

G-Regs™

Italy - Infant Formulae Decree 2009/82



Source

Decree of 9 April 2009, No. 82

Regulation concerning the fulfilment of Directive 2006/141/EC on infant formulae and follow-on formulae intended for the European Community and export to third countries. (09G0093) (GU no.155 of 7-7-2009)

The provision entered into force on: 22/07/2009

<http://www.normattiva.it/atto/caricaDettaglioAtto?atto.dataPubblicazioneGazzetta=2009-07-07&atto.codiceRedazionale=009G0093¤tPage=1> (note the link may time out)

Title of relevant section

Article 10. Advertising

Paragraphs

1. The advertising of infant formulae is forbidden in any way, in any form and through any channel whatsoever, including at hospitals, by family counsellors, nurseries, doctors' surgeries, as well as at conferences, conventions, stands and exhibitions.
2. Paragraph 1 notwithstanding, the advertising of infant formulae is permitted only in scientific publications specialising in paediatric studies aimed at paediatric and nutritional professionals. Such advertisements must be limited to information of a scientific nature based on documented evidence and must not, in any way, imply or support the idea that bottle-feeding is superior or equivalent to breastfeeding.
3. Advertising as described in paragraph 2 is subject to the conditions and prohibitions provided for in Article 9 paragraphs 3, 6, 7, 8, 9, 10, 11 and 12 b) – see below *
4. The possibility remains to disseminate informational material as described in Article 16 to the professionals described in the same article.
5. Mitigation of follow-on formulae advertising, in order to avoid negative interference with breastfeeding wherever possible:
 - a) highlights that the product should be used only with doctor's advice for infants younger than six months, where breast milk is not available;
 - b) does not make people believe that the product is equivalent to breast milk, or discourage breastfeeding in any way whatsoever;
 - c) states that infants should be fed breast milk for as long as possible, even during weaning and diversified feeding;
 - d) does not contain text or images that relate to pregnancy or the feeding or care of infants younger than six months, or images of infants who could be perceived as being younger than six months old.

* Article 9

Paragraphs 3 and 7 to 11 concern both labelling and advertising

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3. In addition to the statements provided by Legislative Decree No. 109 and subsequent amendments and by Legislative Decree No. 111, the labelling of infant formulas and follow-on foods must bear the following mandatory statements:

(a) for infant formulas, the statement that the product is suitable for feeding of infants from birth when they are not breast-fed;

(b) for follow-on foods, the words: 1) that the product is only suitable only for infants over the age of six months, that it should form only part of a diversified diet, and must not be used as a substitute for breast milk during the first six months of life; 2) stating that the decision to begin complementary feeding should be made solely on the advice of independent practitioners in the field of medicine, food, pharmacy, maternity or infancy, according to the specific growth and development needs of the infant;

(c) for infant formulae and follow-on foods, the indication of the available energy value expressed in kJ and kcal, as well as the protein, carbohydrate and fat content (including phospholipids, essential fatty acids and, where present, long chain fatty acids) expressed in numerical form per 100 ml of product ready for consumption;

(d) for infant formulae and follow-on foods, the indication of the average content of each of the minerals and vitamins listed in Annexes I and II, and, where appropriate, the average content of choline, inositol, carnitine expressed in Numerical form per 100 ml product ready for consumption;

(e) for infant formulae and follow-on foods, instructions for the correct preparation, storage and disposal of the product and a warning of the health hazards arising from inadequate preparation and storage.

7. The labeling of infant formulas and follow-on foods shall be such as to provide the information required for appropriate use of the products and not to discourage breast-feeding.

8. The use of terms such as 'humanized', 'maternalised' or 'adapted' or similar expressions is prohibited.

9. The labeling of infant formulae must bear the following mandatory statements under the heading 'Important warning' or equivalent expressions:

(a) a statement concerning breastfeeding superiority;

(b) the recommendation to use the product solely on the advice of independent professionals in the field of medicine, food, pharmacy, maternity or infancy;

10. The labeling of infant formulas should not contain any infant or other illustrations or indications that will induce the idealization of the use of the product. However, they can have graphic illustrations that facilitate the identification of the product and explain the methods of preparation.

11. The labeling of infant formulae may bear nutrition and health claims only in the cases referred to in Annex IV and in accordance with the conditions laid down therein.

12. Infant formulae and follow-on formulae must be labeled in order to allow the consumer to clearly distinguish one product from another, so as to avoid any risk of confusion between infant formulae and follow-on formulae.
