

[Back](#)

PUBLIC HEALTH

For the infant's health

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THE Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992, as amended in 2003, provides for the regulation of the production, supply and distribution of infant milk substitutes, feeding bottles and infant foods, with a view to protecting and promoting breast-feeding and ensuring the proper use of infant foods.

Under the Act, "infant food" means any food that is marketed or otherwise represented as a complement to mother's milk to meet the needs of the infant after the age of six months and up to the age of two years. "Infant milk substitute" refers to any food being marketed or otherwise represented as a partial or total replacement for mother's milk for the infant up to the age of two years.

The Act prohibits persons from advertising, or taking part in the publication of any advertisement, for the distribution, sale or supply of infant milk substitutes, feeding bottles or infant foods, or giving an impression or creating a belief in any manner that the feeding of infant milk substitutes and infant foods is equivalent to, or better than, feeding mother's milk, or taking part in the promotion of infant milk substitutes, feeding bottles or infant foods. Similarly, it expressly prohibits persons from supplying or distributing samples of infant milk substitutes or feeding bottles of infant foods or gifts of utensils or other articles, or contacting any pregnant woman or the mother of an infant, or offering inducement of any other kind for the purpose of promoting the use or sale of infant milk substitutes or feeding bottles or infant foods.

The Act lays down standards and quality control requirements, where it prohibits all persons from producing, selling or distributing any infant milk substitutes, feeding bottles or infant foods unless they confirm to the standards specified under the Prevention of Food Adulteration Act, 1954. All such containers should bear the standard mark specified by the Bureau of Indian Standards Act, 1986.

The IMS Act bans direct or indirect benefits to health workers or their associations, bans commissions offered by companies to achieve sales targets, bans promotions and displays in hospitals, clinics and chemists' shops and prohibits the dissemination of incorrect information peddled by companies in the form of booklets, flash cards, films, slides, magazines or newspapers.

It prescribes guidelines for labelling where the label "Important Notice: Mother's Milk is best for the baby" has to be in capital letters of 5mm size and placed visibly on the centre panel of the container or label. Violations of the provisions of the Act are cognisable offences but are bailable under the Criminal Procedure Code.

In 1992, while introducing the IMS Bill in Parliament, Arjun Singh, the then Human Resource Development Minister, made a statement of objectives and reasons. He stated: "Inappropriate feeding practices lead to malnutrition, morbidity and mortality in our children. The promotion of infant milk substitutes and related products like feeding bottles and teats does constitute a health hazard. The Promotion of infant milk substitutes and related products has been more pervasive and extensive than the dissemination of information concerning the advantages of mother's milk and

breast-feeding and contributes to a decline in breast-feeding. In the absence of strong interventions designed to protect, promote and support breast-feeding, this decline can assume dangerous proportions, subjecting millions of infants to greater risks of infections, malnutrition and death... ."

In 2003, when the Act was amended, it was given a wider ambit to control advertisements in the electronic media as audio or visual transmission. It defined infant foods more clearly as foods that can be introduced after six months of age up to two years. This was clearly intended to promote exclusive breast-feeding for the first six months and continued breast-feeding for two years or beyond. Almost all the clauses pertaining to infant foods in particular were strengthened and prohibitory clauses introduced in matters relating to promotion, distribution, donation and inducements.