

Kingdom of Cambodia

Nation Religion King



Ministry of Health

No 061

Phnom Penh, August 2007

Joint Prakas

on

Implementation of Sub-Decree on Marketing of Products for Infant and Young Child Feeding

Minister of Health, Minister of Commerce, Minister of Industry and Minister of Information

- Recalling the constitution of the Kingdom of Cambodia;
- Recalling the Royal Decree No. *Nor Sor/Ror Kor Tor/0704/124* dated July 15, 2004 on the Establishment of the Royal Government of Cambodia;
- Recalling the Royal Kram No. *02/Nor Sor/94* dated July 20, 1994 declaring the promulgation of the Law on Establishment and Functioning of the Council of Ministers;
- Recalling the Royal Kram No. *Nor Sor/Ror Kor Mor/0196/06* dated January 24, 1996 declaring the promulgation of the Law on Establishment of the Ministry of Health;
- Recalling the Royal Kram No. *Nor Sor/Ror Kor Mor/0196/16* dated January 24, 1996 declaring the promulgation of the Law on Establishment of the Ministry of Commerce;
- [Recalling the Royal Kram No. *Nor Sor/Ror Kor Mor/0196/05* dated January 24, 1996 declaring the promulgation of the Law on Establishment of the Ministry of Industry, Mines and Energy;](#)
- Recalling the Royal Kram No. *Nor Sor/Ror Kor Mor/0196/14* dated January 24, 1996 declaring the promulgation of the Law on Establishment of the Ministry of Information;
- Recalling the Royal Kram No. *Nor Sor/Ror Kor Mor/0600/001* dated June 21, 2000 declaring the promulgation of the Law on Management of Quality and Safety of Products and Services;
- Recalling the Royal Kram No. *Nor Sor/Ror Kor Mor/0895/07* dated September 01, 1995 declaring the promulgation of the [Law on Press and Media](#);
- Recalling Sub-decree No. *54 Or Nor Kror. Bor Kor* dated September 22, 1997 on Establishment and Functioning of the Ministry of Commerce;
- Recalling Sub-decree No. *70 Or Nor Kror. Bor Kor* dated August 05, 1999 on Establishment and Functioning of the Ministry of Information;

- Recalling Sub-decree No. 67 *Or Nor Kror. Bor Kor* dated October 22, 1997 on Establishment and Functioning of the Ministry of Health;
- Recalling Sub-decree No. 35 *Or Nor Kror. Bror Kor* dated April 26, 1999 on Establishment and Functioning of the Ministry of Industry, Mines and Energy;
- Recalling Sub-decree No. 133 *Or Nor Kor. Bror Kor* dated November 18, 2005 on Marketing of Products for Infant and Young Child Feeding;

Hereby decides:

Article 1

In accordance with Articles 17 and 22 of the Sub-Decree on Marketing of Products for Infant and Young Child Feeding, the responsibilities for the effective implementation of the Sub-Decree will be carried out in accordance with the provisions of this Joint Prakas.

Article 2

The Ministry of Health shall ensure:

- a. The appropriate marketing and use of infant and young child feeding products in accordance with the provisions of the Sub-Decree on Marketing of Products for Infant and Young Child Feeding, with particular attention to the appropriate age at which these products should be used;
- b. Provision of advice on the content of labels of infant and young child feeding products to the Ministry of Commerce and the Ministry of Industry and other relevant departments;
- c. The appropriate use of infant and young child feeding products in the health care system, whether private or public facilities, **when they are necessary**;
- d. 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;
- e. Those informational and educational materials intended for health professionals are restricted to scientific and factual matters and do not undermine breastfeeding or promote the use of infant and young child feeding products.
- f. That all educational documents and information materials intended for the general public distribution should comply with Articles 6, 7 and 8 of the Sub-Decree.
- g. That promotion of infant and young child feeding products shall only be given in exceptional circumstances where the Ministry has determines that the effect of the promotional devise will encourage breastfeeding and clearly emphasize the risks of using infant and young child feeding products.

All promotion devices must satisfy the following conditions:

- *Any audio or visual advertisement for a designated product must dedicate at least fifty percent of the advertisement.*

“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 for six months, an estimated 1.3 million additional lives would be saved and millions more enhanced every year.”

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 FOR SIX MONTHS, AN ESTIMATED 1.3 MILLION ADDITIONAL LIVES WOULD BE SAVED AND MILLIONS MORE ENHANCED EVERY YEAR

- h. That there is no conflict of interest when authorizing the sponsorship of any meetings, workshops, continuing education, conferences or any other type of events by manufacturers or distributors in terms of Article 14 of the Sub-Decree [on Marketing of Products for Infant and Young Child Feeding](#) by having, prior to this authorization, the written advice from the Infant and Young Child Feeding Technical Working Group. Unless the Ministry of Health's terms and conditions are met, there should be not at all the authorization of any meetings or events be organized for marketing the Products for Infant and Young Child Feeding.
- i. The dissemination of the Sub-Decree [on Marketing of Products for Infant and Young Child Feeding](#) and this Joint Prakas, in a user-friendly format, to relevant policy makers, health professionals and the general public.

Article 3

The Ministry of Commerce shall ensure:

- a. Controlling labels of imported products for infant and young child feeding comply with Articles 9, 10, 11 and 12 of the Sub-Decree. The advice of the Ministry of Health shall be sought in this respect.
- b. That labels for domestically produced products for infant and young child feeding comply with Articles 9, 10, 11 and 12 of the Sub-Decree [on Marketing of Products for Infant and Young Child Feeding](#), through adequate monitoring and enforcement activities, and in co-operation with the Ministry of Industry, [Mines and Energy](#).
- c. Controlling that there is no advertisement or any other form of promotion, whether directly or indirectly, of infant and young child feeding products to the general public in accordance with Article 13 of the Sub-Decree through adequate monitoring and enforcement activities.

Article 4:

The Ministry of Industry, [Mines and Energy](#) shall ensure that:

Labels for domestically produced products for infant and young child feeding comply with Articles 9, 10, 11 and 12 of the Sub-Decree. In this respect, the Ministry of Industry, [Mines and Energy](#) shall seek the written advice of the Ministry of Health before approving the label of any product for [Infant and Young Child Feeding](#).

Article 5:

The Ministry of Information shall stop:

All commercial advertisements of Products for Infant and Young Child Feeding in case of receiving any written letter from related Ministries or institutions seeking for cooperation and immediate action from the Ministry of Information. The letter should clearly identify the radio or TV station, newspaper, magazine or any bulletin that are in the process of commercially advertising the Products for Infant and Young Child Feeding violating the conditions determined by the Sub-Decree.

Article 6:

Within six months of the adoption of this Joint Prakas, the Ministry of Health, the Ministry of Commerce and the Ministry of Industry, Mines and Energy shall have established the necessary structures and procedures in order to receive, investigate and act upon reports of violations of the Sub-decree submitted by IOs, NGOs and the general public to the Oversight Board as stipulated in Article 7 below. All reports on violations shall be submitted to all related Ministries / institutions whose mandate is to be responsible for enforcing Sub-Decree.

Ministry of Health, Ministry of Commerce, Ministry of Industry, Mines and Energy should formulate a joint mechanism to inform the IOs, NGOs, health professionals and the general public about their rights to report violations of the Sub-Decree, and ways and process of writing and reporting violations of the Sub-Decree, as well as their right to report to the Oversight Board that shall establish under Article 7 below.

Article 7:

Within six months of the date of the adoption of this Joint Prakas, the Ministry of Health shall establish an Oversight Board for the purposes of overseeing the effective implementation of the Sub-Decree and this Joint Prakas. The Oversight Board shall consist of representatives from the Ministry of Health, Ministry of Commerce, Ministry of Industry, Mines and Energy, and shall be chaired by the Ministry of Health. The Oversight Board shall meet (quarterly) and will fulfill the following roles and obligations:

1. To receive and consider reports on the implementation of the Sub-decree from the Ministries of Commerce, Ministry of Health, Ministry of Industry, Mines and Energy, describing how they have fulfilled their obligations and responsibilities in terms of Articles 2 to 6 of this Joint Prakas.
2. To receive reports from IOs, NGOs, health workers and the general public regarding the processing of complaints of violations of the Sub-decree.
3. To compile and disseminate, nationally and internationally, bi-annual reports on violations and actions taken to remedy them.
4. To review annual progress achieved and constraints faced by departments/programs/centers within the Ministries of Commerce, Health, Industry and Information in enforcing the Sub-decree and provide recommendations on how to improve them,
5. Request the Government, partners and donors organizations for seeking resources and funding to support the implementation of the Sub-decree,

Article 8:

All above-related Ministries shall train their officials and staff on implementing this Sub-Decree and Joint Prakas.

The Oversight Board shall ensure the widespread dissemination of this Sub-Decree and Joint Prakas amongst the general public.

Made in Phnom Penh, Date: August 2007

No..... No.....No..... No.....

Min. of Health, Min. of Commerce, Min. of Industry, Min. of Info

Copies for:

- General Secretary of Senate
- General Secretary of Parliament
- Cabinet of Samdech Prime Minister
- Council of Ministers
- Ministry of Interior
- Provincial and Municipal Offices for information
- All provincial and municipal Health offices for implementation
- All provincial and municipal Commerce offices for implementation
- All provincial and municipal Industry, Mines and Energy offices for implementation
- All provincial and municipal Information offices for implementation
- Documents - Chronicles