



**Breastfeeding
Promotion Network of India**
(Registered Under Societies Registration Act
XXI of 1860, Delhi R-No S-23144)
BP-33, Pitampura, Delhi-110034
Tel: +91-11-42683059
Email: bpni@bpni.org
Website: www.bpni.org

BPNI/IMS Act/2021/024

October 18, 2021

**Shri. Rajesh Bhushan
Secretary
Ministry of Health and Family Welfare, GOI**

Sub: Request to launch a criminal investigation by MOHFW on reports of Danone violations of the IMS Act.

Respected Sir,

India enacted the "Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply & Distribution) Act 1992, and Amendment Act 2003" (IMS Act) which came into force on August 1993. An offence committed under the law is cognizable.

The Government of India notified "Breastfeeding Promotion Network of India (BPNI)" vide No G.S.R. 540 (E), dated the 27th June 1994, to monitor the compliance with the above Act.

You had written letters to implement it effectively (Letter No. 2-28020/47 /2017 -CH Part (6) dated 18th August 2020) in the past.

BPNI has received the attached complaint from a reported employee of Danone exposing blatant violations of the IMS Act including cash payments, sponsoring and offering dinners and alcohol at meetings, sponsored foreign travel, gifts, local travel assistance etc.

All these reported activities are prohibited under section 3 (c), 4 (c) and 9(2) of the IMS Act

As per the Section 3 (c) of the IMS Act prohibits any promotion - "No person shall- "take part in the promotion of infant milk substitutes, feeding bottles or infant foods".

As per the Section 4 (c) of the IMS Act, "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 of 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".

Since the reports make serious allegations, on the formula manufacture Nutricia International PVT. LTD. (Danone) The Government of India must launch a criminal investigation in this matter.

BPNI hopes that Government of India takes up this matter seriously to save the lives of young infants.

With regards,

Yours Sincerely,

**Dr. Arun Gupta
Central Coordinator, BPNI**

Cc: - Shri Indevvar Pandey, Secretary, MOWCD, GOI

Encl: a/a.

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 conflict of interest.