The IMS Act – Covid exploitation by baby food companies

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National Coordinator,
Breastfeeding Promotion Network of India (BPNI)

Webinar on WBW -2020 Theme
National Institute of Health and Family Welfare, New Delhi
8th August, 2020
Overview

- History of the IMS Act*
- Why a country needs strong law to protect breastfeeding
- Key provisions of the IMS Act
- How companies are exploiting the Covid-19 situation
- Action taken to implement the IMS Act
- What more can be done to implement IMS Act Effectively?

*Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992" (the IMS Act
India enacted the IMS Act in 1992

- It came into force on 1-8-1993 as a central government law by notification in the official gazette to protect, promote & support breastfeeding
- It was strengthened by an Amendment in 2003, enhancing the protection level
- Rules prescribed in 1993 and amended in 2003
- Cable Television Networks (Regulation) Amended act in 2000, which banned all advertisement and promotion of IMS, FB or IF on Television
- BPNI Gazetted as NGOs to monitor its implementation
“...Promotion of infant milk substitutes and related products like feeding bottles and teats do constitute a health hazard. Promotion of infant milk substitute and related products has been more pervasive and extensive than the dissemination of information concerning the advantages of mother’s milk and breastfeeding and contributes to decline in breastfeeding…”

(Emphasis added)
Why a country needs strong law to protect breastfeeding?

Per infant/child consumption (kg) in 2013*

- China – 15.2 Kg
- India – 0.4 Kg

Increase in consumption over 6 years (2011-16)

- China – 38%
- India – 14%

Source: Euromonitor International India Passport report of Baby Foods 2016

India is a big potential market for baby foods - IMS Act provides protection

IMS Act is the protection!

Source Icons: https://www.flaticon.com/authors/freepik
What constitutes violation of the IMS act?

What Constitutes a Violation of the IMS Act?


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.

IMS Act is violated
Covid-19 and blatant violations of the IMS Act by the Baby food companies

1. Free distribution of baby milk powders such as infant formula, foods for young children…
2. Spreading misinformation to public
3. Sponsoring doctors and their associations
4. Feeding bottle companies have also joined the bandwagon.

There are several examples…. For which Credit goes to Vigilant friends from all over India
Nestle exploits Covid 19.....collaborating with NGOs, Police, Admin..
“Lactogen” free distribution in Jalpaiguri (West Bengal) by Prasary Foundation with Nagrakata police station

Today Prasary Foundation in association with Nagrakata PS distributed 300 packets Lactogen to the children of needy Families. Some NGOs and Jalpaiguri District Police are trying to stay beside the needy people in this lock-down Period. #HumanityFirst #JalpaiguridistrictPolice
Distribution of “Amulspray” by AMUL

Delhi April 2020
Lactose Intolerance in Pediatric Practice - Myths and Realities

Dr. Pankaj Garg
Speaker
MBBS, MD, DNB (PAEDIATRICS)

EVENT INFO

Topic: Lactose Intolerance in Pediatric Practice - Myths and Realities

📅 Date 30 June, 2020  🕒 Time 05:30 PM (GMT+5:30) IST

Significant changes in our knowledge and approach toward lactose intolerance have occurred over the past years. Pediatricians and other pediatric care providers should maintain awareness of the benefits and controversies related to the consumption of dietary milk products and milk-based infant formula. The lactose content of milk often influences, correctly or not, the ultimate decision about the use or continuation of milk in the diet. Lactose intolerance can occur among infants and young children with diarrheal disease.

Although rarely life-threatening, the symptoms of lactose intolerance can lead to significant discomfort in babies. Treatment is relatively simple and aimed at reducing or eliminating the inciting substance, lactose, by eliminating it from the diet.

To gain more insights and best practices, please join the session in the field of Pediatrics Dr. Pankaj Garg who will be

https://webstream.streamcart.com/live/abbott30june
Reaching to association of doctors through Webinars

D I A P

CONSTIPATION: SPECTRUM OF PRESENTATION & UPDATE ON A NEW FORMULATION

JOIN US FOR A TIMELY AND ENRICHING DISCUSSION WITH,

Is there an emerging role of Prebiotics in constipation?
Hear from an expert.

Dr. Neelam Mohan
Director, Department of Pediatric Gastroenterology, Hepatology and Liver Transplantation, Medanta- Medicity, Gurugram, India

Date | Sat, 23rd May
Time | 2.30pm to 3.30pm

Go to diapindia.org/event-calendar or click here
(NOT AVAILABLE ON YOUTUBE)

This webinar is brought to you under dIAP, an initiative of IAP to facilitate e-learning in all spheres of pediatrics. Live webcast of the webinar discussions, on-line clinics and their subsequent archiving is one of the activities under this banner.

With warm regards,
DR BAKUL JAYANT PAREKH
DR GV BASAVARAJ

This IAP Webinar is supported by Abbott

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DANONE sponsors FOGSI Webinar

FOGS I
FOODS & DRUGS AND MEDICO SURGICAL EQUIPMENT COMMITTEE

Topics
NUTRITION FIRST FOR FIRST 1000 DAYS

Date: On 18th June 2020
Time: 5:00 pm onwards

Special Guests
Dr. Alpeesh Gandhi
President FOGSI

Dr. Rishma Dhillon Pal
President MOGS

Moderator
Dr. Vidya Thobbi
Co-founder
FOGS I Foods & Drugs And Medical Surgical Equipment Committee

Speakers
Focus on nutrition in pregnancy and lactation what should you know?

Dr. T. Ramani Devi
MD, DGG, FICS, FOGS
National Vice President FOGSI 2020

Micronutrients for Immunity in COVID times

Dr. Reena Wani
MD, INCIID, DNB, DPH, FICS, DDE, FOGS
Professor/Adj. & Head, Dept. of Obstetrics and Gynaecology, HBNC & Dr R N Cooper Municipal Hospital, Indore

Macronutrients and importance of protein intake in pregnancy

Shilpa Joshi
MD
Vice-President (2019-2021) - Indian Dietetic Association

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1 ICDG point on attendance

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DANONE directly reaching out to mothers!

New mothers are looking for reliable sources of information that they can trust. In order to guide them through their journey of motherhood, we at #Danone are happy to introduce our digital initiative - #VoiceOfExperts.

Subscribe now & stay tuned: bit.ly/2KE2AJZ
Giving incorrect information

Things to Remember:

☑ Mother should wear a mask
☑ Mother should be 6 feet away from the baby
☑ It is safe to give expressed breast milk to the new born after practising hand and breast hygiene
And...association with influencers
Selling bottles on discount!
Nestle NAN PRO with discount
What action was taken to curb the violations during Covid-19?
Subject: Action to Stop Exploitation of Covid-19 by the Baby food and Feeding bottle companies

Dear Dr. Harshvardhan,

I write to you to express my concern over the exploitation of the Covid-19 crisis by the baby food and feeding bottle companies. The companies are taking advantage of the current situation to increase their profits at the expense of vulnerable populations.

I urge you to take immediate action to address this issue and ensure that the health and well-being of children are not compromised during this crisis. Your prompt response is highly appreciated.

Sincerely,
Arun Gupta

To: Dr. Harshvardhan <dr.harshvardhan@gov.in>, Dr. Anil Mukim, Principal Secretary (Health & Family Welfare), Shri Praveer Krisnan, Principal Secretary (Health &FW)
Cc: C. P. Prasad, Principal Secretary (Health &FW), Smt. Indra Mallo, Secretary Health & Family Welfare, Smt. Indira Kishor, Director (ICDS), Shri Anand Kishor, Director (ICDS)

From: Dr. Anil Mukim, Principal Secretary (Health & Family Welfare)

Date: Fri, Jun 19, 2020 at 3:41 PM

Message: Dear Dr. Harshvardhan,

I write to you to express my concern over the exploitation of the Covid-19 crisis by the baby food and feeding bottle companies. The companies are taking advantage of the current situation to increase their profits at the expense of vulnerable populations.

I urge you to take immediate action to address this issue and ensure that the health and well-being of children are not compromised during this crisis. Your prompt response is highly appreciated.

Sincerely,
Arun Gupta
File No.Z-28020/96/2020-CH

No.Z-18020/96/2020-CH
Government of India
Ministry of Health & Family Welfare
(Child Health Division)

Nirman Bhawan, New Delhi,

To,
The Principal Secretaries (Health & FW),
(Chandigarh, West Bengal & Jharkhand).

Subject: Representation from BPNI requesting for action to stop exploitation of COVID-19 by the Baby Food and Feeding Bottle companies-reg.

Sir,

Please find enclosed a copy of e-mail dated 19-06-2020 along with enclosure addressed to Hon’ble HFM received from Dr. Arun Gupta, Central Coordinator, BPNI on the above subject. In this regard, it is requested to take necessary action in the matter with reference to IMS Act, 2003 notified by M/o Women and Child Development and this Ministry’s D.O. Letter No. 587/DC-IC(CH&AH)/2019 dated 11-01-2019 regarding sensitization of health system on implementation of IMS Act, 2003. (copy enclosed)

2. This issues with the approval of competent authority.

Yours sincerely,

Encl. as above

Copy for necessary action to: Secretary, M/o Women and Child Development, Shastri Bhawan, New Delhi-110001

Copy for information to:
Dr. Arun Gupta, Central Coordinator, BPNI. Email-id arun.ibfan@gmail.com
What more can be done?
Actions by the Health Professional organisations

- Refusing to accept any kind of direct or indirect sponsorship from baby food or feeding bottle companies
- Planning and conducting awareness of members on IMS Act
- Taking disciplinary action against the members if they flout the provisions of the IMS Act.
Actions by Civil Society organisations

- Act as a watchdog to keep a close watch on the promotional activities of the baby food and feeding bottle companies
- Report any perceived violation of the Act to Government of India/ State governments/ BPNI
Use BPNI STANPAN SURAKSHA Mobile Application to report violations
Available on Android and IOS for download


An Appeal!

Watch the film 'Tigers' on the Zee5 web portal to know predatory promotional behaviour of the baby food companies

https://www.youtube.com/watch?v=dJxsiUvccuM
Key Lessons!

- There is widespread exploitation of COVID-19 situation and violations of the IMS Act by the baby food and feeding bottle manufacturers.
- Particularly, promotion of BMS through health care system and influencers is aggressive by sponsoring Webinars, social media events.
- Such marketing tactics increase sales of BMS and thus their consumption.
- We have a potent tool in IMS Act to protect breastfeeding from aggressive promotional activities of Baby food and feeding bottles industry.
- Civil Society and citizen’s vigilance helps to check it.
Thank You!

https://www.bpni.org/national-policy-programme-4/

jpdadhich@bpni.org