

HONDURAS LAW 2014

Amendments to the 2013 Law

There are only a few changes, to the following, articles:

(These are explanations in English, not full translations from Spanish.)

Definitions

Infant: A child up to 24 months. The paediatric definition is: young infant, up to one year; older infant, over one and up to two years. In the Codex Alimentarius infant is a child under 12 months. For the WHO it is a child up to two years.

Young child: A child from 24 months and up to 36 months

Designated product: Formula, follow-up formula and products marketed or presented as partial or total substitutes for breastmilk, including bottles, teats, dummies, breast adapters and similar products. (Note that complementary foods was removed.)

Advertising: Any activity to present, by any media, with the purpose of promoting the sale or use of a designated product, including but not limited to:

- a) Written, TV, radio, film, electronic, video-telephone advertising, amongst others;
- b) Display of posters, banners, billboards or notifications;
- c) Display of pictures or models that idealize feeding with a designated product; and
- d) Samples in consumption places (shops).

(They deleted: Home visits and visits to health facilities. That means these are no longer considered an advertising activity.)

Art. 10 - Composition of CONALMA (Nat. BF Commission)

Some ministries were dropped (Trade, Indigenous Affairs, Nat Institute for Women) from the list of members, others were added, notably

- Honduras Paediatric Association
- Honduras Gynaecology Association.

Art. 17.- Information and education materials on infant formula, follow-up formula and related utensils:

(This article has been made clearer and includes all the requirement of the Code in terms of information to provide. However, it is limited to infant formula and follow-up formula.)

Art. 24.- Prohibitions on health workers and health care facilities: (full translation): It shall be prohibited for staff and management of health care institutions of the Ministry of Health to accept gifts, contributions or personal benefits from those who manufacture, distribute or represent a designated product. Those who do not obey this prohibition shall be subject to the corresponding administrative sanctions, according to the regulations of this Law.

Shall be excepted from this prohibition those that are institutional donations, under conditions previously set by CONALMA.

Also, it shall be prohibited to place advertisements for BMS or related utensils in any part of public or private health care facilities. (Deleted: As well as the presence of sales representatives in consultation rooms and mother & child care rooms of said establishments.)

Art. 27.- Text (on labels of) designated products: (This article has been made clearer and the IMPORTANT NOTICE text is shorter and easily understandable. However, the article uses two different expressions for BMS – namely *sucedáneo de la leche materna* and *producto designado*. Since the definition of designated product now only covers infant formula and follow-up formula, it does not really matter. Except that it creates confusion for the reader, all the more so since both those expressions are not commonly used in trade. It seems that the authors did not understand the concept of ‘designated product’ and its purpose.)