



putting child nutrition
at the forefront
of social change

**Breastfeeding
Promotion Network of India**

(Registered Under Societies Registration
Act XXI of 1860, Delhi R.No. S-23144)

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BPNI/2015/144

March 30, 2015

Dr. K.K. Aggarwal,
Honorary Secretary General,
Indian Medical Association
I.M.A. House, Indraprastha Marg
New Delhi-110 002

Dear Dr. Aggarwal,

Subject: Sponsorship of IMA CME for GPs by Abbott violating the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act 1992, and Amendment Act 2003 (IMS Act).

I am writing to you in reference to your e-mail sent to BPNI¹ regarding the issue of sponsorship of IMA CME for GPs by Abbott, a formula manufacturer company.

On behalf of BPNI, let me make the following points to explain why IMA should not enter into any collaboration with ABBOT as it will defeat both letter and spirit of the IMS Act.

1. You are aware that Indian Parliament enacted the law for protecting, and promoting breastfeeding i.e. the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act 1992, and it was further strengthened by an Amendment Act in 2003 (IMS Act)
2. For your information the IMS Act is a criminal law and any offence committed is cognizable.
3. The IMS Act takes under its purview health care system, which according to the definition in the IMS Act means, "an institution or organisation engaged, either directly or indirectly, in health care for mothers, infants or pregnant women, and includes a health worker in private practice, a pharmacy, drug store and any association of health workers) as well as health worker (means a person engaged in health care for mothers, infants or pregnant women."
4. Section 9 of the Act is the most important section regarding health workers and it states:
 - 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.*

¹Breastfeeding Promotion Network of India (BPNI) is a non-profit voluntary organization registered under societies registration act 1860. Government of India, using the powers conferred by clause (c) of Sub-Section (1) of Section 21 of the IMS Act, has appointed BPNI through a gazette notification to make complaint regarding the violation the IMS Act in the court of law.

