

BPNI/2018/023

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.firstcry.com and a baby food company M/s PZ Cussons Australia Pty Ltd.

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.

I would like to bring to your notice a violation of the IMS Act by the E-marketing company www.firstcry.com and a baby food company M/s PZ Cussons Australia Pty Ltd.

During a routine monitoring activity, BPNI detected that infant food "Rafferty's Garden Sweet potato carrot & apple" is being advertised and promoted on E-marketing company www.firstcry.com for 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.firstcry.com, BPNI analysed its label and documented that Section 6 (1) (a)(b)(c)(d), Section 6 (2)(a)(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.

As a policy, BPNI does not accept funds of any kind from the companies manufacturing baby foods, feeding bottles etc. and from organization/industry having conflicts of interest.



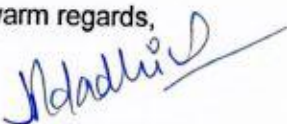
2. Label of the container have contents which are prohibited in the section 6 (2) of the IMS Act like picture and graphic of a baby with a spoon & fresh fruits and vegetables; phrases and words designed to increase the saleability of the product e.g. "contains premium vegetables, no preservatives/ colour / flavour, salt, sugar, GM ingredient." Another phrase "We know that grown-ups want the best for their babies, so this pouch contains yummy, premium, natural pureed fruit and vegetables + nothing else. It's the next best thing to homemade food and tastes delicious!"

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 "Rafferty's Garden Sweet potato carrot & apple" and E- marketing site www.firstcry.com are given below as available on their respective websites.

1. CEO/MD
Raffertys Garden, C/O- PZ Cussons Australia Pvt Ltd
Building A, Level 1
13-15 Compark Circuit
Mulgrave VIC 3170
Australia. E-mail-id info@raffertysgarden.com
2. CEO/MD
Firstcry. Com - Head Office
Rajashree Business Park
Plot No-114, Survey No-338
Tadiwala Road, Nr.Sohrab Hall
Pune -411001

With warm regards,

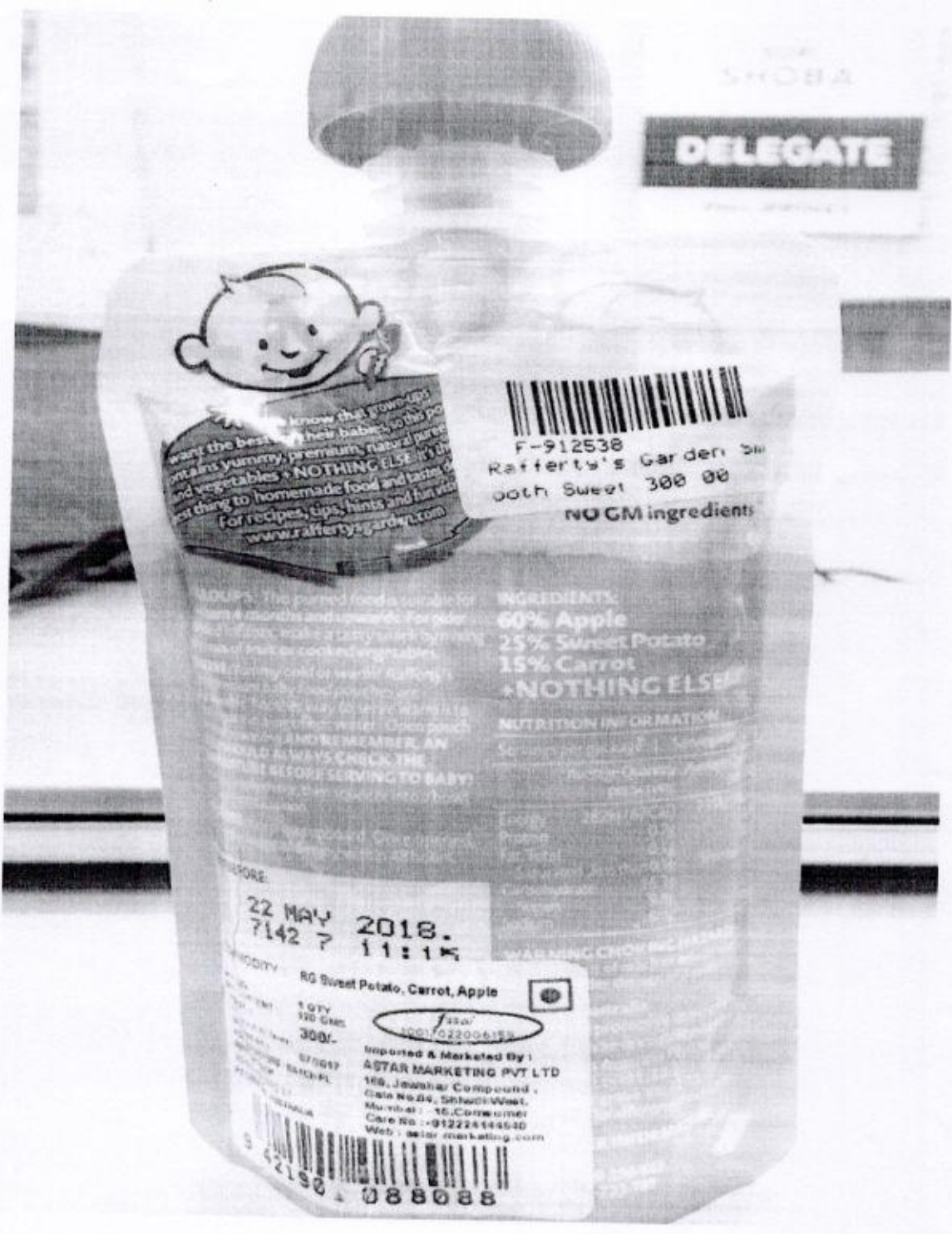

Dr. JP Dadhich MD (Paediatrics)
Technical Director, BPNI

Annexure attached: - "Rafferty's Garden Sweet potato carrot & apple"

Rafferty's Graden Sweet potato carrot & apple



Rafferty's Graden Sweet potato carrot & apple





 Know that your baby wants the best for their babies, so the pouch contains yummy, premium, natural purees and vegetables. **NOTHING ELSE** is the best thing to homemade food and taste. For recipes, tips, hints and fun facts visit www.raffertysgarden.com



 F-912538
 Rafferty's Garden
 100th Sweet 300 00
NO GM ingredients

This pouch is suitable for babies 6 months and upwards. For older babies, make a baby meal by mixing with fruit or cooking vegetables. Do not heat or microwave. Always wash hands before use. Do not use water. Open pouch and always check the expiry date before serving to baby.

INGREDIENTS:
 60% Apple
 25% Sweet Potato
 15% Carrot
+NOTHING ELSE

NUTRITION INFORMATION
 Per 100g
 Energy 160kJ
 Protein 1.5g
 Fat 0.2g
 Carbohydrate 38g
 Fibre 1.5g

22 MAY 2018.
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RG Sweet Potato, Carrot, Apple

100g
 300g

Imported & Marketed By:
ASTAR MARKETING PVT LTD
 168, Jewhar Compound,
 Gate No.04, Shree West,
 Mumbai - 40. Consumer
 Care No. : 9122444440
 Web : astar-marketing.com



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