

# **LAW OF GEORGIA**

## **ON PROTECTION AND PROMOTION OF BREAST-FEEDING, CONSUMPTION OF BOTTLE-FEEDING PRODUCTS**

### **CHAPTER I. GENERAL PROVISIONS**

#### ***Article 1***

The purpose of this Law is children's health care through provision of safe and adequate food, promotion, protection and propagation of breast-feeding as well as control of distribution of bottle-feeding products, feeding bottles, teats and baby's dummies.

#### ***Article 2***

This Law regulates the relations between state authorities and natural and legal persons (regardless of their organizational and legal status) in the sphere of consumption, advertising and distribution of bottle-feeding products, feeding bottles, teats and baby's dummies; control of their quality and information thereof.

#### ***Article 3***

The terms used in this Law shall have the following meanings:

- a) ***Adequate food*** is the food which meets the requirements of a child's age and physiology and corresponds to its state of health;
- b) ***Infant*** is a child from 12 to 36 months;
- c) ***Baby*** is a child up to 12 months;
- d) ***Bottle-feeding products*** are:
  - da) baby-food formula N 1;
  - db) any product which is worthy or proposed as worthy for feeding of a baby up to 6 months;
  - dc) baby-food formula N 2;
  - dd) baby's additional food;
- e) ***Breast-feeding*** is feeding of a baby by breast;
- f) ***Distributor*** is a natural or legal person who distributes bottle-feeding products, feeding bottles, teats and baby's dummies through a retail or wholesale way.
- g) ***Additional food*** is any food which is worthy or proposed as worthy for feeding of a child over 6 months as the addition to the breast-feeding or baby-food formula, when it does not

satisfy the baby's demand for food, and which can be prepared in industrial or home conditions;

- h) **Label** is any printed or imprinted tag, stamp, trade mark, drawn or another picture that is printed or fastened at bottle-feeding products, feeding bottles, teats, dummies or on their packing material;
- i) **Exclusive breast feeding** is baby feeding only by breast;
- j) **Baby-food formula N 1** is milk or another product of vegetable or animal origin manufactured according to the food formula N 1 state standard that is aimed at meeting the feeding requirements of babies up to 6 months;
- k) **Baby-food formula N 2** is milk or another product of vegetable or animal origin manufactured according to the baby-food formula N 2 of the Codex Alimentarius Standard, that is aimed at meeting the feeding requirements of a baby over 6 months and infant;
- l) **Codex Alimentarius** is the international food products standard approved by the international commission for food standards;
- m) **Sample** is a retail or wholesale small quantity of product specified for baby food that is distributed free of charge;
- n) **Dummy** is a teat not to be used for feeding.

#### **Article 4**

1. Pursuant to the law the state shall control production, keeping, distribution, export, import and consumption of bottle-feeding products, feeding bottle, teats and baby's dummies as well as dissemination of information about them of any kind and in any way.
2. The state shall promote supervision of feeding mothers and create to them the favorable conditions for the exclusive breast-feeding and extent of breast-feeding up to 24 months.

#### **Article 5**

1. Bottle-feeding products, feeding bottles, teats and dummies produced in or imported into Georgia shall meet by their quality, ingredients, packing and design the standards determined on the ground of Codex Alimentarius.
2. Packing material of bottle-feeding products, feeding bottles, teats and dummies shall be attached with the clear, direct, true and grounded information about priority of the breast-feeding.

## **CHAPTER II. CONTROL OF DISTRIBUTION OF BOTTLE-FEEDING PRODUCTS, FEEDING BOTTLES, TEATS AND DUMMIES**

### ***Article 6***

Manufacturers and distributors of bottle-feeding products, feeding bottles, teats and dummies as well as other natural and legal persons which have commercial interest in the baby food issues are prohibited:

- a) to give bottle feeding products, feeding bottles, teats and dummies free of charge or at discount rate to entities engaged in the medical activity, excluding the cases provided by item 1 of Article 16; to pregnant women and women having babies and members of their families at the public places during the mass events, at entertainment establishments, in the streets, on transport means;
- b) for offer (distribution, sale) of bottle-feeding products, feeding bottles, teats and dummies to establish any contacts with pregnant women and women having babies as well as with the members of their families, directly or through a third person by correspondence, using mail or other communications (telephone, electronic, etc.)

### ***Article 7***

Any advertising of bottle-feeding products, other than additional food, is prohibited.

### ***Article 8***

Arrangement of exhibitions, sales or public sale (both wholesale and retail) of bottle-feeding products, other than additional food, feeding bottles, teats and dummies or their sale with short-term benefits is prohibited.

## **CHAPTER III. NATIONAL SUPERVISORY BOARD FOR CONTROLLED CONSUMPTION OF BOTTLE-FEEDING PRODUCTS, PROTECTION AND PROMOTION OF BREAST-FEEDING**

### ***Article 10***

1. For the controlled consumption of bottle-feeding products, feeding bottles, teats and dummies as well as for protection and promotion of breast-feeding at the Ministry of Health of Georgia there will be established the national supervisory board for protection and promotion of breast-feeding, controlled consumption of bottle-feeding products (hereinafter the Board) which represents the advisory body to the Minister of Health of Georgia.
2. The statute and composition of the Board shall be approved by the Minister of Health of Georgia.

### ***Article 11***

1. The Board shall prepare recommendations for implementation of the state policy of breast-feeding protection and promotion.
2. The Board shall take part in elaboration of the national program for protection and promotion of breast-feeding, the controlled consumption of bottle-feeding products, which will be approved by the President of Georgia under the order.
3. The Board shall ensure providing the full, unbiased and timely information to population of the following:
  - a) health and alimentation of babies and infants, their medical and social parameters;
  - b) breast-feeding as ideal means and necessary conditions for harmonious physical and psycho-social development of a child;
  - c) on negative results of bottle feeding and relevant problems.
4. The Board is entitled to request information on:
  - a) form of publication and dissemination of informational, educational and training materials reflecting the issues of baby's and infant's food and aimed for population;
  - b) on edition and distribution of manuals for educational institutions reflecting the baby's food issues and other educational methodological materials.
5. The Board determines the list of medical indications for necessity of introduction of bottle-feeding.

#### **CHAPTER IV. BABY-FOOD RELATED INFORMATIONAL, EDUCATIONAL AND TRAINING MATERIALS**

##### ***Article 12***

Transmission of informational materials about bottle-feeding, baby food, feeding bottles, teats and dummies by manufacturers and distributors of bottle-feeding products, feeding bottles, teats and dummies is allowed only in accordance with the rules determined and approved by the Ministry of Health of Georgia for health care bodies and institutions only.

##### ***Article 13***

Any audio-visual and written informational, educational and training material related to the use of bottle-feeding products, feeding bottles, teats and dummies that is spread in population, health care and other institutions shall contain the clear, true and grounded information on:

- a) use of breast-feeding and its priority over bottle-feeding products the list of which shall be determined by the Board;
- b) significance of the exclusive breast-feeding for babies and prolongation of the breast-feeding process for infants up to 24 months or more according to the demands;
- c) conditions and factors promoting beginning and preserving the exclusive breast-feeding and prolongation of the breast-feeding process;

- d) on the effect of early use of additional baby-food during the breast-feeding for possibility of prolongation of this process;
- e) on difficulties of further beginning or renewal of breast-feeding in case of refusal or termination of breast-feeding;
- f) on significance of additional food for babies of 6 months and older;
- g) on possibility of preparation of additional food with home products in home conditions;
- h) on those financial results which proceed from the bottle-feeding;
- i) on negative effect of use of bottle-feeding products, feeding bottles, teats and dummies on child's health;
- j) negative effect of bottle-feeding on baby's health;
- k) on significance of mother's alimentation for breast-feeding.

#### ***Article 14***

Any audio-visual and written informational, educational and training material related to use of feeding bottle during baby feeding shall contain a clear, true and grounded information on:

- a) reasons causing complication of breast-feeding, sometimes impossibility of its prolongation in case of use of a feeding-bottle though for a small time;
- b) proper preparation and use of baby food;
- c) negative effect of use of a feeding bottle on the baby's health and results of improper preparation of food;
- d) on possibility and methods of feeding from a baby's cup.

#### ***Article 15***

Informational, educational and training materials related to feeding of children up to 24 months shall not contain:

- a) any statement of medical personnel certifying priority or identity of bottle-feeding product to mother's milk or any other statement or request;
- b) any proof that mother's milk can be not sufficient for a baby or infant or that it is lack of any ingredients necessary for a child.

### **CHAPTER V. DUTIES AND RIGHTS OF MEDICAL ENTITIES IN PROTECTION AND PROMOTION OF BOTTLE-FEEDING**

#### ***Article 16***

1. Orphanages and homes of careless babies have the right to acquire free of charge or by discount the bottle-feeding products, feeding bottles, teats and dummies in the necessary amount.
2. Families of children requiring bottle-feeding products under medical indication may be provided with the sufficient quantity of those products free of charge or by discount.

### ***Article 17***

A medical entity shall protect and promote breast-feeding of babies and infants.

### ***Article 18***

1. A medical entity is prohibited to:
  - a) take as a gift a sample, lot of bottle-feeding products from the bottle-feeding products manufacturer or distributor, any thing with the firm label, trade mark of the manufacturer of bottle-feeding products;
  - b) provide names and addresses of pregnant women, mothers of babies and infants to manufacturers or distributors of bottle-feeding products, feeding bottles, teats and dummies;
  - c) receive financial aid from manufacturers or distributors of bottle-feeding products, feeding bottles, teats and dummies, if this is aimed at advertising and distribution of bottle-feeding products, feeding bottles, teats and dummies.
2. Sponsorship of scholar, practical or another meetings (congress, conference, session, symposium, etc.), business trips, probation, continuous medical education of medical personnel as well as sponsorship of activity of medical association by a manufacturer or distributor of bottle-feeding products, feeding bottles, teats and dummies is prohibited, if it is aimed at promotion and distribution of bottle-feeding products, feeding bottles, teats and dummies.

### ***Article 19***

Hanging any advertising, informational and educational material about bottle-feeding products, feeding bottles, teats and dummies as well as use or placing of such things that indicate a firm or another mark, name or picture of a manufacturer or distributor of bottle-feeding products at medical institutions is not allowed.

## **CHAPTER VI. LABEL OF BOTTLE-FEEDING PRODUCT**

### ***Article 20***

The information imprinted on the label of bottle-feeding products, feeding bottles, teats and dummies shall not belittle the significance of breast-feeding.

### ***Article 21***

1. The label of bottle-feeding products shall clearly, directly and explicitly reflect the following:
  - a) procedure of food preparation and regime of feeding;
  - b) inadmissibility of use of remainder of prepared food for baby feeding for the second time;
  - c) age in figures and words over which a baby may be fed by this product;
  - d) composition and nutrition factors of products;
  - e) ingredients used for preparation of products;
  - f) conditions for storage and transportation;
  - g) expiration date in various climatic and storage conditions;
  - h) number of lot and date of manufacturing.
2. The label of bottle-feeding products as well as label of packing material of feeding bottles, teats and dummies shall indicate in capital letters the following sentence:
  - a) “WARNING! MOTHER’S MILK IS THE BEST FOOD FOR YOUR BABY”.
  - b) “WARNING! PLEASE APPLY TO YOUR PHYSICIAN TILL FEEDING YOUR BABY BY THIS PRODUCT; STRICTLY OBSERVE ALL INDICATIONS RELATED TO USE AND PREPARATION OF FOOD”.

### ***Article 22***

The following is prohibited on the label of a bottle-feeding products:

- a) use of such statement that proves identity or similarity of bottle-feeding products to the mother’s milk;
- b) placing of a baby or another image that indicates the merits of bottle-feeding.

### ***Article 23***

1. The label of packing material of a feeding bottle and teat shall clearly, directly and correctly reflect the necessary information for its proper use.
2. The label of packing material of a feeding bottle and dummy shall indicate the following:
  - a) the information noted in subitems “a” and “b” of item 2 of Article 21 of this Law;
  - b) the instructions in words or/and picture on rule of washing and sterilization of a bottle and dummy;

- c) name and address of manufacturer or distributor of a bottle and dummy.

#### ***Article 24***

The label of packing material of a dummy shall contain the following:

- a) information noted in Article 23 of this Law;
- b) the sentence in capital letters: “WARNING! USE OF DUMMY PREVENTS THE BREAST-FEEDING”.

#### ***Article 25***

1. The color of inscription font given in subitem “a” of item 2 of Article 21 of this Law shall be exactly distinguished from the background, and the size shall not be less than 5 mm.
2. The size of inscription font as given in subitem “b” of item 2 of Article 23 of this Law shall not be less than 2 mm.

#### ***Article 26***

Import and distribution of bottle-feeding products, feeding bottles, teats and dummies in Georgia is allowed only if their label conforms to the requirements of this law.

#### ***Article 27***

Information on the label of bottle-feeding products, feeding bottles, teats and dummies shall be given in the state language of Georgia.

### **CHAPTER VII. TRANSITIONAL PROVISIONS**

#### ***Article 28***

The Board provided by item 1 of Article 10 of this Law shall be established within 3 months following the effective date of this Law.

#### ***Article 29***

Within 3 months following the date of establishment of the Board the Ministry of Health of Georgia shall under the Board’s recommendation work out the rule of distribution of informational, educational and training materials on bottle-feeding products and baby-food.

#### ***Article 30***

Chapter VI of this Law shall be put into force after 10 months from the effective date of this Law.



## **CHAPTER VIII. CONCLUSIVE PROVISIONS**

This Law shall be effective upon its promulgation.

*President of Georgia*

*Eduard Shevardnadze*

*Tbilisi*

*September 9, 1999*

*N 2380-Is*