

**KINGDOM OF CAMBODIA
Nation Religion King**

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Ministry of Health

No. 061 សន្តិបូ

Phnom Penh Capital, August 16, 2007

INTER-MINISTERIAL JOINT PRAKAS

On

**the Implementation of the Subdecree on the Marketing of Infant and Child
Feeding Products**

**The Minister of Health; the Minister of Commerce;
the Minister of Industry, Mines and Energy and the Minister of Information**

Pursuant to:

- The Constitution of the Kingdom of Cambodia;
- Royal Decree No. NS/RD/0704/124, dated July 15, 2004, on the Appointment of the Royal Government of Cambodia;
- Royal *Kram* No. 02/NS/94, dated July 20, 1994, promulgating the Law on the Organization and Functioning of the Council of Ministers;
- Royal *Kram* No. NS/RK/0196/06, dated January 24, 1996, promulgating the Law on the Establishment of the Ministry of Health;
- Royal *Kram* No. NS/RK/0196/16, dated January 24, 1996, promulgating the Law on the Establishment of the Ministry of Commerce;
- Royal *Kram* No. NS/RK/0196/05, dated January 24, 1996, promulgating the Law on the Establishment of the Ministry of Industries, Mines and Energy;
- Royal *Kram* No. NS/RK/0196/14, dated January 24, 1996, promulgating the Law on the Establishment of the Ministry of Information;
- Royal *Kram* No. NS/RK/0600/001, dated June 21, 2000, promulgating the Law on the Control of Quality and Safety of Products and Services;
- Royal *Kram* No. NS/RK/0895/07, dated September 1, 1995 promulgating the Law on the Press; (*Initials*)
- Subdecree No. 54 S.E., dated September 22, 1997, on the Organization and Functioning of the Ministry of Commerce;
- Subdecree No. 70 S.E., dated August 5, 1999, on the Organization and Functioning of the Ministry of Information;
- Subdecree No. 67 S.E., dated September 22, 1997, on the Organization and Functioning of the Ministry of Health;
- Subdecree No. 35 S.E., dated April 26, 1999, on the Organization and Functioning of the Ministry of Industry, Mines and Energy;
- Subdecree No. 133 S.E., dated November 18, 2005, on the Marketing of Feeding Products for Infants and Children;

Hereby decide:

Article 1

This joint *prakas* is aimed at complying with articles 17 and 22 of the Subdecree on the Marketing of Feeding Products for Infants and Children. The responsibility to effectively honor the joint *prakas* herewith shall be undertaken in compliance with the provisions of the subdecree.

Article 2

The Ministry of Health shall ensure:

A. Proper advertisement and use of feeding products for infants and children in accordance with subdecree on the marketing of infant and child feeding products, particular attention shall be paid to the appropriate age for using those products;

B. Comments on the content of product labels on the marketing of feeding products for infants and children to the Ministry of Commerce, the Ministry of Industry, Mines and Energy and other relevant institutions;

C. Proper use of feeding products for infants and children in the healthcare system in both private and public health establishments, if necessary;

D. Prohibition of all forms of marketing of feeding products for infants and children in the healthcare system in both private and public establishments including the free or cheap distribution of the supplies of infant and child feeding products;

E. Prohibition of documents and educational information intended to be distributed to those with health related careers, except for scientific information and facts that do not affect the feeding of a child with mother's breast milk or promoting the use of infant and child feeding products; (*Initials*)

F. All documents and educational information aimed at being distributed to the public shall comply with articles 6, 7 and 8 of the Subdecree on the Marketing of Infant and Child Feeding Products;

G. The advertising of feeding products for infants and children shall be permitted for special cases in the event that ministries have determined and decided that the impact of the advertisement will encourage child feeding with mother's breast and clearly state the risk of using infant and child feeding products. All the advertisements' contents shall comply with the following conditions:

Advertising through commercial banners, paintings or announcements and audio or audiovisual advertisements shall use at least fifty percent of the content [to say,] **"Infants failing to receive mother's breast milk risk suffering from diarrhea, respiratory inflammation and other diseases with high mortality rates. Feeding with mother's breast alone from birth until six-months old can further save the lives of approximately 1.3 million infants and promote the health of millions of other infants and children every year"**;

H. The prevention of conflicts of interest at the time of granting authorization to any meetings, workshops, continual education, conferences or the events of producers or distributors in accordance with the substance of Article 14 of the Subdecree on the Marketing of Feeding products for infants and children with written comments from the technical working group for infant and child

feeding prior to granting authorization. In case of failing to comply with the conditions and stipulations of the Ministry of Health, the meetings or events shall not be authorized to organize advertisements for infant and child feeding products;

I. The dissemination of the Subdecree on the Marketing of Feeding Products for Infants and Children and the joint *prakas* herewith in the form of documents that are easily understandable for policy makers, those holding health related positions and the public.

Article 3.

The Ministry of Commerce shall ensure to:

- A. Examine the labels of imported feeding products for infants and children in compliance with articles 9, 10, 11 and 12 of the subdecree. In this regard, the Ministry of Commerce should seek advice from the Ministry of Health, if necessary;
- B. Examine the labels of local feeding products for infants and children in accordance with articles 9, 10, 11 and 12 of the Subdecree on Feeding Products for infants and children by means of proper examination activities and implementation of the law as well as cooperation with the Ministry of Industry, Mines and Energy;
- C. All advertisements or publications on various posters of feeding products for infants and children, directly or indirectly, to the public shall comply with Article 13 of the subdecree on the marketing of feeding products for infants and children through proper examination activities and implementation. (*Initials*)

Article 4

The Ministry of Industry, Mines and Energy shall guarantee to:

Provide labels of local feeding products for infants and children in accordance with articles 9, 10, 11 and 12 of the subdecree on the marketing of infant and child feeding products. In this regard, the Ministry of Industry, Mines and Energy should seek written comments from the Ministry of Health prior to providing approval to any labels of infant and child feeding products, if necessary.

Article 5

The Ministry of Information shall halt:

All advertisements of infant and children feeding products in the event that the relevant ministries or institutions serve written letters to the Ministry of Information requesting cooperation and immediate actions, clearly specifying the identity of any radios, televisions, newspapers, magazines or bulletins running advertisements about infant and children feeding products contrary to the conditions set forth in the subdecree on the marketing of infant and child feeding products.

Article 6

Within six months following the issuance of this joint *prakas*, the Ministry of Health, the Ministry of Commerce and the Ministry of Industry,

Mines and Energy shall establish the structure and necessary procedures for investigating and taking action at the time as reports on the breach of the subdecree which international organizations, non-governmental organizations and the public have submitted to the board for observation as stipulated in Article 7 below. Reports on all breaches shall be submitted to the relevant competent ministries or institutions responsible for implementing the subdecree on the marketing of feeding products for infant and child.

The Ministry of Health, the Ministry of Commerce, the Ministry of Industry, Mines and Energy shall develop a joint mechanism so that international organizations, non-governmental organizations, health personnel and the public are aware of their rights in reporting the breach of the subdecree on the marketing of feeding products for infants and children as well as providing procedures in making reports on the breach of the subdecree on the marketing of feeding products for infants and children as well as the rights to report to the monitoring board which is established according to Article 7 below.

Article 7

Within six months following the issuance of this joint *prakas*, the Ministry of Health shall establish a monitoring board aiming at monitoring the efficiency of the implementation of this subdecree and joint *prakas*. The components of the monitoring board shall consist of representatives of the Ministry of Health, the Ministry of Commerce, the Ministry of Industry, Mines and Energy and a chairperson who is the representative of the Ministry of Health. This monitoring board shall convene (quarterly) meetings and shall fulfill its roles and duties as follows:

1. Accepting and considering reports on the implementation of the subdecree on the marketing of feeding products for infants and children sent from the Ministry of Health, the Ministry of Commerce, the Ministry of Industry, Mines and Energy describing procedures in fulfilling the obligations and responsibilities as stipulated from Article 2 to Article 6 of this joint *prakas*;
2. Accepting and considering the reports of international organizations, non-governmental organizations, health personnel and the public pertaining to the breaching of the subdecree on the marketing of infant and child feeding products;
3. Compiling and disseminating annual reports on the breaches and actions taken for resolution, both locally and overseas;
4. Examining annual progress outcomes achieved and the obstacles that other departments/programs/centers of the Ministry of Commerce, the Ministry of Health, the Ministry of Industry, Mines and Energy and the Ministry of Information have encountered in order to honor the subdecree on the marketing of feeding products for infants and children and to offer recommendations on how to make improvements;
5. Requesting the Royal Government, partner organizations and donors in seeking resources and funds to support the implementation of the subdecree on the marketing of infant and child feeding products.

Article 8

All ministries concerned above shall train their officials and personnel in implementing the subdecree and joint *prakas*. The monitoring board shall ensure the broad dissemination of this subdecree and joint *prakas*.

Ministry of Commerce <i>(Signature and stamp)</i>	Ministry of Industry, Mines and Energy <i>(Signature and stamp)</i>	Ministry of Information <i>(Signature and stamp)</i>	Ministry of Health <i>(Signature and stamp)</i>
CHAM PRASIDH	SUY SEM	KHIEU KANHARITH	Dr. NUTH SOKHOM

CC:

- General Secretariat of the Senate
- General Secretariat of the National Assembly
- Cabinet of *Samdech* Prime Minister
- Office of the Council of Ministers
- Ministry of Interior
- Provincial-city halls for information
- All provincial and city departments of health for implementation
- All provincial and city departments of commerce for implementation
- All provincial and city departments of industry, mines and energy for implementation
- All provincial and city departments of information for implementation
- Records-Archives