

भारतीय खाद्य सुरक्षा और मानक प्राधिकरण
(खाद्य सुरक्षा और मानक अधिनियम, 2006 के तहत स्थापित एक वैधानिक प्राधिकरण)
(नियामक अनुपालन प्रभाग)
एफडीए भवन, कोटला रोड, नई दिल्ली-110002

Dated 12th October, 2022

To,

Dr. Arun Gupta,
Central Coordinator,
Breastfeeding Promotion Network of India- India (BPNI),
BP-33, Pitampura,
New Delhi-110034.
Email: bpni@bpni.org

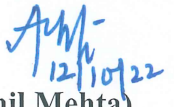
Sub: Reference regarding commercial processing of mother's milk and violating the Infant Milk Substitutes Feeding Bottles, and Infant Foods (Regulation of Production, Supply and Distribution) Act 1992, and Amendment Act 2003 by Neslak Biosciences.

Sir,

This is in reference to your email dated 22.09.2022 addressed to Hon'ble Minister of State, Ministry of Health and Family Welfare, GoI on the above mentioned subject matter.

2. In this regard, it is to mention that the FSSAI license of M/s Neslak Biosciences Private Limited (Lic. No. 12122801000184) has been suspended by the concerned Designated Officer (DO) on 07.10.2022. Further, FSSAI has also issued an advisory dated 28.09.2022 to all the Food Safety Commissioners of States/UTs and Regional Directors to advise the licensing authorities under their jurisdiction not to allow licensing/registration for processing/sale of Mother's milk or products derived from Mother's Milk/Human Milk. A copy of the said advisory is attached herewith for your reference. (Copy attached)

Yours sincerely,


(Anil Mehta)
Director (RCD)

Copy for Information to:

1. PS to Hon'ble Minister of State, MoHFW, GoI, Nirman Bhawan, New Delhi, 110011
2. SPS to CEO, FSSAI
3. PS to Advisor, (S&S), FSSAI



हिन्दी का मान : राष्ट्र का सम्मान

Inoshi Sharma, IRS
Executive Director
Email: ed-office@fssai.gov.in

भारतीय खाद्य संरक्षा एवं

मानक प्राधिकरण

स्वास्थ्य एवं परिवार कल्याण मंत्रालय

भारत सरकार

एफडीए भवन, कोटला रोड, नई दिल्ली-110002

FOOD SAFETY AND

STANDARDS AUTHORITY OF INDIA

Ministry of Health & Family Welfare

Government of India

FDA Bhawan, Kotla Road, New Delhi-110002

Website:- www.fssai.gov.in

Helpline No:- 1800112100

D.O. No. RCD-02001/5/2021-Regulatory-FSSAI (E. No. 2261)

Dated: 28th September, 2022

Dear madam / Sir,

FSSAI is in receipt of several complaints regarding manufacturing and marketing of *mother's milk and/or products derived from mother's milk* under FSSAI licenses. It has been further reported that such FBOs obtained FSSAI licenses under either standardized food product categories viz. 'Milk' or 'Dairy products' or 'Infant milk substitutes' or 'Infant foods' and thus without disclosing the details of such human milk based products being manufactured by them.

2. In this regard, it is clarified that any foods related to infants shall comply with the standards specified under FSS (Foods for Infant Nutrition) Regulations, 2020, which does not cover either mother's milk or any products derived from mother's milk. ***Further, the processing and sale of human milk is not permitted under the FSS Act, 2006 and Rules/Regulations made thereunder.***

3. It is also brought to your kind notice that per the National Guidelines on Lactation Management Centres (LMC) in Public Health Facilities issued by Ministry of Health and Family Welfare, Government of India, donor human milk (DHM) cannot be used for commercial purposes. A copy of the said guidelines may be accessed at **https://nhm.gov.in/images/pdf/programmes/IYCF/National_Guidelines_Lactation_Management_Centres.pdf**

4. In view of above, I would therefore, request you to kindly advise all the Designated Officers under your jurisdiction to strictly comply with the above regulatory provisions and no license/registration for processing/sale of *Mother's Milk or products derived from Mother's Milk/ Human Milk* should be granted to any Food Business Operators.

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5. Further, in case of any report/intelligence about manufacturing of such products in the name of Milk or other standardised/proprietary products under FSSAI License stringent action including suspension/cancellation of the license/registration should be initiated immediately apart from seizure of such stocks and launching of appropriate legal proceedings against such FBOs as per the provisions of the FSS Act, 2006 and Rules/Regulations made thereunder.

warm regards,

Yours sincerely

Inoshi
(Inoshi Sharma)

To

List as attached

To

1. Commissioners of Food Safety of all States/UTs
2. Directors, all Regional Offices of FSSAI
3. All Central Licensing Authorities