

THE INFANT MILK SUBSTITUTES, FEEDING BOTTLES AND  
INFANT FOODS (REGULATION OF PRODUCTION, SUPPLY  
AND DISTRIBUTION) AMENDMENT ACT, 2003

No. 38 OF 2003

[1st June, 2003.]

An Act to amend the Infant Milk Substitutes, Feeding Bottles and Infant Foods  
(Regulation of Production, Supply and Distribution) Act, 1992.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

Short title  
and com-  
mencement.

1. (1) This Act may be called the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Amendment Act, 2003.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment  
of section 2.

2. In section 2 of the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992 (hereinafter referred to as the principal Act),—

41 of 1992.

(i) for clause (a), the following clause shall be substituted, namely:—

‘(a) “advertisement” includes any notice, circular, label, wrapper or any other document or visible representation or announcement made by means of any light, sound, smoke or gas or by means of electronic transmission or by audio or visual transmission;’

(ii) in clause (d), for the words “but does not include a pharmacy or drug store”, the words “a pharmacy, drug store and any association of health workers” shall be substituted;

(iii) in clause (f), for the words “after the age of four months”, the words “after the age of six months and up to the age of two years” shall be substituted;

(iv) in clause (g), for the words “, whether or not it is suitable for such replacement”, the words “for infant up to the age of two years” shall be substituted;

(v) after clause (i), the following clause shall be inserted, namely:—

‘(j) “promotion” means to employ directly or indirectly any method of encouraging any person to purchase or use infant milk substitute, feeding bottle or infant food.’

- 3.** In section 3 of the principal Act,—
- Amendment  
of section 3.
- (i) in clause (a), for the words “or feeding bottles”, the words “, feeding bottles or infant foods” shall be substituted;
- (ii) in clause (b), for the words “infant milk substitutes is”, the words “infant milk substitutes and infant foods are” shall be substituted;
- (iii) for clause (c), the following clause shall be substituted, namely:—
- “(c) take part in the promotion of infant milk substitutes, feeding bottles or infant foods.”.
- 4.** In section 4 of the principal Act, for the words “feeding bottles”, at both the places where they occur, the words “feeding bottles or infant foods” shall be substituted. Amendment  
of section 4.
- 5.** In section 5 of the principal Act, for the words “feeding bottles”, at both the places where they occur, the words “feeding bottles or infant foods” shall be substituted. Amendment  
of section 5.
- 6.** In section 6 of the principal Act, in sub-section (2), for the words “infant milk substitute”, at both the places where they occur, the words “infant milk substitute or infant food” shall be substituted. Amendment  
of section 6.
- 7.** In section 7 of the principal Act,—
- Amendment  
of section 7.
- (a) in sub-section (1),—
- (i) for the words “Every educational or other material”, the words “Every educational or other material including advertisements or material relating to promotion of infant milk substitutes, feeding bottles and infant foods” shall be substituted;
- (ii) after clause (f), the following clause shall be inserted, namely:—
- “(fa) the date of printing and publication of such material and the name of the printer and publisher;”;
- (b) in sub-section (2), for the words “feeding bottles”, the words “feeding bottles or infant foods” shall be substituted.
- 8.** In section 9 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:— Amendment  
of section 9.
- “(2) 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, conference, educational course, contest, fellowship, research work or sponsorship.”.
- 9.** In section 20 of the principal Act, for the word and figures “section 11”, at both the places where they occur, the words and figures “section 11 and the rules made under section 26 of the Act” shall be substituted. Amendment  
of section 20.
- 10.** In section 24 of the principal Act, after the words “or of any State Government”, the words, brackets, letter and figures “or a representative of such voluntary organisation which is notified under clause (c) of sub-section (1) of section 21” shall be inserted. Amendment  
of section 24.