

**Kingdom of Cambodia
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GUIDELINES FOR

**THE REVIEW OF THE CONTENT OF
ADVERTISING, PROMOTION AND
PROMOTIONAL MATERIALS OF PRODUCTS
FOR INFANT AND YOUNG CHILD FEEDING**

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**IMPLEMENTATION, MONITORING, AND
ENFORCEMENT OF SUB-DECREE 133 AND
JOINT PRAKAS 061**

December, 2015

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PREFACE

The promotion of breastfeeding has been one of the most significant public health success stories for Cambodia. The rates of exclusive breastfeeding and early initiation of breastfeeding have both increased significantly among all groups for the period of 2000-2010. According to three nationally representative Cambodian Demographic and Health Surveys (CDHS 2000, 2005, 2010), exclusive breastfeeding (age 0 to 6 months) increased from 11% in 2000 to 60% in 2005, with a further increase to 73.5% in 2010. Early initiation of breastfeeding also increased from 11% in 2000 to 35% in 2005, with a further increase to 65% in 2010. Preliminary results from the 2014 CDHS, however, reveal a worrisome scenario. Exclusive breastfeeding during the first six months declined to 65% (from 73.5% in 2010) as did continued breastfeeding at 12-15 months.

Several recent surveys suggest that a key factor in the alarming decline in breastfeeding practices is the growing number of infant formula products being aggressively promoted and marketed in Cambodia. There is also evidence that the widespread marketing and availability of these products is due in large part to non-compliance with the standards and requirements set by Sub-Decree 133. This calls for an immediate and urgent commitment from all stakeholders to ensure effective implementation, monitoring, and enforcement of Sub-Decree 133.

Based on consultations with the key line ministries, as well as discussions with development partners and concerned non-governmental organizations, the Ministry of Health has identified the urgent need to develop:

- a) A clear set of Terms of Reference for an Oversight Board, an Executive Working Group, and the Control Committee for the Content of Marketing of Products for Infant and Young Child Feeding, that will work together to implement and enforce Sub-Decree 133 and Joint Prakas 061; and,
- b) A set of guidelines for the review of the content of proposed advertisements, promotions, promotional materials, and other activities for all products covered by Sub-Decree 133, as well as its implementation, monitoring, and enforcement activities.

Adherence to these guidelines should contribute to better implementation and enforcement of Sub-Decree 133, and eventually to the overall efforts to improve breastfeeding practices in the country.

All relevant institutions at the national and sub-national levels shall ensure the effective implementation, monitoring, and enforcement of Sub-Decree 133 and Joint Prakas 061 as recommended in these guidelines.

Phnom Penh,....., 2015

MINISTER OF HEALTH

ACKNOWLEDGEMENT

The Ministry of Health would like to express its deepest appreciation to all those that have supported the development and finalization of the Terms of Reference (ToR) and implementing guidelines for enforcement of the implementation of Sub-Decree 133 and Joint Prakas 061.

A special thank goes to Excellency Professor Eng Huot, Secretary of State for Health and Chair of the Oversight Board of Sub-Decree 133, because of his leadership, wisdom, and commitment to protect, promote, and support breastfeeding in the country, these ToR and guidelines were approved. We wish to thank the National Maternal and Child Health Center (NMCHC) with its National Nutrition Programme, and the Department of Drugs, Food, and Cosmetics (DDF) with its Food Safety Bureau for their unwavering guidance and support to the whole development and finalization process.

We acknowledge the contributions of the other line ministries, including the Ministry of Commerce, the Ministry of Industry and Handicrafts, and the Ministry of Information, for facilitating and supporting the process and for sharing their insights, views, suggestions, and experiences, crucial for the development of effective guidelines. Their valuable input has shown that a coordinated and shared process is necessary if we want to be successful in the implementation and enforcement of Sub-Decree 133.

The Ministry of Health is especially grateful to the support extended by the officers and staff of all the Non-Governmental Organizations (NGOs), led by Hellen Keller International (HKI), World Vision International, and UNICEF, that relentlessly and with sincere commitment and hard work, have shared their resources and capacities in support of the development of these documents.

We acknowledge in particular the technical assistance provided by the World Health Organization (WHO), for facilitating and supporting the development of the ToR and implementing guidelines through a cohesive and participatory process, wherein every stakeholder had the opportunity to provide constructive comments and contribute to the best of its capacity.

We note the commitment, passion, and enthusiasm demonstrated by all government and non-government staff, officers, managers, and consultants, in their efforts to protect and improve breastfeeding practices so as to ensure a better future for the children of Cambodia.

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1. Background

The Cambodian National Policy on Infant and Young Child feeding of 2008 and its recommendations are aligned with the WHO/UNICEF Global Strategy for Infant and Young Child Feeding: initiation of breastfeeding within the first hour of life; exclusive breastfeeding for the first six months of life; and, providing appropriate, adequate, and safe complementary foods starting at six months of age while continuing breastfeeding until two years of age and beyond.¹

In line with the efforts to implement the International Code of Marketing of Breast-milk Substitutes, Cambodia passed Sub-Decree 133 in 2005 with the aim of regulating the marketing of products for infant and young child feeding, and in 2007 issued the Joint Prakas 061 to give guidance on implementation of Sub-Decree 133. Since then, major successes in the improvements of breastfeeding practices have been recorded in Cambodia. The proportion of infants who initiated breastfeeding within the first hour of life increased from 35.1% (2000) to 66.8% (2010). At the same time, a significant increase was noted in the proportion of infants exclusively breastfed during the first six months of life from 11.7% (2000) to 73.5% (2010); however, the proportion of children still breastfeeding at 12-15 months and 20-23 months decreased from 89.9% (2005) to 83.3% (2010) and 54.3% (2005) to 43.4% (2010), respectively.

In 2010, bottle feeding had increased to 14.3% for infants less than 6 months of age and reached more than 30% for infants less than 12 months of age. At the same time, the use of breast-milk substitutes (BMS) among children aged 6 to less than 24 months increased from 4.8% (2000) to 9.3% (2010). It is also alarming to note that 1 in 3 women delivering in a private clinic gave their newborn a BMS.

Research conducted by Hellen Keller International on the marketing of BMS products in Phnom Penh in 2014 found that there are at least 113 different BMS products available on the market and none fully complied with the requirements set by Sub-Decree 133. The same study found that 43% of mothers with children 0-5 months of age and 40% of mothers with children 6-11 months of age living in Phnom Penh reported that their child consumed a BMS in the day prior to the interview. When asked, 86% of mothers in Phnom Penh reported seeing a promotion of a BMS via media or other sources, most commonly television and in-store promotions.²

The preliminary results of the 2014 Cambodia Demographic and Health Survey reveal a worrisome scenario. Exclusive breastfeeding during the first six months of life declined to 65% (from 73.5% of 2010) and continued breastfeeding at 12-15 months of age further decreased to 80%.

The widespread marketing of BMS, their increased availability, the seemingly non-compliance with the standards and requirements set by Sub-Decree 133, the decline in exclusive

¹National Policy on Infant and Young Child Feeding, Cambodia, October 2008

²Hellen Keller International. Assessment of Promotion of Foods Consumed by Infants and Young Children in Phnom Penh: Assessment and Research on Child Feeding (ARCH) – Cambodia Country Report, 2014

breastfeeding practices, and the increased number of children not being breastfed, calls for an immediate and urgent commitment from all stakeholders to step up efforts to ensure the effective implementation, monitoring, and enforcement of Sub-Decree 133.

2. Introduction

The Sub-Decree 133 on Marketing of Products for Infants and Young Children of 2005, combined with the Joint Prakas 061 of 2007, aim to implement the International Code of Marketing of Breast-milk Substitutes. Since 2007, the Ministry of Health has worked towards disseminating the new policy to the other line ministries, decision makers, and policy makers, and has provided training on monitoring and implementation of the Sub-Decree, targeting different stakeholders from both the government and non-governmental organizations. In 2011, the Ministry of Health facilitated a review of the implementation and enforcement of the Sub-Decree 133 on Marketing of Products for Infant and Young Child Feeding. The workshop provided the following key conclusions and recommendations:

1. *Coordination and collaboration among lines ministries should be improved*
2. *An Oversight Board and an Executive Working Group for implementation of Sub-Decree 133 should be established*
3. *Monitoring and supervision in public and private health facilities and in the markets should be set up*

Based on discussions with the government and development partners, as well as the growing concerns over the aggressive marketing of BMS and other related products and the decline of breastfeeding practices, there is an urgent need to develop a set of guidelines for the review of the content of proposed advertisements, promotions, promotional materials, and activities of all products covered by Sub-Decree 133, as well as guidelines for monitoring and enforcement activities.

3. Objectives

To provide practical guidance to all relevant ministries, departments, agencies, development partners, public and private health facilities, and individuals involved in the implementation, monitoring, and enforcement of Sub-Decree 133 and Joint Prakas 061.

4. Definition of terms

- 4.1 Breast-milk Substitute: means any food marketed or presented as a replacement in part or total for breast milk, whether or not it is suitable for this purpose.
- 4.2 Complementary Feeding: means any food, whether manufactured or home prepared, used to complement breast milk when breast milk becomes insufficient to satisfy the nutritional requirements of the infant at six months of age.

- 4.3** Continued Breastfeeding: defined as breastfeeding beyond six months of age, whether or not other foods and liquids are added to complement breast milk.
- 4.4** Control Committee (for the Content of Marketing of Products for Infant and Young Child Feeding): shall refer to the committee created by the Ministry of Health to review and screen the applications for advertisements, promotions, and other related activities covered by Sub-Decree 133 and Joint Prakas 061.
- 4.5** Donations: shall refer to the free provision of goods and services including, but not limited to, informational or educational materials related to infant and young child feeding, other materials, samples, equipment, documents, services, pens, calendars, posters, notebooks, growth charts, toys, other gifts, etc., within the scope of Sub-Decree 133.
- 4.6** Enforcement: the act of compelling observance of, or compliance with, a law, rule, or obligation.
- 4.7** Exclusive Breastfeeding: means that the infant receives only breast milk. No other liquids or solids are given—not even water—with the exception of oral rehydration solution, or drops/syrups of vitamins, minerals, or medicines when needed.
- 4.8** Executive Working Group: shall refer to the inter-ministerial working group established to support the implementation, monitoring, and enforcement activities related to the implementation of Sub-Decree 133 and Joint Prakas 061.
- 4.9** Health Facilities, Establishments, and Institutions: refers to any facility providing healthcare, public or private, including, but not limited to, hospitals, health infirmaries, health centers, lying-in centers, or puericulture centers with obstetrical and pediatric services within the scope of Sub-Decree 133.
- 4.10** Infant: means a child from birth up to twelve months of age.
- 4.11** Infant Formula: means any breast-milk substitute manufactured in accordance with the Codex Alimentarius standards to satisfy the normal nutritional requirements of infants from birth to six months of age and suitable to their physiology.
- 4.12** Informational materials: shall refer to any informational and/or educational materials, whether written, audio, or visual, that deals with infant and young child feeding within the scope of Sub-Decree 133.
- 4.13** Inspection: refers to the review of labeling and/or packaging of products covered by Sub-Decree 133 on Marketing of Infant and Young Child Feeding Products and the Joint Prakas 061 on the Implementation of Sub-Decree 133.
- 4.14** Joint Prakas 061: refers to the Joint Prakas 061 dated 16th August 2007 on Implementation of Sub-Decree on Marketing of Infant and Young Child Feeding Products.
- 4.15** Label: means any tag, brand, mark, picture, or other description whether written, printed, stenciled, impressed on, or affixed to a container of any product within the content and scope of Sub-Decree 133.

- 4.16** Liquid Products: for infant and young children, such as, but not limited to, any milk, water, tea, or juice.
- 4.17** Monitoring: refers to the review process for labeling, packaging, verifying advertisements, promotional materials, and promotional activities, or review of other materials, equipment, and related activities that are covered by Sub-Decree 133 and Joint Prakas 061.
- 4.18** Non-Health Facilities, Establishments, and Institutions: refers to public places, establishments, and institutions other than health facilities, which can include, but is not limited to, workplaces, schools, public transportation terminals, markets, and stores within the scope of Sub-Decree 133.
- 4.19** Online Promotion: shall refer to any form of advertising and promotion of products covered by Sub-Decree 133 using online media including but not limited to websites, webpages, Facebook, Instagram, Twitter, etc.
- 4.20** Point of sale: the location or place where products covered by Sub-Decree 133 are sold, including, but not limited to, supermarkets, shops, and pharmacies.
- 4.21** Print Materials: shall refer to printed items including, but not limited to, billboards, posters, banners, newsletters, flyers, pamphlets, books, magazines, journals, and newspapers within the scope of Sub-Decree 133.
- 4.22** Promotion: refers to advertising, sampling, or any other activity to encourage or induce the purchase of a product. The scope of Sub-Decree 133 includes, but is not limited to, the following:
- 4.22.1 Workshops
 - 4.22.2 Events
 - 4.22.3 Raffles
 - 4.22.4 Bundle Products
 - 4.22.5 Caravans
 - 4.22.6 Contests
 - 4.22.7 Discounts, coupons
 - 4.22.8 Gifts
 - 4.22.9 Samples
 - 4.22.10 Displays
 - 4.22.11 Media advertisements
 - 4.22.12 Online promotions
 - 4.22.13 Company/Manufacturer representative contact
- 4.23** Oversight Board: shall refer to the board established by Article 7 of the Joint Prakas 061 on the Implementation of Sub-Decree 133 on Marketing of Infant and Young Child Feeding Products and other applicable laws and regulations related to infant and young child feeding.
- 4.24** Related Activity: refers to activities like, but not limited to:

- 4.24.1 Donations of products covered by Sub-Decree 133
 - 4.24.2 Donations of other materials by companies covered by Sub-Decree 133
 - 4.24.3 Sponsorships
 - 4.24.4 Research grants
 - 4.24.5 Gifts of any sort
 - 4.24.6 Educational grants
 - 4.24.7 Support for mothers classes
 - 4.24.8 Forums, events
 - 4.24.9 Other forms of support and inducements to be provide by a company, manufacturer, or distributor within the scope of Sub-Decree 133
- 4.25** Similar Products: shall refer to products not listed in Sub-Decree 133 that are marketed to be suitable for infants and young children.
- 4.26** Scholarships: shall refer to a grant or payment made to support activities including, but not limited to, a person’s education, continuing education, studies, and trainings within the scope of Sub-Decree 133.
- 4.27** Sponsorships: shall refer to the help given to support an event, activity, person, or organization financially, or through the provision of products or services, within the scope of Sub-Decree 133.
- 4.28** Sub-Decree 133: refers to the Sub-Decree 133 dated 18th November 2005 on Marketing of Infant and Young Child Feeding Products.
- 4.29** Young Children: means children from twelve to twenty-four months of age.

5. Flowchart for the Implementation of Sub-Decree 133 and Joint Prakas 061

	PRODUCT IMPORTATION AND MARKETING	REGULATION OF ADVERTISING AND PROMOTION AND OTHER ACTIVITIES	MONITORING COMPLIANCE (Sub-Decree 133)	ENFORCEMENT
When	PRIOR TO PRODUCT IMPORTATION AND/FOR PRODUCT MARKETING (for locally manufactured products)	PRIOR TO PRODUCT PROMOTION AND ADVERTISING	ONCE PRODUCT IS IN THE MARKET (can be done ANYTIME)	UPON SUBMISSION OF REPORT OF ALLEGED VIOLATIONS
What	<ul style="list-style-type: none"> - Request of License to import/to market - Request for approval of labeling product - Inspection - Review - Approval/Disapproval - Compliance 	<ul style="list-style-type: none"> - Request of approval of advertising and promotional activities and materials - Review/Screening - Approval/Disapproval - Compliance 	<ul style="list-style-type: none"> - Monitoring visits to establishments and health facilities - Monitoring of TV, Radio, Print, Online promotions and AdS - Monitoring other activities and events - Filing reports of alleged violations to the Executive Working Group 	<ul style="list-style-type: none"> - Confirmed reported violations - Recommend action to relevant Ministry - Appropriate action taken by relevant Ministry in line with existing rules and regulations
Who	<ul style="list-style-type: none"> - Manufacturer, Distributor - Ministry of Commerce(Cam Control) - Ministry of Industry and Handicraft - Ministry of Health (Control Committee on the content of marketing of products for infant and young child feeding) 	<ul style="list-style-type: none"> - Manufacturer, Distributor - Individual, Agency, Facility, Institution - Control Committee on the content of marketing of products for infant and young child feeding 	<ul style="list-style-type: none"> - Executive Working Group - MOH, Bureau of Food Safety, NNP - MOC, CAMCONTROL - Ministry of Industry and Handicraft - Ministry of Information - Provincial Level inspectors - NGOs/INGOs/Associations - UN Agencies - Individual , groups 	<ul style="list-style-type: none"> - Oversight Board - Executive Working Group - Ministry of Health, Department of Legislation - Ministry of Information - Ministry of Commerce - Ministry of Industry - Violator(s)

6. Control of the “Content” of labels, packaging, advertising, promotions, and other related activities covered by Sub-Decree 133 and Joint Prakas 061

6.1 Objective

To provide a set of operational procedures for the Control Committee (For the Content of Marketing of Products for Infant and Young Child Feeding), that will guide its membership and interested parties in the effective and efficient fulfillment of their roles and functions.

6.2 Application for approval of labels, packaging, advertising, promotions of products, and other related activities covered by Sub-Decree 133

6.2.1 All labels and packaging for products covered by Sub-Decree 133 should conform to the attached (Annex 1).

6.2.2 Before a product can be marketed (imported or produced in the country), manufactures and distributors have to secure an approval permit from the Control Committee for its label and packaging.

6.2.3 The following is the procedure for applying for a permit for the label and packaging:

6.2.3.1 The Applicant shall secure a copy of the application form (Annex 2).

6.2.3.2 The Applicant has to submit the application form with a sample of the label and packaging to the Secretariat of the Control Committee.

6.2.3.3 The Applicant shall pay the processing fee in line with the existing rules and regulations of the Ministry of Health and the Ministry of Economy and Finance, in accordance with Prakas N^o1432, dated 20 November 2014.

The application should contain:

6.2.3.4 Duly completed application form.

6.2.3.5 Ten (10) color copies of the label and packaging for each specific product. The font size of the label should be large and clear for reading.

6.2.3.6 Official receipt of payment of the processing fee.

- 6.2.4 The Secretariat shall forward the request with the supportive materials to the Control Committee for review and decision making.
- 6.2.5 The Control Committee shall review the applications for labels and packaging during its monthly meetings.
- 6.2.6 The Control Committee shall furnish a copy of the decision (approval/disapproval) to the Secretariat.
- 6.2.7 The Secretariat of the Control Committee shall inform the Company/Manufacturer of the decision taken by the Control Committee no later than a week after the decision has been made (approval/disapproval).
- 6.2.9 The Company/Manufacturer is required to comply with the decision of the Control Committee.
- 6.2.10 The Ministry of Commerce and the Ministry of Industry and Handicraft will require manufactures, producers, and distributors to present a copy of the approval for the labels and packaging from the Control Committee for the products that they want to import and/or market in Cambodia that are covered by Sub-Decree 133.

6.3 Applications for advertising and promotions using TV, radio, print, online materials, and other educational and informational materials

In line with Article 13 of Sub-Decree 133, the following is the required procedure to secure permission from the Ministry of Health:

- 6.3.1 The Applicant shall secure a copy of the application form (Annex 2). The font size of the application form should be clear and readable.
- 6.3.2 The Applicant has to submit the application form with a sample of the promotional materials to the Secretariat of the Control Committee

The application should contain:

- 6.3.2.1 Duly filled up application form.
- 6.3.2.2 Ten (10) copies of the TV/radio/print materials that the Company/Manufacturer wants to broadcast/air/distribute.
- 6.3.2.3 The following are the necessary attachments to the Application according to the type of application:

6.3.2.3.1 PRINT MATERIALS - text and video layout (colored copies)

1. Materials: including, but not limited to, banners, posters, streamers, billboards, fliers, posters, tarpaulins, ads, transportation ads, etc.
2. Print Ads: including, but not limited to, newspaper articles, magazines, fliers, brochures, inserts, leaflets, advertorials (where part of the article is used to promote products covered by Sub-Decree 133).

6.3.2.3.2 AUDIO (RADIO, TELEPHONE, OTHER TYPES OF ANNOUNCEMENTS)

1. Text and script
2. Hot-lines
3. Any text used during an open-area event (fairs, caravans etc.)

6.3.2.3.3 AUDIO-VISUAL

1. Indicate which TV, cinema, theater, or public spaces
2. Storyboard (colored) with script and text
3. Final audio-visual materials
4. Other audiovisuals

6.3.2.3.4 SOCIAL MARKETING TOOLS, FACEBOOK, WEBSITE, ANY OTHER NEW TECHNOLOGY

1. Names of websites
2. Text, pictures, scrip for the promotions on Facebook
3. Text, pictures, script for the promotions on a website
4. Final "text message"
5. Other social networking sites

6.3.3 Mandatory Message:

In line with Article 2 of the Joint Prakas 061, any audio-visual advertisement for a designated product must dedicate at least fifty percent of the advertisement with the following message translated in KHMER:

"INFANTS WHO ARE NOT BREASTFED HAVE A HIGHER RISK OF ILLNESS AND DEATH FROM DIARRHEA AND RESPIRATORY INFECTION. IF EVERY BABY WERE EXCLUSIVELY BREASTFED FROM BIRTH TO SIX MONTHS, AN ESTIMATED 1.3

MILLION ADDITIONAL LIVES WOULD BE SAVED AND MILLIONS MORE ENHANCED EVERY YEAR.”

- 6.3.4 The Secretariat shall forward the request with the supportive materials to the Control Committee for review and decision making.
- 6.3.5 The Control Committee shall review the proposed advertising and promotional materials during their monthly meeting.
- 6.3.6 The Control Committee shall furnish a copy of the decision (approval/disapproval) to the Secretariat.
- 6.3.7 The Secretariat of the Control Committee shall inform the Company/Manufacturer of the decision taken by the Control Committee (approval/disapproval).
- 6.3.8 The Company/Manufacturer is required to comply with the decision of the Control Committee.
- 6.3.9 The Secretariat of the Control Committee shall furnish a copy of the approved/disapproved advertising and promotional materials to the members of the Executive Working Group.

6.4 Applications for sponsorships, donations, scholarships, research funds, and other related activities

- 6.4.1 In line with Article 2 of the Joint Prakas 061, NO promotion of infant and young child feeding products will be allowed in the health care system, whether private or public health facilities, including the distribution of free or subsidized supplies of infant and young child feeding products.
- 6.4.2 For activities outside the health care system (including, but not limited to, sponsorships, scholarships, community events, point of sale promotions, caravans, parties, games, contests, campaigns, counseling with telephones, celebrations, support to research, etc.), the applicant will have to secure a copy of the application form (Annex 2).
- 6.4.3 The Applicant shall submit the application form with a detailed description of the activity to the Secretariat of the Control Committee.

The application should contain the following information:

- 6.4.3.1 Duly filled up application form.

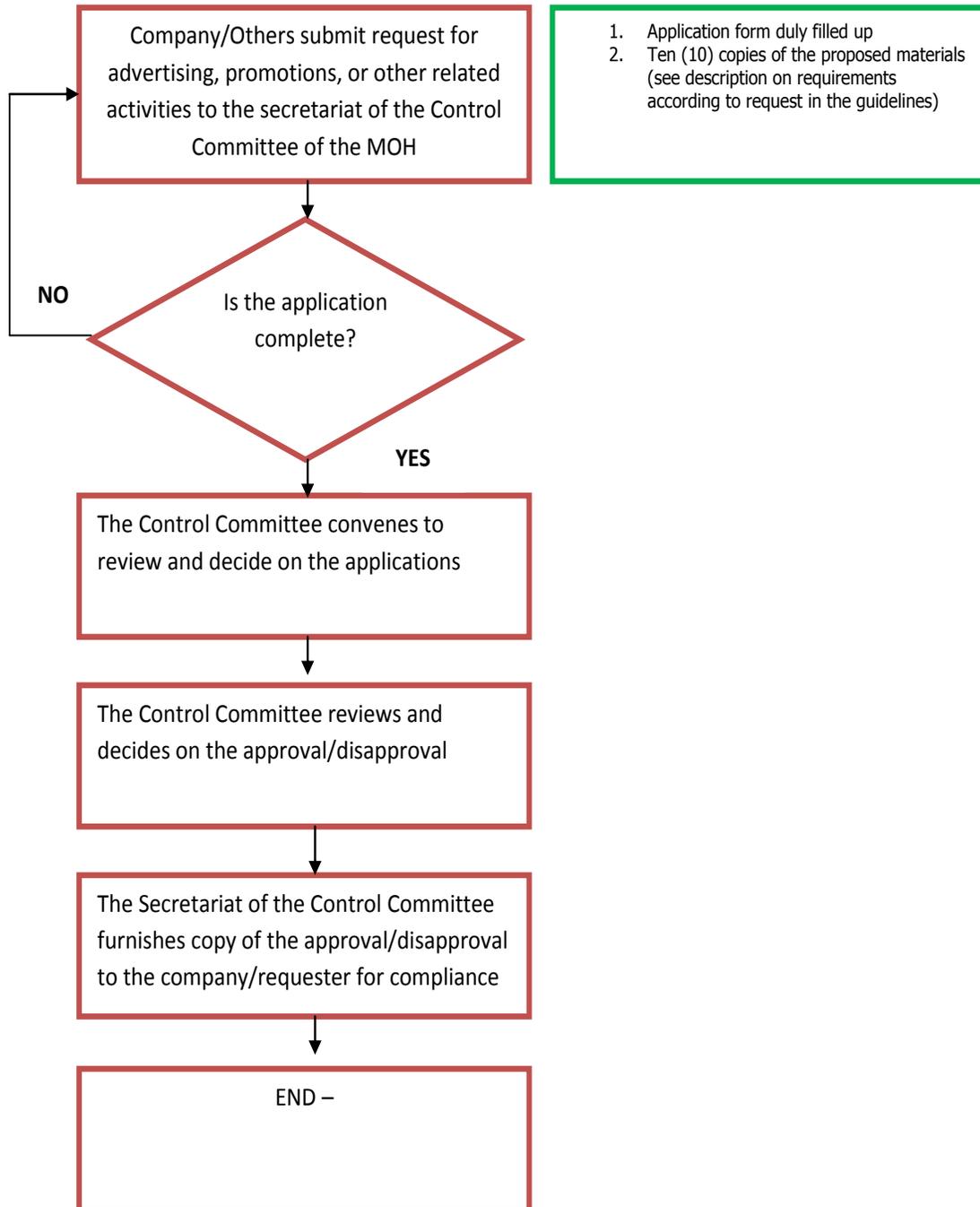
6.4.3.2 Ten (10) copies of the detailed description of the activity including:

- Specifying the type of activity (including objective, scope, outcome, locations, program, others)
- The nature of support (amount and/or materials/supplies provided)
- Sponsoring Company/Manufacture (Name of the sponsor)
- List of facilitators with their affiliations
- Venue
- Target Participants

6.4.4 The Secretariat will keep a database of all applications and the final results of the review conducted by the Control Committee.

6.4.5 Every month, a list of the applications processed during the period with the final decision made will be shared monthly with the Executive Working Group, and every three (3) months with the Oversight Board (Annex 3).

Flowchart Control of the content of the proposed labels, promotions, advertisements, and other related activities covered by Sub-Decree 133 and Joint Prakas 061



7. Monitoring/Inspection and reporting activities

7.1 Objectives

In coordination with, and with the support of, the other Ministries involved in the implementation, monitoring, and enforcement of Sub-Decree 133 and the Joint Prakas 061, the following section provides the guidelines for the monitoring of compliance to Sub-Decree 133 and Joint Prakas 061.

7.2 Monitors/Inspectors

At the national level, the following ministries, agencies, and organizations are requested to conduct monitoring activities, as specified by the monitoring guidelines:

7.2.1 National Level

Ministry of Commerce – CAMCONTROL

Ministry of Industry and Handicraft – (General Department of SMEs and Handicrafts)

Ministry of Health – Bureau of Food Safety of Department of Drugs, Food, and Cosmetics

Ministry of Health – National Nutrition Programme

Ministry of Information – General Department of Audio-Visual

At the sub-national level, the following line ministries, agencies, and organizations will be requested to conduct monitoring activities, as specified by the monitoring guidelines:

7.2.2 Sub-National Level (Province/District)

Ministry of Commerce – Provincial CAMCONTROL

Ministry of Industry and Handicraft – (Office in-charge of SMEs and Handicrafts) at the Provincial Department of Industry and Handicrafts

Ministry of Health – Bureau of Food Safety of Provincial Department of Health

Ministry of Health – Focal person of the National Nutrition Program at the Provincial Level

Ministry of Information – Officers in charge with audio-visual advertising/promotions of the Provincial Department of Information

7.3 When and Where to Conduct Monitoring and Inspection Activities

Monitoring activities at the national and sub-national level shall be conducted during the following phases:

- 7.3.1 Processing of applications for importation of products covered by Sub-Decree 133.
- 7.3.2 Prior to the marketing of locally produced products covered by Sub-Decree 133.
- 7.3.3 Monitoring visits, including, but not limited to, health and non-health facilities, establishments, institutions, communities, public places, events, markets, conferences, and workshops.
- 7.3.4 Inspections of points of sale, including, but not limited to, pharmacies, supermarkets, and grocery shops.
- 7.3.5 Monitoring of broadcast/airing/distribution of TV/radio advertisements and programs and print materials.
- 7.3.6 Review of online materials, including, but not limited to, any social media, Facebook, Twitter, Instagram, webpages, websites, etc.

7.4 General Roles and Responsibilities of the Monitoring and Inspection Officers

- 7.4.1 Monitor compliance with Sub-Decree 133 and the Joint Prakas according to the specific functions presented in this document.
- 7.4.2 Monitor labels, packaging, and all the promotional practices during different phases as described in Section 6.3.
- 7.4.3 Monitor TV, radio, print materials, online content, points of sale promotion, and health care system promotions, in line with their respective responsibility.
- 7.4.4 Report alleged violations of Sub-Decree 133 using the standard monitoring form to their respective agency and the Secretariat of the Executive Working Group (Annex 5).
- 7.4.5 For government monitors (Ministry of Health, Ministry of Commerce, Ministry of Industry and Handicrafts, and Ministry of Information), submit a monthly report with the findings of the monitoring activity to their respective national agency (Annex 6).

7.4.6 Verify reports of violations according to the instructions provided by their respective agency.

7.5 Specific Roles of Government Monitors and Inspectors According to the Agency's Mandate

In line with the Joint Prakas 061, the following are the specific roles and responsibilities of the different monitors:

7.5.1 Ministry of Commerce

The importation of products covered by Sub-Decree 133

7.5.1.1 Article 3(a) of the Joint Prakas 061: the inspectors of the Ministry of Commerce (CAMCONTROL) shall be the primary ministry responsible for controlling the labels and the packaging of the products covered by Sub-Decree 133 that are being imported into the country.

7.5.1.2 In addition to existing requirements for importation of products covered by the Sub-Decree 133, manufacturers, distributors, importers, and agents have to submit a copy of the following:

- Letter of approval of the label and packaging issued by the Control Committee.

7.5.1.3 Products that do not have the letter of approval for the labels from the Control Committee should not be issued a license to import until full compliance is achieved.

7.5.1.4 Products with an approval letter for the labels and packaging should be verified by the CAMCONTROL officers to ensure the actual label conforms to the approved one.

7.5.1.5 If products with letters of approval for the labels are found to have inconsistent labels, or labels different from the ones approved, the products should not be issued a license to import until full compliance is achieved.

7.5.1.6 Only products with labels complying with the requirements of Sub-Decree 133, legally registered, and with labels officially approved by the Control Committee should be issued a license to import.

7.5.1.7 The CAMCONTROL shall submit the complete list of products given licenses to import and/or denied importation on a monthly basis during the regular meeting of the Executive Working Group (Annex 4).

Monitoring at the point of sale

7.5.1.8 In accordance with Article 3 (c), the inspectors of the Ministry of Commerce (CAMCONTROL) will monitor the labels, advertising, and other promotional activities of products covered by Sub-Decree 133 at the point of sale during their routine market monitoring.

7.5.1.9 Labels of products and all kinds of materials available at points of sale should bear the standard approval message of the Control Committee.

7.5.1.10 The inspectors should report products with labels/packaging that, a) are not carrying the approval of the Control Committee, and/or b) do not comply with the requirements of Articles 9, 10, 11, and 12 of Sub-Decree 133, to the national CAMCONTROL and to the Secretariat of the Executive Working Group (See Section 7.9).

7.5.1.11 The monitors/inspectors should report any advertising, promotions, and other marketing activities at the point of sale that, a) do not carry the approval of the Control Committee, and/or b) are among the activities prohibited under Article 13 of Sub-Decree 133. (Annex 7).

7.5.1.12 All alleged violations should be reported to the CAMCONTROL office and to the Secretariat of the Executive Working Group using the standard monitoring and reporting form (Annex 5) (See Section 7.9).

7.5.1.13 The inspectors of CAMCONTROL should submit a monthly report with the findings of the monitoring activities to the National CAMCONTROL, by the 10th of the following month (Annex 6).

7.5.1.14 Representatives of CAMCONTROL shall submit and present a monthly report on the activities conducted to the members of the Executive Working Group during the regular meeting and/or upon request (Annex 4).

7.5.2 Ministry of Industry and Handicraft

Marketing of products produced in the country

- 7.5.2.1 In accordance with Article 4, the inspectors of the Ministry of Industry and Handicraft shall be the primary individuals responsible for controlling the labels of the products covered by Sub-Decree 133 that are produced in the country prior to their marketing and sale.
- 7.5.2.2 Prior to issuing a license to market the locally produced products covered by Sub-Decree 133, the inspectors of the Ministry of Industry and Handicraft will request the manufacturer and/or distributor to secure approval for the label and packaging from the Control Committee of the MoH.
- 7.5.2.3 Products that have labels and/or packaging not complying with the requirements of Articles 9, 10, 11, and 12 of Sub-Decree 133 should not be allowed to be sold until compliance is achieved.
- 7.5.2.4 Products that do not have the letter of approval for the labels from the Control Committee should not be issued a license to market until full compliance is achieved.
- 7.5.2.5 Products with the approval letter for the labels should be verified by officers of the Ministry of Industry and Handicraft to ensure that the actual label conforms to the approved one.
- 7.5.2.6 If products with letters of approval for the labels are found to have inconsistent labels, or labels different from the ones approved, the products should not be issued a license to market until full compliance is achieved.
- 7.5.2.7 Only products with labels complying with the requirements of Sub-Decree 133, legally registered, and with labels officially approved by the Control Committee should be issued a license to market.
- 7.5.2.8 The Ministry of Industry and Handicraft shall submit and present a monthly report on the activities conducted to the members of the Executive Working Group during the regular meeting and/or upon request (Annex 4).

7.5.3 Ministry of Health: Bureau of Food Safety

- 7.5.3.1 The inspectors of the Bureau of Food Safety shall be the primary individuals responsible for inspecting the labeling, packaging, and any form of promotion present at the points of sale (including, but not limited to, supermarkets, shops, malls, pharmacies, markets) in the country for products covered by Sub-Decree 133.
- 7.5.3.2 The inspectors should report products that have labels and/or packaging not complying with the requirements of Articles 9, 10, 11, and 12 of Sub-Decree 133 to the Secretariat of the Executive Working Group.
- 7.5.3.3 Labels of products available at points of sale should bear the standard approval message of the Control Committee (Annex 8).
- 7.5.3.4 The inspectors should report products with labels and/or packaging, a) not carrying the approval of the Control Committee, and/or b) that do not comply with the requirements of Articles 9, 10, 11, and 12 of Sub-Decree 133, to the national Bureau of Food Safety and to the Secretariat of the Executive Working Group (See Section 7.9).
- 7.5.3.5 The inspectors should report any advertising, promotions, and other marketing activities at the points of sale that:
- a) Do not bear the approval of the Control Committee (Annex 8); and/or,
 - b) Are among the activities prohibited under Article 13 of Sub-Decree 133 (Annex 7).

Reports of alleged violations should be sent to the Secretariat of the Executive Working Group (Section 7.9):

- 7.5.3.6 All alleged violations should be reported to the Secretariat of the Executive Working Group using the standard monitoring and reporting form (Annex 5) (Section 7.9).
- 7.5.3.7 The inspectors should submit a monthly report with the findings of their monitoring activities to the Bureau of Food Safety of the Ministry of Health (Annex 6).

- 7.5.3.8 The Bureau of Food Safety of the Ministry of Health will submit and present a monthly report to the members of the Executive Working Group during the regular meeting and/or upon request.

7.5.4 Ministry of Health: National Nutrition Programme

Monitoring in the Health Care System

- 7.5.4.1 The officers and focal persons of the National Nutrition Programme shall be the primary individuals responsible for the monitoring of advertising, promotional activities, and materials in all the health facilities, establishments, institutions, trainings, conferences, workshops, and other related activities for all products covered by Sub-Decree 133.
- 7.5.4.2 In line with Article 2 of the Joint Prakas 061, the Ministry of Health shall ensure, “THE PROHIBITION OF ALL FORMS OF PROMOTION OF INFANT AND YOUNG CHILD FEEDING PRODUCTS IN THE HEALTH CARE SYSTEM WHETHER PRIVATE OR PUBLIC FACILITIES, INCLUDING THE DISTRIBUTION OF FREE OR SUBSIDIZED SUPPLIES OF INFANT AND YOUNG CHILD FEEDING PRODUCTS.”
- 7.5.4.3 The officers and focal persons of the National Nutrition Programme should monitor the implementation of Sub-Decree 133 during:
- 7.5.4.3.1 The conduct of their regular monitoring and supportive supervisory visits to health workers and health facilities;
 - 7.5.4.3.2 When requested by the Oversight Board and/or the Executive Working Group; and,
 - 7.5.4.3.3 Whenever attending activities, workshops, trainings, community events, and related activities.
- 7.5.4.4 The officers and focal persons should report ANY advertising, promotional activity, promotional materials, and activities of infant and young child feeding products being conducted in the health care system, whether public or private.
- 7.5.4.5 All alleged violations should be reported to the Secretariat of the Executive Working Group using the standard monitoring and reporting form (Annex 5) (Section 7.9).

7.5.4.6 The focal persons of the National Nutrition Programme should submit a monthly report with the findings of the monitoring activities to the Manager of the National Nutrition Programme of the Ministry of Health (Annex 6).

7.5.4.7 The Manager of the National Nutrition Programme of the Ministry of Health will submit and present a monthly report to the members of the Executive Working Group during the regular meeting and/or upon request.

Monitoring events, public places, communities, workshops, trainings, and other related activities:

7.5.4.8 The officers and focal persons of the National Nutrition Programme shall monitor at least monthly, any advertising, promotions, marketing activities, and materials at the community level and in public places of products covered by Sub-Decree 133.

7.5.4.9 The officers and focal persons of the National Nutrition Programme should report any materials, advertising, marketing, promotions, and promotional materials that:

a) Do not bear the approval of the Control Committee (Annex 8); and/or,

b) Are among the activities and materials prohibited under Article 6, 7, 8, 13, 14, and 15 of the Sub-Decree 133 (Annex 7).

Reports of alleged violations should be sent to the Secretariat of the Executive Working Group (Section 7.9):

7.5.4.10 All alleged violations should be reported to the Secretariat of the Executive Working Group using the standard monitoring and reporting form (Annex 5) (See Section 7.9).

7.5.4.11 The officers and focal persons of the National Nutrition Programme should submit a monthly report with the findings of their monitoring activities to the Manager of the National Nutrition Programme of the Ministry of Health (Annex 6).

7.5.4.12 The Manager of the National Nutrition Programme of the Ministry of Health will submit and present a monthly report to the members of

the Executive Working Group during the regular meeting and/or upon request.

7.5.5 Ministry of Information

Monitoring of TV, Radio, Print Materials, and Online Promotions:

7.5.5.1 The officers of the Audio-Visual Department of the Ministry of Information shall help in the monitoring of advertising, promotional activities, and materials in TV, radio, print, and online promotions for all products covered under Sub-Decree 133.

7.5.5.2 The officers of the Ministry of Information should inform all TV, radio, newspapers, and magazines that only TV, radio, and printed materials that have been approved by the Control Committee shall be aired, broadcasted, and/or printed.

7.5.5.3 The officers of the Ministry of Information should report TV, radio, print, and online promotions and advertisements that:

a) Do not bear the approval of the Control Committee (Annex 8);

and/or,

b) Are among the activities and materials prohibited under Article 13 of the Sub-Decree 133 (Annex 7).

Reports of alleged violations should be sent to the Secretariat of the Executive Working Group (Section 7.9):

7.5.5.4 All alleged violations should be reported to the Secretariat of the Executive Working Group using the standard monitoring and reporting form (Annex 5) (Section 7.9).

7.5.5.5 The officers of the Ministry of Information should submit a monthly report with the findings of their monitoring activities to the assigned person within the Ministry of Information (Annex 6).

7.5.5.6 The assigned person of the Ministry of Information will submit and present a monthly report to the members of the Executive Working Group during the regular meeting and/or upon request.

7.6 Role of NGOs, INGOs, UN agencies, Other Civil Society Groups, and the General Public

All Non-Governmental Organizations (local and international), UN agencies, other development partners, national groups and agencies, the general public, and concerned citizens are encouraged to help the government in monitoring compliance with Sub-Decree 133 and Joint Prakas 61, by submitting their reports of alleged violations to the Secretariat of the Executive Working Group (see section 7.9) in line with the general reporting requirements listed below.

7.6.1 General Reporting Requirements

All reports of alleged violations should provide the following information and materials:

- 7.6.1.1 Date and name of the place where the violation was found, seen, or heard;
- 7.6.1.2 Name of the specific place (e.g. name of the supermarket, hospital, health center, store, community, etc.);
- 7.6.1.3 Sample or picture of the violation (material);
- 7.6.1.4 For TV or radio: the name of the program/show and the name of the TV channel/radio frequency and the time when it was seen/heard;
- 7.6.1.5 For Facebook, websites, or other social media: the name of the web-link, the account name, and/or other relevant information;
- 7.6.1.6 If the violation is related to the labeling and/or packaging of the product, a picture of the label of the product would be helpful; and,
- 7.6.1.7 Violations related to events conducted by companies and/or promoting products: provide pictures, programs, and/or flyers related to the event.

7.6.2 Reporting Forms and Mandatory Information

The monitoring reports should use the standard monitoring form (Annex 5).

7.7 Contact Details: Where to Report Alleged Violations

Reports of violations shall be filed to the Secretariat of the Executive Working Group:

Attn: Chair of the Executive Working Group

Through: Secretariat of the Executive Working Group, Sub-Decree 133

Address: The Ministry of Health, #80, Pen Nut Blv (289), Phnom Penh.

Website: www.ddfcambodia.com

Office Tel: 023 880 248

Hand Phone and Email:

077 804 966 / 085 538066 / 012 965368 (Secretaries)

hoksrunaing@gmail.com & sophonprak@gmail.com

7.8 Feedback Mechanism

The Secretariat of the Executive Working Group, after receiving a report of a violation should:

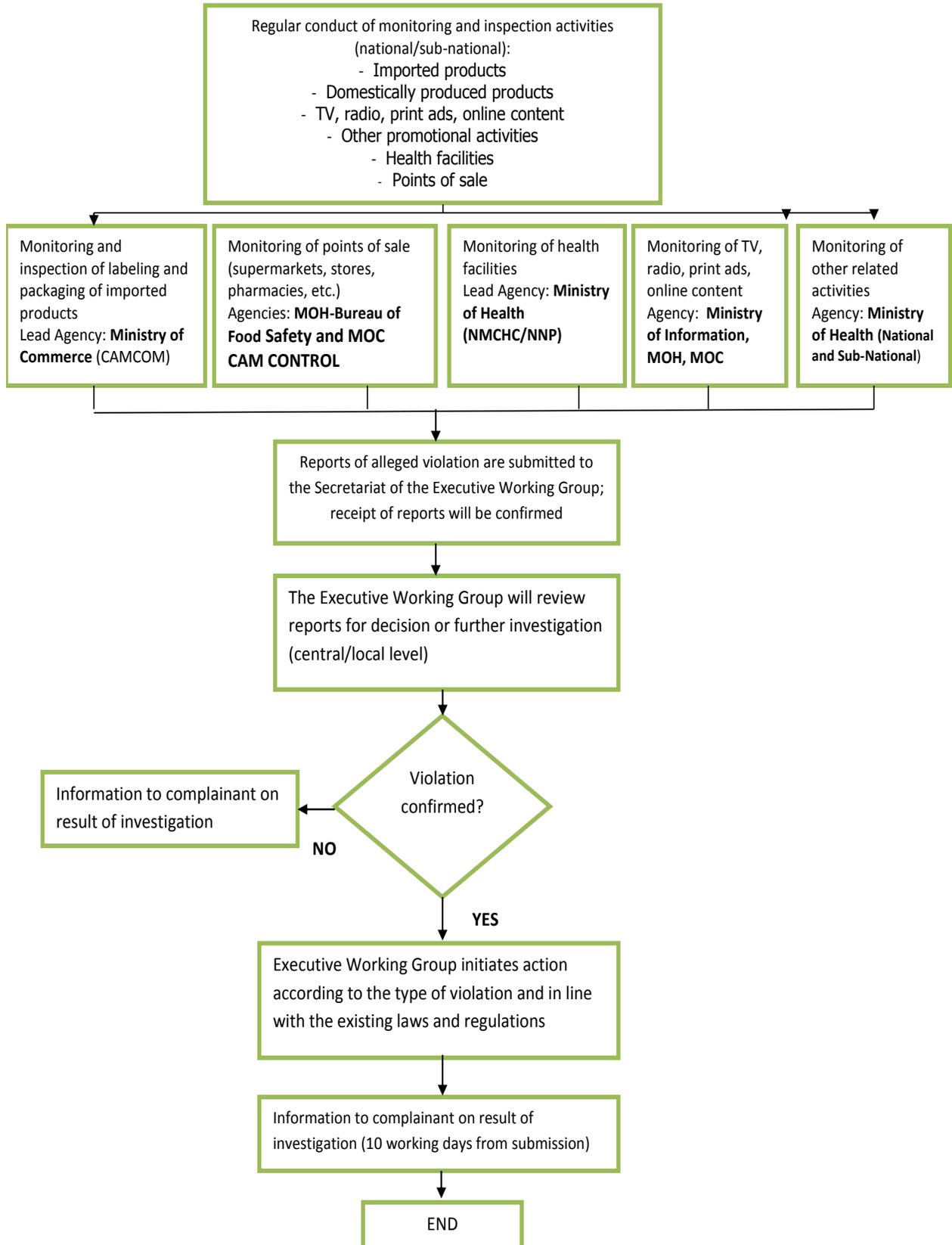
- a) Acknowledge receipt to the sender; and,
- b) Provide feedback on the action taken (initial/final) of the case no later than ten (10) working days after the filing of the report.

7.9 Database of Reported Violations

7.9.1 The Secretariat of the Executive Working Group should maintain a database of all violations reported and corresponding actions taken.

7.9.2 A list of reported violations and actions taken should be submitted to the Control Committee, the Executive Working Group, and during regular meetings of the Oversight Board, as well as upon request by the Oversight Board (Annex 9).

Flow Chart of Government Monitoring for Compliance



8. Enforcement

8.1 Objective

To provide a set of internal and operational procedures for the Oversight Board, the Control Committee, and the Executive Working Group, as well as all concerned parties, for the enforcement of Sub-Decree 133 according to their powers, roles, and responsibilities.

8.2 General Guidance

8.2.1 In general, all reports of violations (sub-national/national) shall be submitted to the Secretariat of the Executive Working Group.

8.2.2 As per monitoring guidelines, the Executive Working Group will review the reported violation and will recommend/request immediate action to the respective line ministry.

8.2.3 The appropriate action(s) will be initiated in accordance to Articles 18 and 19 of Sub-Decree 133 and Joint Prakas 061 and within the specific mandate and powers of the line ministries.

8.2.4 Specific procedures will be in accordance with the primary role(s) of the different line ministries.

8.3 Labeling and Packaging (Import and Marketing) Violations

For violations of import and/or marketing of products with labels and packaging not complying with the requirements of Sub-Decree 133, the Ministry of Commerce and the Ministry of Industry and Handicraft, in line with their rules and powers, shall:

8.3.1 Deny licenses of import and/or marketing for the product until full compliance is met.

8.3.2 Impose appropriate sanctions, fines, and other administrative measures according to their existing rules and regulations.

8.4 Point of Sale (Labeling and Packaging) Violations

For violations at the point of sale, the Ministry of Health, through the Bureau of Food Safety, in line with its existing rules and powers, shall:

- 8.4.1 Inform the Ministry of Commerce and/or the Ministry of Industry of the violation found (if related to labeling).
- 8.4.2 Inform the company/manufacturer of the violation(s) through written notice.
- 8.4.3 Impose appropriate sanctions, fines, and other administrative measures according to their existing rules and regulations as indicated in Articles 18 and 19 of Sub-Decree 133.

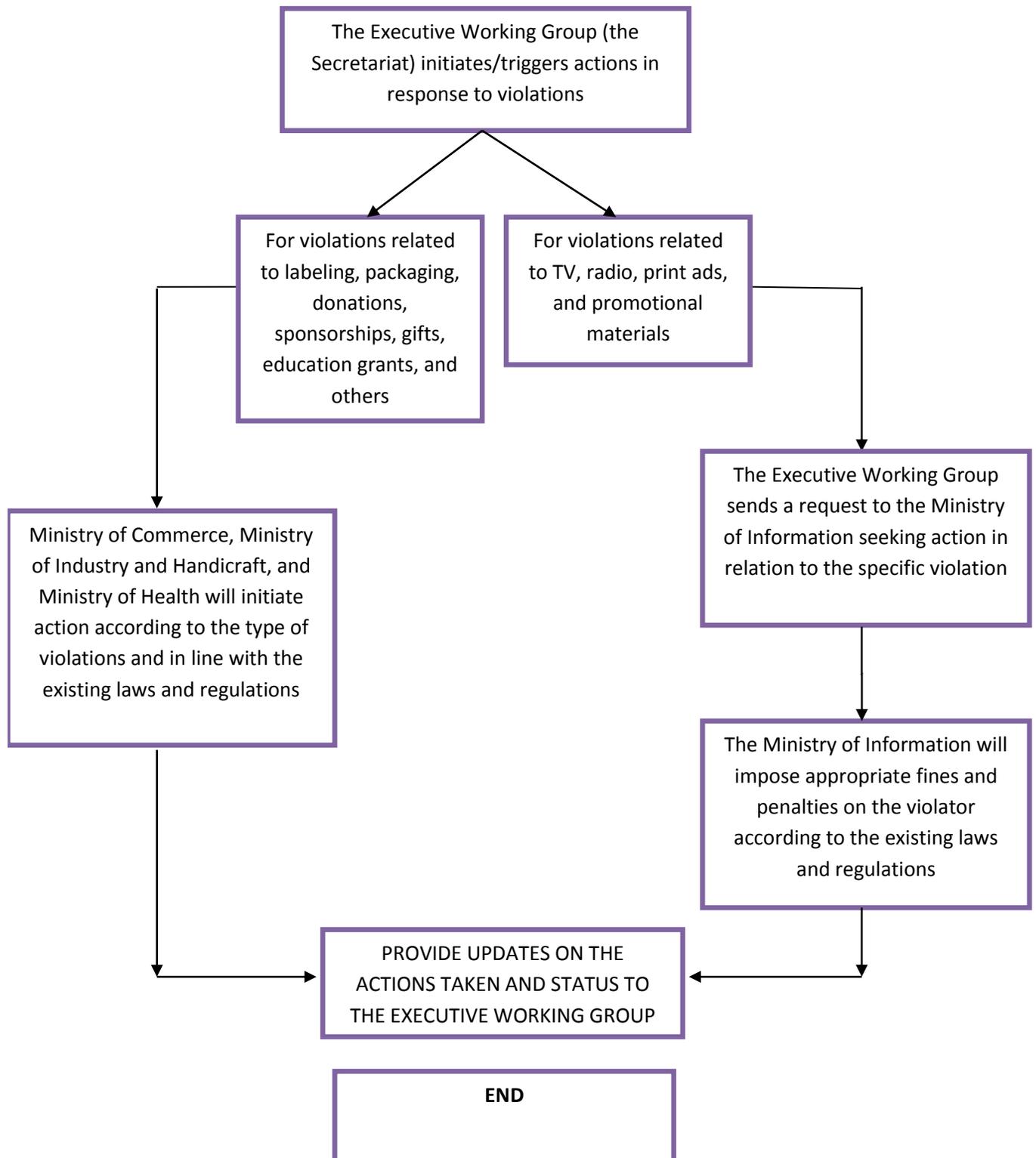
8.5 TV, Radio, Print Material, and Online Promotion Violations

- 8.5.1 The Executive Working Group should send a written request to the Ministry of Information to immediately stop all violations related to TV, radio, print materials, and online promotions in line with Article 5 of Joint Prakas 061.
- 8.5.2 The Ministry of Information, in line with its existing rules and regulations, shall:
 - 8.5.2.1 Request the manufacturer and/or distributor to immediately stop the promotion activity.
 - 8.5.2.2 Impose appropriate sanctions, fines, and other administrative measures according to their existing rules and regulations.

8.6 Other Promotional and Marketing Activity Violations

- 8.6.1 Violations of other promotional and marketing activities not covered above (including, but not limited to, promotions in the health care system, donations of products and gifts, sponsorships, campaigns, contacts with mothers, scholarships, etc.) and covered by Articles 6, 7, 8, 13, 14, and 15 of Sub-Decree 133, should be submitted by the Executive Working Group to the Department of Legislation of the Ministry of Health.
- 8.6.2 The Department of Legislation of the Ministry, in line with its existing rules and responsibilities, shall:
 - 8.6.2.1 Seek the imposition of fines and sanctions in line with Articles 18 and 19 of Sub-Decree 133.
 - 8.6.2.2 Request the support of the Court in line with existing penal procedure code.

Flow Chart for Enforcement



Annex 1: Sample Standard Label (Article 9)

Note: The Primary Message should be printed in bold letters, KHMER FONT (Arial), not less than 1/2 the size of the largest letter, and placed at the front, upper-most level of the display panel/can.

Statement of Superiority of Breastfeeding:

[Front]

Primary Message (in Khmer):

“Only breast milk during your child’s first six months and continued breastfeeding from 6 months to at least 2 years of age or beyond is the normal and safe way.”

BRAND NAME

POWDER INFANT FORMULA/FOLLOW ON FORMULA

Net. Weight xxx grams

The Secondary Message should be printed in bold letters, KHMER FONT (Arial), not less than 1/4 of the size of the largest letter, and placed at the lowest level on the front of the display panel/can.

Secondary Message (in Khmer):

“IMPORTANT NOTICE: There is no replacement for breast milk. The unnecessary or improper use of this product may be dangerous to your child’s health and development.”

Instructions for Appropriate Methods, Use, and Preparation

[Back]

In addition to the instructions for preparation and feeding the child, the following must be added in KHMER FONT (Arial), bold, and no smaller than the size of the preparation and feeding instructions:

(In Khmer only):

“It is safer and cleaner if you use a cup to feed your child”

The Tertiary Message should be printed in bold letters, KHMER FONT (Arial), not less than 1/4 of the size of the largest letter, and placed at the lowest level on the back of the display panel/can.

Tertiary Message (in Khmer):

“IMPORTANT NOTICE: There is no replacement for breast milk. The use of this product should only be upon the advice of a trained health worker. It is dangerous to give this product before your child reaches the recommended age.”

Annex 2: Sample Application Form for the Control Committee

(LETTERHEAD AND LOGO OF THE MINISTRY OF HEALTH AND THE ROYAL GOVERNMENT OF CAMBODIA)

STANDARD APPLICATION FORM TO REQUEST APPROVAL OF LABELS, ADVERTISING, PROMOTIONS, PROMOTIONAL MATERIALS, INFORMATIONAL AND EDUCATIONAL ACTIVITIES, AND ANY OTHER RELATED ACTIVITY COVERED BY SUB-DECREE 133 AND JOINT PRAKAS 061

Date of Application: *(dd/mm/yyyy)*

Attn: The Chairman of the Control Committee for the Content of Marketing of Products for
Infant and Young Child Feeding

Thru: Secretariat of the Control Committee

Subject: REQUEST OF APPROVAL

Dear Excellency,

Greetings!

In line with SUB-DECREE 133, JOINT PRAKAS 061, its implementing guidelines, and the power vested in your COMMITTEE, we would like to request the approval for the following:

(Please tick *V*, beside the corresponding type of application)

Label	<input type="checkbox"/>	Informational and Educational Material	<input type="checkbox"/>	Donation(s)	<input type="checkbox"/>
TV, radio, print, online promotion	<input type="checkbox"/>	Sponsorship	<input type="checkbox"/>	Scholarship	<input type="checkbox"/>
Community, public spaces, outside of the house	<input type="checkbox"/>	Research Grant	<input type="checkbox"/>	Other(s): (please describe _____)	<input type="checkbox"/>

Please find attached the duly filled up application form and ten (10) copies of the sample materials as required.

Cordially,

Full Name

Position

Company/Manufacturer Name

General Description:

NAME OF PRODUCT	<i>(Type Product Name)</i>	NAME OF MANUFACTURER	<i>(Type Manufacturer Name)</i>
NAME OF DISTRIBUTOR	<i>(Type Distributor Name)</i>	CONTACT DETAILS OF LOCAL DISTRIBUTOR	<i>(Type contact details of local distributor)</i>
TYPE OF PRODUCT	<i>Tick (V)</i>	TARGET AGE OF PRODUCT	<i>Tick (V)</i>
Infant Formula Follow-On Formula Growing Up Milk Complementary Food Juice or other liquids Biscuits Other milk Other food Bottle Teats Other(s):	<i>Please specify here</i>	0 to 6 months 6 to 23 months 6 to 36 months 36 months and above Adult(s) Women Other(s):	<i>Please specify here</i>
TYPE OF PROMOTION ACTIVITY	<i>Tick (V)</i>	TARGET LOCATION, PLACE, BENEFICIARY, OR PROMOTIONAL AND OTHER RELATED ACTIVITY	<i>Please describe as appropriate</i>
(leave it blank if you are applying for a label) TV, radio Print Online Out of Home Informational and Educational material Donation Scholarship, Sponsorship, Research Grant Other(s):	<i>Please specify here</i>	(leave it blank if you are applying for a label) TV Channel Radio Frequency Street Name for Billboards Health Facilities Title and date of the workshop/event Target recipient of scholarship, sponsorship, and/or research grant Other(s):	<i>Please specify here</i>

Annex 3: Sample List of Applications Received and Processed with Decisions

MONTHLY REPORT ON APPLICATIONS REVIEWED with DECISIONS BY THE CONTROL COMMITTEE

Period Covered: from: _____ to: _____, 201x

Reporting UNIT: Ministry of XXX

Reporting Place: Province/City of: _____

Legend for Type of Applications:

No.	Description
1	Label
2	TV, radio, print, online advertisement
3	Donation(s)
4	Sponsorship, scholarship, research funds
5	Gifts to health workers and the general public
6	Informational and educational materials
7	Any other form of promotional event and/or materials

No	Date Submitted	Type of application	Description of activity	Name of the product indicated in the application	Name of product manufacturer	Target age of the product indicated in the application	Date of Decision	Final Decision	Date Decision communicated to the applicant
	Type/Write date when application was submitted dd/mm/yyyy	Type/Write type of application submitted according to the legend provided	Type/Write key words to describe the activity requesting approval <i>e.g request of printing of materials, banners, labels, TV AD, bundle promotion</i>	Type/Write name of the product	Type/Write name of the manufacturer	Type/Write what applies: 1. <6 months, 2. 6-23 mo, 3. 6-36 mo, 4. >36 mo, 5. Other products: for women; for adults	Type/Write the date when the application was submitted dd/mm/yyyy	Type/Write 1. Approved 2. Disapproved	Type/Write dd/mm/yyyy
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									

Annex 4: Sample List of Applications Received for License to Import and/or Market Products with Decisions

MONTHLY REPORT ON LIST OF PRODUCTS COVERED BY SUB-DECREE 133 APPLYING FOR LICENSE TO IMPORT AND/OR LICENSE TO MARKET PRODUCTS PRODUCED IN THE COUNTRY

Period Covered: from: _____ to: _____, 201x

Reporting UNIT: Ministry of XXX

Reporting Place: Province/City of: _____

Legend for Type of Applications:

No.	Description
1	Importation
2	Product produced in the country

No	Date Submitted	Type of application	Name of the product indicated in the application	Name of product manufacturer	Target age of the product indicated in the application	With Approval letter for the Label from the Control Committee	Label Verified as compliant with the Approval Letter and/or the requirements of Sub-Decree 133	Final Decision	Date Decision communicated to the applicant
	Type/Write date when application was submitted dd/mm/yyyy	Type/Write type of application submitted according to the legend provided	Type/Write name of the product	Type/Write name of the manufacturer	Type/Write what applies: 1. <6 months, 2. 6-23 mo, 3. 6-36 mo, 4. >36 mo, 5. Other products: for women; for adults	Type/Write YES/NO	Type/Write YES/NO	Type/Write 1. Approved 2. Disapproved	Type/Write dd/mm/yyyy
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									

Annex 5: General Monitoring Reporting Form of Violation

Annex I - Monitoring Form

Pursuant to Article 17(c) of the Sub-Decree on Marketing of Products for Infant and Young Child Feeding and Article 7(3) of the Joint Prakas on implementation thereof.

If you notice any promotion by baby food companies or any person who works for or in the interest of such companies, please complete the form below, send it together with your examples or photos or pictures (if any) to **The Secretariat of the Executive Working Group, Sub-Decree on Marketing of Products for Infant and Young Child Feeding, c/o Ministry of Health**

Description of Violation

1. Short description:

(Describe the promotion and include heading or slogan found on promotional materials, for example: "newspaper advertisement: "Bringing up champions" or "Gift bags to mothers upon discharge from hospital")

2. When was the violation observed: dd/mm/yyyy and what time): _____

3. Where (place, town, others) _____

(For newspapers and periodicals, please indicate the name and date of publication, for TV/Radio indicate TV channel, Radio frequency, fro website/FB: webpage or FB account)

4. Company name: _____

5. Brand name: _____

6. Type of product being promoted: Please indicate the relevant item by ticking (✓) the box on the right.

Infant Formula including special formula (0-6 months)	Follow up Formula (6 months and above)	Complementary Food (please describe) -----	Liquid product such as bottled water, tea or juice marketed for infants and young children
Feeding bottles	Teats	Pacifiers	Other product (please describe) -----

7. Type of violation: Please indicate the relevant type by ticking (✓) the box on the right.

Advertisement	Promotion in shops	Free sample	Donation of non scientific & factual materials	Promotion in health facilities
Gift to health workers or association	Events/Gifts targeting mothers, etc	Sponsorship (events, study, research) , salary, services etc	Work Benefits/ Sales quota	Inadequate labeling

Name:

Address:

Contact number :

The above information is necessary to enable the Oversight Board to double-check the information you have given, if necessary. If you wish to keep your identity confidential, remember to tick (☐) this box:

Annex 6: Sample Standard Monthly Monitoring Report

MONTHLY REPORT ON MONITORING ACTIVITIES CONDUCTED WITH ACTIONS TAKEN

Period Covered: from: _____ to: _____, 201x

Reporting UNIT: Ministry of XXX

Reporting Place: Province/City of: _____

Legend of Type of Monitoring conducted:

No.	Description
1	Importation: Label
2	Pre-marketing of products produced in the country: Label
3	Point of sale
4	Health facility, Health care system
5	TV, radio, print, online promotion and advertising
6	Sponsorship, scholarship, research funds
7	Gifts to health workers and the general public
8	Informational and educational materials
9	Others: Any other form of promotional event and/or materials

No	Date Monitoring Visit Conducted	Type of Monitoring Conducted	Description of activity	Location of monitoring activity	Name of store, shop, hospital, health facility, community where monitoring was conducted	Key findings of the monitoring	List of Products found non-compliant	Action Taken	Date when action was taken	Received any feedback on the action
	Type/Write the date when the application was submitted dd/mm/yyyy	Type/Write the type of application submitted according to the legend provided	Type/Write key words to describe the activity conducted, e.g control of labels, review of promotional materials in super-market, monitoring of TV ads on national TV, monitoring in hospitals, monitoring of a workshop	Type/Write name of the locality (municipality, district, city) where the activity was conducted	Type/Write key words to describe the activity conducted	Type/Write key findings, e.g. 1. All products are compliant 2. Labels of xxx, not compliant 3. Promotional materials found in the health facility 4.TV, radio, print, online not approved	(Type/Write list of products found not compliant , per monitoring visit	Type/Write the action taken: 1. Violation Reported 2. Violation Not Reported 3. Discussed with shop owner, doctor, nurse for immediate removal 4. Other(s): describe	Type/Write the date when the action was taken dd/mm/yyyy	Type/Write 1. YES 2. NO/ NOT YET
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										

Annex 7: Examples of Violations

1. A label that is in violation of Article 9 of Sub-Decree 133: The label of breast-milk substitute product is not in Khmer language.



2. Promotional material that is in violation of Articles 14, 15, and 16 of Sub-Decree 133 and Article 2 of Joint Prakas 061: NO promotion of infant and young child feeding products in the health care system. The promotional materials for a breast-milk substitute for children under 2 years of age is inside a health facility compound.



- Promotional material that is in violation of Article 13 of Sub-Decree 133 and Article 2 of Joint Prakas 061: No approval received from Control Committee of the Ministry of Health.



4. Promotional material that is in violation of Articles 6, 7, and 13(b) of Sub-Decree 133: This is an example of promotional materials for a breast-milk substitute product for children under 2 years of age at a point-of-sale. It is a tie-in sale promotion (cross-product promotion).



- Promotional material that is in violation of Articles 8 and 13(b) of Sub-Decree 133: This is an example of promotional materials for a commercially produced complementary food for children under 2 years at a point-of-sale (special sale promotion).



Annex 8: Standard Approval Message of the Control Committee

The following approval message should be present on all labels, advertising, promotional materials, and related materials as indicated by the Control Committee:

**“APPROVAL LETTER OF THE MINISTRY OF HEALTH
FOR USING THE CONTENT
No.....Dated.....Valid Until.....”**

Annex 9: Monthly List of Reported Violations with Action taken by the Executive Working Group

MONTHLY REPORT ON LIST OF REPORTS OF ALLEGED VIOLATIONS RECEIVED BY THE EXECUTIVE WORKING GROUP WITH ACTION TAKEN

Period Covered: from: _____ to: _____, 201x

Legend Type of Violation:

No.	Description
1	Label
2	TV, radio, print, online advertisement
3	Donation(s)
4	Sponsorship, scholarship, research funds
5	Gifts to health workers and the general public
6	Informational and educational materials
7	Any other form of promotional event and/or materials

No	Date Submitted	Reporting UNIT	Type of violation	Description of violation	Evidence submitted with Report	Name of product indicated in violation	Name of product manufacturer	Target age of product indicated in application	VIOLATION Confirmed	Action Taken	Status of Complaint
	Type/Write the date when the application was submitted dd/mm/yyyy	Type/Write the name of the reporting UNIT 1. MOH 2. MOC 3. MOI 4. Mo-Ind 5. NGO 6. Individual 7. Others (please specify)	Type/Write type of application submitted according to the legend provided	Type/Write key words to describe the activity requesting approval <i>e.g labels not in local language, complementary food promoted to 4 mo, fliers in health facility, no approval of the Control Committee,</i>	Type/Write YES/NO	Type/Write name of the product	Type/Write name of the manufacturer	Type/Write what applies: 1. <6 months, 2. 6-23 mo, 3. 6-36 mo, 4. >36 mo, 5. Other products: for women; for adults	Type/Write YES/NO	Type/Write action taken by Executive Working Group: 1. Request to stop TV/RADIO/Print/Online sent to MOI 2. Request to stop importation/sale of products 3. Request Department of Legislation to impose fines as per law 4. Ask Director/Manager of Health Facility to intervene 5. Call the Company/Manufacturer to discuss the violation 6. Other(s): please specify	Type/Write Status of complain at the time of this report 1. CLOSED 2. PENDING 3. FOR FOLLOW-UP 4. Other(s) please describe
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Annex 10: Organizational structure: control of the content of advertising, promotions, promotional materials, and other related activities, for monitoring and enforcement of Sub-Decree 133 and Joint Prakas 061

