



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. 5-23144)
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BPNI/2019/012

January 15, 2019

Sh. Narender Modi,
Hon'ble Prime Minister of India
South Block,
New Delhi.

Sub: Request to change the Rules of Business to effectively implement Infant Milk Substitutes, Feeding Bottles, and Infant Foods (Regulation of Production, Supply and Distribution) Act 1992, and Amendment Act 2003(IMS Act)

Hon'ble Prime Minister Modi Ji,

Greetings from BPNI!

The IMS Act is a central Parliamentary Act '41 of 1992' and '38 of 2003' and was enacted as a follow up to the 'International Code of Marketing for Breastmilk Substitutes' adopted by the World Health Assembly in 1981. The IMS Act was enacted to control marketing of the baby foods. According to the Statement of the Objectives and Reasons of the IMS Act. "Promotion of infant milk substitutes and related products like feeding bottles and teats do constitute a health hazard". The Government of India, in 1995 notified in its official gazette the Breastfeeding Promotion Network of India (BPNI) and 3 NGOs working in the field of child welfare to initiate legal action if there is violation of the IMS Act. Concerned with the blatant violations by the baby food companies due to lack of effective implementation, BPNI is approaching you to take an appropriate action.

We submit as under:

1. We understand according to the Rules of Business, the responsibility to implement the IMS Act, right from its development and passage in the Parliament has been assigned to the Ministry of Women and Child Development (earlier Department of WCD). However, most of the provisions of the IMS Act pertain to the health care system.
2. Operative Section 3 is about prohibiting promotion and advertisements of baby foods for children under 2 and feeding bottles; 4 is about incentives; 5 is about donations (linked to health sector) , 6 is about labeling on baby foods(linked to health sector) ; 7 is about information to pregnant and lactating women (linked to health sector); 8-9 are about use of health care systems (linked to health sector) ; 10 is about commissions; 11 is about Food Standards (linked to health sector).
3. As per BPNI's experience of more than two decades, the scope of comprehensive implementation is limited within MWCD as most operations are in the health sector.

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

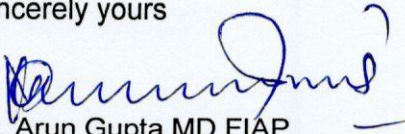


Therefore, we request you to change the Rules of Business to direct MOHFW to effectively implement this law.

We hope to hear a positive response from you, as this is in the interest of health and well being of India's women, infants and young children.

With our kindest regards

Sincerely yours



Dr. Arun Gupta MD FIAP
Central Coordinator, BPNI

Advance Copy for information and necessary action.

1. Sh. Ravi Shankar Prasad, Union Minister of Law and Justice
2. Sh. JP Nadda, Union Minister of Health and FW
3. Smt. Menaka Gandhi, Union Minister of WCD
4. Dr. Rajiv Kumar VC Niti Aayog, Chairperson, National Council on India's Nutrition Challenges
5. Sh. Nripendra Misra, Principal Secretary to the PM
6. Ms. Debashree Mukherjee, JS PMO