

**Revised: December 2000; June 2003; October 2005; October 2006; November 2007
BOD Vote: October 2005; October 2006; Nov 2007; April 2008**

ILCA ADVERTISING AND PUBLICATIONS POLICY

ILCA's Advertising and Publications Policy applies to all media produced by ILCA, and to all advertising in any ILCA media.

ILCA media includes: the *Journal of Human Lactation (JHL)*, ILCA e-Globe, ILCA website, websites conducting business on behalf of ILCA, the rental of ILCA mailing labels, publications produced by ILCA, and materials for any ILCA conference or workshop (i.e. conference syllabus, conference advertising copy, speaker hand-outs, exhibits).

The ILCA Board of Directors encourages the wide dissemination of information useful to ILCA members and their clients, but seeks to avoid any express or implied endorsement of products or services advertised in ILCA media. Advertising or listing in ILCA media does not imply endorsement by ILCA of any program, product or service.

No current or former Director of ILCA may use her/his office with ILCA to endorse any literature or product, but is free to do so as a private individual.

Advertisers must comply with all General Advertising Policies, as well as policies which pertain to their specific medium as described in Rental of ILCA Member Mailing List and Conference Exhibitor, Vendor, Advertiser and Sponsor Policies.

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General Advertising Policies

When advertising in any ILCA media, advertisers must comply with ILCA's By-laws, *the International Code of Marketing of Breast-milk Substitutes* and all subsequent WHA resolutions, and all policies set forth in the ILCA Advertising and Publications Policy.

A. Compliance with ILCA By-laws

1. All ILCA advertising policies will comply with ILCA By-Laws, specifically 2.2.1 and 2.2.2.
 - a. Bylaw 2.2.1. "As an organization, ILCA and its affiliates will not endorse any literature or products, or accept direct funding from industries producing or marketing products that do not comply with the *International Code of Marketing of Breast-milk Substitutes and subsequent WHA resolutions.*"
 - b. Bylaw 2.2.2. "Directors of ILCA, its staff and its affiliates will not accept funding from interests producing or marketing products that do not comply with the *International Code of Marketing of Breast-milk Substitutes and subsequent WHA resolutions.*"

B. Compliance with the *International Code of Marketing of Breast-milk Substitutes* and all subsequent WHA resolutions

1. All ILCA media must be in compliance with the *International Code of Marketing of Breast-milk Substitutes* and all subsequent WHA resolutions.
2. ILCA does not invest in, nor accept funding, donations, advertising nor sponsorship from, entities which do not comply with the *International Code of Marketing of Breast-milk Substitutes* and all subsequent WHA resolutions.
 - a. ILCA may seek an opinion letter from an independent arbiter on matters of interpretation of the *International Code of Marketing of Breast-milk Substitutes* (such as the International Baby Food Action Network [IBFAN] or the National Alliance for Breastfeeding Advocacy [NABA]).
 - b. ILCA will request advice on whether entities are Code-compliant, and what measures might be taken to become Code-compliant, and hence eligible for advertising in ILCA media.

C. Non-Endorsement Policy

1. Advertising or listing in any ILCA media does not imply endorsement by ILCA of any program, product or service.
2. Statements will be provided in each issue of the JHL and ILCA e-Globe, and on each page of the ILCA website and conference media as applicable, declaring that acceptance and publication of advertisements does not reflect endorsement by ILCA.
3. No current or former Director of ILCA may use her/his office with ILCA to endorse any literature or product, but is free to do so as a private individual.

D. Any Advertiser whose material is accepted by ILCA must confirm (by print or electronic means) that:

1. It has obtained and will maintain adequate product liability insurance coverage relative to all products advertised.
2. It is authorized to publish the entire contents of the advertisement.
3. It has carefully reviewed the contents of the advertisement.
4. The advertisement is truthful and not misleading.
5. The advertisement does not infringe upon any intellectual property law right held by a third party.

E. Any product or service for which there is a designated fee shall be considered an advertisement.

F. ILCA reserves the right to decline or prohibit any advertisement which in its judgment is inappropriate or contrary to its purposes. This reservation is all inclusive as to persons, things, written matter, products and conduct.

G. In consideration of ILCA's acceptance of any advertisement, the agency and/or advertiser shall agree to indemnify and hold ILCA harmless, without limitation, from any loss or expense resulting from claims arising from the contents or subject matter of such advertisement.

H. Any person or entity wishing to appeal any decision arising from these Advertising Policies is welcome to supply appropriate documentation to the ILCA Board of Directors.

Advertising to ILCA Members

A. Use of ILCA Member Mailing List

1. ILCA's membership mailing list can be rented for distribution of promotional literature that complies with the ILCA Advertising Policies, or to researchers whose purposes may serve the membership and do not conflict with ILCA's By-laws or policies. This can include:
 - a. Promotion of lactation-related educational offerings
 - b. Promotion of lactation-related products or services deemed by the Board of Directors to be of interest or use to ILCA members and their clients
 - c. Research that will benefit the lactation consulting profession and practice
2. The mailing list includes ILCA members who have agreed to receive mailing by third parties, and will only be provided to potential advertisers who comply with ILCA's Advertising Policies.
3. Advertisers must provide copies of all materials that will be disseminated, and must disclose any and all affiliations prior to approval. Mailing labels are available for one-time use only; failure to comply with this requirement will result in automatic rejection of future requests.

B. ILCA website

1. ILCA's website (www.ilca.org) provides an opportunity for advertising to ILCA members, and the public-at-large.

- a. ILCA World Wide Education Calendar (WWEC) provides an opportunity to list education events on the portion of the ILCA website which is available to the public-at-large. Basic listings are at no cost; enhanced listings may be purchased.
- b. ILCA Career Mart provides an opportunity to purchase advertisements for employment opportunities, to be listed on the Members Only Side of the ILCA website.

Conference Exhibitor, Vendor, Advertiser and Sponsor Policies

A. General goals for advertising at the ILCA Annual Conference

1. ILCA's mission is "to advance the profession of lactation consulting worldwide through leadership, advocacy, professional development, and research."
2. ILCA's primary means to meet this mission is its annual conference.
3. ILCA's duty of fiscal responsibility includes the option to accept funds from advertisers at the ILCA conference to reduce the overall cost of the conference for members.
4. One of the benefits valued by ILCA members in attending the Annual Conference is their opportunity to visit the Exhibit Hall to see materials displayed and marketed there, that may be of interest to them as lactation professionals, or to the clients/patients they serve.
5. ILCA is governed by its By-Laws, which require recognition and support of the *International Code of Marketing of Breast-milk Substitutes (Int'l Code of Marketing)*.
6. ILCA will endeavor to ensure that all marketing within its Exhibit Hall and in its conference materials supports this Advertising and Publications Policy, and the *Int'l Code of Marketing*, and will provide materials to encourage self-examination and compliance by potential exhibitors.
7. ILCA can maintain some measure of control only over the fair and equal use of its Exhibit Hall space and conference materials, for the duration of the conference.
8. ILCA cannot police marketing in the global marketplace. ILCA cannot monitor global changes in corporate ownership. ILCA does not determine if an entity is, or is not, compliant with the *Int'l Code of Marketing*.
9. The decision to contract with an exhibitor rests with the ILCA BOD and Executive Director, after consideration of all factors designed to promote this policy, support the *Int'l Code of Marketing*, and protect ILCA.
10. ILCA may seek an opinion letter from an independent arbiter on matters of interpretation of the *International Code of Marketing of Breast-milk Substitutes* (such as the International Baby Food Action Network [IBFAN] or the National Alliance for Breastfeeding Advocacy [NABA]). ILCA will request advice on whether entities are Code-compliant, and what measures might be taken to become Code-compliant, and hence eligible for advertising in ILCA media.
11. All Exhibit Hall displays will be reviewed by ILCA prior to the opening of the Hall, to permit time for necessary corrections to be made by exhibitors.
12. Conference participants who perceive that a violation of the ILCA Advertising and Publications Policy has occurred are encouraged to immediately bring their complaint to the attention of the ILCA Executive Director at the conference registration desk.
13. ILCA's conference exhibitor, vendor, advertiser and sponsor policies apply to all promotional activities and materials, (i.e. exhibits, displays, program ads, program inserts, program advertising, conference packets or samples, and commercial mailings) produced by any person or entity in connection with any ILCA conference or workshop.

B. Acceptance of Exhibitor, Vendor, Advertiser or Sponsor

1. Exhibitors, vendors, advertisers and sponsors who provide products and services of interest to ILCA members and their clients, and who comply with ILCA's Advertising and Publications Policy, will be considered for rental of booth space in the Exhibit Hall and advertisements in conference materials.
2. The Prospectus provided to potential exhibitors will include the following:
 - a. A copy of the ILCA Advertising and Publication Policy;
 - b. A summary of the *International Code of Marketing of Breast-milk Substitutes*
 - c. A cover letter explaining that ILCA's By-laws require support of the *International Code of Marketing of Breast-milk Substitutes*, and encouraging compliance by exhibitors, using language such as the following:

Our prospectus includes a copy of the ILCA Advertising and Publication Policy. This policy emphasizes ILCA's institutional commitment to support and comply with the *International Code of Marketing of Breast-milk Substitutes*.

ILCA is a professional organization of lactation professionals, but it is not charged with determining which companies comply with the *International Code of Marketing of Breast-milk Substitutes*. ILCA may seek an opinion letter from an independent arbiter on matters of interpretation of the *International Code of Marketing of Breast-milk Substitutes* (such as the International Baby Food Action Network [IBFAN] or the National Alliance for Breastfeeding Advocacy [NABA]). ILCA will request advice on whether entities are Code-compliant, and what measures might be taken to become Code-compliant, and hence eligible for advertising in ILCA media.

Please help ILCA to vigorously support and endorse the *International Code* by reviewing whether your product or services fall within the scope of the *International Code*, and if so, whether your marketing practices are compliant. You may find the enclosed hand-out [describing the Code] helpful in that self-determination. Attendees at the ILCA conference are encouraged to bring to our attention any violations they perceive in the application of the ILCA Advertising and Publications Policy.

3. All contracts with exhibitors, vendors, advertisers and sponsors will include the full text of ILCA's Advertising Policies.
4. Acceptance of an advertisement does not constitute ILCA's endorsement of the advertised product or service.
5. ILCA reserves the right to decline or prohibit any exhibitor, vendor, advertisement or sponsor which in its judgment is inappropriate or contrary to its purposes. This reservation is all inclusive as to persons, things, printed matter, products and conduct.
6. In consideration of its acceptance as an exhibitor, vendor, advertiser or sponsor, the party shall agree to indemnify and hold ILCA harmless, without limitation, from any loss or expense resulting from claims based upon the contents or subject matter of its advertising materials.

C. Services and Participation of Exhibitor, Vendor, Advertiser or Sponsor

1. If an Index to Exhibitors, Vendors, Advertisers and Sponsors is included in written materials, each will be listed alphabetically by company name.
2. All exhibitors, vendors and advertisers will be provided an equal opportunity during the conference to sponsor approved events and to make donations in accordance with the ILCA Advertising and Publications Policy.
3. Sponsorships will be acknowledged as described in the sponsorship agreement for the current year.
4. When a drawing is held during the conference (of items donated by exhibitors, vendors, advertisers and sponsors) only items from the conference booths in the Exhibit Hall will be included in the drawing. All conference registrants are eligible to win.

D. Compliance with ILCA Advertising and Publications Policy at the Conference

1. If an exhibitor, vendor, advertiser or sponsor violates ILCA's Advertising and Publications Policy, the violator may be asked to:
 - a. Remove or correct the products or media in violation of the ILCA Advertising and Publications Policy;
 - b. Immediately close the exhibit;
 - c. Remain responsible for all unpaid fees, costs, and expenses incurred in connection with its ILCA-related promotional activity;
 - d. Forfeit all claims to fees paid to any party in connection with its promotional activities.