

S.I. 32 of 1992

Food Act (Breast-milk Substitute) Regulations

[1st March, 1992]

Citation

1. These Regulations may be cited as the Food Act (Breast-Milk Substitute) Regulations.

Interpretation

2. In these Regulations -

"advertising" includes a point-of-sale advertising or the giving of samples, discounts, coupons or premiums or tie-in sales or any other promotion device intended to or which may induce sale;

"breast-milk substitute" mean any food which is marketed or otherwise represented as a partial or total replacement for breast-milk;

"complementary food", "weaning food" or "breast-milk supplement" means any food suitable as a complement to breast-milk or infant formula when breast-milk or infant formula, as the case may be, becomes insufficient to satisfy the nutritional requirement of an infant;

"infant formula" means a breast-milk substitute formulated industrially in accordance with the applicable Codex Alimentarius standards established from time to time by the World Health Organisation to satisfy the normal nutritional requirement of infant up to between four and six months old and adapted to their physiological characteristics.

3.(1) Subject to these Regulations, a person shall not advertise or otherwise promote by any means whatsoever the use of infant formula or similar products.

No advertise-
ment of infant
formula

(2) Notwithstanding subregulation (1), a person may donate or sell at concessionary prices to a governmental institution or any other institution approved by the Ministry responsible for Health supplies of infant formula or other similar products for use in the institution or distribution to the public.

(3) Any distribution of infant formula or other similar products by an institution referred to in subregulation (2) of supplies of infant formula or other similar products acquired in terms of subregulation (2) does not constitute an advertisement or promotion under subregulation (1).

(4) A person who has donated or sold at concessionary prices under subregulation (2) supplies of infant formula or similar products shall not use this fact for advertisement or as sale inducement.

4.(1) A label used in respect of infant formula or similar product shall -

Labelling.

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- (a) be designed so as to provide the necessary information in a national language about the appropriate use of the product and so as not to discourage breast-feeding;
 - (b) contain in clear and easily readable print the words "Important Notice" followed by -
 - (i) a statement of the superiority of breast-feeding;
 - (ii) a statement that the product shall be used only on the advice of a health worker regarding its use and proper method of use;
 - (iii) instruction for appropriate preparation;
 - (iv) a warning against the health hazards of inappropriate preparation;
 - (c) not have pictures of infants or other pictures or texts which may idealize the use of infant formula;
 - (d) not contain such words as "humanized", "materialized" or other similar expression when describing the qualities of infant formula;
 - (e) not discourage breast-feeding;
 - (f) state -
 - (i) the ingredients used in the infant formula;
 - (ii) the composition or analysis of the product;
 - (iii) the batch number;
 - (iv) the date before which the product is to be consumed, taking into account the local climatic and storage conditions.

(2) The wrapper or the container of infant formula shall comply with subregulation (1) (c), (d), and (e).