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भारत सरकार  
महिला एवं बाल विकास मंत्रालय  
शास्त्री भवन, नई दिल्ली-110 001  
GOVERNMENT OF INDIA  
MINISTRY OF WOMEN & CHILD DEVELOPMENT  
SHASTRI BHAWAN, NEW DELHI-110 001  
Website: <http://www.wcd.nic.in>

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Dear

Please refer to a communication from Breast Feeding Promotion Network of India (BPNI) vide its letter No. BPNI/2011/123, dated 26.04.2011 enclosing an earlier letter dated 06.01.2011 wherein it has been alleged that Nestle, the food corporate is using public funded universities & institutions for their brand promotion through signing up a MoU with 4 universities in the name of 'nutrition awareness programme for school going girls'. A copy of the communication has also been endorsed to our Ministry. BPNI has also indicated that upon RTI enquiry about the training modules being used for the training programme, the company has denied to provide the training content stating that contents of the programme are of commercial and confidential in nature and the disclosure may harm the competitive position of the company.

2. As you are aware, it is the policy of Government of India to promote breast feeding in infants as this natural feed has uncountable benefits for the children. For regulating the influence of commercial companies producing infant foods and infant milk substitutes, the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, (IMS Act) was enacted in 1992 and amended in 2003.

3. The modified act prohibits promotion of Infant foods and infant milk substitutes on the pretext of informational and educational materials. The IMS Act states that "Subject to the provisions of sub-section (4) of section 8, no person shall donate or distribute any informational or educational equipment or material relating to infant milk substitutes or feeding bottles or infant foods". The detailed Act may be accessed through the following like <http://www.bpni.org/documents/IMS-act.pdf>

4. It is understood that so far 4 universities have signed MOU with Nestle which include Punjab Agriculture University, Ludhiana (Punjab), National Dairy Research Institute, Karnal (Haryana), University of Mysore (Karnataka), GB Pant University of Agriculture and Technology, Pant Nagar (Uttarakhand). It is likely that these education sessions may be used for promoting breast milk substitutes, baby foods, and other products being manufactured by the company. It is important to witness that these four companies should not penetrate the educational institutes to influence the young and impressionable minds. A copy of the brochure regarding this collaboration was obtained during one of the workshops held at Delhi and it is observed that while depicting sources of nutrients like calcium and protein, Nestle milk and other products

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have been shown as milk and milk products. This is an example to show that companies use any opportunity to promote their products and such promotion used for promotion of infant milk substitute has to be discouraged as it is violative of law.

5. Section 9 (2) of IMS Act says that *"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"*. It is necessary to comply with this provision in spirit. You would appreciate that the learning and teaching institutions are dealing with subjects of health and nutrition and provision of educational and teaching material would amount to violation of the IMS Act in spirit. Thus in interest of public health, it is our responsibility to ensure that such programmes are not organized at the educational institutions. It is of utmost importance then that the companies such as Nestle are discouraged from directly accessing the educational institutions in the country. For the ongoing programmes, any educational materials developed by them may be thoroughly scrutinized by experts before it is used to influence choice by the students.

6. You are therefore requested to kindly look into the matter, ensure that collaboration with companies and especially, food companies such as Nestle which market infant foods, are avoided at all costs. A directive to all universities/educational bodies, informing them of the provisions of the IMS Act and cautioning against collaboration with companies dealing with infant foods would be a big step in protecting and promoting breastfeeding which is crucial for healthy growth and development of infants.

Information regarding action taken may please be intimated to this Ministry.

Yours faithfully

(Dr. Shreeranjana)

**As per List attached.**

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