

What constitutes violation of IMS Act?

Violation of the IMS Act occurs if any person:

1. Promotes any food by whatever name for children up to two years.
2. Promotes use of 'infant foods' before the age of six months.
3. Advertises by any means--television, newspapers, magazines, journals, through SMS, emails, radio, pamphlets etc.
4. Distributes the products or samples of infant milk substitutes, feeding bottles and infant foods to any person.
5. Contacts pregnant or lactating mothers.
6. Gives any kind of incentives like discounts or free gifts etc for the use or sale of infant milk substitutes, feeding bottles or infant foods to anyone.
7. Distributes information and educational material related to promotion of infant milk substitutes, feeding bottles and infant foods to mothers, families etc. (They can give educational material to health professionals like doctors, nurses etc provided it has information prescribed in clause 7 of the IMS Act, 2003. The education material should have only factual information and should not promote the products of the company).
8. Labels tins, cartons, accompanied leaflets of these products with pictures of mothers or babies, cartoons, phrases or any other such images.
9. Displays placards, posters in a hospital, nursing home, chemist shop etc for promoting infant milk substitutes, feeding bottles or infant foods.
10. Makes financial inducements or gifts to health workers or to any members of his family for the purpose of promoting the use of infant milk substitutes, feeding bottles or infant foods.
11. Demonstrates to mothers or their family members how to feed these products. However, a doctor can demonstrate this to the mother.
12. Gives pecuniary benefits to doctors, nurses or associations like IAP, IMA, NNF etc, for example, funds for organizing seminars, meeting, conferences, contest, fee of educational course, sponsoring for projects, research work or tours.
13. Fixes commission of employees on the basis of volume of sales of these products.



BREASTFEEDING PROMOTION NETWORK OF INDIA

BP-33, Pitampura, Delhi-110034 India
Phone: +91-11-27312705, 27312706, 42683059
bpni@bpni.org, bpni.india@gmail.com