

ON THE PROTECTION AND PROMOTION OF BREASTFEEDING AND ARTIFICIAL FOOD CONSUMPTION

Chapter I - General Provisions

Article 1

The aim of this Law is to protect children's health by providing safe and adequate food; promoting, protecting and propagating breastfeeding practices; and by regulating the distribution of artificial baby food products, feeding bottles, nipples and pacifiers.

Article 2

This Law regulates the relations between state authorities and natural and legal persons (notwithstanding their organisational and legal form) in the consumption, promotion and distribution of artificial baby food products, feeding bottles, nipples and pacifiers, and their quality, as well as in the field of controlling information thereon.

Article 3

The terms used herein have the following meanings:

- a) adequate food – food that is adequate for the age of a child, his/her physiological requirements and health status;
- b) a child of early age – a baby between 12 months and three years;
- c) infant – a baby under 12 months;
- d) artificial baby food products are:
 - d.a) baby formula No 1;
 - d.b) any product that is suitable for feeding or is offered as suitable for feeding infants under six months of age;
 - d.c) baby formula No 2;
 - d.d) complementary food for children;
- e) breastfeeding – feeding children from breast;
- f) distributor – a natural or legal person engaged in retailing or wholesaling artificial baby food products, feeding bottles, nipples and pacifiers;
- g) complementary food – any food suitable for feeding or offered as suitable for feeding children over six months of age as a supplement to either mother's milk or to baby formula, when neither of them are enough to meet children's requirements, and which may be manufactured or prepared in home conditions;
- h) label – any printed or engraved tag, stamp, trade mark, graphic or other image that is printed or attached to artificial baby food products, feeding bottles, nipples, pacifiers, and/or on their packaging materials;
- i) exclusive breastfeeding – feeding an infant with mother's milk only;
- j) baby formula №1 – milk and/or other products of vegetable or animal origin manufactured in accordance with state standard of food formula №1 that is intended to meet nutritional requirements of infants up to 6 months of age;
- k) baby formula №2 – milk and/or other products of vegetable or animal origin manufactured in accordance with food formula №2 of the Standard of Codex Alimentarius, that is intended to meet nutritional requirements of infants of six months of age and older, or of children of an early age;
- l) Codex Alimentarius – an international standard for food products approved by the International Commission for Food Standards;
- m) sample – a retail or wholesale small amount of product intended for children feeding, which is distributed free of charge;
- n) pacifier – a nipple which is not used for feeding purposes.

Article 4

1. The State shall control the manufacturing, storing, distribution, export, import and consumption of artificial baby food products in accordance with legislation, as well as any information thereon that is spread in any form or manner.



2. The State shall promote the supervision of breastfeeding mothers, as well as the creation of favourable conditions for exclusive breastfeeding, and the prolongation of breastfeeding for up to two years.

Article 5

1. The quality, composition, packaging and design of artificial baby food products, feeding bottles, nipples and pacifiers produced in or imported to Georgia shall comply with the standards defined on the basis of the Codex Alimentarius.

2. Packaging materials for artificial baby food products, feeding bottles, nipples and pacifiers shall contain information regarding the priority of breastfeeding, which shall be conveyed in a clear, unambiguous, credible and reasonable manner.

Chapter II - Regulation of the Distribution of Artificial Baby Food Products, Feeding Bottles, Nipples and Pacifiers

Article 6

Manufacturers and distributors of artificial baby food products, nipples and pacifiers, as well as other natural and legal persons with commercial interests in children feeding matters, may not:

a) distribute artificial baby food products, feeding bottles, nipples and pacifiers free of charge or at a discount: to entities engaged in medical activities, except for cases envisaged in Article 16 (1) of this Law; to pregnant women and women with infants; as well as to their family members, or in public places during mass events, at entertainment establishments, in the streets or vehicles;

b) establish any kind of contact with pregnant women and women with infants, as well as with their family members, directly or through third persons, by correspondence, via post or technical communication (telephone, electronic etc.) means for the purposes of offering (selling and distributing) artificial baby food products, nipples or pacifiers.

Article 7

It shall be prohibited to carry out any advertising of artificial baby food products, except for complementary food.

Article 8

It shall be prohibited to organise exhibitions, and sales events or public sales (both retail and wholesale) of artificial baby food products, feeding bottles, nipples and pacifiers, or to sell them with short-term benefits, except for complementary food.

Article 9

Materials on artificial baby food products given in medical journals and newspapers, as well as in medical books, shall be based on scientific and factual data, and shall contain information on the priority of breastfeeding.

Chapter III - National Supervision Board for the Protection and Promotion of Breastfeeding and for the Controlled Consumption of Artificial Baby Food Products

Article 10

1. For the purposes of the protection and promotion of breastfeeding and the controlled consumption of artificial baby food products, feeding bottles, nipples and pacifiers, the National Supervisory Board ('the Board') shall be established at the Ministry of Labour, Health and Social Affairs of Georgia for the protection and promotion of breastfeeding, and the controlled consumption of artificial baby food products, which shall be an advisory body of the Minister of Labour, Health and Social Affairs of Georgia of Georgia.

2. The Statute and composition of the Board shall be approved by the Minister of Labour, Health and Social Affairs of Georgia.

Article 11

1. The Board shall prepare recommendations to implement state policy for the protection and promotion of breastfeeding.

2. The Board shall participate in the formulation of a national program for the protection and promotion of breastfeeding and the controlled consumption of artificial baby food products, which shall be approved by the Government of Georgia.



3. The Board shall ensure the provision of full, impartial and timely information to the public on:

- a) health of and nutrition for infants and children of an early age, as well as their medical and social parameters;
- b) breastfeeding as a necessary precondition and ideal means for harmonious physical and psychosocial development of children;
- c) negative consequences of bottle feeding and other challenges related to it.

4. The Board shall be entitled to request information on:

- a) the form of publication and dissemination of informational, educational and training materials intended for population, about matters related to feeding of infants and children of an early age;
- b) publication and distribution of manuals for educational institutions on matters related to children's food, as well as of other educational and methodological materials.

5. The Board shall define a list of medical indications for the necessity of introduction of bottle feeding to children.

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Chapter IV- Informational, Educational and Training Materials Related to Children Feeding

Article 12

Informational materials regarding artificial baby food products, feeding bottles, nipples and pacifiers may be transferred by manufacturers and distributors of artificial baby food products, feeding bottles, nipples and pacifiers to health care bodies and institutions only, in accordance with the procedures defined and approved by the Ministry of Labour, Health and Social Affairs of Georgia.

Article 13

Any audio-visual and written informational, educational and training material related to the use of artificial baby food products, feeding bottles, nipples and pacifiers, that is disseminated to the population, health care and other institutions, shall contain information conveyed in a clear, unambiguous, credible and reasonable manner, and such information shall be on:

- a) the usefulness of breastfeeding and its advantages over bottle feeding, the list of which shall be defined by the Board;
- b) the importance of exclusive breastfeeding for infants, and the prolongation of breastfeeding for children of an early age for up to two years or more, in accordance with their needs;
- c) conditions for starting and maintaining exclusive breastfeeding and for the prolongation of breastfeeding, and the contributing factors;
- d) the effect of the early use of complementary food during breastfeeding on the possibility of the prolongation of this process;
- e) the difficulties of starting or resuming breastfeeding in the case of the refusal or termination of breastfeeding;
- f) the importance of complementary food for babies of six months age and older;
- g) the possibility of preparation of complementary food with home products in home conditions;
- h) the financial consequences which result from the consumption of artificial food;
- i) the negative effects of irrational and incorrect use of artificial food products, feeding bottles, nipples and pacifiers on children's health;
- j) the negative effects of artificial food products on infant health;
- k) the importance of maternal nutrition during breastfeeding.

Article 14

Any audio-visual and written informational, educational and training material related to the use of feeding bottles during child feeding shall contain information conveyed in a clear, unambiguous, credible and reasonable manner, and such information shall be on:

- a) the reasons that cause complications in breastfeeding, and in some instances, the impossibility of its prolongation in the case of the use of feeding bottles even for a short period of time;
- b) proper preparation and use of artificial food products;
- c) the negative effects of the use of feeding bottles on children's health, and the consequences of improper preparation of food;



d) the possibility and methods of feeding from a child's cup.

Article 15

In informational, educational and training materials related to the nutrition of children up to the age of two it shall be prohibited to:

- a) include a statement of medical personnel, or any other statement or image certifying the priority of artificial food over mother's milk, or the identity of artificial food with mother's milk;
- b) assert that mother's milk may not be enough for infants and children of early age, and/or that it may lack any ingredient necessary for children.

Chapter V - Rights and Duties of Medical Entities with Regard to the Protection and Promotion of Breastfeeding

Article 16

1. Institutions for orphans and infants lacking parental care shall be entitled to acquire the required amount of artificial food products, feeding bottles, nipples and pacifiers free of charge, or at a discount.
2. Families of children who need artificial baby food products under medical indications, may be provided with the required amount of such products free of charge, or at a discount.

Article 17

Medical entities shall protect and promote breastfeeding of infants and children of an early age.

Article 18

1. Medical entities shall not be permitted to:
 - a) receive items as gifts from manufacturers or distributors of artificial baby food products, such as samples of artificial baby food products, consignment, and other items with a firm label or trade mark of a manufacturer of artificial baby food products.
 - b) provide manufacturers and distributors of artificial baby food products, feeding bottles, nipples and pacifiers with names and addresses of pregnant women, as well as mothers of infants and babies of an early age;
 - c) receive financial resources from manufacturers or distributors of artificial baby food products, feeding bottles, nipples and pacifiers if they are intended to stimulate the advertising and distribution of artificial food products, feeding bottles, nipples and pacifiers.
2. The sponsorship by manufacturers or distributors of artificial baby food products, feeding bottles, nipples and pacifiers, of scientific, practical or other meetings (congresses, conferences, sessions, symposia, etc.), business trips, internships, continuous medical education, as well as the sponsorship of activities of medical associations, shall be prohibited if they are intended to stimulate the advertising and distribution of artificial food products, feeding bottles, nipples and pacifiers.

Article 19

It shall be prohibited to display advertising, informational and educational materials of artificial baby food products, feeding bottles, nipples and pacifiers in medical institutions, as well as to use or place such items in medical institutions that bear firm or other marks, or names or images of manufacturers or distributors of artificial baby food products.

Chapter VI - Labels of Artificial Baby Food Products

Article 20

Information on labels of artificial baby food products, feeding bottles, nipples and pacifiers shall not diminish the importance of breastfeeding.

Article 21

1. Labels of artificial baby food products shall contain accurate, clear, readable and understandable information on:



- a) food preparation procedures and feeding regimes;
- b) inadmissibility to use leftover food for the repeated feeding of children;
- c) the age in words and figures over which products may be consumed by children;
- d) composition of products and their nutritional value;
- e) ingredients used for the preparation of products;
- f) storage and transportation conditions of products;
- g) date of expiry of products under different climatic and storage conditions;
- h) number of consignment and date of manufacturing.

2. Labels of artificial baby food products, as well as of packaging materials of feeding bottles, nipples and pacifiers shall contain the following in capital letters:

- a) 'ATTENTION! MOTHER'S MILK IS THE BEST POSSIBLE FOOD FOR YOUR CHILD;'
- b) 'ATTENTION! BEFORE FEEDING YOUR CHILD WITH AN ARTIFICIAL FOOD, PLEASE CONSULT YOUR DOCTOR; STRICTLY OBSERVE ALL INSTRUCTIONS FOR CONSUMPTION OR PREPARATION OF FOOD.'

Article 22

Labels of artificial baby food products shall not contain:

- a) statements confirming the identity and similarity of artificial food products to mother's milk;
- b) images of infants or other images indicating the advantages of bottle feeding.

Article 23

1. Labels on packaging materials of feeding bottles and nipples shall contain accurate, clear, readable and understandable information on their proper use.

2. Labels of packaging materials of feeding bottles and nipples shall indicate the following:

- a) information referred to in sub-paragraph 'a' and 'b' of paragraph two of Article 21 of this Law;
- b) instructions in words and/or in pictures on washing and sterilisation of bottles and nipples;
- c) names or address of manufacturers or distributors of bottles and nipples.

Article 24

Labels on the packaging material of pacifiers shall contain:

- a) information referred to in Article 23 of this Law;
- b) the sentence in capital letters: 'ATTENTION! USE OF PACIFIERS PREVENTS BREASTFEEDING.'

Article 25

1. The colour of the font of the inscription referred to in sub-paragraph 'a' of paragraph two of Article 21 of this Law shall be distinctly distinguished from the background, and the size of the font shall not be less than 5 mm.

2. The size of the font of the inscription referred to in sub-paragraph 'b' of paragraph two of Article 23 of this Law shall not be less than 2 mm.

Article 26

The import and distribution of artificial baby food products, feeding bottles, nipples and pacifiers to/in Georgia shall be allowed only if their label conforms to the requirements of this Law.



Article 27

Information on the labels of artificial baby food products, feeding bottles, nipples and pacifiers shall be given in the official language of Georgia.

Chapter VII - Transitional Provisions**Article 28**

The Board provided by paragraph 1 of Article 10 of this Law shall be established within three months after the entry into force of this Law.

Article 29

Within three months after the establishment of the Board, the Ministry of Labour, Health and Social Affairs of Georgia shall, following its own recommendations, formulate the procedures for the distribution of informational, educational and training materials related to bottle feeding and baby food.

Article 30

Chapter VI of this Law shall enter into force after 10 months from the entry into force of this Law.

Chapter VIII - Final Provision**Article 31**

This Law shall enter into force upon its promulgation.

President of Georgia

Eduard Shevardnadze

Tbilisi

9 September 1999

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