



**Agreement
on Infant and Young Child Food Products
Control
in Lao PDR**

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Ministry of Public Health**

**Revised Version
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Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Ministry of Public Health

Ref. No.777/MPH
Vientiane Capital, date 3 August 2007

Agreement on Infant and Child Food Products Control in Lao PDR

- With reference to Law on Food Ref. No. 04/NA, date 25 May 2004.
- With reference to Decree of Prime Minister on the Establishment and Implementation of Ministry of Public Health Ref. No. 020/PM, date 19 March 1999.
- With reference to the request of the Department of Hygiene and Disease Prevention.

The Minister of Public Health issues the following agreements:

Section I

General Provision

Article 1: Objectives

This Agreement defines principles and regulation on the control of the marketing and the distribution of the infant and young child food product imported or produced within Lao PDR in order to ensure adequate supply and safe consumption for infants and young children so as to avoid the use of unnecessary infant and young children food products; To promote exclusive breastfeeding in the first six months of a child after birth and thence give supplement food, along with continuous breast feeding, for the children until the age of at least two years old so that infants and young children are physically and mentally well grown and developed. In returns, they will become valuable and healthy human resources of the nation in the future.

Article 2: Scope of use

This agreement is used for certain types of infant and young child food products as specified in this Agreement and is reinforced for all offices, both public and private, including domestic and foreign civilians who are associated with the importation, exportation, purchase, sales and use of the infant and young child food product within Lao PDR.

Article 3: Definitions

1. **Infant:** means a child age under 12 months old.
Young Child: means a child age between one to two years old.
2. **Designated product:** means food product for infants and young children.
3. **Formula milk for infant age under six months old:** means breast milk substitute or products equivalent to breast milk formulated nutritionally and processed and manufactured from animal or vegetables in accordance with applicable Codex Alimentarius standards to meet the nutritional requirement of newborn baby or of infant at the first six months of his/her life..
4. **Formula milk for infant age over six months old:** means breast milk substitute or infant food product which is originated from formula milk for infant age under six months old. However, this formula milk is processed and produced suitably for feeding infant with age over six months old.
5. **Supplementary food:** means any food that is suitably given to infant and young child as complement to breast milk or to infant formula and other milk products.
6. **Container/package:** materials to contain or pack the products in any forms for retailing purposes, including external packaging.
7. **Feeding bottle:** means for material for containing milk or food for infants and young children.
8. **Pacifier:** means an artificial soft plastic nipple invented for infant and child to suck.
9. **Labeling:** means tags, brand, mark, pictorial or other descriptive messages appear on infant and child food products.
10. **Advertisement:** means presentation by any methods both direct and indirect with the purpose to promote and attract consumers to purchase the designated products through the following methods:
 1. Press, television, radio, film, electronic transmission, video or telephones
 2. Billboard, boarding or notice, exhibition of pictures or samples and others.
11. **Sales and distribution:** means purchase-sale or free gift for social purpose, including free giving to families in special need.

Section II

Product Control

Article 4: Infant and child food products

Infant and young child food products are any types of food or milk substitute, including utensils, which are produced or processed suitable for feeding infants and children, and sold in common markets for the purpose of substitution of or complement with breast feeding such as:

1. Formula milk for infant age under six months old;
2. Formula milk for infant and young child age over six months old up to two years old;
3. Supplementary foods;
4. Feeding bottle, teats, pacifiers and other associated materials

Article 5: Product standard and safety

The quality and safety of the infant and young child food products should be complied with the standard as specified in the Law on Foods of Lao PDR and food product coding imposed by Codex Alimentarius.

Article 6: Importation and registration of infant and child food product

Importation and registration of the infant and young child food product is to comply with the Agreement on Safe Production Control, Storage, Import and Export Ref. No. 865/MPH, date 12 May 2006 and other regulation related;

Article 7: Product labeling

The labeling of infant and young child food product should not only comply with the regulation specified in the law on foods, but it should also include the following messages:

1. Warning related to breast feeding and specification of formula preparation suitable for the recommended age of infant and young child.
2. The composition and nutritional analysis. The specification of the origin of any milk or milk-like products.

3. Instruction for appropriate preparation and use in words and in easy understandable graphics.
4. Warning about health risks associated with improper preparation or consumption of infant and child at recommended age.
5. Chart containing instruction about preparation. Do not compare the composition of the product ingredients with breast milk.
6. Instruction on product storage (temperature and environment requirements) before and after opening the container.

Article 8: Milk or supplementary food product labeling not for infant and child

Condensed milk, milk or food whose formulae are not for feeding infant and child shall be labeled correctly. Labeling shall contain warning message related to breast feeding such as **“This formula is prohibited for infant and young child feeding”**.

Article 9: Warning related to breast feeding

Warning related to breast feeding shall be a message written in Lao language and, when labeling the product, it shall be affixed to the spot where it can be seen and read easily in order to inform consumers about the importance and the benefit of breast feeding. Message of warning shall include information as follows:

1. Message used for milk or supplementary food product labeling **“Important Warning”** and indicate there under **“Breast Feeding is the Best”**
2. Message used for labeling milk or food product, which are not for feeding infant and young child such as condensed milk shall be **“This product shall not be used to feed infants”**
3. **“Feeding infants or young children with feeding bottle or pacifier will cause child to complications with breast feeding”**. The size of the font of the message shall not be less than 1/3 of the size of the font indicating the brand name of the product. At least, the size of the font of the message shall be 2 mm.

Article 10: Product distribution and donation

Any infant and young child products manufactured or imported for sales or distribution shall have standard quality and be labeled with warning related to the importance of breast feeding.

All donated goods, free gift products or any aided infant food products given to individuals, societies or organizations shall have standard quality products and not

expire and can be given only when there is approval from the health units concerned.

Distribution or sales of the infant and young child products for orphanage or foster homes can be done only when prior official approval is obtained and donors shall supply the products with sufficient quantity in order to feed children according to technical requirement and the donors shall not impose any obligation or require benefits from such donations or contribution.

Section III

Information and Advertisement Control

Article 11: Information given by Health Personnel

Health personnel being assigned to be involved in mother and child duties shall provide information that Breast Feeding is the Best. Breast milk is the only ideal food for the healthy growth and development of infants and young children. It protects against diarrhea and other illnesses. The personnel shall also advise that the use of feeding bottle will lead to breast milk rejection by infant and child.

Before deciding to supplement or replace breastfeeding with any infant or young child food product, the prior advice of a health professional should be sought.

Article 12: Provision of information concerning breast feeding and supplementary food products by Health Personnel

In case of mother is unable to feed her baby with her breast milk, health personnel shall assist her in breastfeeding. In a circumstance where infant or young child must be given by milk-like products or supplementary foods, correct information and appropriate advice shall be given as follows:

1. Instruction for the proper preparation and the use of the product, including cleaning and sterilization of feeding bottle utensils;
2. How to feed infants with a cup or a feeding bottle;
3. The health risks of serving milk or supplementary foods for infants and young child;
4. The health hazards related to the use of bottle feeding, cup or other utensils;
5. The health perils of improper preparation of the products;
6. Warning message such as **“This product should not be used to feed infant or young child age under six months old”** shall be clearly given, in a

- circumstance where milk or supplementary food is for infant or young child age older than six months;
7. In a circumstance where supplementary food is given to infant or young child, recommendation on local foods or products which can be easily found and prepared for infant or young child in households should be given.

Article 13: Message and content of infant and young child feeding information contained in health education materials

Information or health education materials in forms of writing, audio or visual, which refers to infant and young child feeding, shall contain message and content as follows:

1. Message shall:

- 1.1 Contain only correct and updated information and shall not use any pictures or text that encourage bottle feeding or discourage breastfeeding;
- 1.2 Be written in Lao language and clearly explained;
- 1.3 Not give an impression or create a belief that a products is equivalent to or superior to breast milk or to breastfeeding;
- 1.4 Not contain the name or logo of any product;
- 1.5 Not be used to create a message that provokes mothers wish to stop breastfeed her baby.

2. Content shall include:

- 2.1 Benefits and superiority of breastfeeding;
- 2.2 Value of exclusive breastfeeding for about six months followed by sustained breastfeeding for two years or beyond;
- 2.3 Advice on the negative outcomes of giving breast milk by feeding bottles and early supplementary foods;

Section IV

Prohibition

Article 14: Prohibitions on product promotion

It is prohibited any manufacturer's or distributor's actions that promote or advertise its infant and young child food products by imposing marketing strategies such as

on sales, discount voucher, discount price, free gift along with products, complementary goods, prize or gift and other methods as follows:

1. Give a product or a sample of product to any individuals;
2. Donation, distribution of product leaflets, education materials or giving misleading information on infant and young child food product, which is contradicted to scientific principles;
3. Making comparison milk substitute and supplementary food products with breast milk;

Article 15: Prohibition on products promotion and advertisement in public health centers

Manufacturer or distributors is forbidden to donate or distribute equipment and services related to designated products in health centers;

Article 16: Prohibition on donation and distribution of the products

Manufacturers or distributors are prohibited to distribute, donate or sell condensed milk or non-infant milk for target baby care takers.

Article 17: Prohibition on products

- Manufacturers or distributors are not permitted to donate or sell products without labeling or with incorrect labeling or without warning notice concerning the importance of breastfeeding;
- Manufacturers or distributors are prohibited to distribute, donate or sell products type 4 in Article 4, which does not affix product information or warning notice about the importance of breastfeeding;
- It is forbidden to donate or sell all types of products which are expired, do not affix information correctly, information which is not the same with the milk formula or food products.
- It is prohibited any individual to sell or distribute products which is not legally registered.

Section V

Management and monitoring of designated products

Article 18: Management and responsibility of health personnel

1. Chiefs of Health Centers and national, provincial and district authorities shall take all measures to support and promote the protection of breastfeeding as specified in this Agreement and shall provide information and advice to health personnel concerning their roles and responsibilities. They should also ensure that health personnel understand and comply with such information and advice strictly.
2. Health personnel should give support in the promotion and protection of breastfeeding and should comply with information which is specified in this Agreement;
3. It is disallowed Health Personnel who is working in mother and child to receive or give any infant and food products to any individual or demonstrate the usage of the designated products unless official permission is given or unless their mothers or family members are in special needs. In such event happens, it is necessary to explain the possible negative effects of the product use.

Article 19: Product management and monitoring

Inspectors from Department of Food and Drug, Ministry of Public Health, Provincial and Capital Health Departments, District Health Office, staffs engaging in mothers and child health must follow up and inspect infant and young child supplementary food products on regular basis and in accordance to their roles and responsibilities; Whenever necessary, the Ministry of Public Health will collaborate with other concerned Ministries to ensure that the inspection has been complied appropriately and strictly.

Reporting of any incidence of offences of this Agreement by individual or organization shall be directed to his/her line management at each level for further consideration.

Section VI

Policies practiced toward active staffs and to offenders

Article 20: Policies toward active staffs

Any individual, organization, importer, manufacturer or health personnel who complies all of these regulations will be praised and appreciated by the Ministry of Public Health and local authorities concerned.

Article 21: Policies toward offenders

Any individual, organization, importer, manufacturer, supplier or health staff who offend this Agreement will be rehabilitated and fined accordingly to the regulations of the Committee for Food and Drug Control and Management on Safety Food Management, Production, Importation and Exportation Ref. No. 856, dated 21 May 2006 and the Law of Lao PDR.

Section VII

Final Provision

Article 22: Implementation and Enforcement

Mother and Child Health Center, Department of Food and Drug, Ministry of Public Health, Provincial/Capital Health Departments and other organizations concerned are assigned to be responsible for implementing and entering this Agreement into force.

Article 23: Effectiveness

This Agreement becomes effective from the date of signature and replaces the Regulation on Infant and Young Child Food Product Control in Lao PDR Ref. No. 1380/MPH, Vientiane, dated 8 June 2004. Any agreements in which are contradict to these regulations are thence invalid.

Minister of Public Health
Dr. Ponemek Dalaloy