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Breastfeeding support and strengthening regulation

Chapter 1

General Provisions

The Basis:

Article 1:

This regulation has been enacted in the light of provision mentioned in paragraph (1) of article 33 of the Public Health Law.

Objectives:

Article 2:

Objectives of this regulation are:

1. To ensure physical and psychological health and safety of child and mother.
2. To safely and sufficiently nourish child breastfeeding support and strengthening. To ensure the safe and adequate child feeding through supporting and strengthening of breast- milk feeding/breastfeeding
3. To ensure proper use of specific products.
4. To encourage the mother to feed her child with breast-milk.
5. To feed child with complementary foods of milk./ Child feeding with complementary food of milk
6. To ensure healthy food for child in accordance with national and international standards.

Terms

Article 3:

The following terms in this regulation mean:

1. Advertisement: is an activity to promote sales or consumption of specific product through print publications, TV, Radio, Film, Internet, Video, Telephone, Signboards, Notices, Shows, and so on.
2. Follow up Formula: is milk or breast milk complementary products obtained from plants and animals based on national and international standards and provided onto the markets.
3. Children Formula: milk or similar products obtained from plants or animals based on national and international food standards and provided onto the markets.
4. Complementary food: is the food that in addition to mother milk, children formula or follow up formula considered appropriate expedient

5. Can: any type of packaging (including pockets or bags) of a specific product which is used for sale.
6. Producer and Distributer: Legal entity and Real person who is involved in production, importation, procurement, sales either wholesale or retail or marketing of a specific product.
7. Health Care Centres: are the Governmental, non-governmental organizations or private clinics that are directly or indirectly involved in providing of health care.
8. Health specialist: is the person who is holder of reliable scientific certificate in a particular field and have received work permit from the Ministry of Public Health.
9. Health Worker: is the person who formally or voluntarily provides health care services in health care centres.
10. Suckling Breastfed baby: is a new born infant aged up to thirty months.
11. Label: a paper stuck on pockets, cans or containers containing information such as name, shape, keeping conditions, amount, net weight, ingredients, serial number, product date, expiry date, name and address of the producer company.
12. Work permit: is a written official document that is given by the Ministry of Public Health to eligible person in order to perform specific activity.
13. Specific designated Product Includes follow up formula, children formula, complementary foods or drinks, bottle), its cap, pacifier and other products that the ministry of public health announced as a specific product.

Implementation agency

Article 4:

(1) The Ministry of Public Health is the main agency for implementation of the provisions of this regulation. Other Ministries and relevant organizations are duty bound in their relevant fields to cooperate comprehensively in this scope.

(2) The Ministry of Public Health is duty bound to develop a plan for public awareness regarding proper use of breast-milk substitutes and provide necessary information on child nutrition and monitor its implementation.

Chapter 2nd

Prohibitions

Specific products sell prohibition

Article 5:

No one can sale, store, auction or put in exhibition a product which is near to expire or not registered or not concord with the registration condition according to the provision mentioned in article (24) of this regulation.

Forbidden states of promotion

Article 6:

Producers and distributors cannot promote specific products at sales and health care centers or other places using the following methods:

- 1- Advertisements
- 2- Sales methods (particular exhibition, discount coupons, prizes, discounts, specific sales, selling of items on lose, selling of specific products along with other items and gifts.
- 3- Holding of events and programs or sponsoring them.
- 4- Provision or distribution of informative and instructive materials about child feeding.

Specific products information

Article 7:

The producer and distributor shall not provide the way for information on specific products without a written request from health specialists or relevant authorities unless the information contains scientific and research matters pertaining to technical methods and usage of the specific products.

Specific products sell, present or promotion prohibition

Article 8:

(1) The producer and distributor shall not provide the way for selling or giving gifts the specific products to the health staffs or healthcare centers in case of existence or non-existence of the selling price in

whole or retail not less than (80) percent unless the specific products are distributed in free emergency aid operation or at a lower price under the following conditions:

1. If there is a child who is fed with the specific products.
2. If the products are not used as shopping means
3. In case of need

(2) The producer and distributor shall not promote the specific products or equipments or services of the healthcare centers which are related to a specific product, in shopping centers, Mother and Child Supporting Centers, basic health centers and healthcare centers or other places.

(3) The producer and distributor shall not distribute stationary, calendars, posters, growth charts and children toys to healthcare centers.

(4) The producer and distributor shall not distribute private gifts, aids or other kind of benefits gained from fellowship payments or grant in aids to fund, seminars, training courses or conferences for health staff or healthcare centers providing health services for mother and child.

(5) The producer and distributor shall not fund ceremonies, matches, phone advices, campaigns on pregnant or lactating women, infants' parents, their family members or campaign on pregnancy, child birth and breastfed child feeding.

(6) Producer and distributor shall not determine the percentage for selling of specific products, but they can include the sale volume of specific products in it at the time of accounting wage or additional payment for employee.

Gift accepting prohibition by the health personnel

Article 9:

Health worker engaged with mother and child health service shall not accept (take) gift, money or any other material profits or samples of specific products from producer and distributor or put in exhibition the usage of children formula and follow- up formula. Exception is made for mother or the child family members who need it.

Prohibition regarding labeling of specific products

Article 10:

Producer and distributor shall not supply specific products labeled with the following characteristics, for sale to the market:

- 1- Photo, drawing or other graphic signs, unless they are about the method of preparing the product.
- 2- Any medical claim.
- 3- Mention of criteria including the world health organization criteria and Codex Alimentarius commission and signify quality and promotion.
- 4- Mention of name interpreted as specialist or concerned official for nutrition of baby.

Prohibition of selling bottle and its cap

Article 11:

Producer and distributor shall not supply specific products in the market for sale, unless the box or label stuck to it and that it is not possible to be removed, the following points are written on it clearly both in Dari and Pashto languages:

- 1- Instructions for preparation and proper use in written form, and drawings easily understandable.
- 2- Age, after which the product is recommended, should be written in letter and number.
- 3- Mention of the term "Caution" about health dangers of inaccurate preparation and usage prior to recommended age.
- 4- Ingredients used in the product; means source of every milky product or similar to it.
- 5- Nutrition composition and analysis.
- 6- Required conditions for keeping products prior to opening and after opening in consideration with climate changes.
- 7- Batch number, manufacturing date and expiry date in consideration with the climate.
- 8- Full name, address and contact number of manufacturer.
- 9- Full name and address of importer.
- 10- Other characteristics suggested by the Ministry of Public Health based on recommendations of the board.

Children formula and the follow up formula selling prohibition**Article 12:**

Producers and distributors cannot sell or supply the children formula or follow up formula to the market, unless it's Package and label should have the following specifications in addition to the specifications mentioned in article (10) of this regulation.

1-On its package the following sentence is written with a capital letter (important information) which its size is not less than (1/3) the size of the name of product and its height should not be less than (2) mm
"Mother's milk is the best milk, mother's milk is the best food for growth and development of child, mother's milk protect the baby from diarrhea and other disease."

2-On its package is written a word (Caution) and lower than it the following sentences are written ,it's size should not be less than (1/3) the size of the name of product and its height should not be less than (1,5) mm as well.

"If you feed your child (baby) with this product instead of breast- milk,". "Consult a health specialist before feeding a child with this product"

3- On its package precautionary arrangement and warnings about dangers of inaccurate preparation, Observance of hygiene and amount of formula "by counting spoon" is written.

4- Product should be prepared with an appropriate method, observing hygiene. Necessary caution should be exercised during washing and cleaning dishes (utensils), bottle and its tip/cap. Approximate combination of nutrients per 100gr products including quantity of Energy in calories and storage conditions, specifically a sentence is on that:"Keep in a dry and cool place, and keep in a dish which does not contact with free air".

5- Terms such as, maternal, human or other similar terms and comparison of it with mother's milk, should not be written on it.

6-It should not contain discouraging textual from mother's milk.

7-Written instructions chart on preparation (Nutrition chart)., on its package

8-On the package of follow up formula or children formula should be written clearly and legibly that:
" This product must not be given to the baby under the age of six months".

Thick or fatless milk labeling prohibition**Article 13:**

Producers and distributors cannot offer fat-free and thick milk in the form of powder and liquid, to the Market, unless on its package or its label is written a sentence which its size is not less than (1/3) the size of the name of the product and its height should not be less than (1, 5) mm.

“breastfeed baby must not be feed by this product “.

Low-fat and Full-fat milk labeling prohibition**Article 14:**

Producers and distributors cannot offer the normative low-fat milk or full-fat milk like powder or liquid to the Market, unless on its package or its label is written a sentence which its size is not less than (1/3) size of the name of the product and its height should not be less than (1, 5) mm: “this product shall not be the only source of baby nourishment”.

Prohibition on pacifier (baby sucker) and its cap**Article 15th:**

- (1) The producers and distributors cannot supply pacifiers or its cap to the market, unless that thereto the specifications mentioned in article (12) of this regulation, the below specifications are written clearly and legible on it in national (Pashto and Dari) and international languages.

1-On its package the following sentence is written with a capital letter (important information) which its size is not less than (1/3) the size of the name of product and its height should not be less than (2) mm: “Mother’s milk is the best milk, mother’s milk is the best food for growth and development of child, mother’s milk protect the baby from diarrhea and other disease.”

2-On its package is written a word (Caution) and lower than it the following sentences are written, which it’s size should not be less than (1/3) the size of the name of product and its letters’ height should not be less than (2) mm as well: “observing the directions about cleaning and sterilizing is important for the health of your child. If you use bottle, your child might stop sucking the breast due to disarray of its tip.

3-The direction of washing and sterilization should be arranged in written and pictorial manner that its size should not be less than (2) mm.

4-On its package the following sentence is written: “feeding with cup is better than feeding with bottle.

5-Caution on: “the baby shall not be left free for long periods to eat whatever he/she like” since sweet liquids including the children formula will severely decay the baby’s teeth.

6-On its package the address and name of producer and distributer is written.

Prohibition on pacifier labels

Article 16:

The producer and distributor cannot supply pacifiers to the market, unless that thereto with Article (15) conditions of this regulation, a sentence had been written that its size should not be less than (1/3) of the products name and its height should not be less than (1, 5) mm.

Caution: “usage of pacifier can become the cause of miss feed with the mother’s milk.”

Complementary food labeling ban as well as exposition prohibition

Article 17:

The producer and distributor cannot offer the complementary foods or any other food or drinks to the market, which is produced for feeding to infants, unless that the following sentences should be written clearly and legibly with different colors on the can or label thereto with the conditions mentioned in article 12 of this regulation:

“Until the age of six months the infant must be feed only with mother’s milk and after six months with the foods which are rich of the nutritious elements, thereto the baby should be fed by mother’s milk for two or more than two years, the child under the age of six months must not be fed by this product.”

Chapter three

Informational and educational materials

Preparing informational materials based on the international standards

Article 18:

- (2) Informative and educational materials for child feeding is produced in accordance with the national and international standards and is not designed with any picture, photo, painting or other things that encourage to artificial feeding with bottle or glass to discourage baby from mother’s milk.

- (3) Informative and instructive materials for baby feeding accepted by board members and presented in national (Pashto and Dari) and international languages as written, audible or visible that include the following subjects:
- 1- The benefits and privileges of mother's milk.
 - 2- The importance of the child feeding with mother milk especially for the first six months up to two years.
 - 3- The manner of beginning and continuance of breastfeeding.
 - 4- Explanation about the situations that are difficult for mothers to decide whether to feed the baby with here milk or not.
 - 5- The importance of child feeding with supplementary food after the age of six mounts.
 - 6- The affects of early initiation of bottle feeding and complementary feeding on breastfeeding.
 - 7- The manner of preparing complementary foods in a simple and easy way from the primary materials.
 - 8- Direction on preparation and usage of complementary foods that is full of nutritious elements.
 - 9- The manner of feeding baby with cup.
 - 10- The medical hazards, of bottle feeding and incorrect preparation of specific product.
 - 11- Washing and sterilizing the dishes used to feed child.

 - 12 - The financial expenditures estimates for child feeding by recommended quantities of the specific products.

Informational material's prohibition

Article 19:

- (1) Informative and instructive materials shall not contain medical claim, or create such an influence or dictation that the presented products be equal to, comparable or higher than mother's milk or feeding on it.
- (2) Informative and instructive materials shall not include the name and logo of producer and distributor.

Chapter (4)

National committee

Composition of the committee

Article 20:

(1) A committee is formed under the ministry of public health for support and strengthening of breastfeeding, with the below composition:

- 1- Minister of public health as the head.
- 2- Representative of the Ministry of Agriculture, Irrigation and Livestock as a member.
- 3- Representative of the Ministry of Education as a member.
- 4- Representative of the Ministry of Pilgrimage and Religious Affairs as a member.
- 5- Representative of the Ministry of women's Affairs as a member.
- 6- Representative of the Ministry of information and culture as a member.
- 7- Representative of the Ministry of Interior as a member.
- 8- Representative of the Ministry of labor, Social affairs, martyrs and disabled as a member.
- 9- Representative of the Ministry of Commerce and Industries as a member.
- 10- Representative of the Ministry of Finance as a member.
- 11- Representative of the Norm and Standard organization as a member.
- 12- Representative of Kabul Municipality as a member.
- 13- Representative of the Chamber of Commerce and Industries as a member.

(2) The head of the committee can propose more members to the minister's council, if needed.

(3) The committee can invite internal and external specialists as monitors.

Authorities and responsibilities of the committee**Article 21:**

The breastfeeding strengthening and supporting national committee has the below authorities and responsibilities:

- 1- To consult the President on the development of national policy for supporting and strengthening of breastfeeding.
- 2- To provide consultation to the Ministry of commerce and industries on the marketing, importation and distribution of the specific products.
- 3- To provide consultation to the Ministry of Public Health for the development of national strategy for improvement of the educational and publication programs for the promotion of breastfeeding and informative and instructive materials about baby nourishment.
- 4- To assess the reports on the violation of the provisions of this regulation and relevant issues.
- 5- To instruct the investigators to take action in case of violation of the provisions of this regulation.
- 6- Promotion of the provisions of this regulation through non-governmental organizations that provide primary health care through contracts for health institutions.
- 7- Establishing relation with Attorney General Office regarding prosecution of the violators of this regulation.
- 8- To establish sub and provincial committees to implement the provisions of this regulation.
- 9- Handling complaints resulting from violation of this regulation provisions.
- 10- Correction of violator according to the provisions of this regulation.
- 11- Other duties and authorities which shall be devolved to the committee according to the provisions of this regulation.

Legal Prosecution**Article 22:**

(1) In case of seeing a violation, everyone can introduce the violator of the provisions of this regulation to the committee.

(2) The committee after scrutinizing the received complaints is bind to introduce the violator for the legal prosecution to the competent authorities.

Assignment of inspectors and their duties

Article 23:

(1) The committee can assigns professional persons as inspectors for better implementation of this regulation, provided that they shall have no direct or indirect interests in production and distribution of the specific products.

(2) Inspectors have the following duties:

- 1- Investigate all documents and places where the specific products are produced, imported, stocked, sold or are exhibited for sale or its advertisements are published for propagation.
- 2- Checking the registration book of specific produced and imported product.
- 3- Presenting written report of complaints and violations.
- 4- Other duties and authorities which would be devolved to them by the committee according to the provisions of this regulation.

Chapter 5th

Miscellaneous provisions

Registration of the specific products

Article 24:

(1) The producer and distributor are obliged to register the specific products according (Codex Alimentations) criteria and the anticipated requirements of this regulation at the Ministry of Public Health.

2. Producers and distributors should provide the samples of specific products to the Ministry of Public Health at the time of registration.

3. Production and distribution registration certificates are issued by Ministry of Public Health.

Public awareness

Article 25:

(1) Ministry of public health is obliged to run audio and video programs occasionally in order to enlighten public minds regarding the advantages of breast-feeding for infants, feeding of mothers during pregnancy and lactation period and the disadvantages of alternatives feeding through the publication of small books and posters without photos.

(2) The subject of the breastfeeding and hazards of the unhealthy use of the breast-milk substitutes should be included in schools, madrasas (religious schools) and the teachers training institutions curriculum.

(3) For the purpose of better usage of local foods, quality improvement of food preparation and its storage, demonstrative programs on food preparation should be conducted by the child and mother support centers, basic health centers, health care centers, and the provincial directorates of public health and kindergartens.

Discipline of the offenders

Article 26:

Offenders of the provisions set forth in this regulation are disciplined as bellow:

1. Recommendation in the first time.
2. Warning in the second time.
3. Revocation of the certificate of registration in the third time.

Enacting regulations and procedures

Article 27:

Ministry of Public Health can enact regulation and procedures for better enforcement of the provision of this regulation.

Enforcement

Article 28:

This Regulation is enforced upon its endorsement and shall be published in the official gazette. Upon the enforcement of this regulation, the regulation of child feeding with mother milk substitute which was enforced through the decree No (582) dated 1422/6/14 is no more reliable.