

We, Faisal Bin AL Hussein, Viceroy of the Hashemite Kingdom of Jordan,
Pursuant to Article 31 of the Constitution and in accordance with Council of Ministers' resolution passed on 7/6/2015,
Hereby decree the following law:

Law no. 62 of 2015

Law of Control of Marketing of Breast-milk Substitutes

Issued pursuant to Article 4 (Paragraph C) and Article 72 of the Public Health Law no. 47 of 2008

Article 1 This law shall be entitled "Law of Control of Marketing of Breast-milk Substitutes of 2015" and shall be effective as of the date of its publication in the Official Gazette.

Article 2 The following terms and phrases – used herein – shall have the meanings assigned thereto save as otherwise provided:

- **Ministry:** Ministry of Health.
- **Minister:** Minister of Health.
- **Breast-milk Substitutes:** any milk or food product being marketed or otherwise presented as a partial or total replacement for breast milk for underage babies. These include the products set forth in Article 3 of this Law.
- **Infant formula:** a product formulated industrially in accordance with particular standards, to satisfy the normal nutritional requirements of infants below six months of age, according to Jordanian Standards.
- **Follow-on infant formula:** a product formulated industrially to satisfy the normal nutritional requirements of infants starting from six months of age, according to Jordanian Standards.
- **Special Infant Formula:** a product made to satisfy the nutritional requirements of infants suffering from any disorder, illness or medical condition requiring a special feeding method during their first months and until they could be given a complementary formula.
- **Complementary food:** any food used as a complement to breast milk or to infant formula, whenever becomes insufficient to satisfy the nutritional requirements of the infant.
- **Marketing:** use of any advertising method whether visual, auditory or read, or any solid shape or any means to display notes, instructions, labels, slides, images, films or goods in any form to advertise, promote, distribute or sell breastmilk substitutes whether directly or indirectly so as to encourage a person to buy or use such substitutes.
- **Technical Committee:** committee formed according to the provisions of Article 12 of this Law.
- **Follow-up Committee:** committee formed according to the provisions of Article 13 of this Law.
- **Distributor:** a natural or legal person engaged in marketing or distributing breast-milk substitutes.
- **Label:** any tag, brand, mark, picture or other descriptive matter, written, printed, embossed or attached to breastmilk substitutes.

Article 3

a- Breast-milk substitutes shall include any of the following products:

- 1- Infant formula
- 2- Infant food

- 3- Follow-on infant formula
- 4- Special Infant Formula
- 5- Complementary infant food
- b- The Minister, based on the recommendations of the Technical Committee, may add any item to the products set forth in Paragraph A of this Article.

Article 4

a-Subject to the content of Article 35 of the Law of Medicines and Pharmacy and relevant legislations, the following actions shall be prohibited:

- 1- Marketing any breastmilk substitute in any place, including institutions engaged, directly or indirectly, in providing healthcare for mothers, infants and pregnant women, as well as organizations, societies, nurseries, child-care institutions, pharmacies, sales outlets, hospitals and health centers;
- 2- Using points of sale to give samples or discount coupons, premiums, gifts, or special sales for any of the said products;
- b-Manufacturers and distributors of breastmilk substitutes shall not offer any gifts, articles, utensils, or free samples to pregnant women, mothers of infants, young children, or health workers or their family members, for the purpose of marketing their products.
- c- The Minister, based on the recommendations of the Technical Committee, may exclude any advertising or marketing method that is not set forth herein.

Article 5 Informational and educational materials intended to reach pregnant women, mothers of infants and young children shall include the following information:

- a- The benefits and superiority of breast-feeding in comparison to bottle feeding;
- b- The importance of maternal nutrition, and encouragement of mothers to practice and maintain breast-feeding;
- c- The negative effects of complementary infant food in comparison to breast-feeding;
- d- Where needed, the proper use of infant formula, whether manufactured industrially or home-prepared;
- e- The health hazards resulting from inappropriate foods or feeding methods and from the unnecessary or improper use of any breast-milk substitutes;
- f- The social and financial implications of using any breast-milk substitutes.

Article 6 Only under special circumstances and with the approval of the Minister, based on the recommendations of the Technical Committee may gifts, equipment or low-price products of breast-milk substitutes be accepted from manufacturers or distributors, provided they be distributed under the Ministry's supervision.

Article 7 Advertising or educational materials of breast-milk substitutes presented by manufacturers or distributors to health workers shall be permitted only with the prior approval of the Minister, based on the recommendations of the Follow-up Committee, and shall be in conformity with proven scientific and factual matters.

Article 8 Marketing personnel in their capacity as such shall not make any direct or indirect contact whatsoever with pregnant women, mothers of infants or young children.

Article 9 Health workers shall obtain approval from the Minister to attend any event organized by any company, manufacturer, distributor or others for any of the materials and products within the scope of this Law, such as attending conferences or similar events.

Article 10 In cases where breast-milk substitutes may be used, health workers and trainers shall explain to mothers the proper way of using such products, provided such explanations refer to the hazards of the improper use thereof.

Article 11 Packages of breastmilk substitutes shall contain the following:

- a- A clear, conspicuous, and easily readable and understandable label printed in Arabic and set in the right place according to Jordanian Standards
- b- A statement of the superiority of breastfeeding.

Article 12

a- A committee called the "Technical Committee" shall be formed by a decision of the Minister under the chairmanship of the Ministry Secretary General and including the following members:

- 1- Director of the Department of Women's and Children's Health, as vice-chairman;
- 2- Head of the Department of Pediatrics at the Ministry;
- 3- Head of the Department of Maternity and Gynecology at the Ministry;
- 4- A representative of the Royal Medical Services, appointed by the Director General;
- 5- A representative of the Jordan Food and Drug Administration, appointed by its Director General;
- 6- Head of the Department of Legal Affairs at the Ministry;
- 7- A representative of the Pharmacists Syndicate, appointed by the President of the Pharmacists Syndicate;
- 8- A representative of the Syndicate of Nurses and Legal Midwives (Nurses and Midwives Association (JNMA)), appointed by the President of the Nurses Syndicate;
- 9- President of the Jordan Pediatric Society;
- 10- A representative of the Private Hospitals Association, appointed by its President;
- 11- A representative of United Nations Children's Fund (UNICEF)
- 12- A representative of university hospitals in rotation there between for a term of two years, appointed by the Director General of each hospital as the case may be.

b- The Technical Committee shall undertake the following responsibilities and powers:

- 1- Examine gifts of any products or equipment related to breast-milk substitutes presented to the Ministry and provide the Minister with recommendations concerning such gifts, as well as determine how to distribute the same to pregnant women, mothers of infants and young children at low prices;
- 2- Propose and submit the instructions required to implement the provisions of this Law to the Minister for approval;
- 3- Any other tasks assigned thereto by the Minister.

c- The head of the Division of Women's Health at the Department of Women's and Children's Health shall be appointed as secretary of the committee; he shall prepare the agenda, record meeting minutes, keep registers and records, and monitor implementation of decisions.

d- The Committee shall be called to meeting by its Chairman or his deputy, in case of the former's absence, once at least every six months. Committee meetings shall not be valid unless attended by the majority of its members, including the Chairman or his deputy; decisions shall pass by the majority vote of attending members.

Article 13

- a- The Minister shall form a committee with the title "Follow-Up Committee" to be chaired by the Director of the Department of Women's and Children's Health at the Ministry and to include as members representatives of the following bodies:
- 1- Jordan Food and Drug Administration, appointed by its Director General;
 - 2- Department of Hospitals at the Ministry
 - 3- Department of Health Directorates at the Ministry;
 - 4- Department of Professional Licenses and Health Institutions at the Ministry;
 - 5- Department of Women's and Children's Health at the Ministry.
- b- The representatives referred to in Clauses 2, 3, 4 and 5 of Paragraph "a" of this Article shall be appointed by a decision of the Minister pursuant to the recommendations of the competent managing director or director general.
- c- The Follow-up Committee shall undertake the following tasks and powers:
- 1- Study advertising and educational materials on infants and young children feeding and submit recommendations with regard thereto to the Minister;
 - 2- Conduct field visits to places where breast-milk substitutes are being marketed or sold, including institutions engaged, directly or indirectly, in providing healthcare to mothers, infants and pregnant women; and organizations, societies, nurseries, child-care institutions, pharmacies, sales outlets, hospitals and health centers;
 - 3- Submit recommendations with regard to any violation of the provisions of this Law to the Minister to take necessary measures thereupon;
 - 4- Any other tasks assigned thereto by the Minister.
- d- The Committee Chairman shall appoint an employee of the Department of Women's and Children's Health at the Ministry as secretary of the committee to prepare agendas, record meeting minutes, keep registers and records, and monitor implementation of committee resolutions.
- e- The Committee shall be called to meeting by its Chairman if need be .Committee meetings shall not be valid unless attended by the majority of its members, including the Chairman; decisions shall pass by the majority vote of attending members.

Article 14 Any violation of the provisions of this Law shall be punishable according to the penalties set forth in the Public Health Law.

Article 15 The Minister may delegate any of his powers stipulated herein to the Ministry Secretary General or any of the competent staff members of the Ministry, provided such delegation is carried out in writing and is specified.

Article 16 The Minister shall issue the necessary directives to implement the provisions of this Law.

7/6/2015

Faisal Bin Al Hussein

Deputy Prime Minister & Minister of Foreign Affairs & Expatriates Mohamed Nasser Samy Judeh	Deputy Prime Minister & Minister of Education Mohamed Mahmoud El Thneibat	Deputy Prime Minister & Minister of Defense Dr. Abdullah Al Nsour	
Minister of the Environment Dr. Taher El Shakhshir	Minister of Planning & International Cooperation Imad Najib Fakhoury	Minister of Water & Irrigation & Acting Minister of Agriculture Dr. Hazem El Nasser	Minister of Interior Hussein Huzaa Al Majali
Minister of State for Prime-Ministerial Affairs Dr. Ahmed Ziadat	Minister of Tourism & Antiquities & Acting Minister of Labour Nayef Humeidi Al Fayez	Minister of Public Sector Development Dr. Khleif Al Khawaldeh	Minister of Finance Dr. Umayya Toukan
Minister of Social Development Reem Mamdouh Abu Hassan	Minister of State for Media Affairs and Communication Dr. Mohammed Hussein Al Momani	Minister of Energy & Mineral Resources Dr. Ibrahim Hassan Saif	Minister of Municipal Affairs Eng. Waleed Al Masri
Minister of Health Dr. Ali Al Nahla Hiasat	Minister of Justice Dr. Bassam Samir Al Talhouni	Minister of Public Works & Housing Eng. Sami Halaseh	
Minister of Culture Dr. Lana Mohammed Mamkagh	Minister of Political & Parliamentary Affairs Dr. Khaled Al Khalalkeh	Minister of Awqaf & Islamic Affairs Dr. Hayel Abdel Hafeez Daoud	Minister of State Dr. Salameh Al Neimat
Minister of Information & Communication Technology Majd Shweikah	Minister of Higher Education & Scientific Research Dr. Labib Khadra	Minister of Industry, Trade & Supply Maha Abdel Rahim Ali	Minister of Transportation Dr. Lina Shabeeb