



**Breastfeeding  
Promotion Network of India**  
(Registered Under Societies Registration  
Act XXI of 1860, Delhi R.No. 5-23144)  
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BPNI/2017/057

May 22, 2017

**Shri Rakesh Srivastava**  
Secretary  
Ministry of Women and Child Development,  
Government of India,  
Shastri Bhavan, A- Wing (6th Floor),  
Delhi- 110001

**Subject: - Implementation of the IMS Act – activities undertaken by Breastfeeding Promotion Network of India (BPNI)**

Dear Sir,

Breastfeeding Promotion Network of India (BPNI) is notified in the Gazette of India as a child welfare voluntary organisation under the section 21(1) of the Infant Milk Substitutes Feeding Bottles and Infant Foods (Regulation of Production, Supply & Distribution) Act 1992, Amended in 2003 (IMS Act) to monitor the Act and initiate legal action if the Act is violated. BPNI is compiling and submitting activities undertaken to monitor and implement the IMS Act to the Ministry of Women and Child Development on regular basis every year. Herewith, we are submitting the annual report for the period of April 2016 to March 2017.

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, BPNI

**Enclosed: Report of activities along with annexure**

As a policy, BPNI does not accept funds of any kind from the companies manufacturing baby foods, feeding bottles etc. and organization/industry having conflict of interest.



**Annual Report of activities by the Breastfeeding Promotion Network of India (BPNI) for implementation of the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply & Distribution) Act 1992, Amended in 2003 (IMS Act)**

**1. Monitoring the violation of the IMS Act and taking appropriate action:**

BPNI has a team of trained experts for monitoring of the implementation of the IMS Act. The team keeps close watch on violation of the IMS Act by the baby food companies by doing in-depth analysis of labels of baby food products, promotional activities in the E-marketing websites, advertisements published in magazines and scientific journals, misuse of hospitals and health professionals. Stringent and appropriate actions are taken instantly on receipt of information from members / other sources on possible violation of the IMS Act across India. Whenever required legal actions are taken, BPNI's monitoring activities last year is summarised below.

- a. BPNI detected the violation of several sections of IMS Act by baby food manufactures in 2015. The violations were analysed by the legal advisor of BPNI and a complaint was filed in the court of law in Delhi. The case is being pursued by BPNI for which several hearings have already happened.
- b. BPNI detected a violation of IMS Act in the Indian Journal of Pediatrics, published from New Delhi, India printed an advertisement of "LF100" an Infant Milk Substitute manufactured and marketed by British Biological Pvt. Ltd, Bangalore, India, in its' February 2016 issue.( **Annexure- 1**)
  - BPNI served a legal notice through its' legal advisor to infant formula manufacturer British Biologicals Pvt. Ltd. and Indian Journal of Paediatrics for violation of the IMS Act in LF100 advertisement in March 2016.
  - In response to our legal notice, on 1<sup>st</sup> of April 2016, BPNI received E-mail communication from Mr. Rajiv Dhir, Marketing Head of Indian Journal of Paediatrics stating that they have blocked February issue in which LF 100 advertisement is published and withdrawn contract with British Biologicals Pvt. Ltd. (**Annexure-2**)
  - On 6<sup>th</sup> May, 2016 BPNI received another apology mail by S. Mahendra Boopatjy, Assistant manager, British Life Science Pvt Ltd regarding withdrawal or to block circulation of advertisement of LF 100 in Indian Journal of Pediatrics, Vol-83, February, 2016.( **Annexure-3**)
- c. BPNI detected a violation of the IMS Act (advertisement of mother dairy milk for less than 12 months of infant) of in Hindustan Times dated 20-06-2016 and sent a legal notice to them and Mother Dairy for publishing an advertisement of MOTHER DAIRY MILK for children stating that the product is meant for children from 12 months of age. The notice had a positive impact and the new advertisement now states that it is for children above 25 months. ( **Annexure-4**)

d. BPNI received information regarding first National Conference of Indian Society of Clinical Nutrition being organised at New Delhi in the Institute of Liver and Biliary Sciences on 14-15<sup>th</sup> October 2016. ( **Annexure-5**)

- On 2<sup>nd</sup> February 2017, BPNI sent a letter to Lt Col. R.S. Singh, Deputy Head Operations, Institute of Liver and Biliary Sciences, seeking information about Name and Address of the organiser with copy of approval by competent authority to organise such conference in their institute along with names of faculty members and speakers. ( **Annexure-6**)
- BPNI received detailed reply against this RTI application, from Institute of Liver and Biliary Sciences vide their letter number F.1/4/ RTI/359/Admn/ILBS/2017/11522/321-22, dated 9<sup>th</sup> March, 2017. ( **Annexure-7**)
- On 15<sup>th</sup> March 2017, BPNI filed another RTI seeking additional information regarding money received by the organiser from each of the 23 sponsors of the conference apart from their travel, hotel & food expenses. ( **Annexure-8**)
- BPNI received detailed information against RTI application dated 2<sup>nd</sup> February, 2017 vide letter number F.1/4/ RTI/359/Admn/ILBS/2017/11522/321-22, on 26<sup>th</sup> April, 2017. BPNI received reply to this RTI also vide their reference No. F.15 (2/2/1)2017/HO (M)/ILBS/ RTI/1566 dated 26<sup>th</sup> April, 2017. ( **Annexure-9**)

e. BPNI developed a bulletin on breaking the Law and undermining breastfeeding titled “Are E-marketing companies making profits at the cost of infant lives?”. The bulletin was developed with Internet search done to check whether e-marketing sites are violating the provisions of the IMS Act. It was observed that manufacturers of infant food products and e-marketing portals are putting up advertisements with attractive photographs of the products and offering discounts and other incentives. This bulletin contained several such examples along with a brief analysis of the sections of IMS Act being violated.( **Annexure-10** ): <http://www.bpni.org/IMS-ACT/BTL-7-24022016-low-res.pdf>

f. BPNI developed an information sheet on depicting violations of the IMS Act and disseminated it electronically. ( **Annexure-11** ) [http://www.bpni.org/IMS-ACT/information\\_sheet\\_14\\_updated2016.pdf](http://www.bpni.org/IMS-ACT/information_sheet_14_updated2016.pdf)

## 2. **Advocacy with the authorities in the Government of India and state governments:**

BPNI regularly advocates with the authorities for effective implementation of the IMS Act. In this regard, following communications were sent.

g. BPNI sent a letter on 2<sup>nd</sup> June, 2016 to **Shri Alok Ranjan**, IAS Chief Secretary Government of Uttar Pradesh showing concerns on Uttar Pradesh Government joining hands with Sun Movement and recommendations on implementations of the IMS Act.( **Annexure-12**)

h. BPNI wrote a letter on 12<sup>th</sup> August, 2016 to Shri JP Nadda, Minister of health and family welfare, Government of India requesting him to issue an advisory to all hospitals in the

country to stop collaboration with Nestle India Limited for opening breastfeeding rooms. **(Annexure-13)**

- i. BPNI wrote a letter to Dr.Sila Deb, Deputy Commissioner (Child Health), Ministry of Health & Family Welfare, Government of India regarding use of Bisphenol-A in manufacturing of feeding bottles which is not as per Indian Standard specification. **(Annexure-14)**
- j. BPNI detected violation of IMS Act at Swami Vivekananda Airport, Raipur displaying image of feeding bottle in the signage for child care room in the departure waiting area. A letter was sent to Director, Airport Authority of India, on 24<sup>th</sup> February, 2016 requesting him for immediate removal of the signage. **(Annexure-15)**
- k. BPNI received an email from Stuti Shukla of ACCESS Health International on 20<sup>th</sup> June, 2016 **(Annexure-16)** stating that they are contemplating a research study along with Medela to assess breastfeeding practices in the NICUs of Kalawati Saran Children's Hospital and RML hospital. BPNI wrote a letter to Prof.Saili on 23<sup>rd</sup> June, 2016 informing that collaboration with Medela will be violation of the IMS Act as they are into selling and manufacturing of feeding bottles. Hence it comes under the purview of the IMS Act. **(Annexure-17)**

### **3. Dialog on “Market forces impacting breastfeeding how to ensure protection in coming year”**

- l. BPNI celebrated Silver Jubilee function on 2<sup>nd</sup> December 2016 at Constitution Club of India, New Delhi. BPNI organised a panel discussion titled “Market forces impacting breastfeeding how to ensure protection in coming year” on the occasion of its Silver Jubilee on 2<sup>nd</sup> December, 2016 in New Delhi. Experts from WHO SEARO; Ministry of Health and Family Welfare, Government of India; Indian Academy of Paediatrics; Media; Breastfeeding Support Group for Indian Mothers (BSIM); Public and Private Health Institutions; and a Supreme Court Lawyer participated in the discussion. A Cabinet Minister from Government of India inaugurated the programme and a Member of Parliament; Ambassador of Sweden to India and senior official from Ministry of Health, Government of India were guests of honour. ( **Annexure-18**)
- m. BPNI developed a first of its kind application on breastfeeding protection called “**Stanpan Surakhsha App**” available on Google Play and iOS App Store, which has a baby food promotion reporting mechanism where person can click a photograph of inappropriate promotion around them of baby food and related equipment and sent it to BPNI. The app was launched by honourable minister Mr. JualOram, Tribal Affairs. (<https://play.google.com/store/apps/details?id=com.app.bpni&hl=en> )

### **4. Regional Capacity Building workshop**

- n. BPNI/IBFAN Asia RCO in collaboration with IBFAN-ICDC organised **The Regional Capacity Building Workshop on Monitoring the International Code of Marketing of Breastmilk Substitutes** in New Delhi, India on 14 – 16 November 2016. Participants from 7 Asian countries including China, Maldives, Mongolia, Nepal, Philippines, Thailand and host India were part of the training workshop which was facilitated by Yeong Joo Kean and Constance Ching from ICDC. From India representatives of ministry of Health and Family Welfare participated in the workshop. **(Annexure-19)**