

NUTRITION ADVOCACY IN PUBLIC INTEREST-India (NAPi)

December 15, 2017

To,

Shri Jagat Prakash Nadda
Hon'ble Union Minister
Ministry of Health & Family Welfare, Government of India
Room No-348-A, Nirman Bhawan,
New Delhi-110011

Subject: Implementation of the IMS Act

Dear Sir,

Government of India enacted a law, the Infant Milk Substitutes, Feeding Bottles and Infant Foods (regulation of production, supply and distribution) Act (IMS Act) to Protect, Promote and Support breastfeeding. The IMS Act prohibits sponsorship of conferences of health professionals. **Section 9 of the IMS Act** states as under:

(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.

(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.

Your attention is drawn to infant formula manufacturers Abbott and Danone sponsoring the 37th annual convention of the National Neonatology Forum of India (NNF) held at Lemon Tree Hotel and Convention Centre, Sector 60, Gurugram organized by Haryana branch of National Neonatology Forum on 7-10 December 2017.

This is evident from the exhibition stalls put up by these companies in the conference venue where Infant Milk Substitutes like **Neocate infant formula (Nutricia Danone)** and **Similac Alimentum infant formula (Abbott)** among other products were displayed and promoted to the doctors and nurses who attended the conference. (Annex 1-3)

This is in violation of the section 9 of the IMS Act.

We would also like to remind you the statement of objects and reasons, which clearly points out the role of Ministry of Health and Family Welfare (MOHFW) in implementing this law in the country. The MOHFW Government of India has a defined responsibility towards this end, as especially Section 6,7,8,9,11 pertains to it. Please see the relevant portion of the objects and reasons of the IMS Act attached with the letter. (Annex -4)

CHAIR

Sh. Keshav Desiraju
Former Secretary, Health, GOI

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Apart from the fact that Ministry of Health wrote a joint letter along with the Ministry of Women and Child Development to the Chief Secretaries of all the States, Ministry of Health also wrote in 2010 to all the professional associations including NNF to adhere to the provisions of the IMS Act. (Annex-5)

We, therefore request you to take note of the above-mentioned violation of the IMS Act and initiate action within the Ministry of Health to prevent such violations from happening in the future so as to protect the lives of infants and newborns.

We would also like to suggest to the Government of India that they could consider blacklisting such organisations in future and restrict collaboration with them.

Thanks and Regards,

Yours Sincerely,

NAPi.

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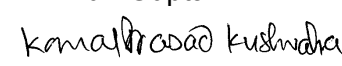
Umesh Kapil
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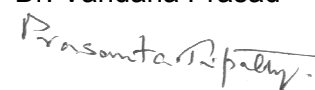


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CC: Secretary, Ministry of Health and Family Welfare, Government of India
Secretary, Ministry of Women and Child Development, Government of India