

## PRESS BRIEF

# Health Ministry Initiates Action on BPNI Complaints asking MoWCD to Take Necessary Action

*While 'Danone' offered inducements to doctors, 'Pharmeasy' giving away discounts on sales ; both acts are prohibited.*

**12 Nov 2021, New Delhi:** The Breastfeeding Promotion Network of India (BPNI) was recently alerted to the fact that 'Danone India', a leading manufacturer of *infant milk substitutes* and *infant foods*, is blatantly flouting the stringent Indian law, the *Infant Milk Substitutes Feeding Bottles, and Infant Foods (Regulation of Production, Supply and Distribution) Act 1992, and Amendment Act 2003*. It prohibits such manufacturers from sponsoring, giving inducement or free gifts to *health workers*. A whistle-blower, sales executive of Danone India, alerted BPNI *through a letter* about the practices of giving cash incentives to doctors. BPNI wrote a [letter to Ministry of Health](#) and Family Welfare (MoHFW), Government of India requesting to investigate and launch prosecution if necessary. Recognising it, the [MOH issued a letter to Ministry of Women and Child Development \(MoWCD\)](#) to examine the complaint and take necessary action.

Section 9 of the IMS act clearly forbids any benefits to health workers. <https://wcd.nic.in/sites/default/files/IMSAmendact2003.pdf>

*9(1) No person who produces, supplies, distributes or sells infant milk substitutes or feeding bottles or infant foods shall offer or give, directly or indirectly, any financial inducements or gifts to a health worker or to any member of his family for the purpose of promoting the use of such substitutes or bottles or foods.*

*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, conferences, educational course, contest, fellowship, research work or sponsorship.*

“However, this is not the first time Danone India has flouted the provisions of the IMS Act. This is perpetual behaviour of the baby food companies and Danone India has been a repeat offender”, says Ms.Nupur Bidla, National Coordinator, BPNI. In an [earlier report “Under Attack”](#) Danone was reported to have violated the IMS Act 4 times.

There is another alarming case that a concerned BPNI member brought to BPNI’s notice. It is about the emerging online pharmacy “PharmEasy” that sold *infant milk substitutes*, on discounts, again a blatant violation of the IMS Act. [BPNI wrote to the Secretary MoHFW](#). Once again recognising this complaint [Health Ministry has asked MWCD to take necessary action](#).

It is well known that such bad marketing practices of baby food companies undermine breastfeeding and impact infant health negatively. The World Health Assembly had adopted an *International Code of Marketing for Breastmilk Substitutes in 1981* and later several resolutions to protect breastfeeding came up to strengthen its implementation. Recently, in 2016 , [World Health Assembly adopted guidance to end inappropriate promotion](#).

BPNI welcomes MoHFW’s intervention in both the cases and hopes an investigation is carried out sooner to ensure justice to the mothers and children of India. “In 2014 the [Dairy Reporter published the claim](#) of a whistleblower that Danone was bribing doctors in India and BPNI had approached the Government of India to investigate these complaints. But No action was taken. We expect better from the Government of India” said Dr. Arun Gupta, pediatrician and one of the founders of BPNI.

BPNI will continue to follow up this case.

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