



putting child nutrition  
at the forefront  
of social change

**Breastfeeding  
Promotion Network of India**

(Registered Under Societies Registration  
Act XXI of 1860, Delhi R.No. S-23144)

BP-33, Pitampura, Delhi-110 034

Tel: (91) 011-27343608, 42683059

Tel/Fax: (91) 011-27343606

Email: [bpni@bpni.org](mailto:bpni@bpni.org)

Website: [www.bpni.org](http://www.bpni.org)

BPNI/2015/089

March 5, 2015

**Sh. Vinay Sheel Oberoi**  
Secretary,  
Ministry of Women and Child Development,  
Government of India,  
Shastri Bhavan  
A- Wing (6th Floor)  
Delhi- 110001

**Sub:** Implementation of IMS Act-Action Taken Report-reg.

Dear Sir,

In pursuance with its' role as a gazette organization to monitor violations of the Infant Milk Substitute Feeding Bottles and Food (Regulation of Production, Supply & Distribution) Act 1992, Amended in 2003 (IMS Act), Breastfeeding Promotion Network of India (BPNI) has been monitoring, disseminating information about the IMS Act, building capacity on IMS Act, legally analyzing possible violation, and submitting possible violation information to the Ministry of Women and Child Development from time to time.

We are regularly submitting the annual report of our activities to the Ministry of Women and Child Development, Government of India.

In this regard, we are submitting the annual report for the period from April 2014 to March 2015.

**1. Monitoring violation of the IMS Act:**

BPNI monitors marketing practices of companies, health care institutions and chemists for possible IMS Act violation by way of analysing labels of various products under purview of the Act; analysing E-marketing portals for violations and screening magazine and journals etc. to look for instance of promotion through advertisement. Information thus collected is utilized for follow up action. A devoted human resource in the form of a Senior Programme Officer and a Legal Advisor coordinates this task.

- BPNI detected violation of several sections of the IMS Act by the global baby food manufacturer 'Heinz' along with the E-marketing portal 'Shopclues.com', while selling an infant food product "Heinz cereals 4m bf 125g - fruit & yogurt cereal". A complaint against the company and others has been filed in the court of law in Delhi for suitable legal action in February 2015.

**2. Sensitisation and awareness generation on the IMS Act:**

To strengthen effective implementation of IMS Act, BPNI with the support of the World Bank project SAFANSI (South Asia Food and Nutrition Security Initiative) and in collaboration with various state governments, organised sensitisation workshops for government functionaries and other partners. Some of these workshops are as follows:

- In Assam, BPNI in collaboration with Association for Promotion of Child Nutrition (APCN), and National Health Mission (NHM), Assam organized a one day sensitization workshop to enhance

awareness on provision of the IMS Act on 17th November'2014 In Guwahati. The participants were the Joint Directors of Health Services (JDHS) and Food safety Officers from 27 districts of Assam. In addition representatives from IAP, BPNI state life members, UNICEF representative and officers of MCH division of NHM, Assam attended the workshop. ( Annexure 1)

- In Orissa, a sensitization workshop for health professionals to enhance awareness on provisions of the IMS Act was organised at Hi- Tech Medical College, Pandra, Bhubaneswar on 28th October, 2014. Forty-four participants from State Institute of Health and Family Welfare; National Health Mission, Orissa; Norway India Partnership Initiative (NIPI); National Neonatology Forum and Hi Tech Medical College, Bhubaneswar were present in the workshop. ( Annexure 2)
- In Jharkhand, a one day sensitisation workshop for health professionals to enhance awareness on the provisions of the IMS Act was organised at Ranchi by National Health Mission (NHM) , Jharkhand; State Commission for Protection of Child Rights, Jharkhand (JSCPCR); and Breastfeeding Promotion Network of India on 28<sup>th</sup> November, 2014. The workshop was attended by civil surgeon of 24 districts of the state, officials of NHM and officials of JSCPCR and consultants from UNICEF. ( Annexure 3)
- In Uttar Pradesh, UNICEF, UP and BRD Medical College, Gorakhpur in partnership with state government organized a one day sensitization workshop on 20th December, 2014 in Lucknow to enhance awareness on provisions of the IMS Act. The participants were officials of state government, medical officers, members of faculty of law from University, members of faculty from medical colleges, representatives from Indian Academy of Paediatrics, UNICEF, and civil society. ( Annexure 4)
- In Hindupur, Andhra Pradesh, sensitization Workshop for health professionals to enhance Awareness on provisions of the IMS Act on 18<sup>th</sup> January, 2014 at district hospital. The workshop was attended by child health specialist, obstetricians and medical professionals from different states. (Annexure 5)

**3. Facilitating action on violations of the IMS Act by informing relevant authorities in state and central government:**

BPNI regularly apprise relevant authorities in state and central government for necessary action on violations of the IMS Act. Some of the activities in this regard are mentioned below:

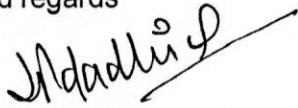
- BPNI sent a letter to the Commissioner & Mission Director (NHM) , Department of Health and Family Welfare, Government of Haryana on 13<sup>th</sup> August, 2014 request him to give necessary instructions to the Civil Surgeon, Rohtak to investigate the case of violation of the IMS Act by Nestle at the earliest and to take further action. This led to submission of complaint against the offending company in the court of law. (Annexure 6)
- BPNI sent a letter on November 20, 2014 to Mission Director, National Health Mission, Department of Health & Family Welfare, Assam about the implementation of the IMS Act in Assam. (Annexure 7)
- BPNI sent a letter on April 21, 2014 to the Secretary, Ministry of Women and Child Development, Government of India about violation of the IMS Act by Infant Milk Substitute and Infant Food manufacturer Danone (Nutricia), requesting for a suitable action. A follow-up letter was written to Shri V.S. Oberoi in this regard. (Annexure 8)

- BPNI wrote a letter on July 21, 2014 to Smt. Maneka Gandhi Hon'ble Minister for Women and Child Development (IC), Government of India to seek her guidance in implementing the IMS Act more effectively. (Annexure 9)
- BPNI wrote a letter on August 13, 2014 to Mr. V. S. Oberoi Secretary, Ministry of Women and Child Development, Government of India to seek his guidance and cooperation in implementing the IMS Act more effectively. (Annexure 10)
- BPNI wrote a letter on August 1, 2014 to Mr. V. S. Oberoi Secretary, Ministry of Women and Child Development, Government of India, about the violation of the IMS Act by Infant Milk Substitute and Infant Food manufacturer Heinz & E-marketing web portal shopClues.com. (Annexure 11)
- BPNI wrote a letter to Chairman, Railway Board, New Delhi on 25<sup>th</sup> August, 2014 to request to avoid supply of Nestle products like milk whitener in railways. (Annexure 12)

BPNI is committed for the effective implementation of the IMS Act. We seek your kind cooperation and guidance for the same.

I hope, you will find this information useful.

With kind regards



**Dr. J.P. Dadhich, MD, FNNF, PGD-DN**  
**National Coordinator,**

**Enclosed: Annexure 1-12**