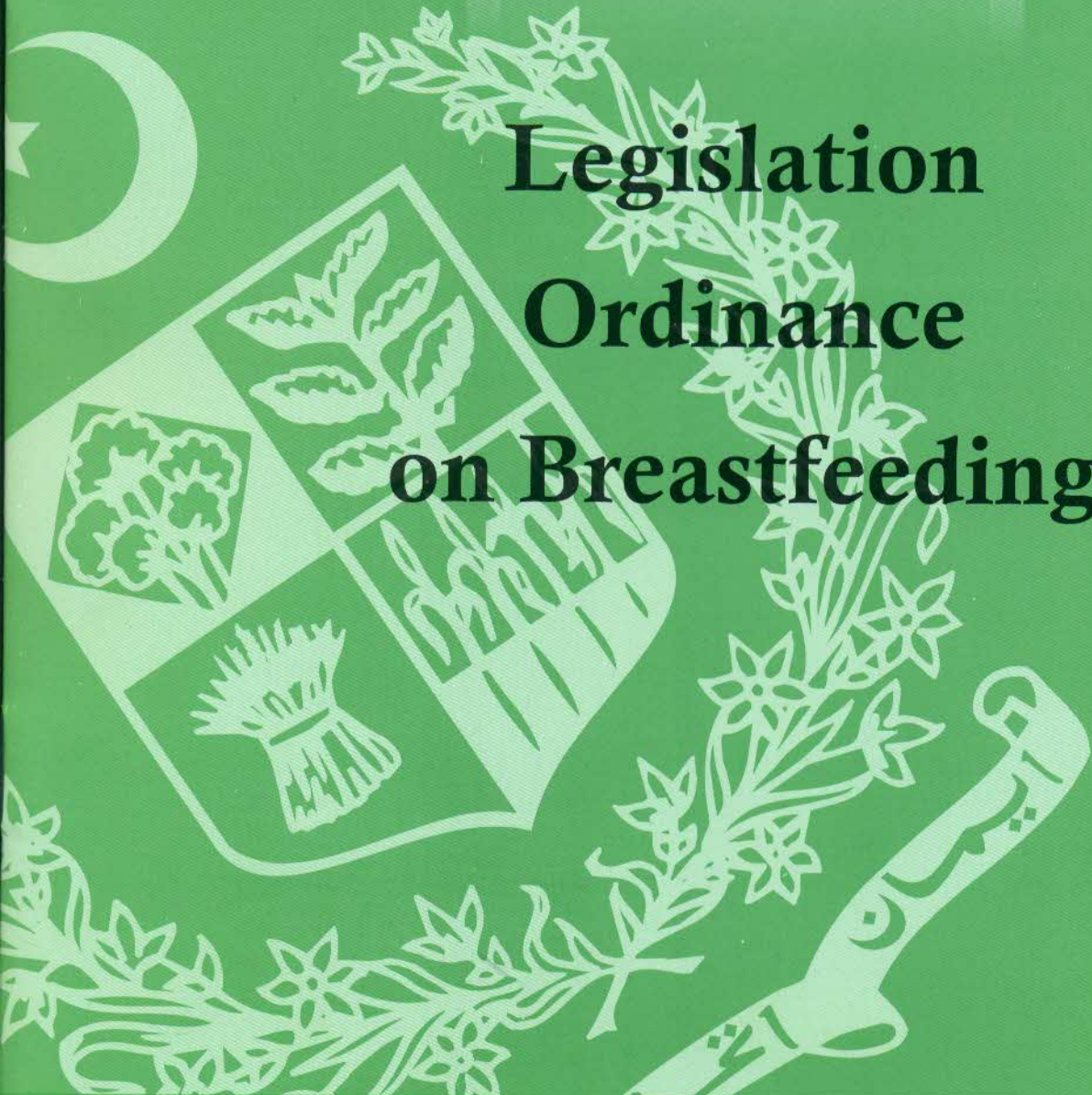




# Legislation Ordinance on Breastfeeding



# The Gazette of Pakistan

**EXTRAORDINARY  
PUBLISHED BY AUTHORITY**

**ISLAMABAD, SATURDAY, OCTOBER 26, 2002**

**PART-I**

**Acts, Ordinances, President's Orders and Regulations**

Government of Pakistan

MINISTRY OF LAW, JUSTICE, HUMAN RIGHTS AND PARLIAMENTARY AFFAIRS

(Law, Justice and Human Rights Division)

Islamabad, the 26<sup>th</sup> October 2002

**F. No. 2(1)-2002-Pub.** – The following Ordinance promulgated by the President is hereby published for general information:-

**Ordinance No XCIII of 2002**

**AN**

**ORDINANCE**

*to provide for protection of breast-feeding and nutrition for infants and young children*

WHEREAS it is expedient to ensure safe and adequate nutrition for infants and young children by promoting and protecting breast-feeding, and by regulating the marketing and promotion of designated products including breast milk substitutes, and of feeding bottles, valves for feeding bottles, nipple shields, teats and pacifier and to provide for matters connected therewith or ancillary thereto;

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, and the Provisional Constitution Order NO. 1 of 1999, read with the Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:-

## CHAPTER – 1 INTRODUCTORY

1. **Short title, extent and commencement.** – (1) This Ordinance may be called the Protection of Breast-feeding and Child Nutrition Ordinance, 2002.
  2. It extends to the whole of Pakistan.
  3. It shall come into force at once.
2. **Definitions.** – In this Ordinance, unless there is anything repugnant in the subject or context,
- (a) “infant” means a child up to the age of twelve months;
  - (b) “young child” means a child from the age of twelve months up to the age of two years.
  - (c) “advertise” or “advertising” means to make any representation by any means whatsoever for the purpose of promoting sale or use of a designated product;
  - (d) “Board” means the National Infant Feeding Board constituted under section 3;
  - (e) “container” means any form of packaging of a designated product for sale as a retail unit;
  - (f) “designated product” means –
    - i. any milk manufactured, marketed and promoted for the use of an infant or otherwise represented as a partial or total replacement for mother’s milk, whether or not it is suitable for such replacement;
    - ii. any products manufactured, marketed, promoted or otherwise represented as a complement to mother’s milk to meet the growing nutritional needs of an infant;
    - iii. any feeding bottle, teat, valve for feeding bottle, pacifier or nipple shield; and
    - iv. such other product as the Federal Government may, by notification in the official Gazette, declare to be a designated product for the purposes of this Ordinance;
  - (g) “complementary food” means any food suitable as an addition to breast milk or to a breast milk substitute when either becomes insufficient to satisfy the nutritional requirements of an infant, also commonly called “weaning food” or “breast milk and young child supplement”.
  - (h) “infant-formula” means an animal or vegetable based milk product manufactured in accordance with the standards recommended by the Codex Alimentarius Commission and the Codex Code of Hygienic Practice for Foods for Infants and Children to approximate the normal nutritional requirements of an infant up to the age of six months;
  - (i) “feeding bottle” means any bottle or receptacle marketed for the purpose of feeding an infant or a young child;
  - (j) “nipple shield” means an appliance with a teat for a baby to suck from the breast;
  - (k) “pacifier” means an artificial teat for babies to suck also called “dummy”.
  - (l) “follow-up formula” means an animal or vegetable based milk product marketed for infants older than six months or young child and formulated industrially in accordance with the standards of the Codex Alimentarius Commission and the Codex Code of Hygienic Practice for Foods for Infants and Children;
  - (m) “distributor” means any person engaged in the business of marketing, whether wholesale or retail, and includes a person providing product public relations and information services;

- (n) "health care facility" means a Government, non-Government, semi-Government or private institution or organization, or private medical practitioner engaged, directly or indirectly, in the provision of health care to infants, young children pregnant women or mothers, and includes a day-care centre, nursery and any other child-care institution;
- (o) "health professional" means a medical practitioner, nurse, nutritionist or such other persons as the Federal Government may, by notification in the official Gazette, specify;
- (p) "health worker" means any person providing services to infants, young children, pregnant women or mothers as a medical practitioner, and includes a health professional, homeopath practitioner, hakim, nurse, midwife, traditional birth attendant, pharmacist, dispensing chemist, nutritionist, hospital administrator or employee, whether professional or not, whether paid or not, and any other person providing such services as the Federal Government may, by notification in the official Gazette, specify;
- (q) "Inspector" means any person designated as Inspector under section 12;
- (r) "label" means any tag, mark, pictorial or other descriptive matter which is written, printed, stencilled, marked, embossed, attached or otherwise appearing on a container;
- (s) "manufacturer" means a person, corporation or other entity engaged or involved in the business of producing, processing, compounding, formulating, filling, packing, repacking, altering, ornamenting, finishing and labelling a designated product, whether directly, through an agent, or through a person controlled by or under an agreement;
- (t) "market" means any method of introducing or selling a designated product, and includes, but not limited to, promotion, distribution, advertising, distribution of samples, product public relations and product information services;
- (u) "person" means any individual, partnership, association, unincorporated organization, company, co-operative, corporation, trustee, agent or any group of persons;
- (v) "prescribed" means prescribed by rules;
- (w) "promote" or "promotion" means any method of introducing a person to, or familiarizing a person with, a designated product or inducing a person to buy or use a designated product, and includes, but not limited to, advertising, offer of samples or gifts, distribution of literature, public relations and information services related to a designated product, but does not include any prescription issued by a medical practitioner based on health grounds;
- (x) "Provincial Committee" means a Provincial Infant Feeding Committee constituted under section 3;
- (y) "rules" means rules made under this Ordinance and;
- (z) "sample" mean any quantity of a designated product provided free of cost.

