

No. 31015/40/2014-PI.I
GOVERNMENT OF INDIA
MINISTRY OF CHEMICALS & FERTILIZERS
DEPARTMENT OF PHARMACEUTICALS

B Wing, Janpath Bhavan, New Delhi

ORDER

Subject: Review application of M/s. Fresenius Kabi India Private Limited against fixation of ceiling prices of Ringer Lactate Injection vide National Pharmaceutical Pricing Authority(NPPA) notification S.O. No.1156(E) dated 28.4.2014 issued under Drugs (Prices) Control) Order, 2013 (DPCO, 2013).

Whereas Government of India, vide price fixation Order S.O. No.1156(E) dated 28.4.2014 fixed ceiling price of Ringer Lactate Injection under DPCO, 2013.

2. And whereas aggrieved by the above notification M/s. Fresenius Kabi India Pvt. Ltd.(hereinafter referred to as the Petitioner) had represented to the reviewing authority against the said price fixation. Personal hearing was granted to the Petitioner by the Department of Pharmaceuticals on 01.7.2014. The Petitioner was represented by S/Shri Rakesh Sharma, Director, Amol Kulkarni and Dr. Sadanand Kulkarni. On behalf of the NPPA Shri Naresh Arya, Dy. Director attended the hearing.

3. The issues involved in the review application have been examined based on the record note of discussions of the personal hearing, other documents on record and the Government has decided as under:

The review application of the Petitioner is rejected on the ground that DPCO, 2013 does not provide for separate pricing for a separate packing material.

On the issue whether the variants available in the market have different therapeutic efficacy the cases pertaining to M/s Baxter and M/s B. Braun have already been referred to the Standing Technical Committee. As the ceiling prices are applicable across the board, any decision in the cases already referred to Standing Technical Committee will be applicable in this case also.

Issued on this date 5th August, 2014.

(Roshan Lal)

Under Secretary to the Govt. of India
For and on behalf of the President of India

To

1. M/s. Fresenius Kabi India Pvt.
5th Floor, A Wing, Ashoka Plaza, Pune-Nagar Road,
Survey No.32/2, Vadgaon Sheri, Viman Nagar, Pune-411014
2. The Member Secretary,
National Pharmaceutical Pricing Authority,
YMCA Cultural Centre Building, New Delhi-110001

Copy to :

1. PS to Hon'ble Minister (C&F), Shastri Bhawan, New Delhi for information.
2. Sr. PPS to Secretary (Pharma), Shastri Bhawan, New Delhi for information.
3. The Chairman, NPPA, YMCA Cultural Centre Building, New Delhi for information

