

THE FRENCH REPUBLIC

Ministry for Health and Prevention

Order of [...]

**establishing the list of establishments, services or service providers who may supply
foods for special medical purposes in accordance with the provisions of Article L. 5137-1
of the Public Health Code**

NOR: [...]

The Minister for Health and Prevention,

Having regard to Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codification), and in particular notification No 2023/XXX/F;

Having regard to the Public Health Code, in particular Article L. 5137-1 thereof;

Decrees:

Article 1

Foods intended for special medical purposes other than those referred to in the second paragraph of Article L. 5137-3 of the Public Health Code may be supplied under conditions guaranteeing effective medical supervision:

1. Health cooperatives running a pharmacy for internal use;
2. Healthcare establishments which do not have a pharmacy for internal use;
3. The following medical and social institutions and services:
 - a) Elderly residence facilities mentioned in point 6 of I of Article L. 312-1 of the Social Action and Family Code;
 - b) Residence facilities for minor or adult disabled persons mentioned in points 2 and 7 of I of the same article;

c) The facilities called: ‘healthcare beds’, ‘medicalised reception beds’ and ‘assisted-living apartments’ mentioned in point 9 of I of the same article;

d) The experimental establishments or services referred to in point 12 of the same article;

4. The social and medico-social cooperatives referred to in Article L. 312-7 of the Social Action and Family Code running at least one establishment or service mentioned in point 2;

5. Service providers and distributors of materials referred to in Article L. 5232-3 of the Public Health Code.

In health establishments with a pharmacy for internal use, foods for special medical purposes other than those referred to in the second paragraph of Article L. 5137-3 of the Public Health Code may be supplied, in connection with the pharmacy for internal use, by a department of the establishment.

Article 2

This Order shall be published in the *Official Journal* of the French Republic.

Dated

The Minister for Health and Prevention,

For and on behalf of the Minister:

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