

MSINDISI FENGU

THE saga over baby formula continues in the Eastern Cape with Nestlé claiming it was within its rights to sell the milk to churches.

Police and health officials swooped in on a number of churches two weeks ago and confiscated baby formula worth about R91 000 in Cofimvaba, 1 400 tins in Queenstown and more than 1 600 tins in Dutywa.

Nestlé is contracted to the Department of Health to provide baby formula to health facilities, which is then distributed free.

The provincial health department has maintained that Nestlé breached the terms of the contract

Baby formula saga spills over

by selling a free state product.

But Nestlé spokesman Ravi Pillay said: "... Nestlé South Africa would like to clarify that items supplied to healthcare facilities and institutions with wording 'State use only — not for sale' is a preference and not an obligation of the contract," referring to the terms of Nestlé's contract with Treasury worth R20-million.

Pillay said the contract had stated it was "preferred" for the baby formula to be branded "Not for Resale", but would, however, not comment on the agreement

between Nestlé and churches.

He would only say Nestlé was "extremely concerned" about the current situation of the Nestlé Orphans and Vulnerable Children Assistance Programme and was in talks with authorities in the Eastern Cape to fully understand the situation.

"The programme is a well-intended social responsibility initiative aimed at assisting non-governmental organisations to access infant [baby] formula at a reduced price for orphans and other vulnerable children."

But provincial health department spokesman Sizwe Kupelo said the department's position remained the same.

"We have a product that is supposedly ours sold elsewhere and that puts us in an awkward position in terms of monitoring that it does not end up in the hands of unscrupulous people."

Kupelo said it was stated in the contract that "the winning bidder", in this case, Nestlé, should brand the state product.

"Contrary to the church claims, the state has not failed to provide

service to the poor. How do you [churches] sell the same baby formula that is provided free of charge to the poor?"

Eastern Cape Roman Catholic Church vicar-general Father Heinrich Schöder who earlier demanded an apology from the Department of Health, declined to comment.

He said a comment would be made after judgment in the matter involving a Queenstown priest, Edward Tsatsaert, 67, who received R5 000 bail last Tuesday.

Treasury spokesman Lindani Mbunyuza said her department would not be able to comment on whether the contract had been breached by Nestlé.