

11. April.2015

Press Release

**Nestle Violates the IMS Act again in India,
Sponsors Nurses this Time!**

New Delhi, April 11, 2015: Baby food manufacturer Nestle through its' front organization Nestle Nutrition Institute (NNI) is sponsoring and organising NNI National Nurses Quiz 2015 in India. The company organisation is approaching Paediatric and Gynaecology departments of the Medical colleges for nomination of nurses. This activity is a blatant violation of the IMS Act.

The Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply & Distribution) Act 1992, Amendment Act 2003 (IMS Act) clearly prohibits any sponsorship of health workers or their associations or health systems by the manufacturers of the products under the scope of the law directly or indirectly. This is evident in the Section 9 of the Act, which says,

- Section 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.
- Section 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.

[In a letter to the chief secretaries of all the states and UTs for effective implementation of the IMS Act vide D.O. No. 5-20/2010 –ND/Tech dated 17th August 2010](#), jointly written by Ministry of Women and Child Development and Ministry of Health, Government of India it has been stated very categorically that ‘baby food manufacturers through their own research/education or other front organizations are indulging in sponsorship of meeting of doctors or even acting as host of these meetings.’ The letter further asked the state governments to “take action under your directives to check and ban such sponsorships. These actions could include directives to the state government offices, medical colleges, health care institutions, and associations of doctors and nurses to abstain from such collaborations.”

Further, Ministry of Health also wrote a letter ([D.O. Z- 28015/12/2010-E.I.](#)) to all the professional organizations including Indian Academy of Paediatrics (IAP), Trained Nurses Association of India (TNAI) and Indian Association of Neonatal Nurses (IANN) to take note of the above-mentioned letter and to take action accordingly.



Breastfeeding Promotion Network of India (BPNI), an organisation notified under clause (c) of Sub-Section (1) of Section 21 of the IMS Act with a gazette notification (G.S.R. 562(E)) has written to [Ministry of Women and Child Development](#) and [Ministry of Health and Family Welfare, Government of India](#) to initiate appropriate action to stop this activity of Nestle Nutrition Institute, which violates the IMS Act. Dr. Arun Gupta, Central Coordinator, BPNI says, “such activities by Nestle Nutrition Institute are an attempt to influence opinions of health care providers like nurses and doctors on infant feeding practices. This is nothing less than a direct attack on the IMS Act and undermining what governments have done so far; Nestle is trying to act clever and influencing nurses now.”

Ms. Sheila Seda, Secretary General TNAI says, “our organisation is strongly against such image building and branding efforts by infant formula makers like Nestle to indirectly promote their products through nursing personnel. Our organisation urges Government of India to initiate strict action against the company for violating the IMS Act. Inviting nomination of nurses for the National Nurses Quiz 2015 through nursing institution is unethical and violates the IMS Act & appropriate action against the company will ensure that it not only withdraws the proposed event but also does not contemplate any such event in future.

About us:

BPNI is a registered, independent, non-profit, national organization that works towards protecting, promoting and supporting breastfeeding and appropriate complementary feeding of infants & young children registered as a society under the Societies Registration Act XXI of 1860, s 23144. BPNI does not accept funds or sponsorship of any kind from the companies producing infant milk substitutes, feeding bottles, related equipments, or infant foods (cereal foods). It serves the Regional Coordinating Office of International Baby Food Action Network (IBFAN) for Asia, which is a network of groups working to promote optimal infant and young child nutrition in over 25 countries. <http://www.bpni.org/>

For details contact:

Dr. J P Dadhich; Email id: jpdadhich@bpni.org

Ms. Nupur Bidla, Email id: nupur@bpni.org

Tel: +91-11-27343608, Telefax: +91-11-27343606

Subject: Regarding the conduction of quiz programme
Date: Friday, 10 April 2015 4:59:36 pm India Standard Time
From: tnai tnai
To: principal.jnmc@amu.ac.in, superintendent.cms@amu.ac.in
CC: JP Dadhich

BPNI/

Dated; 10/4/2015

Prof. Tariq Mansoor,
Principal & Chief Medical Superintendent,
Jawaharlal Nehru Medical College,
Aligarh, AMU Campus,
Aligarh,
Uttar Pradesh 202002

Dear Sir,

Greetings from Trained Nurses Association of India Headquarters!

This is with reference to the information received through email from Breast Feeding Promotion Network of India (BPNI) regarding the conduction of quiz programme to nurses at your hospital by Nestle Nutrition Institute. As per, The Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply & Distribution) Act 1992, Amendment Act 2003 (IMS Act) clearly prohibits any sponsorship of health workers or their associations or health systems by the manufacturers of the products under the scope of the law **directly or indirectly**. This is evident in the Section 9 of the Act.

It really bothers, when such an activity is promoted by a medical college, who inspite would have opposed when approached by the NNI. It is never too late, kindly instruct the nurses of your organization not to participate in such a quiz at present and also in future.

TNAI would posts strong objection against any activity organized by an organization which promotes the infant milk substitute and infant foods. It is thereby, we firmly voice for the breastfeeding and complementary feeding not any formula feeding. If such a quiz is conducted by NNI, there are chances that the organization shall make room for promo of their products through the health professionals, whom actually are supposed to be against it.

The Trained Nurses' Association of India (TNAI) is a national professional organization of nurse professionals representing more than three lakhs nurses and student members in 32 State and Union Territories of the country. Established in 1908, its aims to uphold the dignity and honour of the nursing professions and promote a *sense of esprit decorps* among all nurses besides promoting high standards of health care and nursing practices in the country. The organization is recognized by the Central and State Governments as a service organization. The Association closely works with other organizations having similar objectives, Govt. and non-Govt. organizations at National & International level. Over the years there have been improvements in the standards of nursing services, which are reflections of the TNAI endeavours.

It is unprofessional when such a participation warrants against the signatory to infant milk substitutes, feeding bottles and infant foods act by Government of India, Breast Feeding Promotion Network of India (BPNI), TNAI.

Expecting a favourable action and anticipating a reply on lines with this communication.

Thanking you with kind regards,

Yours sincerely,

Mrs. Sheila Seda
Secretary General, TNAI

c.c.:Dr. J P Dadhich MD (Paediatrics),FNNF, PG-DDN, National Coordinator,Breastfeeding
Promotion Network of India (BPNI)