

BPNI/2018/022

February 13, 2018

To,  
Shri Rakesh Srivastava,  
Secretary,  
Ministry of Women and Child Development,  
Government of India, Shastri Bhavan, A- Wing (6th Floor),  
Delhi- 110001.

**Subject:** - Violation of the Infant Milk Substitutes Feeding Bottles, and Infant Foods (Regulation of Production, Supply and Distribution) Act 1992, and Amendment Act 2003 (IMS Act) by E-marketing company [www.snapdeal.com](http://www.snapdeal.com) and a baby food company Ella's Kitchen.

Respected Sir,

The IMS Act Sections 3 and 4 prohibit all forms of promotion, advertisements and incentives for marketing of Infant Milk Substitutes, Feeding Bottles, and Infant Foods. Despite this provision in the law, the E- commerce companies continue to promote and advertise these products.

IMS Act section 2(f) states, "Infant food" means any food (by whatever name called) being marketed or otherwise represented as a complement to mother's milk to meet the growing nutritional needs of the infant [after the age of six months and up to the age of two year;]. However, baby food companies and baby food manufacturers promote infant foods to be used before 6 months of age.

The IMS Act Section 6 specifies information on containers & labels of Infant milk substitutes and Infant foods. But baby food companies contravene these provisions.

The IMS Act Section 11(1) mandates that the "No person shall sell or otherwise distribute any infant milk substitutes or infant food unless it conforms to the standards, specified for such substitute or food under [ the Food Safety and Standard Act, 2006] and the rules made there under and the containers thereof has the relevant Standard Marks specified by the Bureau of Indian Standards Act 1986 (63 of 1986) to indicate that the infant milk substitutes or infant food conforms to such standard. However, baby foods are being sold without inserting BIS mark.

I would like to bring to your notice a violation of the IMS Act by the E-marketing company [www.snapdeal.com](http://www.snapdeal.com) and a baby food company M/s Ella's Kitchen.

During a routine monitoring activity, BPNI detected that infant food "Ella's Kitchen plum, pear, parsnip + swedes" is being advertised and promoted on E-marketing company [www.snapdeal.com](http://www.snapdeal.com) for use by 4 + months of infants. This is a violation of IMS Act Section 2(f),3(a) and 3(c).

After procuring the above-mentioned product from [www.snapdeal.com](http://www.snapdeal.com), BPNI analysed its label and documented that Section 6 (1) (a)(b)(c)(d), Section 6 (2)(b) of the IMS Act are being violated by the companies which is evident from the findings given below.

1. Label of the container doesn't have words "Important Notice" and other particulars as mandated in the section 6 (1) of the IMS Act like a statement "mother's milk is best for your baby" in capital letters; a statement that infant milk substitutes or infant food should be used only on the advice of a health workers as to be need for its use and the proper method of its use; a warning that infant milk substitutes or infant food is not the sole source of nourishment of an infant; and the instructions for its appropriate preparation and a warning against the health hazards of its inappropriate preparation.

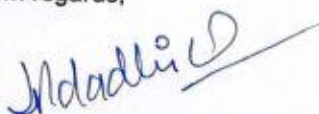
2. Label of the container have contents which are prohibited in the section 6 (2) of the IMS Act like phrases and words designed to increase the saleability of the product e.g. "100% organic, no added sugar, salt, water, nothing artificial" "my ingredients are suitable from 4 months."
3. Label of container doesn't contain Bureau of Indian Standards (BIS) mark & hence violates Section 11(1) of the IMS Act.

We are submitting this information to you with a request to take necessary legal action against above mentioned infant food manufacture and E-marketing Company. Photos of the label are attached with this letter.

Contact information's of the manufacture of "Ella's Kitchen plum, pear, parsnip + swedes" and E- marketing site [www.snapdeal.com](http://www.snapdeal.com) are given below as available on their respective website.

1. CEO/MD  
M/s Ella's Kitchen  
Ella's Barn, 22 Greys Green Farm  
Rotherfield Greys,  
Henleys-on-Thames  
RG94QG  
[www.ellaskitchen.co.uk](http://www.ellaskitchen.co.uk)
2. CEO/MD  
M/s Snapdeal.com  
362-363, ASF Centre  
Udyog Vihar Industrial Area Phase 4,  
Gurgaon- 122016, Near Sector-18

With warm regards,

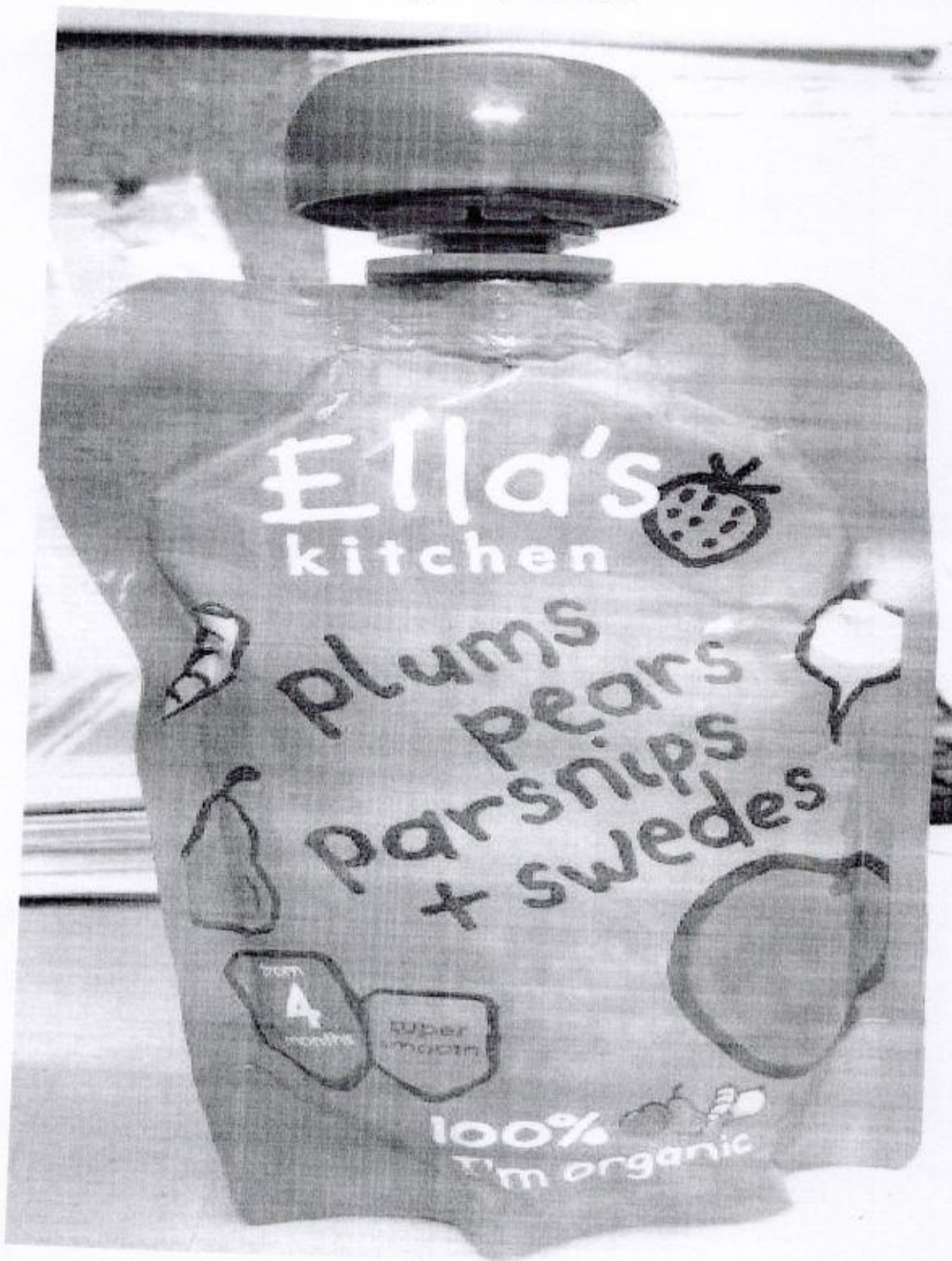


**Dr. JP Dadhich MD (Paediatrics)**  
Technical Director, BPNI

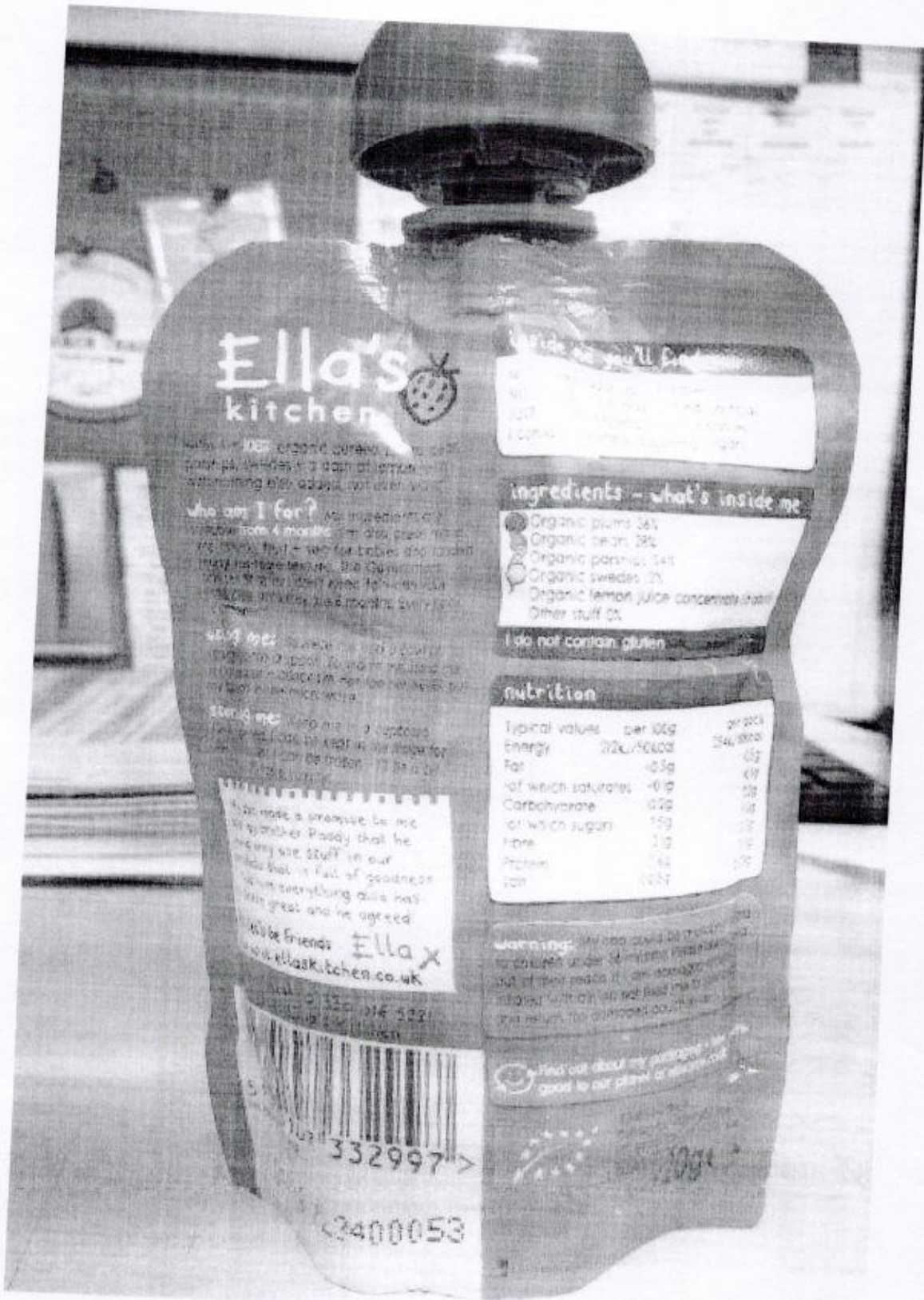
**Annexure attached:-"Ella's Kitchen plum, pear, parsnip + swedes"**



Ella's Kitchen plum, pear, parsnip +Swedes



**Ella's Kitchen plum, pear, parsnip +Swedes**



**Ella's kitchen** 

Made with 100% organic purees of organic plum, pear, parsnip & a dash of organic swede. Retaining all the natural goodness.

**Who am I for?** We're perfect for babies from 4 months. It's also great for toddlers, but it's not for babies who can't eat any solids. The Government says you should start with solids at 6 months. If you're unsure, ask your GP.

**What's in it?** We've used organic plum, pear, parsnip & swede. We've also added organic lemon juice concentrate & other stuff.

**What's in it?** We've used organic plum, pear, parsnip & swede. We've also added organic lemon juice concentrate & other stuff.

It's made a promise to me that another Paddy that he and my wife stuff in our garden that is full of goodness. We've got everything else that's great and he agreed.

Be Friends **Ella's**  
[www.ellasKitchen.co.uk](http://www.ellasKitchen.co.uk)

01453 332997  
 01453 332997

  
 332997

332997  
 332997

**What's in you'll find...**  
 100% organic purees of organic plum, pear, parsnip & a dash of organic swede. Retaining all the natural goodness.

**Ingredients - what's inside me**  
 Organic plums 36%  
 Organic pear 28%  
 Organic parsnip 24%  
 Organic swedes 12%  
 Organic lemon juice concentrate 10%  
 Other stuff 0%

I do not contain gluten

**nutrition**

Typical values	per 100g	per pouch
Energy	220kJ/50kcal	240kJ/58kcal
Fat	0.5g	6g
of which saturates	0.0g	0g
Carbohydrate	6.2g	68g
of which sugars	1.5g	17g
Fibre	1.1g	12g
Protein	0.6g	7g
Salt	0.01g	0.1g

**warnings:** We have used 30% organic purees to ensure under 50mg/ml of added sugar. If you're allergic to any of these ingredients, please don't feed this to your baby. For more information, visit [www.ellasKitchen.co.uk](http://www.ellasKitchen.co.uk)

 find out about my package and how good it is for the planet at [www.ellasKitchen.co.uk](http://www.ellasKitchen.co.uk)

 **100% organic**