

**No. 267/2010**

**Decree of the Ministry of Social Affairs and Health on Information Material  
Regarding the Feeding of Infants and Young Children**

Issued in Helsinki on 16 April 2010

**Section 1 – Scope**

This Decree lays down provisions on the content and distribution of information material regarding the feeding of infants and young children.

**Section 2 – Definitions**

For the purposes of this Decree

- 1) *infant* means a child under 12 months of age;
- 2) *young child* means a child aged 1 to 3 years;
- 3) *infant formula* means foodstuffs intended as food of infants during the first months of life that wholly satisfies the nutritional requirements of infants until the introduction of appropriate complementary feeding;
- 4) *follow-on formula* means foodstuffs intended as food for infants when appropriate complementary feeding is introduced, and constituting the principal liquid element in a progressively diversified diet of infants;
- 5) *foods for special medical purposes for infants* means foodstuffs intended to be used instead of infant formula or follow-on formula for infants that due to illness or for other comparable reasons cannot use foods intended for healthy infants;
- 6) *information material* means written and audiovisual material disseminated via different information channels and related equipment that contain descriptions or instructions related to breastfeeding, feeding, food habits or nutrition; the package labelling and nutrient declaration on the labelling required in food legislation do not constitute information material;
- 7) *commercial information material* means information material that is partly or wholly financed by industry or trade.

**Section 3 – Content of information material**

What is provided in sections 11 – 13 of the Decree of the Ministry of Trade and Industry on infant formula and follow-on formula (1216/2007) regarding labelling must be observed in regard to the content of information material.

The information provided on infant formula and follow-on formula by manufacturers and sellers to social and health care professionals must be confined to scientific data and facts. The information material must not state or give the impression that bottle feeding is equal to or a better option than breastfeeding.

The information material dealing with infant feeding addressed to pregnant women and parents and carers of newly-born infants and young children must support the comprehensive care of the child and an early interaction with the child. The information material must include information on the following:

- 1) benefits of breastfeeding and its superiority to other feeding;
- 2) the mother's nutrition and preparation for breastfeeding and its maintenance;
- 3) instructions for how to act in case of problems with breastfeeding;
- 4) the negative effect of initiation of partial bottle feeding on breastfeeding;
- 5) difficulties with changing the decision if the mother has stopped breastfeeding;
- 6) the correct use of infant formula and follow-on formula.

If the information material referred to in subsection 3 contains information on the use of infant formula or follow-on formula it must be told what social and economic consequences use of the formula has as well as what health risks are caused by unsuitable food or wrong feeding methods. Furthermore, information must be given on the health risks caused by unnecessary and incorrect use of infant formula and follow-on formula. The information material may not contain pictures that idealise the use of infant formula and follow-on formula.

The trade names of products intended for infants and young children may not be mentioned in the information material, but the material may include the name or abbreviation of the name of the donor company. The product's trade name may however be mentioned in the information material regarding foods for special medical purposes intended for infants. If the information material contains advice on the health and nutrition of children, that must be presented clearly separately from the information on the product.

#### **Section 4 – Content of information material on foods for special medical purposes for infants**

In addition to what is laid down in section 3, the information material on foods for special medical purposes for infants must contain the following information:

- 1) the product must be used in accordance with the instructions given by the attending physician;
- 2) the product is intended to be administered only orally or via feeding tube;

3) instructions on how to supplement nutrition if the product only satisfies part of the child's need for nutrition;

4) a remark that water from the hot tap may not be used for making the product ready for use.

### **Section 5 – Approval of commercial information material**

Commercial information material regarding the feeding of infants must be approved in advance in writing by the National Institute for Health and Welfare.

### **Section 6 – Distribution of commercial information material and samples**

Commercial information material regarding infant formulae, follow-on formulae or foods for special medical purposes for infants may only be distributed through the health care system and only to those families and carers which the health care staff considers to be in need of it.

Use of health and social care facilities for presentation or sales promotion of infant formulae and follow-on formulae is prohibited. The prohibition concerns events and activities arranged for pregnant women, mothers and families, and other consumers. The prohibition also concerns putting said products on display, advertisements and posters as well as other commercial material concerning the products.

Provisions on the sale and distribution of infant formula are laid down in section 17 of the Decree of the Ministry of Trade and Industry on infant formula and follow-on formula. Manufacturers and sellers of follow-on formula may not supply products, samples or other sales promotion gifts free of charge or at reduced price directly to pregnant women, mothers or their families or other consumers, or indirectly through the health care system or social or health care professionals.

Free samples and equipment regarding infant formulae or samples and equipment at reduced price may be supplied to social or health care professionals only if this is necessary for research taking place at institution level.

### **Section 7 – Donation of infant formula and follow-on formula**

Infant formulae and follow-on formulae may be given to families free of charge or at reduced price only if that is based on an evaluation of the situation made by social and health care professionals case by case and a request from a social or health care unit. The donor must then ensure that the family is provided with infant formulae or follow-on formulae as long as the infant is in need of it.

### **Section 8 – Information on package labelling and nutrient declaration labelling on the Internet**

Information on package labelling and nutrient declaration labelling regarding infant formulae and follow-on formulae may be provided on the Internet only if the information is presented in accordance with the provisions of sections 11 – 15 of the Decree of the Ministry of Trade and Industry regarding infant formula and follow-on formula.

Information on package labelling and nutrient declaration labelling regarding foods for special medical purposes intended for infants may be provided on the Internet only if it is presented as required in Chapter 3 of the Decree of the Ministry of Trade and Industry regarding foods for

special medical purposes (406/2000). Use of pictures is subject to the provisions of section 13 (1) of the Decree of the Ministry of Trade and Industry regarding infant formula and follow-on formula.

Information on package labelling and nutrient declaration labelling regarding foods intended for children may be provided on the Internet only if it is presented in accordance with sections 10 – 12 of the Decision of the Ministry of Trade and Industry on foods for infants and young children (789/1997).

### **Section 9 – Entry into force**

This Decree enters into force on 1 May 2010.

This Decree repeals the Decision of the Ministry of Social Affairs and Health on information material regarding the feeding of infants and young children (807/1994) of 25 August 1994 and the Decision of the Ministry of Social Affairs and Health on ingredients of foods for infants and young children and on special foods for infants (808/1994) of 25 August 1994.

Information material that does not comply with the provisions of this Decree must be withdrawn from distribution by 30 April 2012.