

The IMS Act

*...What You Should Know
About It*

Salient Features

The Infant Milk Substitutes, Feeding Bottles
and Infant Food (Regulation of Production,
Supply and Distribution) Act 1992

Introduction

- ✓ Breastfeeding is the natural and ideal way of feeding the infants and provides a unique biological and emotional basis for healthy child development. Its anti-infective properties protect children against disease. Its effect on child spacing and health of mothers is well recognized. Breastfeeding is a key aspect of self-reliance and primary health care.



- ✓ The increased availability of infant milk substitutes in the market has led to extensive promotions by the infant food manufacturing companies, through advertisements, free samples, gifts to mothers and health workers to convince them that bottle feeding is as good as breastfeeding. This undermines breastfeeding in many ways and has contributed to the decline of breastfeeding rates. This is assuming dangerous proportions, subjecting millions of infants to great risk of infection, malnutrition and death.
- ✓ In view of the vulnerability of young infants to the aforesaid risks it became necessary to regulate the marketing of such products. Recognizing this fact, the World Health Assembly adopted the International Code of Marketing of Breastmilk Substitutes in 1981. The Indian Parliament enacted the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act 1992 (IMS Act) which came into force on August 1, 1993.

Objectives of the Act

- Prohibit the promotion of infant foods, infant milk substitutes and feeding bottles. The Government is committed to promote and protect breastfeeding. The advertisement of infant milk substitutes such as *Lactogen 1,2*, *Nestogen*, *Amul Spray*, *Glacto I,II*, *Milk Care Starter*, *Milk Care Follow on*, *Lactodex*, *Nusobee*, *Dexolac*, and of bottle-feeding is prohibited. Advertisement of cerelac foods such as *Cerelac*, *Farex*, *Nestum* and *Weano*, is allowed but with certain restrictions.
- Educate pregnant women and mothers of infants about breastfeeding. By creating awareness among pregnant and lactating mothers about the benefits of breastfeeding and by providing accurate and factual information the government is striving to reverse the decline in breastfeeding.
- Ensure the proper use of infant milk substitutes and infant foods. Feeding babies with infant milk substitutes and infant foods. Feeding babies with infant milk substitutes and infant foods can be harmful. The idea of the government is to restrict and control the use of these products by advocating their use only on the advice of a health worker.
- Define the role and responsibilities of health care institutions and health workers to ensure the proper use of infant milk substitutes, feeding bottles and infant foods.

Highlights of the Act

- Prohibits the advertisement of infant milk substitutes and feeding bottles to ensure that no impression is given that feeding of these products is equivalent to, or better than, breastfeeding.

Now glowing skin
with Cerelec
Nutrition.



- Prohibits providing free samples and gifts to pregnant women, mothers of infants and members of the families.

- Prohibits donation of free or subsidized supplies of products for health care institutions and prohibits incentives and gifts to health workers.



- Prohibits display of posters at health care facilities / hospitals / health centres.

- The Act also prescribes that all labels of IMS / Infant food must say in English and local languages that breastfeeding is the best. Also, the labels must not have pictures of infants or women or phrases designed to increase the sale of the product.



Highlights of the Act

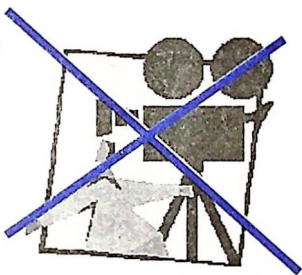
- Prohibits any contact of employers of manufacturing and distributing company with pregnant women, even for providing educational material to them.



- Any audio, visual, reading material for prenatal/ postnatal care or for infant feeding should have clear information regarding:

- Benefits of breastfeeding
- Hazards of using substitute products

- No infant food manufacturing company will link its employees' salary or other benefits with the volume of sales of IMS, feeding bottles and infant food.



Penalties for Contravention

- Violations of the Act attract imprisonment for upto three years and/or fine upto Rs.5000.
- Penalty with regard to the Label on container or quality of infant milk substitute, feeding bottle and infant food is punishable with imprisonment upto 6 month extended to 3 years and fine at least Rs.2000.

What You Can Do

- ✓ Seek correct and scientific information about breastfeeding.
- ✓ Understand the hazards of using infant milk substitutes, feeding bottles and infant foods.
- ✓ Create awareness and public opinion on promotion and protection of breastfeeding.
- ✓ Help to form groups or working with NGO, which can support hospitals & maternity homes.
- ✓ Educate people on the provisions of the Act and on the procedures for reporting violations.
- ✓ Form Community Watch Groups for identifying and reporting violations.
- ✓ Report violations to the right authorities. Inform/publicise addresses and names of organisations where you can report violations.



Role of Industry

- Should not give samples of their products to mothers or health workers.
- Should not advertise infant milk substitutes or feeding bottles.
- Should not give free or subsidised supplies of products to hospitals and maternity homes.
- Should not give health workers money or gifts of any kind.
- Should not visit hospitals or maternity homes to talk to mothers.
- Should not promote their products in shops through special display discount or other gimmicks.
- Labels should not have pictures of baby, nor idealized bottle-feeding.

Examples

Infant Milk Substitutes

Nestle: Lactogen I, Lactogen II, Nestogen

Amul: Amul Spray, Amul Milk Food

Glaxo: Glacto I, II, Farex

Dalmia Dairy: Milk Care

Raptakos Brett: Lactodex, Raptako

Wockhardt: Dexolac, Nusobee

FDC: Simyl MCT

Supplementary Foods

Nestle: Nestum, Cerelac

Amul: Balamul

Glaxo: Farex

Dalmia: Weano



Report Violations To

Under the Act, the following voluntary organisations have been notified as monitoring agencies. Send your complaints regarding violations under the Act to any of the following:

1. **Central Social Welfare Board,**
Samaj Kalyan Bhawan,
B-12 Tara Crescent,
Institutional Area South of IIT,
New Delhi 110016
2. **Indian Council for Child Welfare,**
4, Deen Dayal Upadhyay Marg,
New Delhi 110002
3. **Association for Consumer Action on Safety and Health (ACASH),**
Room No. 21, Lawyer's Chambers,
R.S. Sapra Marg,
Mumbai 400002
4. **Breastfeeding Promotion Network of India (BPNI),**
BP-33 Pitampura,
Delhi 110088

Breastfeeding Promotion Network of India



BP-33 Pitampura,
Delhi 110088.

Tel: +91 (11) 7312445

Fax: +91(11) 7315606

Email: bpni@bpni.org

Website: www.bpni.org