

Press Release - September 6, 2000

Profits put before infant health

It was a historic time when the Parliament enacted a law “The Infant Milk substitutes, Feeding Bottles and Infant Foods (Regulation of Production Supply and Distribution) Act, 1992 to regulate the marketing practices of infant food and infant formula manufactures so as to protect and promote appropriate infant feeding practices in the country with an objective to reduce infant morbidity and mortality and malnutrition.

A quote from the objects and reasons placed before the Parliament while proposing the said Bill, clearly notes the link between commercial promotion, inappropriate feeding practices and malnutrition.

“...Inappropriate feeding practices lead to infant malnutrition, morbidity and mortality in our children. Promotion of infant milk substitutes and related products like feeding bottles and teats do constitute a health hazard. Promotion of infant milk substitutes and related products has been more extensive and pervasive than the dissemination of information concerning the advantages of mother’s milk and breastfeeding and contributes to decline in breastfeeding. In the absence of strong interventions designed to protect, promote and support breastfeeding, this decline can assume dangerous proportions subjecting millions of infants to greater risks of infections, malnutrition and death.....”

The Act gazetted four agencies to initiate legal action in case they notice any violation. In November 1994, Association for Consumers Action on Safety and Health (ACASH) filed a complaint (Case 82/1/94/30-11-94) in the court of Metropolitan Magistrate noting the MNC Nestle has been violating the said Act. The complaint was filed on 30 Nov 1994 and was admitted on 16 Jan 1995 through an Order by the Hon’ble Metropolitan Magistrate, which stated as,

“...4. On perusal of the record and testimony of C.W. 1 it is clear that there are sufficient matter on the record to summon the accused person for the violation of the Section 6(1)(a), 6(1)(C) of the Act. read with the rule 6 and 7 punishable u/s 20(2) of the Act.....”

In the mean time, in October 1995 Nestle filed a writ petition (C.W. No. 4832 OF 1995) in the High Court challenging the validity of this Act.

Many companies including Nestle, Heinz, Wockhardt, Dalmia Diary and various media (print and electronic) etc. continue to promote the products under the scope of the IMS Act but not in accordance with the Act. If profits are placed before infant health, how can we expect to reduce infant mortality (which is about 70 per thousand) and malnutrition (half of the country's young children are underweight).

Dr. Arun Gupta

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The Breastfeeding Promotion Network of India (BPNI) is a national network of individuals and organisations working for protection, promotion and support of breastfeeding in India. BPNI believes that breastfeeding is the right of all mothers and children. BPNI works through advocacy, social mobilization, information sharing, education and training of health workers and monitoring the compliance of International Code/The Indian Law to protect breastfeeding. BPNI works as the Regional Focal Point for South Asia for the World Alliance for Breastfeeding Action (WABA) & International Baby Food Action Network (IBFAN). BPNI does not accept funds or sponsorship of any kind from the companies producing breastmilk substitutes, related equipment and complementary foods or those have been ever found to violate the IMS Act or International Code.