

Nestlé S.A.

BMS



CORPORATE PROFILE



PRODUCT PROFILE

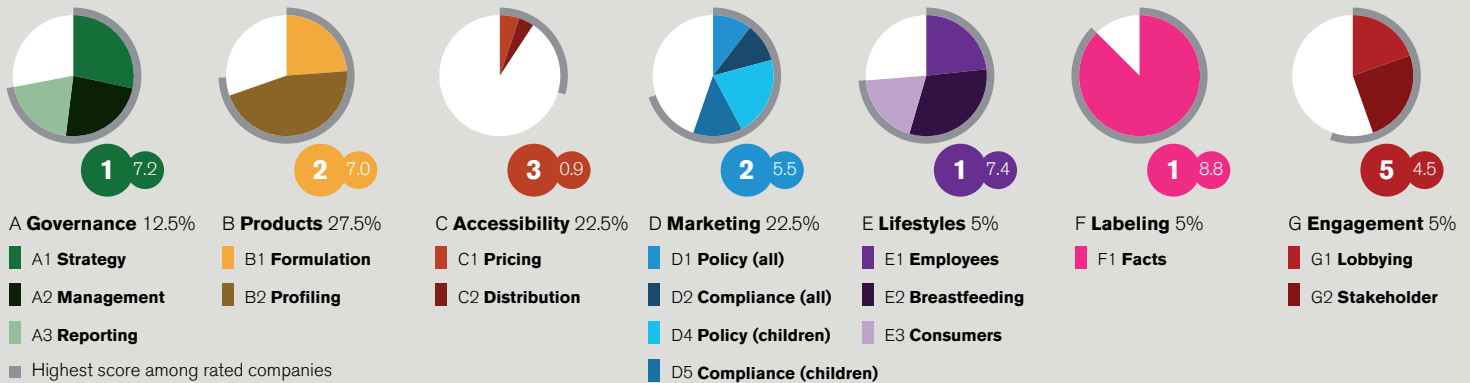
Company type	Publicly traded
Headquarters	Switzerland
No. of U.S. employees	51,000
U.S. revenue range*	USD 15-20 billion

* Source: Euromonitor International, 2017.

Product Profile**

	Revenue range	Mean HSR rating
Bottled Water	30-40%	3.0
Confectionery	10-20%	1.0
Dairy	10-20%	1.2
Ice Cream and Frozen Desserts	10-20%	2.3
Ready Meals	20-30%	3.1

Corporate Profile



Main areas of strength

- Nestlé leads the U.S. Index Corporate Profile with a score of 5.3 out of 10 on the Corporate Profile.
- The company has adapted its global Board-approved nutrition strategy to the U.S. market and has 14 U.S.-specific nutrition-related commitments on a comprehensive range of topics, including product reformulation, marketing and nutrition labeling. Accountability for implementation of the U.S. nutrition strategy rests with the Nestlé Operating Company CEO.
- Nestlé is one of two companies in the Index that publishes an annual U.S.-specific report and the only one to publish it in addition to its global report.
- Nestlé's product reformulation targets, to reduce salt/sodium, added sugar and saturated fat, cover all relevant foods and beverages in the U.S. market. Its approach to product formulation and reformulation is aligned with the 2015-2020 Dietary Guidelines for Americans (DGA).
- For the marketing to children aspect, Nestlé sets an industry-leading audience threshold of 25% for children aged 2-12 for all media and in addition, does not market any products to children under 12. This is a stronger commitment than that applied globally. Further, Nestlé commits not to market in or near elementary schools, including through digital marketing.
- Nestlé has an industry-leading global 'Maternity Protection Policy' based on the principles of the International Labor Organization's (ILO) Maternity Protection Convention (C183). This is a global policy that applies fully to the U.S. and includes provisions that go beyond national regulations and include paid maternity leave.
- Nestlé is one of the top-ranking companies on nutrition labeling. It has committed to provide nutrition information on Front-Of-Pack (FOP) through the industry-developed Facts Up Front system and online through the SmartLabel system that will be fully implemented in 2018.
- Nestlé makes a global commitment to engage with governments and policymakers to support measures to prevent and address obesity and diet-related chronic diseases, and extends this commitment to third-parties that lobby on Nestlé's behalf.

Priority areas for improvement

- Nestlé ranks joint fourth on the U.S. Index Product Profile with a relatively low score of 4.9 out of 10. It was estimated to generate only 29% of 2016 sales from healthy products (having a Health Star Rating (HSR) of 3.5 or more) and 34% from products that meet World Health Organization (WHO) Euro criteria for marketing to children. Nestlé does not publicly disclose the percentage of healthy products in the United States, or the sales derived from them. Nestlé should improve its transparency in this area and step up its product reformulation, new product development and/or make acquisitions to improve the healthiness of its U.S. product portfolio.
- Nestlé does not have a clear policy on improving the affordability and accessibility of its healthy products that focuses on priority populations in the United States, whose access to healthy food is constrained by low income or geographic factors. Nor does it commit to donating a high percentage of healthy products to programs that address food insecurity, such as food banks either. The company should improve and disclose more information on these topics.
- Nestlé could improve its policy on marketing to children by extending its commitments to middle and high schools and to other places popular with children.
- Brand-level sponsorship is excluded only for some types of educational programs in the United States. Nestlé should exclude brand-level sponsorship, define specific health outcomes and commission independent evaluations for all programs.
- Nestlé states in its global Breast-milk Substitutes Marketing policy, that as a minimum, it complies with the International Code of Marketing of Breast-milk Substitutes (The Code) and relevant World Health Assembly (WHA) resolutions, as implemented by governments all over the world. This includes therefore so-called lower-risk countries (defined by the FTSE4Good risk-rating system based on levels of infant and child morbidity, mortality and undernutrition), of which the United States is one. It applies additional policy commitments in higher-risk countries when they are stricter than local legislation implementing the Code. Nestlé is urged to extend these commitments to the United States and all other lower-risk countries.

i Nestlé sells Breast-Milk Substitute products in the United States. Nestlé is included in the BMS marketing assessment but no score adjustment is applied to any other aspect of the U.S. Index. BMS-related commitments, programs, activities or products are not taken into account for any aspect of the U.S. Index except for the BMS marketing assessment.

****** The mean HSR is calculated per category and multiplied by the percentage of 2016 sales per category. These figures are totalled and doubled to give a maximum Product Profile score of 10.



Category analysis - Nutrition**A Governance**

- Nestlé is the top performer in Category A with well-structured nutrition governance and management systems, as well as a comprehensive nutrition strategy. The company has articulated 14 U.S.-specific commitments, addressing topics such as new product development, product formulation, encouragement of healthy and active lifestyles, product labeling, responsible marketing and collaboration. The company reports annually on its achievements in its U.S. Creating Shared Value Report. The U.S.-specific commitments feed into a set of 15 global commitments, thereby aligning its U.S. approach with its global strategy.
- The company also demonstrates that its commitment to grow through a focus on health and nutrition helps to inform its decisions regarding mergers and acquisitions in the U.S. market – an example in the last three years is the sale of its U.S. confectionery business to Ferrero.
- In the United States, the local nutrition governance arrangements mirror the global set up, where formal accountability rests with the company's CEO and the members of Nestlé's Executive Board. Nestlé could improve by disclosing U.S.-specific details of its managerial arrangements. Further, globally the CEO and senior executive compensation are linked indirectly to performance on targets and this arrangement applies to the U.S. as well. The company should link remuneration of the U.S. CEO and other senior executives directly to performance on U.S. nutrition targets.
- The company commits to deliver more healthy foods to the U.S. market, its biggest worldwide. This is demonstrated through concrete commitments to reduce sugars, sodium and saturated fat in its products, as well as through a commitment to launch more nutritious foods and beverages.
- No evidence was found of a strategic commitment to address food insecurity or to focus commercially on priority populations whose access to healthy food is constrained by low income or geographic factors. Nestlé should develop an explicit commercial and non-commercial strategy to address issues of food insecurity and to improve access to healthy products for priority populations in the United States.
- Nestlé should set up and seek advice and regular feedback on the scope and implementation of its nutrition strategy from, a formal U.S.-specific panel of experts with a broad range of expertise in nutrition and health, responsible marketing, labeling, promoting active lifestyles and food insecurity issues.
- Nestlé's quality of reporting on U.S.-related nutrition themes is high. Nestlé is one of two companies to publish a U.S.-specific report and the only one to publish it in addition to its global report. The company provides extensive reporting on its activities and progress relating to its Nutrition, Health and Wellness commitments. Nestlé could improve its reporting by discussing the challenges faced in tackling nutrition challenges such as obesity and food insecurity, and by reporting specifically on how it addresses these issues with respect to priority populations.

B Products

- The U.S. product profile, which covers 94% of its U.S. sales in 2016 excluding BMS and coffee, found that 29% of its products (and estimated that 29% of 2016 sales) are healthy, based on an HSR of 3.5 or more. Although Nestlé does not disclose U.S.-specific data on products meeting its Nutritional Foundation (NF) criteria, this percentage is considerably lower than the percentage of sales from such products that Nestlé discloses globally. The company should review these results for the U.S., to ensure its nutritional criteria align to internationally recognized criteria such as the HSR and to revise its metrics for healthy products as needed. Overall, Nestlé should further step up its efforts to improve the nutritional quality of its products in the United States
- In the United States, Nestlé has articulated a commitment to improve the nutritional profile of its products and to conduct research. This is reflected in its R&D commitments; the company committed to spend 64% of its global R&D budget on nutritious product development in 2016, some of which therefore

covers the U.S.

- Nestlé commits to support the 2015–2020 DGA, including the recommendation to consume no more than 10% of daily calories from added sugars.
- Nestlé only sells water products under the Smart Snacks in School regulation, which are formulated the same as water products sold through other channels.
- To demonstrate its progress on delivering more healthy foods, Nestlé should annually publish consolidated data on new healthy product introductions in the U.S. market. The company should also expand its healthy offering per brand for children and adults, as not all brands currently include at least one healthy option.
- Nestlé's reformulation targets cover all relevant U.S. products and are based on relevant external guidelines. The company has defined U.S.-specific targets for negative nutrients - salt/sodium, sugar, trans-fat and saturated fat. Nestlé articulates a global commitment to increase vegetables, fiber-rich grains, pulses, nuts and seeds in its products. However, in the United States only an educational objective is articulated in relation to this commitment. The company should define related product reformulation targets in the United States as well.
- Nestlé could improve its reformulation targets by committing to achieve its NF criteria by a specific date. Currently, the company states that it will reduce negative nutrients by a certain percentage if products do not meet the NF criteria. Further, it could strengthen its reporting by publicly disclosing the percentage of relevant U.S. products that meet the NF criteria.
- Nestlé has a globally applicable Nutrient Profiling System (NPS) which is also applied in the United States. It incorporates all of the design features assessed in the ATNI methodology and achieves the maximum healthy multiplier. Nestlé is one of two companies that have published its NPS in peer reviewed journals, which is industry best practice.

C Accessibility

- Globally, Nestlé commits to "Contributing to the availability of and affordable access to sufficient, safe and nutritious food." Although Nestlé applies a relevant affordability and accessibility strategy in developing and some developed markets through its Popularly Positioned Products (PPP) strategy, this strategy does not apply to the U.S.
- Overall, besides a global commitment to address accessibility and affordability of its healthy products, the company did not provide evidence of policies and activities that would address the accessibility and affordability of healthy products with particular reference to priority populations whose access to healthy food is constrained by low income or geographic factors. Nestlé sells products under the SNAP and WIC government assistance programs, but it only provided evidence of activities under its main baby food brand and operating company, which is out of scope for assessment in Category C.
- The company should either extend its PPP strategy to the U.S. market or develop a U.S.-specific strategy to address accessibility and affordability of healthy products with particular reference to priority populations in the United States. This approach should include defining targets such as narrowing down the price differential on healthy versus less healthy products, achieving a particular price point for healthy products and defining the number of priority populations to reach with healthy products through improved distribution in urban areas that lack access to healthy food. These targets should be based on analysis of appropriate pricing and distribution methods of healthy products for priority populations in the United States.
- When the company has adopted a formal policy on the affordability and accessibility of healthy products in the United States, it should allocate responsibility for implementing it to a named executive and disclose this arrangement.
- Nestlé donates foods and beverages from across its portfolio to food banks through a partnership with Feeding America, but no evidence was found of a commitment to donate a high percentage of healthy products to programs that address food insecurity in the United States. Nestlé should make this

commitment and track the percentage of healthy products donated.

D Marketing

- In terms of responsible marketing to all consumers, Nestlé applies a comprehensive set of responsible marketing principles that is aligned with the International Chamber of Commerce (ICC) Framework for Responsible Food and Beverage Marketing Communications, e.g. to ensure fair representation of products, and makes additional commitments beyond the ICC framework. It applies these principles to all relevant media covered by the ATNI methodology. The company conducts compliance audits with its Nestlé's internal Group Audit, which covers the U.S. market. The company could improve its performance further by appointing an independent external auditor to assess compliance on a regular basis and publish the results of these assessments.
- Despite global commitments, Nestlé failed to provide evidence of a commitment to developing and delivering marketing strategies for healthy products tailored to reaching priority populations in the United States and of taking steps to understand and reach these specific consumer groups. This is an area which the company should place more focus on.
- Nestlé has a globally applicable policy on marketing to children and pledges to follow the two main sets of industry self-regulation commitments by being a Children's Food and Beverage Advertising Initiative (CFBAI) member and supporting the Children's Advertising Review Unit Guidelines, administered by the U.S. Council of Better Business Bureaus (CBBB).
- In the United States, Nestlé does not advertise any products to children under 12 on the media covered by its commitment and when they make up 25% or more of the audience. This is a stronger commitment than the company makes globally. It could improve further by committing to not showing children engaging in other activities while eating and to not using its own fantasy and animated characters with a strong appeal to children in any form of marketing, including product packaging. In addition, Nestlé should extend its responsible marketing commitments to children aged 13 and over.
- Nestlé has committed to refraining from advertising in or near elementary schools, including the use of digital marketing. Nestlé is also one of two companies that makes a commitment to restrict its marketing, to some extent, in places popular with children. The company could improve its policy by extending its commitments on marketing to middle and high schools and its approach on marketing in places popular with children. It should specify which types of school marketing are covered by the company's commitment, i.e. related to signs, scoreboards, school equipment, corporate incentive programs, fundraisers, school publications, etc.
- In the United States, Nestlé's compliance with its commitments on marketing to children are being annually audited by the CBBB. Nestlé does not report its compliance level for TV and digital marketing but should report this in its U.S. Creating Shared Value report.
- The company should also disclose an explicit commitment to take corrective action in case of non-compliances regarding its marketing policy to children.

E Lifestyles

- Nestlé leads the rankings for Category E 'Support for healthy diets and active lifestyles' showing a good performance on all three criteria.
- The company offers robust employee health and wellness programs and these programs are extended to the families of employees. Similar to the Global Index, Nestlé is one of the few companies that conducts independent evaluations on the qualitative health impact of the nutrition, diet and activity elements of its employee health and wellness programs.
- The company should further improve its approach by disclosing participation targets in its U.S. employee health and wellness programs, expected health and business impacts and full results of program evaluations, which should entail quantitative analyses as well.
- Nestlé leads its peers in terms of supporting breastfeeding mothers at work. The company's global policy 'Maternity Protection Policy' is publicly available. This policy applies fully to the U.S. and offers a minimum of 14 weeks paid maternity leave, flexible working arrangements and conducive working environments in which mothers can express breastmilk. In addition, Nestlé is the

only company that aligns its policy with the ILO's Maternity Protection Convention (C183).

- In the United States, Nestlé supports both independent and its own programs to promote healthy lifestyles directed at children, families and communities. The Nestlé Healthy Kids global program is aligned with national dietary guidelines and does not allow brand-level sponsorship, but active lifestyle initiatives and food insecurity programs allow brand-level sponsorship. Therefore, the company should broaden the scope of its commitments to exclude brand-level sponsorship of active lifestyle, education and food access programs, and disclose those commitments.
- Nestlé provides evidence of supporting health and nutrition programs that are underpinned by a sound evidence base and have been designed with expert advice. For example, one of the initiatives it supports, 'Healthy Steps for Healthy Lives' is an education program aimed at school age children, focused on three healthy steps for healthy lives themes: think healthy, eat healthy and move healthy. By design, it incorporates the DGAs in learning materials and it provides resources that promote health through improved nutrition and physical activity. The materials are aligned with the National Health Education Standards. This program was developed as a joint initiative with the National Education Association Health Information Network (NEA HIN). Other programs Nestlé supported in 2016 included the National Fitness Competition partnership with the Boys & Girls Clubs of America, designed to make children achieve physical activity goals.
- To strengthen its approach on consumer-oriented healthy eating and active lifestyle programs, Nestlé could set out specific health outcomes that program participants should benefit from for all its programs, expand the scope of independent evaluations to all educational programs and provide more information about the results publicly.

F Labeling

- Nestlé, together with Unilever and General Mills rank first on Category F.
- In the United States, Nestlé's Front-Of-Pack (FOP) labeling provides numeric information on the levels of key nutrients and the percentage intake based on recommended daily values, i.e. it follows the Grocery Manufacturers Associations (GMA) Facts Up Front system for all relevant products. The company could improve by communicating the nutritional value of its products by using interpretive FOP labels that are easy to understand for all consumers by using graphics, symbols or colors.
- The company provides nutrition information for all products on individual brands' websites. In addition, Nestlé USA is rolling out the GMA SmartLabel system which will provide online nutrition information for all its products as of 2018.
- Nestlé makes a public statement on its website to support the U.S. Food and Drug Administration (FDA) update of the Nutrition Facts Panel, which includes a requirement for labeling of added sugars and will go into effect on January 1, 2020. Although this aspect of the assessment is not scored and provided for information purposes only, all companies are recommended to implement the update to the Nutrition Facts Panel as soon as possible for all relevant products.

G Engagement

- Nestlé is one of two companies with a global commitment to engage with governments and policymakers to support measures to prevent and address obesity and diet-related chronic diseases, which applies to the U.S. as well. It is the only company assessed for the U.S. Index that extends its commitment to third-parties that are paid to lobby on Nestlé's behalf. Despite having stronger commitments than its peers, Nestlé does not make an explicit commitment not to lobby against measures being proposed to improve public health and should do so.
- Beyond required disclosure of financial contributions to associations or other organizations that lobby on its behalf, Nestlé discloses some information on its lobbying activities and positions related to preventing and addressing obesity and diet-related chronic diseases. For example, Nestlé disclosed an online commentary on its support for added sugar labeling in the United States.
- The company could improve its transparency by disclosing any potential

conflicts of interest, board seats held at industry associations and on advisory bodies related to nutrition issues, and by disclosing more comprehensive information on its policy positions used in lobbying or engagement with policymakers in the United States.

- Nestlé confirmed to ATNF that it commits to engage with stakeholders in developing nutrition policies/programs in the United States but it does not disclose this commitment. The company should be transparent and specific about its U.S. stakeholder engagement commitments in relation to developing and implementing its nutrition strategy.
- The company's approach to stakeholder engagement on nutrition in the United States is a combination of formal advisory boards and ad hoc interactions. Limited evidence of U.S. stakeholder engagement was provided related to its commercial nutrition activities, compared to the more extensive global scope of engagement that Nestlé demonstrated for the Global Index 2018. For example, the company did not explain how stakeholders' input was used to adapt its policies and programs, i.e. to change business practices. Evidence of engagement with stakeholders on supporting public health and nutrition programs in the United States was limited to a handful of examples. The company should provide more information about its engagement related both to its commercial and non-commercial programs in the United States, including a description of the impact on its policies, strategies and programs.

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Product Profile*

Portfolio-level results

Average HSR score (sales-weighted; out of 5 maximum)	Healthy products (HSR)				Products suitable to market to children (WHO Euro)				% total U.S. F&B sales included
	No. assessed	% sales generated from healthy	No. healthy	% of healthy products	No. assessed	% sales generated from suitable	No. suitable	% of suitable products	
2.5	1071	29%	314	29%	1072	34%	263	25%	94%

▪ Nestlé’s average sales-weighted HSR is 2.5, and 2.1 when not weighted by sales, generating a Product Profile score of 4.9 out of 10, and a shared rank of fourth. The results are based on analysis of 94% of its 2016 sales of categories eligible for inclusion.

▪ 29% of the products assessed (314) were found to meet the healthy threshold. These were estimated to generate an equivalent proportion of 2016 sales.

▪ 25% of the products assessed (263) were found suitable for marketing to children and were estimated to generate 34% of 2016 sales. This somewhat higher figure is due to the influence of bottled water and ready meals that score relatively well (see below) and together contribute 60% to overall sales.

Category results

Category	Bottled Water	Confectionery	Dairy	Ice Cream and Frozen Desserts	Ready Meals
Mean HSR	3.0	1.0	1.2	2.3	3.1
% products healthy	39%	1%	17%	9%	50%
% products suitable to market to children	71%	0%	3%	0%	46%

Nestlé’s highest-scoring category on average is ready meals (with a mean HSR of 3.1), followed by bottled water (3.0), with confectionery (1.0), dairy (1.2) and ice cream and frozen desserts (2.3) having the lowest mean

HSRs. The proportion of healthy products and those suitable for marketing to children are broadly in line with these figures. Note that the bottled water category includes products with added sugar and/or other ingredients.

* The mean HSR is calculated per category and multiplied by the percentage of 2016 sales per category. These figures are totalled and doubled to give a maximum Product Profile score of 10.

BMS Assessed against the BMS methodology.

Relative nutritional quality of Nestlé's products by category

Mean HSR	Bottled Water	Confectionery	Dairy	Ice Cream and Frozen Desserts	Ready Meals
Nestlé	3.0	1.0	1.2	2.3	3.1
Coca-Cola	2.2				
PepsiCo	2.1				
Mars		0.7		1.5	
ConAgra			2.1		3.3
General Mills			3.4		2.4
Kraft Heinz			2.4		2.1
Unilever			2.8	2.2	2.1

Nestlé has a diverse portfolio and competes with a range of other companies in each of the categories assessed. Its bottled water products lead the category with a mean HSR of 3.0, with those of PepsiCo being rated the lowest (2.1). Nestlé also leads the ice cream and frozen desserts category with a mean HSR of 2.3, closely followed by Unilever's mean HSR of 2.2. In the ready meals category, Nestlé product score above the mid-range of nutritional quality with a mean HSR of 3.1, versus the highest

rating of 3.3 achieved by ConAgra' products, and the lowest of 2.1 shared by Kraft Heinz and Unilever products. With a low mean HSR of 1, its confectionery is of slightly higher nutritional quality than that of Mars', which has a mean HSR of 0.7 in this category. Nestlé's dairy products have the lowest nutritional quality in that category, with a mean HSR of 1.2, much lower than its competitors; General Mills achieves a mean HSR of 3.4.

Conclusion

Nestlé scores well on Criterion B2 which assesses the key characteristics of its NPS, however at the global level Nestlé's own figures for the percentage of its products that are healthy and their contribution to 2016 sales are much higher than the figures generated by this Product Profile. This appears to indicate that the nutrition thresholds and standards embedded in Nestlé's own NPS are not as stringent as those used by the HSR model. Although the company does not publish the number or proportion of healthy products in its U.S. portfolio, given the results of the Product Profile, it is highly likely that the metrics it uses internally are not

aligned to these results. The company is therefore urged to strengthen its NPS and to be more transparent about the contribution of healthy products to its sales in the United States.

Nestlé S.A. ^{BMS}

BMS Marketing

Nestlé was the third largest baby food maker in the U.S. market in 2016. Similar to the other two market leaders in the United States, Abbott and RB/Mead Johnson Nutrition, the standards in Nestlé's global BMS Marketing policy in which it commits to implement The Code do not apply in the United States.

Nestlé states in its global Breast-milk Substitutes Marketing policy, that as a minimum, it complies with the International Code of Marketing of Breast-milk Substitutes (The Code) and relevant World Health Assembly (WHA) resolutions, as implemented by governments all over the world. This includes therefore so-called lower-risk countries (defined by the FTSE4Good risk-rating system as countries that meet either of the following levels of infant mortality and morbidity: more than ten per 1,000 under five mortality, and/or more than 2% acute malnutrition (moderate and severe wasting) in under-five year olds.) The United States is classified as a lower-risk country.

Nestlé applies additional policy commitments in higher-risk countries when they are stricter than local legislation implementing the Code, which analysis for the Global Index 2018 showed aligns very closely to The Code's BMS marketing recommendations. They apply to all of its formulas from birth to 12 months of age, and its complementary foods. Crucially, where regulations are absent or weaker than its policy in higher-risk countries, Nestlé commits to adhere to its own policy.

However, Nestlé only commits to comply with local regulations in all lower-risk countries, including the United States, which does not have regulations that implement the Code. Nestlé is urged to extend its policy to the United States and all other lower-risk countries so as to market all of its products in all countries in line with the Code.

General disclaimer

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Note

The George Institute for Global Health (TGI) is responsible for the data collection for the Product Profile assessment, using data from available databases that was supplemented with data provided by companies to ATNF. TGI is also responsible for the analysis of the data related to the Product Profile and the TGI Product Profile final report, the results of which have been incorporated by ATNF into the Global Access to Nutrition 2018 report and the U.S. Spotlight Index report.

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