

Status of the IMS Act

*A compilation of violations of the IMS Act
reported by BPNI members between January 1999 - September 2000*

S. No.	Company	Promotion to	Medium Used	Product	Strategy	IMS Act Section/Rules Violated
1.	Nestle	Public	Shopping market walls	Cerelac (Infant food)	Putting up street posters	Section 3(c) & 7 Rule 7&9
2.	Nestle	Public	Print: Women's magazines	Cerelac (Infant food)	Advertisement in Parenting, Grehshobha, Meri Saheli, Health & Nutrition and Grehalaxmi.	Section 3(c) & 7 Rule 7&9
3.	Heinz	Public	Print: Women's magazines	Farex (Infant food)	Advertisement in Parenting	Section 3(c)& 7 Rule 7&9
4.	Nestle	Public	Electronic	Cerelac (Infant food)	Commercial advertising during serials, feature films, sports and comedy shows in Zee TV/Sony TV/ESPN/Asian Net/DD.	Section 3(c) & 7 Rule 7&9
5.	Heinz	Public	Electronic	Farex (Infant food)	Commercial advertising during serials and sports in Sony TV/ESPN.	Section 3(c) & 7 Rule 7&9
6.	Nestle	Public	Baby soaps & powders	Cerelac (Infant food)	Tied sales with JJ as a free gift	Section 3(c), 6 & 7 Rule 7&9
7.	Dalmia Dairy	Health Care System	Through Reps	Weano Care (Infant food)	Free samples to medical profession	Section 3(c), 6 & 7 Rule 7&9
8.	Wockhardt	Health Care System	Through Reps	Dexrice (Infant food)	Free sample/Label incorrect	Section 3(c), 6 & 7 Rule 7&9
9.	Wockhardt	Health Care System	Through Reps	First Food (Infant food)	Free sample/Label incorrect	Section 3(c), 6&7
10.	Wockhardt	Health Care System	Through Reps	Easum (Infant food)	Incorrect label	Section 3(c), 6&7
11.	Heinz	Public	Through Reps	Rice Farex (Infant food)	Labelling incorrect	Section 6
12.	Infacare	Health Care System	Through Reps	Beechnut (Infant food)	Advised to start food from 3 month Label incorrect	Section 3(c) & 7 Rule 7&9
13.	Nestle	Health Care System	Through Reps	Nestum (Infant food)	Samples and Incorrect labels	Section 3(c) & 6
14.	Nestle	Health Care System	Through Reps	Cerelac/Nestum	Offer dinner	Section 9
15.	Raptakos Brett	Health Care System	Journal	Zerolac (IMS)	Advertisement in medical journal	Section 3
16.	Nestle	Health Care System, Public	Information booklets	Cerelac (Infant food)	Free distribution to doctors. Advertisement to receive free booklets from Nestle	Section 3(c) & 7 Rule 7&9
17.	Abott	Health Care System	Information booklets	Pramilac (Supplement for Mothers)	Booklet with incorrect information	Section 3(c) & 7 Rule 7&9
18.	Nestle	Public	Direct	Lactogen 2	Advertising on Lactogen 1 Tin	Section 3(a)
19.	Wockhardt	Public	Direct	Dexolac HP 2	Advertising on the lid of Dexolac 1	Section 3 (a)
20.	Gujrat Co. Ltd.	Public	Direct	Amul Spray	Uses pictures of Teddy Bear on the label	Section 6
21.	Nestle	Health Care System	Through journals and Reps	Cerelac	Offer International fellowships and scholarship	Section 9
22.	Nestle	Health Care System	Direct	Cerelac	Sponsors conference for doctors	Section 9
23.	Heinz	Health Care System	Publications	Farex	Offer research fund	Section 9
24.	SKB	Health Care System	Direct and Reps	Mothers Horlicks	Consumer Leaflet provides incorrect information	Section 3(c) & 7 Rule 7&9
25.	Tender Touch	Public	Direct	Feeding Bottle	Offer gifts and discounts	Section 3
26.	Littles	Public	Direct	Feeding Bottle	Offer gifts and discounts	Section 3
27.	Hello Baby	Public	Direct	Feeding Bottle	Offer gifts and discounts	Section 3
28.	Dimpy	Public	Direct	Feeding Bottle	Offer gifts and discounts	Section 3
29.	Bobby Care	Public	Direct	Feeding Bottle	Offer gifts and discounts	Section 3
30.	Baby Soft	Public	Direct	Feeding Bottle	Offer gifts and discounts	Section 3
31.	Bonne Polysil	Public	Direct	Feeding Bottle	Offer gifts and discounts	Section 3
32.	Baby Bank	Public	Direct	Feeding Bottle	Offer gifts and discounts	Section 3



**Breastfeeding Promotion Network of India (BPNI)/
International Baby Food Action Network (IBFAN), South Asia**
BP-33, Pitampura, Delhi 110 034
Tel: (91)11-7443445, Fax: (91)11-7219606, Email: bpni@bpni.org



CH 1

under attack 2000

A report on how companies violate the IMS Act in India

The Breastfeeding Promotion Network of India (BPNI) works to protect, promote and support breastfeeding in India. Monitoring the compliance with the *Infant Milk Substitutes, Infant Foods and Feeding Bottles (Regulation of Production, Supply and Distribution) Act, 1992* (IMS Act) is its major activities. This is a brief summary of the complete report "Under Attack 2000". This report contains only the violations reported by motivated individuals and does not reflect all the violation. On the reverse is a compilation of these violations in table format. Violations include promotion by companies using print or electronic media, using health care system or providing incentives to doctors and how companies misguide or provide incorrect information to public through misuse of their own publications on infant feeding.

Promoting Infant Foods

Promotion to public

The manufactures use various methods clever slogans, phrases with health claims, offer free samples to doctors, offer gifts, provide educational material and incentives to health professionals and health care institutions of through tied sales.

The consequence of such advertising is that mothers' lose their confidence and hence their ability to lactate fully, which results in inappropriate infant feeding practices like early introduction of bottle-feeding and commercial cereal foods.

Some examples of this promotion:

Using print media

Companies have used print media to the best of their advantage.

Nestle produced a poster titled "Cerelac, I love you", which was posted on the walls of public streets, markets, places in an attempt to influence the consumers.

Nestlé also advertises 'Cerelac' through several magazines like Parenting, Meri Saheli, Grehshobha, and Health and Nutrition. Which target women readers.

Nestle sponsors an article on newborn care in "Meri Saheli" magazine; information about breastfeeding in this article was incorrect as well misleading.

Heinz India regularly promotes "Farex" through magazine targeted at parents. This company also used Times of India for promoting 'Farex'

Using Electronic Media

Two companies have been on TV regularly. These are Heinz (Farex) and Nestle (Cerelac). Most common channels involved are SONY, ZEE and Doordarshan and all kind of programmes including movies, serials, sports and comedy shows have been used as medium to reach people.

Tied sales

Nestles promotes 'Cerelac' tied to other consumer products like Johnson and Johnson's baby powder or soap.

Promotion through health care system

Promoting infant foods for use in 3rd month

A new company INFACARE division of Alferez Pvt. Ltd. promotes an infant food. "Beechnut oatmeal", to be used during 3rd month of life contrary the recommendations and in violation of the IMS Act.

Free samples to doctors

Dalmia Industries Limited promotes 'Weano Care', Wockhardt's 'Dexrice', 'First Food' and 'Easum' and Nestlé's 'Nestum' are provided as free samples to doctors a common method.

Promoting Infant Milk Substitutes

Nestle has been using lid of Lactogen I to advertise Lactogen II.

Similarly Wockhardt uses the lid of 'Dexolac' I for promoting 'Dexolac HP 2'.

Amul Spray has Teddy bears on the label Raptakos Brett advertises 'Zerolac' through a medical review published by the company itself.

Promoting Feeding Bottles

Any kind of promotion is prohibited for feeding bottles/bound. Brands that have been providing incentives with purchase of feeding bottles include Tender Touch, Little, Hello Baby, Dimpu, Bobby Care, Baby Soft, and Bonne Polysil.

Inducements to health workers

The IMS Act bans any inducement to health workers directly or indirectly. Few examples

Nestles nutrition services offers international fellowship to pediatricians, Nestle sponsors conference sessions for doctors, Heinz offers research funds and Nestle offers dinner to doctors over screening of video on newborn care.

Promoting through their own publications on infant feeding

The IMS Act deals with educational materials in section 7. Some examples of companies producing and disseminating their own booklets.

"Nestle Cerelac Baby Care Book", distributed free to doctors and also available free upon writing to the company. This booklet carries information about baby care but cleverly misses information on breastfeeding.

"Breastfeeding your baby", a patient education booklet by Abbot promotes bottle feeding/artificial feeding in very early months.

SKB promotes Mother's Horlicks, the special nourisher for pregnant and breastfeeding mothers a flier provided with it provides misleading information about lactation capability of women.



Promotion of Cerelac with an article on Newborn Care



Advertisement on 'Farex' in Parenting



Beech Nut-Barley: Promoting for use from 3rd month



Dalmia's Weano Care violate label criteria



Wockhardt Dexolac Rice violate label criteria



Baby Care Book promoting Cerelac missing breastfeeding information