonterra's milk is produced in accordance with all of the relevant food safety standards administered by MPI and also meets</p>

		<p>internationally accepted food safety standards.</p> <p>Recombinant bovine somatotrophin (rbST) (a growth hormone) is not registered in New Zealand for sale or approved for use for any species. It is used on milking animals in some other countries (such as the USA). Hormonal Growth Promotants (HGP) are subject to strict controls and cannot be used on milking animals in New Zealand.</p> <p>The Fonterra Farmer Hand Book, in accordance with MPI regulations, requires that any cows receiving antibiotic treatment for an illness or infection must have their milk kept separate from the rest of the milking herd, and that milk is not used for human consumption. To ensure compliance, Fonterra regularly tests Fonterra farmers' milk for inhibitory substances including antibiotics. Fonterra also tests all deliveries of raw milk to its manufacturing sites for the presence of some inhibitory substances prior to unloading the milk from the tanker.</p> <p>In addition to the comprehensive registration process and controls on the use of agricultural compounds by MPI, Fonterra's milk is also subject to random testing by MPI as part of the National Chemical Contaminants Programme. MPI operates the NCCP to verify the effectiveness of the national residues control in assuring the integrity and safety of New Zealand dairy products.</p> <p>In September 2016 MPI published results of testing in New Zealand for glyphosate (the primary ingredient in round up). No glyphosate has been found in any milk tested in New Zealand (Ministry of Primary Industries, 2015).</p>
6.	<p>"...not to mention being homogenised (linked with cancers, probable cause of heart disease...) and pasteurised (no lactase enzyme (or anything) left alive to help us digest lactose.... Gives it little chance of offering any health benefits besides hydration."</p>	<p>Homogenisation is a process where milk is passed under pressure through very fine nozzles to break up fat globules into smaller droplets to ensure that the cream in milk does not separate and rise to the top when the milk is stored in a bottle/carton. Homogenisation does not significantly affect the nutritional value of milk or make milk unsafe to drink.</p> <p>Xanthine oxidase from homogenised milk was hypothesised to damage arteries and lead to atherosclerosis in the 1970s (Oster, 1973) but the theory was dismissed by comprehensive reviews (Clifford et al., 1983; Deeth, 1983) and in 2000 and 2001 a European parliament committee stated there was no sufficient proof regarding harmful enzyme effects of Xanthine oxidase from milk. (Michalski & Januel, 2006).</p> <p>Evidence demonstrates that consumption of dairy products including milk does not increase the risk of cardiovascular disease and may in fact be protective (Alexander et al., 2016; Qin et al., 2015). Milk and dairy consumption is either inversely or not associated with several cardiovascular risk factors such as high blood pressure (Soedamah-Muthu et al., 2012; Ralston et al., 2012), obesity (Louie et al., 2011; Chen et al., 2012), type 2</p>

		<p>diabetes (Aune et al., 2013; Kalergis et al. 2013; Sabita et al., 2012; Grantham et al., 2012; Tong et al., 2011) and risk of metabolic syndrome (Chen et al., 2015; Kim & Je, 2015)..</p> <p>There is no evidence that homogenisation of milk increases the risk of cancer and expert authorities such as the NZ Cancer Society acknowledge that the proven health benefits of dairy outweigh the unproven harms related to cancer and recommend moderate consumption of milk and milk products as part of a healthy diet (Cancer Society, 2012).</p> <p>Regarding the suggestion that heating milk destroys lactase: no milk (raw, heated or homogenised) contains lactase. Any potential lactase production by the presence of lactic acid bacteria in raw milk is limited at refrigeration temperature. (Claeys et al, 2013)</p> <p>As mentioned previously, pasteurisation is a legal requirement for all retail milk in New Zealand due to significant food safety risks. It is particularly important for vulnerable groups such as children. Pasteurisation does not substantially change the nutritional value or health benefits of milk (Claeys et al, 2013).</p>
7.	The mucus forming tendency of milk causes no end of problems...	Milk consumption does not lead to mucus production. Perceived feelings of increased mucus following milk consumption are likely due to the texture of milk, rather than the increased presence of mucus (Wuthrich et al, 2005).

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RESPONSE FROM MEDIA: COMMERCIAL APPROVALS BUREAU

CAB approved this Fonterra commercial on 25/01/17 with a 'G' classification.

The commercial is not classified as food advertisement as it contains no sales message, rather, it describes a programme for the free distribution of Fonterra products to New Zealand schools in association with partnered organisations including Tetra Pak, Fisher & Paykel, Daily Freight, Friehtlink, Holden and others.

The commercial also describes the associated programme for recycling provided to New Zealand primary schools.

A sole complainant (a Medical Herbalist) believes that milk has a negative link with osteoporosis and 'probable carcinogens'. Their belief is that milk will cause 'long-term and wide-spread harm and illness to coming generations'.

CAB does not consider these claims valid.

The Health Promotion Agency in conjunction with the Ministry of Health recommend 2-3 servings of dairy per day for children between the ages of 2-18 years old. The advertiser has met a high standard of responsibility in promoting their programme to help New Zealand children reach this recommended serving. Subsequently, CAB does not believe this complaint should be upheld.