



**Breastfeeding
Promotion Network of India**

(Registered Under Societies Registration Act
XXI of 1860, Delhi R-No S-23144)
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BPNI/IMS Act/2020/016

July 3, 2020

**Shri Ajay Tirkey
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) during April 2019 to March 2020.

Dear Sir,

Breastfeeding Promotion Network of India (BPNI) is authorized by the Government 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 and Amendment Act 2003 (IMS Act) through a Gazette notification 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 2019 to March 2020**.

With kind regards,

**Dr. JP Dadhich MD (Paediatrics)
Technical Director, BPNI**

Cc: - Ms. Preeti Sudan, Secretary, MoHFW, GOI

Enclosed: IMS Act Monitoring Report April 2019 to March 2020

IMS Act Monitoring Report April 2019 to March 2020

Violation No	Date of Violation	Date of Reported to the Authorities	Type of Violation	State where violation happened	Product Name/ Programme Name	Name of the Company violation the Act	Section of IMS Act violated	Action taken by BPNI
1	03-May-19	06-Jun-19	Advertisement in Newspaper	Delhi	NAN OPTIPRO	Nestle India Limited	As per the Section 3 (a) No person shall -advertise , or take part in the publication of any advertisement, for the distribution, sale or supply of infant milk substitutes, feeding bottles or infant foods and 3 (c) Take part in the promotion of Infant milk Substitutes, feeding bottles of infants foods.	<p>Letter was written to Shri Rabindra Panwar Secretary, Ministry of Women and Child Development, Government of India to initiate appropriate action against the offending organisation.</p> <p>https://www.bpni.org/wp-content/uploads/2020/07/Letter-to-Shri-Rabindra-Panwar-Secretary-%E2%80%93MoWCD.pdf</p> <p>Letter written to Managing Director, 37 Krishna Super Marche to withdraw any such promotion/ advertisements and refrain in future in compliance with the IMS act.</p> <p>https://www.bpni.org/wp-content/uploads/2019/08/Letter-to-Managing-Director-June-2019.pdf</p>
2	06-May-19	17-Jul-19	Sponsorship to health care professionals	Delhi	Multicentric Observational Study to Observe Growth in Pre-term Hospitalized Infants, Put on Enteral Feeding in NICU: Clinical Trial Regd. Vide CTRI No. CTRI/2018/12/0167 15	Nestle India Limited	As per the Section 9(2) No producer, supplier or distributor referred to in sub-section (1), shall offer or give any contribution or pecuniary benefit to a health worker or any association of health workers, including funding of seminar, meeting, conference, educational course, contest, fellowship, research work or sponsorship.	<p>Letter was written to, Dr. Harsh Vardhan, Hon'ble Minister, Ministry of Health and Family Welfare, GOI, Nestle violates IMS Act sponsoring research.</p> <p>https://www.bpni.org/wp-content/uploads/2019/07/Letter-to-Minister-MoHFW-17-7-2019.pdf</p> <p>Letter was written to, Smt. Smriti Zubin Irani , Hon'ble Minister, Ministry of Women and Child Development, GOI, Nestle violates IMS Act sponsoring research.</p> <p>https://www.bpni.org/wp-content/uploads/2019/07/Letter-to-Minister-MWCD-17-7-2019.pdf</p>

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3	23-Aug-19	26-Aug-19	Sponsorship to health care professionals	Delhi	1. Study of milk composition from adequately nourished and undernourished mothers (CTRI/2014/11/005199) 2. Cross-sectional Observational Study(CTRI/2018/12/016645)	Nestec, Nestle India Limited	As per the Section 9(2)No producer, supplier or distributor referred to in sub-section (1), shall offer or give any contribution or pecuniary benefit to a health worker or any association of health workers, including funding of seminar, meeting, conference, educational course, contest, fellowship, research work or sponsorship.	Letter was written to Dr. Balram Bhargava, DG, ICMR (Continued infringement of the IMS Act 1992 and 2003) https://www.bpni.org/wp-content/uploads/2019/12/Dr.-Balram-Bhargava-DG-ICMR.pdf
4	28-Aug-19	28-Aug-19	Promotion in Internet	Delhi	Philips Avent Feeding Bottle	Amazon.in	Section 3 (c) of IMS Act prohibits any promotion - , "No persons shall- "take part in the promotion of infant milk substitutes, feeding bottles or infant foods" As per the Section 4 of the IMS Act, (c) No person shall- "offer inducement of any other kind, for the purpose of promoting the use or sale of infant milk substitutes or feeding bottles or infant foods."."	Letter was written to Sh. Shri Rabindra Panwar Secretary, Ministry of Women and Child Development, Government of India to take initiate action against violation of IMS Act by online shopping website. https://www.bpni.org/wp-content/uploads/2019/08/letter-to-Shri-Rabindra-Panwar-Secretary-MoWCD.pdf
5	03-Sep-19	03-Sep-19	Sponsorship to health care professionals	Delhi	1. Study of milk composition from adequately nourished and undernourished mothers (CTRI/2014/11/005199) 2. Cross-sectional Observational Study(CTRI/2018/12/016645)	Nestle and Abbott	As per the Section 9(2)No producer, supplier or distributor referred to in sub-section (1), shall offer or give any contribution or pecuniary benefit to a health worker or any association of health workers, including funding of seminar, meeting, conference, educational course, contest, fellowship, research work or sponsorship.	Letter was written to Dr. Harsh Vardhan, Hon'ble Minister, MoHFW (Request for Action against the violators of Infant Milk Substitutes Feeding Bottles, and Infant Foods (Regulation of Production, Supply and Distribution) Act 1992, and Amendment Act 2003.(IMS Act) (FTS:1446104-13 Aug 19). https://www.bpni.org/wp-content/uploads/2019/12/Letter-to-Dr.-Harsh-Vardhan.pdf

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6	11-Sep-19	30-Sep-19	Sponsorship to health care professionals	Madhya Pradesh	11th Apollo International Clinical Nutrition update 2019 (21-22 September 2019)	Nestle's "Nestle Health Science"	As per the section 9(2) of the IMS Act, "No producer, supplier or distributor referred to in sub-section (1), shall offer or give any contribution or pecuniary benefit to a health worker or any association of health workers, including funding of seminar, meeting, conference, educational course, contest, fellowship, research work or sponsorship".	Letter was written to Ms. Preeti Sudan, Secretary, MoHFW to initiate urgent action for effective enforcement of the IMS Act and initiate appropriate action against Nestle Health Science, Apollo Hospital through respective state government. https://www.bpni.org/wp-content/uploads/2020/01/Ms.-Preeti-SudanSecretary-MoHFW.pdf
7	31-Dec-19	31-Dec-19	Sponsorship to health care professionals	Tamil Nadu	Obstetric and Gynaecological Society of Southern India (OGSSI) and Abbott India. A CME programme dated 04.01.2020(Saturday) Time: 1.00 PM to 4.30 PM at Hotel, Taj Connemara, Binny Road, Anna Salai, Chennai	Abbott India	As per the Section 9(2) of the IMS Act, "No producer, supplier or distributor referred to in sub-section (1), shall offer or give any contribution or pecuniary benefit to a health worker or any association of health workers, including funding of seminar, meeting, conference, educational course, contest, fellowship, research work or sponsorship".	Letter was written to Ms. Preeti Sudan, Secretary, Ministry of Health and Family Welfare, Government of India to initiate urgent action for effective enforcement of the IMS Act against OGSSI and Abbott India. https://www.bpni.org/wp-content/uploads/2020/01/Ms.-Preeti-Sudan-Secretary-MoHFW.pdf

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8	30-Jan-20	24-Jan-20	Sponsorship to health care professionals	Delhi	Abbott Nutrition. A CME programme	Abbott Nutrition	As per the Section 9(2) of the IMS Act, "No producer, supplier or distributor referred to in sub-section (1), shall offer or give any contribution or pecuniary benefit to a health worker or any association of health workers, including funding of seminar, meeting, conference, educational course, contest, fellowship, research work or sponsorship".	Letter was written to Shri Satyendar Jain, Health Minister, Health and Family Welfare Department, Government of NCT of Delhi to urgent intervention to address violation of the IMS Act by Abbott Nutrition. https://www.bpni.org/wp-content/uploads/2020/01/Shri-Satyendar-Jain-Health-Minister-Government-of-NCT-of-Delhi.pdf
9	24-Jan-20	24-Jan-20	Distribution of leaflets/Pamphlets	Delhi	Danone Nutricia	Da none	As per the section 8(1) of the IMS Act, "No Person shall use any health care system or the display of placards or posters relating to, or for the distribution of, materials for the purpose or promoting the use or sale of infant milk substitutes or feeding bottles of infant foods". • As per the Section 3 (c) of IMS Act prohibits any promotion - "No persons shall- "take part in the promotion of infant milk substitutes, feeding bottles or infant foods".	Letter was written to Ms. Preeti Sudan, Secretary, MoHFW, Government of India to take necessary action against the manufacturer. https://www.bpni.org/wp-content/uploads/2020/01/Letter-to-Ms-Preeti-sudan-Secretary-MoHFW-24.1.2020.pdf

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10	03-Sep-19	28-Feb-20	Advertisement/Promotion, Magazine/Sponsorship to health care professionals	Delhi	Neolact MMF (sachets) ii) Neolact MMF (liquid)	Neolacta Lifesciences Pvt Ltd	As per the section 3 (a) of the IMS Act, "No person shall- "advertise, or take part in the publication of any advertisement for the distribution, sale or supply of infant milk substitutes, feeding bottles or infant foods".As per the section 9(2) of the IMS Act, "No producer, supplier or distributor referred to in sub-section (1), shall offer or give any contribution or pecuniary benefit to a health worker or any association of health workers, including funding of seminar, meeting, conference, educational course, contest, fellowship, research work or sponsorship".	Letter was written to Ms. Preeti Sudan, Secretary, MoHFW, Government of India to take an urgent action and hearing from you. https://www.bpni.org/wp-content/uploads/2020/03/Ms.-Preeti-Sudan-Secretary-MoHFW.pdf



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Date: - 3rd July 2020