

THE INFANT MILK SUBSTITUTES, FEEDING BOTTLES AND INFANT FOODS (REGULATION OF PRODUCTION, SUPPLY AND DISTRIBUTION) RULES, 1993¹

In exercise of the powers conferred by sub-section (1) of section 26 of the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992 (41 of 1992), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Rules, 1993.

(2) They shall come into force on the date² of commencement of the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992 (41 of 1992).

2. Definitions.—(1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992 (41 of 1992);

(b) "authorised officer" means an officer not below the rank of a Class I (Group A or whatever name called) officer of the Government duly authorised by the State Government under section 12;

(c) "food inspector" means a person appointed by the Government as such under section 9 of the Prevention of Food Adulteration Act, 1954 (37 of 1954);

(d) "section" means a section of the Act.

(2) Words and expressions used in these rules and not defined but defined in the Act shall have the respective meanings assigned to them in the Act.

3. Local limits of jurisdiction of food inspectors.—The local limits of jurisdiction of food inspectors shall be the same as are assigned to them under the Prevention of Food Adulteration Act, 1954 (37 of 1954).

4. Authorised officers.—(1) No officer of the Government shall be authorised by the State Government under section 12 unless he is—

(a) a medical officer in charge of health administration of a local area; or

(b) a graduate in medicine and has received at least one month's training in food inspection and sampling work approved for the purpose of food inspection under the Prevention of Food Adulteration Act, 1954 (37 of 1954) by the Central Government or a State Government.

1. *Vide* G.S.R. 528(E), dated 31st July, 1993, published in the Gazette of India, Extra., Pt. II, Sec. 3(i), dated 31st July, 1993.

2. Came into force on 1-8-1993 *vide* G.S.R. 527 (E), dated 31st July, 1993, published in the Gazette of India, Pt. II, Sec. 3(i), dated 31st July, 1993.

(2) The State Government may, by notification in the Official Gazette, define the local limits of jurisdiction of authorised officers.

5. Conditions and restrictions for donation and distribution of ¹[infant milk substitutes or infant foods or feeding bottles] or equipments and materials relating to them through health care system.—No institution, organisation or health worker in private practice, engaged in health care for mothers, infants or pregnant women, shall donate or distribute any educational or other informational or communication aids relating to ¹[infant milk substitutes or infant foods or feeding bottles] without complying with the following conditions and restrictions, namely:—

- (a) the donor should be informed in writing on—
 - (i) the need for promoting breast-feeding;
 - (ii) the nutritional superiority of mother's milk;
 - (iii) the benefits of breast milk, that is to say that breast milk is—
 - (A) the best natural food for infants;
 - (B) always clean;
 - (C) protects the infant from infection and diseases;
 - (D) available always;
 - (E) requires no special preparation;
 - (iv) that breast-feeding helps parents to space their children;
 - (v) the danger of microbial contamination involved in bottle feeding;
- (b) informational or educational equipment or material relating to ¹[infant milk substitutes or infant foods or feeding bottles] should be donated or distributed only in case it is found necessary for healthy growth of the infant by a medical practitioner.

6. Language of the notice and other particulars of declaration.—(1) No person shall produce, supply or distribute any infant milk substitute or infant food unless the container thereof or any label affixed thereto indicates in a clear, conspicuous and in an easily readable and understandable manner the words "IMPORTANT NOTICE", in capital letters in English and its equivalent in Hindi in Devnagri script:

Provided that nothing herein contained shall prevent the use of any local language in addition to the language required to be used under this sub-rule.

(2) The particulars of declaration to be specified on the label under the Prevention of Food Adulteration Act, 1954 (37 of 1954) and the rules made thereunder shall be in English or in Hindi in Devnagri script:

Provided that nothing herein contained shall prevent the user of any language in addition to the language required to be used under this sub-rule.

1. Subs. by G.S.R. 959(E), dated 19th December, 2003 (w.e.f. 1-1-2004).