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भारत सरकार  
स्वास्थ्य एवं परिवार कल्याण मंत्रालय  
निर्माण भवन, नई दिल्ली - 110108  
Government of India  
Ministry of Health & Family Welfare  
Nirman Bhawan, New Delhi - 110108

Dated the 29<sup>th</sup> December 2010

D.O. Z-28015/12/2010-E.I.

SUB: Implementation of the IMS Act 1992.

Dear

You would be aware of the Resolution of the 63<sup>rd</sup> World Health assembly on Infant and Young Child Nutrition in May, 2010 which recognized that the promotion of breast milk substitutes and some commercial foods for infants and young children undermine progress in optimal infant and young child feeding. You would also be aware that the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992 and Amendment Act 2003 (IMS Act) prohibits any sponsorship of health workers or their associations or health systems by the manufactures of products under the scope of law, directly or indirectly.

2. I would like to draw your kind attention to the letter sent out to Chief Secretaries of the states on 17<sup>th</sup> August, 2010 jointly signed by both the Secretary of Women and Child Development and the Secretary of Health and Family Welfare, Government of India, recognizing the critical importance of the IMS Act. As you would note, the contents of the letter are directed towards effectively implementing the IMS Act, specifically on the section 9 that relates to Health workers and their associations.

Section 9 of the IMS Act states as under:

- (i) 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.
  - (ii) 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.
3. The IMS Act clearly prohibits sponsorship of health workers or their association directly or indirectly by the baby food companies.
4. We take note that many of health workers are not aware of the IMS Act and its provisions as well as their duties to implement this, and therefore request you to kindly share this letter with all the members, branches, units or any other parts of your Associations to inform them of the seriousness needed in the implementing IMS Act.
5. A line of response and action taken would be highly appreciated.

Yours sincerely,

— sd —

(Keshav Desiraju)

Copy for information to:-



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— List of  
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