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Voluntary - Public

**Date:** 9/10/2018

**GAIN Report Number:** IN8101

## **India**

**Post:** New Delhi

### **FSSAI Bans Import of Four Specialty Foods**

**Report Categories:**

Sanitary/Phytosanitary/Food Safety

Exporter Guide

FAIRS Subject Report

Dairy and Products

**Approved By:**

Adam Klein

**Prepared By:**

Radha Mani

**Report Highlights:**

On August 31, 2018, the Government of India's Food Safety and Standards Authority of India (FSSAI) published a notice to ban the import of certain medical and therapeutic foods meant for treatment of hypoallergenic conditions. The decision to ban is based on the recommendation of FSSAI's Scientific Panel.

## **General Information:**

**DISCLAIMER:** The information contained in this report was retrieved from FSSAI's website: <http://www.fssai.gov.in/>. The Office of Agricultural Affairs, USDA and/or the U.S. Government make no claim of accuracy or authenticity.

On August 31, 2018, FSSAI issued a notification to withdraw four products from its permissible list of imported specialty foods meant to treat infants and children suffering from special medical conditions. The four products are as follows:

1. Similac Total Comfort Optigro (for infants from birth to 12 months)
2. Similac Total Comfort Intellipro2 (for infants after 6 months)
3. NAN Optipro HA 1
4. NAN Optipro HA 2

## **Background:**

On June 16, 2017, FSSAI published a list of specialty foods allowed to be imported for special medical/therapeutic uses, including the labels permitted for such foods. The notification also mentioned that the import of such specialty foods was allowed only through Delhi and Mumbai ports (see GAIN [IN6147](#)). Prior to this notification, on November 24, 2016, FSSAI granted permission for the import of specialty foods for a period of two years, or until FSSAI established standards (see GAIN [IN6147](#)).

The current as well as the previous notifications referred to above are pasted in this report and are also available on FSSAI's website: <http://fssai.gov.in>.

**F. No. Stds/Nutra-IEM/FSSAI-2016 (Pt. F2)**  
**Food Safety and Standards Authority of India**  
(A Statutory Authority established under the Food Safety and Standards Act, 2006)  
**FDA Bhawan, Kotla Road, New Delhi – 110002**

The 31 August, 2018

**Notice**


**Subject: Import of Specialty foods for IEM disorders -Reg.**

1. This is with reference to the direction issued under Section 16 (5) of Food Safety and Standards Act, 2006 dated 02<sup>nd</sup> November, 2016 regarding import of specialty foods for IEM disorders (Copy enclosed).

2. In continuation to the Notice dated 12<sup>th</sup> June, 2016 (copy enclosed) and 28<sup>th</sup> December, 2017 (copy enclosed) regarding list of Specialty foods for IEM disorders permitted for import, it is to inform that based on the recommendation of the Scientific Panel, the following products (Hypoallergenic Conditions) have been withdrawn from the list with immediate effect:

- (a) Similac Total Comfort Optigro (Birth to 12 Months)
- (b) Similac Total Comfort Intellipro2 (for after 6 Months)
- (c) NAN Optipro HA 1
- (d) NAN Optipro HA 2

This issues with the approval of the Competent Authority.

  
(Suneeti Toteja)  
Director (Imports)  
FSSAI HQ, New Delhi

**Enclosures: as above**

To

1. The Authorised Officer, Delhi-for information and necessary action
2. The Authorised Officers, Mumbai- for information and necessary action

Copy to:

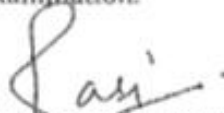
1. PPS to Chairperson, FSSAI- for information.
2. PS to CEO, FSSAI- for information.
3. Sh. Zubair Riaz, Director (Customs), Ministry of Finance- with a request to circulate to all officials of Customs Department working as Authorised Officers.
4. The Authorised Officer, Cochin- for information.
5. The Authorised Officer, Tuticorin- for information.
6. The Authorised Officer, Chennai- for information.
7. The Authorised Officer, Kolkata- for information.

Dated, the 02 Nov. 2016

Subject: Direction under Section 16(5) of Food Safety and Standards Act, 2006 regarding import of specialty foods for IEM disorders - reg.

1. Inborn Errors of Metabolism (IEM) and Hypoallergenic conditions are special medical conditions which requires specialty foods. Such specialty foods are not readily available in the country. The hospitals need these specialty foods for the management of infants and children suffering from such conditions.
2. These specialty foods are globally available. However, in the absence of Standards for such foods, it is difficult to import them into India. FSSAI has been receiving representations from various organizations for allowing these foods in the country.
3. And whereas, taking these issues into consideration, the Scientific Panel of FSSAI on "Functional Foods, Nutraceuticals, Dietetic Products and Other Similar Products" has initiated work on for setting the Standards for these products. However, it is likely to take long time to finalize these Standards in view of the complexity of this subject. Taking note of the seriousness of the issue, the Scientific Panel has, therefore, recommended that import of these products may be permitted by FSSAI for two years or till their Standards are developed and notified, whichever is earlier. The Panel, after careful consideration, recommended for allowing the import of foods for fifteen "Inborn Errors of Metabolism" and two Hypoallergenic conditions as per the Annexure.
4. It has been decided to allow the import of foods for special medical purposes, as listed in the Annexure to this Order, for a period of two years or till their Standards are developed and notified, whichever is earlier, under the following conditions:
  - a. The importing firm would submit to FSSAI well in advance, all the necessary documents related to the composition, label and claims for the product they intend to import. FSSAI after due examination, would allow the import of such foods on a case to case basis for a period of two years from the date of this Order or till their Standards are developed and notified, whichever is earlier. Once a particular composition, label & claims is permitted by FSSAI for import, future consignments strictly adhering to the requirements can be imported on the basis of this one time permission.
  - b. The labels on these foods shall clearly mention the medical conditions for which they have to be used.
  - c. The importer/manufacture of such foods shall ensure that they are consumed only under supervision of health care professionals.

5. The above conditions shall also apply to domestically produced specialty food products for which FSSAI shall grant permission after due examination.

  
Rakesh Chandra Sharma  
Director (Imports)

Enclosure: as above

To


1. Sh. Zubair Riaz, Director (Customs), Ministry of Finance
2. All Commissioners of Food Safety
3. All Authorized Officers, FSSAI
4. All Central Licensing Authorities of FSSAI

Copy for information to:

1. PPS to Chairperson, FSSAI
2. PS to CEO, FSSAI
3. All Directors, FSSAI.

**Inborn Errors of Metabolism (IEM) and Hypoallergenic conditions**

S. No	Medical condition	Description
<b>A. IEM Conditions</b>		
1.	Maple syrup urine disease	Isoleucine, Leucine and Valine free diet powder
2.	Glutaric Acidemia Type I	Lysine and Tryptophan free diet powder
3.	Homocystinuria	Methionine free diet powder
4.	Isovaleric Acidemia, 3-Methylcrotonyl-CoA, Carboxylase Deficiency, 3-Methylglutaconyl-CoA, Hydratase Deficiency	Leucine free diet powder
5.	Methylmalonic Acidemias, Propionic Acidemia	Isoleucine, Methionine, Threonine and Valine free diet powder
6.	Amino acid metabolic disorders	Protein and amino acid free diet powder (with and without fat)
7.	Phenylketonuria (PKU)	Phenylalanine free diet powder
8.	Urea Cycle Disorders, Argininemia, Argininosuccinic Aciduria, Carbamoylphosphate Synthetase Deficiency1, Citrullinemia	Non-essential amino acid free diet powder
9.	Tyrosinemia	Phenylalanine and Tyrosine free diet powder
10.	Galactosemia	Galactose free formula
11.	3-Hydroxy Long Chain Acyl-CoA Dehydrogenase Deficiency	LCHAD Deficiency
12.	Defects in the intraluminal hydrolysis of fat; defective mucosal fat absorption; defective lymphatic transport of fat	Milk protein-based powder with medium-chain triglycerides (MCT) for children and adults
13.	Disaccharidase deficiencies; Disorders of carbohydrate metabolism Sucrase/ Isomaltase deficiency, Fructose intolerance	Protein hydrolysate formula base powder with iron for use with added carbohydrate.
14.	Non-ketotic Hyperglycinemia, Lysinuric protein intolerance	Protein free formula
15.	Glucose transport defect (Glut1 def), Pyruvate dehydrogenase complex deficiency	Low carbohydrate, sucrose, fructose, sugar free formula
<b>B. Hypoallergenic Conditions</b>		
1	Severe allergy due to multiple food protein intolerance that cannot be effectively managed by extensively hydrolyzed formula	Amino acid based Hypoallergenic formula
2	Severe allergy due to intact milk protein & soya protein	For Cow's milk allergy Hypoallergenic Formula

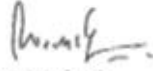
  
F.No. Stds/Nutra-IEM/FSSAI-2016 (Pt. F1)  
**Food Safety and Standards Authority of India**  
(A Statutory Authority established under the Food Safety and Standards Act, 2006)  
FDA Bhawan, Kotla Road, New Delhi - 110002

The 12<sup>th</sup> June, 2017

**Subject: Import of Specialty foods for IEM disorders -Reg.**

This is with reference to the direction issued under Section 16 (5) of Food Safety and Standards Act, 2006 dated 02<sup>nd</sup> November, 2016 regarding import of specialty foods for IEM disorders (Copy enclosed). In this regard, this is to inform you that the list of products (foods for special medical purpose) with labels permitted is annexed (Annexure-III) for import. For issuing NOC/NCR for the consignments of these products, the Authorised Officer are advised to follow the present procedure of food import clearance and FAQs issued in this regard (Copy enclosed). These FAQs are on products for Inborn Errors of Metabolism (IEM) and Hypoallergenic conditions has also been uploaded on FSSAI website. To start with for better control of these products, the import shall be permitted through Delhi and Mumbai ports only.

This issues with the approval of the Competent Authority.

  
(S.K. Yadav)  
Director (Imports)  
FSSAI HQ, New Delhi

**Enclosures: as above**

To

1. The Authorised Officer, Delhi.
2. The Authorised Officers, Mumbai.

Copy to:

1. PPS to Chairperson, FSSAI- for information.
2. PS to CEO, FSSAI- for information.
3. Sh. Zubair Riaz, Director (Customs), Ministry of Finance- with a request to circulate to all officials of Customs Department working as Authorised Officers.
4. The Authorised Officer, Cochin- for information.
5. The Authorised Officer, Tuticorin- for information.
6. The Authorised Officer, Chennai- for information.
7. The Authorised Officer, Kolkata- for information.

**Annexure-III**

<b>Label No.</b>	<b>Product name</b>	<b>Remarks</b>	
<b>M/s. Mead Johnson Nutrition (India) Pvt. Ltd.</b>			
1	BCAD 1	Allowed with stickering on the lid of the can *	
2	OA 1		
3	PFD Toddler		
4	Phenyl-Free 1		
5	Tyros 1		
6	Enfaport		
7	Puramino		
8	Nutramigen LGG	Allowed. No sticker as the label is as per FSSR*	
9	Pregestimil Lipil	Allowed with stickering on the lid of the can*	
<b>M/s Nutricia International Pvt. Ltd.</b>			
10	Milupa™ MSUD 1	Allowed with stickering on the label*	
11	Milupa™ GA 1		
12	Milupa™ HOM 1		
13	Milupa™LEU-1		
14	Milupa™OS 1		
15	Milupa™Basic - P		
16	Milupa™PKU 1		
17	Milupa™UCD 1		
18	Milupa™TYR 1		
19	Nutricia- Galactomin 17		
20	Nutricia - Monogen		
21	Milupa™Basic - f		
22	Nutricia - MCT Oil		
23	# Milupa™Basic - ch		
24	Milupa™LYS 1		
25	Neocate LCP		
26	Aptamil™Pepti 1		
27	Aptamil™ Pepti 2		
<b>M/s Abbott Healthcare Pvt. Ltd.</b>			
28	Ketonex 1		Allowed with stickering on the label*
29	Ketonex 2		
30	Glutarex 1		
31	Glutarex 2		
32	Hominex 1		
33	Hominex 2		
34	I-Valex-1		
35	I-Valex-2		
36	Pro-Phree		
37	Phenex-1		
38	Phenex-2		



39	Phenex-2 (Vanilla)	
40	Cyclinex-1	
41	Cyclinex-2	
42	Tyrex-1	
43	Tyrex-2	
44	ProVimin	
45	RCF	
46	Similac Elecare	
47	Elecare Jr Vanilla	
48	Similac Alimentum	
<b>M/s Nestle India Ltd.</b>		
49	MSUD gel	Allowed with stickering on the label*
50	MSUD express 15	
51	MSUD Amino 5	
52	Basecal 100	
53	Basecal 200	
54	SOS 10	
55	SOS 15	
56	GA gel	
57	GA express 15	
58	GA Amino 5	
59	HCU gel	
60	HCU express 15	
61	PKU gel	
62	PKU express 15	
63	PKU Trio	
64	UCD Trio	Allowed with stickering on the label*
65	UCD Amino 5	
66	TYR gel	
67	TYR express 15	
68	Alfamino	
69	Althera	Allowed. No sticker as the label is as per PSSR*
70	Alfare	
71	NAN OPTIPRO H.A. 1	
72	NAN OPTIPRO H.A. 2	

*\* Copies of the labels enclosed*

**F.No. Stds/Nutra-IEM/FSSAI-2016 (Pt. F2)**  
**Food Safety and Standards Authority of India**  
(A Statutory Authority established under the Food Safety and Standards Act, 2006)  
**FDA Bhawan, Kotla Road, New Delhi - 110002**

Dated, The 25<sup>th</sup> December, 2017

**Notice**

**Subject: Import of Specialty foods for IEM disorders -Reg.**

1. This is with reference to the direction issued under Section 16 (5) of Food Safety and Standards Act, 2006 dated 02<sup>nd</sup> November, 2016 regarding import of specialty foods for IEM disorders.

2. In continuation to the notice dated 12<sup>th</sup> June, 2016 regarding list of Specialty foods for IEM disorders permitted for import (Annexure II) an additional list of products permitted for import with labels is annexed (Annexure-I). For issuing NOC/NCR for the consignments of these products, the Authorized officers are advised to follow present procedure of food import clearance and FAQs issued in this regard. For better control of these products, the import shall be permitted through Delhi and Mumbai ports only.

This issues with the approval of the Competent Authority.



**S.K. Yadav**  
**Director, Imports**  
**FSSAI HQ, New Delhi**

**Enclosures: as above**

**To**

1. The Authorised Officer, Delhi.
2. The Authorised Officers, Mumbai.

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5. The Authorised Officer, Tuticorin- for information.
6. The Authorised Officer, Chennai- for information.
7. The Authorised Officer, Kolkata- for information.

Annexure-I

Label No.	Product name	Remarks
<b>M/s Nutricia International Pvt. Ltd.</b>		
1	Milupa MSUD 2 prima	Allowed with stickering on the label*
2	Anamix infant MSUD	
3	Anamix infant GA1	
4	Milupa HOM 2 prima	
5	Anamix infant HCU	
6	Milupa LEU 2 prima	
7	Anamix infant IVA	
8	Milupa OS 2 prima	
9	Energivit E	
10	Milupa PKU 2 prima	
11	Milupa UCD 2 prima	
12	Milupa TYR 2 prima	
13	Anamix infant TYR	
14	Milupa LYS 2 prima	
15	Anamix infant NKH	
16	Neocate Junior chocolate	
<b>M/s Abbott Healthcare Pvt. Ltd.</b>		
17	Elecare Jr (for ages 1 and up) vanilla flavor#	Allowed with stickering on the label*
18	Ele care (0 - 12 months)#	
19	Tyrex - 1**	
20	Similac isomil 1 (0 - 6 months)	
21	Similac isomil 2 (6 to 12 months)	
22	Similac total comfort optigro (birth to 12 months)	
23	Similac total comfort Intelli pro 2 (for after 6 months)	

\* Copies of the labels enclosed

# Products already in the approved list for import. These are additional labels differing in design without differing in composition.

\*\*Revised label.