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Code of marketing of breast milk substitutes



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In order to match with technological development and to keep continuous progress in industries, Standards are subject to periodic review. Users shall ascertain that they are in possession of the latest edition

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Foreword

This Rwanda standard was prepared by the Technical Committee on Pre-packaged and prepared Product in accordance with procedures of Rwanda Bureau of Standards and in compliance with annex 3 of the WTO/TBT agreement on the preparation, adoption and application of standards.

In the preparation of this standard reference was made to the following standards

KS 429:1999, Code for marketing of breast-milk substitutes.

RS Codex Stan 1-1985, Rev.1-1997, Labelling of pre-packaged foods

RDS EAS 78:2006, Specification for milk based baby foods

The assistance delivered from this source is hereby acknowledged with thanks

Committee membership

The following organizations were represented on the Technical Committee on pre-packaged and prepared Products (RBS/TC16) in the preparation of this standard.....

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Code for marketing of breast milk substitutes

1 Scope

This Rwanda Code applies to the marketing of breast milk substitutes.

2 Normative references

The following referenced documents are indispensable for the application of this document. For dated references, only the cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies;

RS Codex Stan 1-1985, Rev.1-1997, Labelling of Pre-packaged food

RS 110:2006, Infant food formula

3 Field of application

3.1 This code covers the marketing and practices concerning breast milk substitutes when marketed or recommended or otherwise presented for use as partial or total replacement of breast milk.

3.1.1 These breast milk substitutes include infant formula, milk products, other complementary foods and beverages marketed, presented or recommended as breast milk substitutes.

3.2 The code applies also to feeding bottles, and teats.

4 Definitions

For the purpose of this code, the following definitions apply:

4.1

breast milk substitutes

any food being marketed or otherwise presented as a partial or total replacement for breast milk

4.2

infant formula

a breast milk substitute formulated industrially in accordance with the applicable Rwanda Standards to satisfy the normal nutritional requirements of infants up to 6 months of age and adapted to their physiological characteristics

4.3

complementary food

any food, suitable as an addition to breast milk or infant formula, when either becomes insufficient to satisfy the nutritional requirements of the infant. Complementary food is normally recommended from 6 months and onwards

4.4

health services

governmental, non-governmental or private institutions or organizations engaged, directly or indirectly, in health care for mothers, infants and expectant mothers, nurseries or child-care institutions

4.5**health professional**

a person trained and certified through registration by the relevant certified health professional body in which he/she is trained

4.6**health worker**

is a person with formal or informal health training in providing health services

4.7**container**

any suitable form of packaging of products for sale as a normal retail unit including wrappers.

4.8**label**

any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to a container (see 3.6 above) of any products within the scope of this code and complying with RS Codex Stan 1-1985, Rev.1-1997.

4.9**manufacturer**

a corporation, a person or any other entity in the public or private sector engaged in the business or function (whether directly or through an agent or through an entity controlled by, or under contract with it) of manufacturing a product within the scope of this code

4.10**marketing**

product promotion, distribution, selling, advertising and includes product, public relations and information services

4.11**marketing personnel**

any person(s) whose functions include the marketing of a product within the scope of this code

4.12**samples**

single or small quantities of a product provided without cost to the receiver

4.13**supplies**

quantities of a product provided for use over an extended period free or at a subsidized price, for social purposes including those provided to families in need

4.14**exclusive breast feeding**

giving breast milk as the sole source of food and drink for an infant during the first 6 months of life

4.15**infant**

shall be a person of up to 12 months of age

4.16**young child**

shall be a person from 12 months to 36 months

4.17**complementary feeding**

shall be the introduction of other foods to a baby of 6 months old in addition to breast milk

4.18**gift packs**

a package or parcel containing a sample of either infant formula, feeding bottles and teats, books mothers, or any other articles related to the use of infant formula presented as a gift to the lactating mothers; expectant mothers or members of their families

4.19**supplementation**

the addition to the baby's diet before the age of 6 months, of any food or drink in addition to or in partial replacement of breastfeeding or breast milk substitutes

5 General principles

5.1 The following general principles apply to this Code:

- a) exclusive breastfeeding is the optimum method of feeding an infant during the first 6 months of life unless there is a medical or other indications, for which mothers are encouraged to seek health professional advice before supplementing or replacing breast milk;
- b) mothers are encouraged to continue breastfeeding for at least 2 years unless medically indicated;
- c) Infant formula shall be scientifically formulated and shall comply with RS 110:2006 and any other relevant Rwanda Standard, to provide the most appropriate alternative to breast milk substitute;
- d) mothers need to be given all the necessary advice for the safe use of the products in a form compatible with their level of education, their environment and their cooking facilities, and income;
- e) in circumstances where breastfeeding is not possible or advised, there is a need to exclusively use replacement feeding (refer to National Policy on Infant Feeding Practices — by the Ministry of Health — Primary Health Care.

5.2 Milk substitutes intended for specific medical conditions shall only be used under a recommendation from health professionals.

6 Manufacturers and distributors of the products, concerned health professionals, health workers, all other non-governmental institutions affected and other stakeholders shall strictly adhere to this Code shall

7 Implementation and monitoring

7.1 The Government has the responsibility to ensure that objective and consistent information is provided on infant and young child feeding for use by families and those involved in the field of infant and young child nutrition. This responsibility covers the planning, provision and dissemination of information or its control when undertaken by other entity.

7.2 Monitoring the application of this Code lies with the Ministry of Health — Primary Health Department and Rwanda Bureau of Standards.

7.3 Manufacturers and distributors of the products covered by this Code shall also monitor their own compliance at every level in accordance with the existing standards.

7.4 Non-governmental organizations, professional groups, institutions and individuals concerned shall have the responsibilities of reporting activities which are incompatible with the principles and aims of this Code to the agency responsible for monitoring the Code, and when necessary inform the manufacturers so that appropriate action can be taken.

8 Ethics and professional standards for consumer and professional information and advisory services

8.1 Consumer information

8.1.1 Product information

All product information shall be given with the same meaning.

8.1.2 Breast feeding

All labels, instructions, product literature and information intended for the general public on infant feeding should include a clear statement encouraging mothers to breast feed their infants and to seek professional advice before supplementing, substituting or complementing breast milk.

8.1.3 Labelling

The labelling of the products covered by this Code shall comply with the requirements stipulated in RS Codex Stan 1-1985, Rev.1-1997 in addition to the following provisions:

- i) the label shall carry the declaration "Important notice breast milk is the best food for feeding a baby";
- ii) the label shall carry an advice that complementary foods including follow up formulas shall be introduced after 6 months;
- iii) the label shall carry a warning on the health hazards arising from inappropriate preparation of the product and the way to store after reconstitution;
- iv) the label shall carry a warning that use of bottles and teats in infant feeding carry additional health hazard to the baby and that cup feeding is preferable;
- v) the label shall carry instructions for use including amount and frequency for the age;
- vi) the label shall carry information on the quantity of the infant formula required to feed an infant for a certain period of time (e.g. week or month);
- vii) food products, which do not meet all the requirements of an infant formula, shall carry on the label warning that "The product shall not be the sole source of nourishment for an infant";
- viii) manufacturers shall clearly declare the expiry date on the container;
- ix) neither the container nor the label should have pictures of infants nor should they have other pictures or text, which may idealize the use of infant formula;
- x) the terms "Humanized", "Maternalized" or similar terms should not be used;
- xi) sweetened condensed milk or any other milk products, which are not ideal for infant feeding shall carry clear warning "NOT SUITABLE FOR INFANTS".

9 Product information

9.1 Information and educational materials whether written or audio visual directed to the feeding of infants and children, shall include clear information on all the following:

- a) the benefits and superiority of breastfeeding;
- b) maternal nutrition and the preparation for and maintenance of breastfeeding;

- c) the negative effect of bottle on breastfeeding;
- d) the difficulty of reversing the decision not to breastfeed;
- e) where needed, the proper use of breast milk substitutes;
- f) that cup feeding is preferable to double-feeding of formula;
- g) no misinformation regarding breastfeeding may be given and no suggestions that breast milk will be insufficient in quality or quantity;
- h) that inappropriate feeds or feeding methods and improper use of infant formula and other breast milk substitutes may cause a health hazard;
- i) that complementary food can also be made using locally available foods.

10 General public and mothers

10.1 There shall be no advertising or other form of promotion to the general public of the products within the scope of this Code.

10.2 Manufacturers and distributors shall not provide, directly or indirectly to expectant mothers, lactating mothers or members of their families, samples of products within the scope of this Code.

10.3 In conformity with 9.1 and 9.2 there shall be no point-of-sale, advertising, giving of samples, or any other promotion device to induce sales directly to the consumer at the retail level, such as special displays, discount coupons, premiums, special sales, loss-leaders and tie-in sales for products within the scope of this Code. This provision does not restrict the establishment of pricing policies and practices intended to provide products at subsidized prices on a long-term basis.

9.4 Manufacturers and distributors shall not distribute to expectant mothers or mothers of infants and young children any gifts or articles or utensils which may promote the use of breast milk substitutes or bottle-feeding.

9.5 Marketing personnel in their business capacity shall not seek direct or indirect contact of any kind with expectant mothers or with mothers of infants and young children concerning products covered by this Code.

11 Relationship with health professionals

11.1 The Ministry of Health shall take appropriate measures to encourage and protect breastfeeding and promote the principles of this Code and shall give appropriate information and advice to health workers in regard to their responsibilities.

11.2 No facility of a health care system shall be used for the purpose of promoting infant formula or other products within the scope of this Code. This Code does not however, preclude the dissemination of information to health professionals.

11.3 Company personnel (medical and professional service representation)

Scientific and technical information and actual data on the cost of using infant formula shall be made available for guidance to the health professionals.

11.3.1 The provision of free supplies and professional samples of infant formula should only be made available for instruction, professional evaluation or research. The free supplies may also be used for established welfare needs through the health professionals. Such supplies should only be used or distributed for infants who have to be fed on breast milk substitutes. If these supplies are distributed for use outside the institutions, the marketing personnel should ensure that the product will be available to the family on the same free or low cost terms as long as the infant concerned needs it. Direct request for assistance to mothers about infant feeding shall be referred to health professionals.

11.3.2 All sample packs shall be clearly marked "NOT FOR SALE".

11.3.3 Manufacturers and distributors shall retain records for all products distributed for a minimum period of 6 months after the expiry of the shelf life and be made available to the monitoring agents upon request.

11.3.4 No financial or material inducements to promote products within the scope of this Code shall be offered by manufacturers or distributors to health workers or members of their families, nor should these be accepted by health workers or members of their families.

11.3.5 Manufacturers and distributors of products within the scope of this Code should disclose to the institution to which a recipient health worker or any other researcher is affiliated, any contribution made to him or on his behalf for fellowships, study, tours, research, grants, attendance at professional conferences, and the like. The recipient should make similar disclosures to the institutions.

11.3.6 Facilities of health care systems should not be used for the display of products within the scope of this Code, for placards or posters concerning such products, or for the distribution of materials provided by a manufacturer or distributor.

11.3.7 The use by the health care system of professional service representatives, mother-care nurse, or similar personnel, provided or paid for by manufacturers or distributors shall not be permitted.

11.3.8 Feeding with infant formula whether manufactured or home prepared should be demonstrated only by health workers and only to the mothers or family members who need to use it. The information given shall include a clear explanation of the hazards of improper use.

11.3.9 Any supplementary or emergency feeding programs involving breast milk substitute shall comply with this Code.

11.3.10 *Persons employed by manufacturers and distributors*

In systems of sales incentives for marketing personnel, the volume of sales of products within the scope of this Code shall not be included in the calculation of bonuses nor should quotas be set specifically for sales of these products. This should not be understood to prevent the payment of bonuses based on the overall sales by a company of other products marketed by it.