



Introduction:

Nutricia North America, Inc. is a subsidiary of Danone S.A., a multinational company with the mission of bringing health through food to as many people as possible. Nutricia North America sells 14 products for use by infants with special medical conditions under the Neocate, Periflex, Anamix, and Analog brands, designated by Danone as Food for Special Medical Purposes (FSMP) that are prescribed by healthcare practitioners, that may qualify as breast milk substitutes (BMS) according to the World Health Organization (WHO), with operations and sales in Rockville, Maryland, United States and Laval, Quebec, Canada.

As determined by B Lab's independent Standards Advisory Council, companies involved in the marketing of breastmilk substitutes are eligible for B Corp Certification if they (1) have a formal policy endorsing the [WHO's International Code of Marketing of Breast-milk Substitutes](#), and subsequent World Health Assembly (WHA) resolutions, (2) disclose how the company manages alignment to the code, and (3) are transparent about potential areas that do not align with the code. Companies who are listed in the Access to Nutrition Index are also required to meet minimum score requirements (TBD) on the breast milk substitute scorecard in order to be eligible for B Corp certification.

For more information on B Lab's position on the marketing of breastmilk substitutes, please refer to B Lab's statement on the breast milk substitute industry and B Corp Certification [here](#).

Danone S.A. has a [Global Policy for the Marketing of Breastmilk Substitute \("Danone's Policy"\)](#) which is applied to all of its subsidiaries that sell products that fall within the defined scope of their policy. Danone's policy includes a commitment to the principles of the WHO Code:

"Danone acknowledges the importance of, and commits to the principles of, the International Code of Marketing of Breast-Milk Substitutes adopted on 21st May 1981 (the "WHO Code") and the subsequent relevant resolutions of the World Health Assembly ("WHA")."

Food for special medical purposes (FSMPs), however, is not considered as part of the scope of Danone's policy as breastmilk substitutes due to their use in patients with a diagnosed medical condition who, because of their condition, have specific nutritional needs that cannot be met by a normal diet. These products are prescribed or recommended by a healthcare professional. It is for these reasons that FSMPs (or medical nutrition products as these products are called in the US) are not considered as breast milk substitutes. Nutricia North America does not sell any products that fall within the scope of Danone's Global Policy.

The WHA Resolution 69.9 defines a breastmilk substitute as any food being marketed or otherwise presented as a partial or total replacement for breastmilk, whether or not suitable for that purpose which includes infant milks marketed as food for special medical purposes (FSMP).
Company Comments:



Nutricia North America only sells medical foods. In Europe, these products are called foods for special medical purposes, FSMP. These products are specially formulated for infants who are unable to tolerate, absorb, digest or metabolise breast milk or standard infant formula or have other medically determined nutrient requirements (e.g. allergy to whole proteins) that cannot be met by breast milk or standard infant formula, are used under medical supervision for patients at risk of malnutrition, abnormal development or death without access to these products.

As these products are introduced by the HCP to respond to the specific nutritional needs of the medical condition that cannot be met by breastfeeding alone, they should not be considered the same as a breast milk substitute for a healthy infant.

As these products are prescribed/recommended and their use monitored by a HCP following a diagnosis of a disease, disorder or medical condition, use of FSMPs/medical nutrition products is beyond the decision of the mother to breastfeed.