



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Office of Global Health Affairs
Washington, DC 20201

JAN 13 2009

Richard Weston
Hygeia Medical Group, Inc.
2713 Loker Avenue West
Carlsbad, CA 92010

Dear Mr. Weston:

Thank you for letter to certify Hygeia Medical Group, Inc., is compliant with the International Code of Breast Milk Substitutes. Secretary Leavitt appreciates the time you took to write, and he has asked me to acknowledge your letter.

Thank you again for your diligence in this matter. Please accept my best wishes for a happy and healthy 2009.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Steiger", with a long horizontal flourish extending to the right.

William R. Steiger, Ph.D.
Special Assistant to the Secretary
for International Affairs



Resolution of the Board of Directors

Whereas the World health organization has adopted the World Health Organization Code of Marketing of Infant Formula Substitutes (WHO Code) and whereas Board members of Hygeia II Medical Group Inc. have seen the positive effect of this resolution over decades and

Whereas the WHO Code has proven to contribute to the health and well being of women and infants and

Whereas Hygeia supports the adoption of the WHO code by each person, each professional, each non government organization (NGO), each government agency and each country; which is critical to the continued success of the WHO Code

BE IT RESOLVED THAT

The Hygeia Board of Directors adopts the WHO Code and its associated resolution in its entirety and without reservation and

The Board of Directors directs that Hygeia II Medical Group establish the position of WHO Code Compliance Officer to assure that the WHO code is being complied with internally in the company and

The WHO Code Compliance Officer should make certification to the Government of the countries under which it conducts business that it is in compliance with the WHO code and follows all the directions in the WHO code with collaborating with the government and

The Board of Directors directs all of its employees to personally consider adopting the WHO code as a moral Breastfeeding compass and

The Board of Directors encourages its customers to personally adopt the WHO Code, Non-Government Organization's to adopt the WHO code, the government and government agencies in which it interacts to adopt the WHO code by action of its board, officers, and/or staff as appropriate.

Therefore the Board of Directors of Hygeia II Medical Group Inc set forth by unanimous acclimation and adopt this resolution by unanimous consent,. This 28th Day of January, 2009

A handwritten signature in blue ink that reads "Richard S. Weston".

Richard S. Weston
Chairman of the Board



U.S. Department Health and Human Services
Office of Public Affairs
6th Floor West
Aerospace Building
370 L'Enfant Promenade, S.W.
Washington, DC 20447
ATTN: FOIA Public Liaison

January 29, 2009

Dear FOIA Public Liaison:

This is a request under the Freedom of Information Act. I am requesting information about the World Health Code of Marketing of Breastmilk substitutes, section 11.4, which pertains to monitoring action. Specifically, I am requesting copies of any and all monitoring action received in connection with the Code from 1981 to present, letters, faxes, emails, correspondence.

For your reference, Section 11.4 of the World Health Code of Marketing of Breastmilk Substitutes states:

11.4 Nongovernmental organizations, professional groups, institutions, and individuals concerned should have the responsibility of drawing the attention of manufacturers or distributors to activities which are incompatible with the principles and aim of this Code, so that appropriate action can be taken. *The appropriate governmental authority should also be informed.* (emphasis added)

I request a waiver of all fees for this request. The specific explanation for waiver of fees follows:

The World Health Code of Marketing of Breastmilk Substitutes is a document intended to enhance the health of mothers and babies. Non- Government Organizations have a responsibility under the Code for monitoring compliance with the Code. They also need to report to the government any activates incompatible with the Code (Section 11.4). Transparency of this information is strongly in the public interest.

If there is a fee for this request, please notify me in advance.

I look forward to your reply. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in blue ink that reads "Richard Weston".

Richard Weston, WHO Code Compliance Officer

2713 Loker Avenue West, Carlsbad CA 92010
Tel: (760) 918-0339 / Fax: (760) 918-0398



Secretary Mike Leavitt
Department of Health and Human Services
200 Independence Avenue S.W.
Washington, D.C., 20201

December 15, 2008

Re: *International Code of Marketing of
Breast-milk Substitutes, Yearly Compliance Certification 2009.*

Dear Secretary Levitt,

We are writing to comply with Section 11.2 of the above Code adopted by the World Health Organization in Geneva Switzerland in 1981. We seek to comply with section 11.2 which requires manufactures to collaborate with their local government, in this case government of the United States, which has the primary responsibility for monitoring the code in the United States.

Hygeia manufactures baby related products. All of our products are designed for Mothers Milk. We do not recommend infant formula to be used with any of our products. Hygeia is in compliance per section 11.3 of the code and has complied with all the code on all levels and its conduct on all levels is compliant.

Hygeia has received no notices of non-conformity by any government agency or non-government organization.

Hygeia is, thus, in accord with the principals and aim of the Code and as such certifies that its products and marketing are compliant with the above code.

Sincerely yours,

A handwritten signature in blue ink that reads "Richard Weston".

Richard Weston
WHO Code Compliance Officer

En:WHO Code

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