What Constitutes a Violation of the IMS Act?


IMS Act is violated

1. If any person promotes any food by whatever name it is sold for children up to two years of age.

2. If any person advertises the products under the scope of the IMS Act, i.e. infant milk substitutes, feeding bottles or infant food by any means through television, newspapers, magazines, journals, SMS, emails, radio, pamphlets etc.

3. If the manufacture or its representative distributes the products or samples of infant milk substitutes, feeding bottles and infant foods to any person or contacts pregnant or lactating mothers directly.

4. If the manufacturer/distributor/supplier of the infant milk substitutes, feeding bottles or infant foods of the gives any kind of incentives like discounts or free gifts etc for the use or sales to anyone.

5. If the manufacturer/distributor/supplier distributes information and educational material related to promotion of infant milk substitutes, feeding bottles and infant foods to mothers, families etc.

6. If the labels of tins, cartons, accompanied leaflets of these products carry pictures of mothers or babies, cartoons, or graphics, phrases or any other such images for increasing salability.
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7. If the hospital, nursing home, chemist shop displays placards, posters of baby food companies for promoting their products..

8. If the manufacturer/distributor/supplier 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.

9. If the manufacturer/distributor/supplier of baby foods provides sponsorships/research grants/funding of seminar, meetings, conferences, educational courses/fellowships/sponsorship of health workers of their associations.

10. If the manufacturer/distributor/supplier of baby foods fixes commission of employees on the basis of volume of sales of these products.

Useful definition under the IMS Act

“Infant milk substitute” means any food being marketed or otherwise represented as a partial or total replacement for mother’s milk (for infant up to the age of two years)

“Infant food” means any food (by whatever name called) being marketed or otherwise represented as a complement to mother’s milk to meet the growing nutritional needs of the infant [after the age of six months and up to the age of two years]

“feeding bottle” means any bottle or receptacle used for the purpose of feeding infant milk substitutes and includes a teat and a valve attached or capable of being attached to such bottle or receptacle

“health worker” means a person engaged in health care for mothers, infants or pregnant women

“promotion” means to employ directly or indirectly any method of encouraging any person to purchase or use infant milk substitutes, feeding bottle or infant food.


The Breastfeeding Promotion Network of India (BPNI) is a 28 years old registered, independent, non-profit, national organisation that works towards protecting, promoting and supporting breastfeeding and appropriate complementary feeding of infants and young children. BPNI works through policy analysis, advocacy, social mobilization, information sharing, education, research, training and monitoring the company compliance with the IMS Act. BPNI is notified in the Gazette of India as a child welfare NGO to initiate action under section 21(1) of the IMS Act for officially monitoring and implementing IMS Act since 1995. BPNI is the Regional Coordinating Office for International Baby Food Action Network (IBFAN), South Asia. BPNI also serves as the global secretariat for World Breastfeeding Trends Initiative (WBTI) programme, that analyses policy & programmes and galvanises action at country level.

BPNI does not accept funds or any support from the companies manufacturing baby foods, feeding bottles or infant feeding related equipments. BPNI does not associate with organizations having conflicts of Interest.