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**Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity**
ສາທາລະນະລາວ ປິເຕະອົດອຸນຫະພາບ

National Assembly

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Law on Food

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Law on Food

Part I **General Provisions**

Article 1 Objective of the Law

The Food Law defines the principles, rules, procedures and measures for the management and inspection of food activities in order to control the quality, standard, particularly the food safety, to assure on nutrition, to protect the health of consumers, to promote food production and business, to instruct the citizen to be aware, understand and select to consume safe, hygienic and nutritional foods, including to understand the utility and harmful effects of the food, to know how to take care the health, and involve in the protection and development of the country.

Article 2 Food

Food is any substance which the human consumes and drinks in fresh, cooked, raw or processed form, except drugs.

Article 3 Food utility and harmful effects

Food is vital to the human existence and useful to the physical integrity by providing energy, building and regulating the human body.

Unsafe, contaminated, decomposed or expired food borne diseases and illness to the body, such as diarrhea, cholera, hepatitis, cancer and other, which may lead to die.

Article 4 Terms of definitions

This Law limits the meaning of the terms as follows:

Nutrition means the consumption of nutritional, useful and safe food in order to enhance the physical growth, regulating and mental development of the body.

Nutrient means ingredients or substances constituted in food which are useful to the physical integrity.

Adulterated food means food which an substance has been added or removed, then replaced by other one, which renders food to be

unqualified, substandard, and may be injured to the health of the consumers.

Contaminated food refers to the food contained biological or chemical substance, foreign elements or other substances added wherein or exceeded the requirement of food standard which may be injured to the health of the consumers.

Dangerous substance in the food refers to a toxic chemical substance and other substances, including the bacteria causing the harmful effects to the health.

Falsified food refers to the food using the trade mark of other one which has been officially registered

Food storage refers to the food warehousing for distributing to the society

Food keeping refers to the storing of food in the houses for familial use

Article 5 Obligations of citizen towards food

Lao citizens, aliens, non-citizen people and foreigners residing in the Lao PDR have the obligations to contribute in the management for production, preparation, storage, service, distribution and transportation of food in order to make the food being safe, qualified, standardized linking to the environmental protection. In addition, they are also entitled to protect sustainability the food resources originated from the nature.

Article 6 Promotion of food

The State has policy of promoting domestic and foreign individuals and organizations to invest in food activities relating to the cultivation, growing, preparation, service, industrial and manual production, storage, distribution, transportation of food that are national, tribal and international characteristic and transform into modern and industrial production to meet the supply of domestic use and exportation by providing the data and information to the population, the consumption of safe, qualified, nutritious food, including the necessary and suitable importation.

Article 7 International cooperation

The State widely welcomes and supports international cooperation in the field of food by experience exchanges, capacity building trainings, scientific researches and others in order to mobilize the assistances, foreign investments and exchanges of goods.

Part II Group and Standard of Food

Section 1

Group of food

Article 8 Group of food

Food is classified into 3 groups, as follows:

Group 1 : Energy-Giving food

Group 2 : Body-Building food

Group 3 : Body-Regulating food

Article 9 Energy-Giving Food

Energy-Giving Food is a food group that gives energy and makes the body perfectly functioning, such as: rice, fats, oil, flour, sugar and others that give energy.

Article 10 Body-Building Food

Body-Building Food is a food group that renders the body growing and immunizing against diseases, such as: meat, fish, milk, egg, various beans.

Article 11 Body-Regulating Food

Body-Regulating Food is a food group that is vital to physical and mental development of the body and increases the immunity against diseases, such as: vegetables, fruits, vitamins, iodized salt, and other minerals.

Section 2

Food Quality and Standard

Article 12 Food quality

Food quality is a specific characteristic of each food that makes the food safe, nutritional, and useful to the consumers health.

Article 13 Food standard

Food standard is a norms indicators that measures the characteristic of each type food.

Food shall comply with the standard of the Lao PDR.

The food standard of the Lao PDR shall consist of the basic contents as follows:

- safety
- hygiene
- nutrition

In case of Lao PDR standard do not exist, food shall comply with the standard, regulation and guidance prescribed by the International Codex Alimentarius.

The International Codex Alimentarius is the norms indicators that measures food standard which have been approved by the Food and Agriculture and World Health Organization.

Article 14 Safe food

Safe food is a food without contamination of bacteria, chemical substances toxic or adulterated agents that are dangerous to the consumers health.

Article 15 Hygienic food

Hygienic food is a food that has been produced by using all conditions and necessary measures to ensure the cleanliness and safety of food at all steps in food activities starting from the production, processing, packaging, service etc... to the consumption.

Article 16 Nutritional food

Nutritional food is a food that is composed of energy-giving substance and body-building substance and renders regulating body in livelihood, such as flour, protein, fats, oils, vitamins, minerals and others which contain nutrients.

Part III

Food Activities and Business

Section 1 Food activities

Article 17 Food activities

Food activities are comprised of food primary production, preparation, service, industrial and handicraft production, storage, distribution, keeping, transportation, importation, exportation and donation.

Article 18 Food primary production

Food primary production comprises of cultivation, rearing, including forest products collection for food.

The cultivation and rearing for food shall be used all conditions and measures to ensure the safety and quality of produced food for the consumers, such as: it shall not contain bacteria, aflatoxin, toxic chemical or chemical residues exceeded the official standard provided for by laws and regulations.

Forest products collection, hunting or catching of terrestrial and aquatic animals in the nature for food shall comply with the laws and regulations and shall ensure the safety for the consumption. The collected products shall be kept by using all necessary measures in order to ensure the safety and hygiene of such, including the non-destruction of the food resources and environment.

Article 19 Food preparation

Food preparation is the processing of the materials into food that it shall be ensured in term of safety, hygiene and quality as the followings:

- raw materials for food preparation shall be assured the safety, hygiene and nutrition;
- food preparation shall be assured the safety, hygiene, such as meat, fish, snail, shrimp, etc...must be clean and cooked. Vegetables, fruits must be cleanly washed;
- premises and utensils, such as bowls, plates, spoons and other equipments using for food preparation shall be assured in term of safety and cleanliness;
- food processors shall be free of communicable diseases, have personal hygiene and cleanly dress.

Article 20 Food service

Food service shall be undertaken in a manner that assures the safety, hygiene and quality of food by providing the standardized food and following the food hygienic principles prescribed by the laws and regulations, such as the hygiene of food premises and the place for eating, utensils and other equipments used in food preparation and the personal hygiene of food service.

Article 21 Food industrial and handicraft production

Food production in industrial and handicraft processes shall comply with the prescribed principles, such as premises design, raw material selection, sanitation, hygiene practice, use of progressive and modern technology; that established or approved by the food management and inspection authorities of the Lao PDR or complied with the International Codex Alimentarius in order to ensure the safety and quality of food for consumers.

Article 22 Domestic food distribution

Domestic food distribution which comprises of wholesale, retail, storage and transportation of food shall be undertaken in conformity with the laws and regulations in order to ensure the safety and quality of food for consumers.

Article 23 Food exportation

Food exported from the Lao PDR shall comply with the standard as prescribed in Article 13 of this Law and with the other regulations concerned. With regard to the food quality, it depends upon the needs of the importing country.

Article 24 Food importation

Food importation may be imported for familial consumption or for servicing the society.

Food importation for familial consumption should be taken into account on safety, hygiene and quality.

Food importation for servicing the society, such as distribution, preparation, service of food, shall be undertaken in a manner that assures the quality and standard as provided in Article 12 and Article 13 of this Law and other regulation concerned. Food for refilling, repackaging and re-labeling shall be certified in term of quality and standard by the food management and inspection authorities.

Article 25 Donation of food

Food received from domestic and foreign donation or assistance shall be safe, qualified, standardized, unexpired and certified the quality by the competent authorities.

Section 2 Food activities Characterization

Article 26 characterization of food activity

Food activities provided in Article 17 of this Law may be undertaken in a manner of familial economic and business characteristic, except food donation.

Article 27 Food activities of family characteristic

Food activities of family characteristic comprise of food primary production, preparation, handicraft production and keeping for family servicing.

Article 28 Food activities of familial-economic characteristic

Food activities of familial-economic characteristic comprise of food primary production, preparation, service, handicraft production, storage and distribution for family and social servicing.

Article 29 Food activities of trade-business characteristic

Food activities of trade-business characteristic comprise of food primary production, service, industrial and handicraft production, storage, distribution, importation and exportation for social servicing.

Section 3 Food business operation

Article 30 Food business operation

Individuals or legal entities wishing to operate a food business shall apply through the public health sector and other sectors concerned to the trade sector for making decision as provided in the business law.

Article 31 Obligations of the food business operator

Food business operator is required to ensure the safety, hygiene and quality of food. In the case that the unsafe food causes damages to consumers, the business operator is liable before the law. In addition the food business operation shall cooperated with food inspection Authorities for facilitating their duties.

Part IV Prohibitions

Article 32 Prohibitions in food production and preparation

In cultivation and growing for food it is forbidden to use the methods that may cause unsafe food or methods that are contrary to the food law of the Lao PDR. The use of unsafe water or fertilizer is also prohibited. The use of pesticide, hormone or anti-biotic in excess dose of determined standard is forbidden.

It is strictly prohibited to use the toxic chemical substance, narcotic substance, paint dangerous to the health, and it is prohibited to use the saccharine, preservative, nitrate, food color in the food production and preparation; in excess of determined standard that prescribed by laws and regulations. Smoking when preparing the food is prohibited.

Article 33 Prohibition in food storage

It is strictly prohibited to use the methods leading to unsafe food or unsuitable for food quality, such as mixture of dangerous chemical substance in the food, particularly formaldehyde or other chemical substance; the control of heat, cold and humidity that is inconsistent to the food law and regulations of the Lao PDR.

Article 34 Prohibition in food importation and distribution

Importation or distribution of unsafe, unqualified, non-standardized food or food not in conformity with the food law and regulations of the Lao PDR, such as contaminated, adulterated, decomposed, fraudulent, expired, unlabelled, or quality non-certified food is prohibited, except fresh food that do not need label, such as meat, fish, crab, snail and fresh fruits. Importation of nearly expired food is also prohibited.

Food distribution by using the methods that are inconsistent with the food law and regulations of the Lao PDR is prohibited, such as open of boxes and packages, food refilling from its origin that may causes the food unsafe, adulterated, contaminated, incomplete, decomposed, substandard, fraudulent or expired.

Article 35 Prohibition in food exportation

Exportation of unsafe, or non-complied with the standard of the Lao PDR is prohibited. Regarding the food quality it depends upon the needs of the importing country.

Article 36 Prohibition in food containing and packaging

It is prohibited to use the toxic, contaminated or unsuitable materials for the food containing and packaging by which the safety and hygiene of the food are not assured, such as newspapers, printed papers, fertilizer bags, feeds bags, cement bags and other materials.

Article 37 Prohibition in food advertising

Food advertising by any means over the reality, conducting the consumers to misleading and may cause injuries to the health is prohibited.

Part V Rights and obligations of the consumers

Article 38 Rights of the consumers

Consumers have the following rights:

- receive information on food;
- receive the safe, qualified, nutritional adequacy, and suitable food;
- instruct, warn producers, handlers, services and distributors of the food that considered as unqualified and non-standardized;
- change back the food or claim for damage reparation from the suppliers of toxic, expired or unqualified, non-standardized food in case of receiving harmful effects resulting from such food;
- other rights as prescribes by laws and regulations.

Article 39 Food consumption

For the health of the consumers the followings conducts should be observed:

- select food in each group as provided for in Articles 9, 10 and 11, which provide safety and quality food for the physical and mental development and strengthen health;
- safely prepare and handle food, follow five key principles of food at all time as: cleanly keep food, separate raw food from cooked food, cook food thoroughly, use safe water and raw materials, perform good hygiene practices at all steps of food preparation;
- consume safe, qualified, nutritionally adequacy and suitable food, including good hygiene practices.

Article 40 Obligations of the consumers

Consumers are entitled to report to the relevant authorities on the processing, production, service, storage, distribution, importation of food that are unsafe, contaminated, adulterated or expired which are undertaken by the food business operators and suppliers to the society in order to take appropriate measures by the such relevant authorities for resolution.

Part VI **Food Management and Inspection**

Article 41 Food management and inspection authorities

Food management and inspection authorities are comprised of:

- at central level: Ministry of Public Health
- at provincial level: Provincial Public Health Authority/City
- at district level: District Public Health office/Municipality

Article 42 Roles of the food management and inspection

Authorities

Food management and inspection authorities have the role to control the food quality, monitor, inspect and instruct on food activities, mainly the food of trade-business and familial economic characteristics supplied to the society, and donation. In addition, the food management and inspection authorities have to give instructions to the people who undertake the business activities of familial characteristic to comply with the food law and regulations and encourage the society to produce and consume the safe and qualified food.

Article 43 Rights and duties of the Public Health Ministry

The Ministry of Public Health has the main rights and duties in food management and inspection as follows:

1. draft the policy and strategic plan on food management and inspection for proposing to the government for consideration;
2. turn the policy, plans and decisions of the government on food management and inspection activities into plans, programs and projects in details, and lead for implementation at the same time;
3. draft and adjust the provisions, rules and standard on food;
4. technically lead and monitor the implementation of the food law and regulations in food management and inspection activities;
5. suspend or cancel the agreements, orders, instructions and notices which are contrary with the laws and regulations of the relevant food management and inspection authorities at the lower level;
6. consider the complaint or proposal of the population relating to the food quality, standard and food activity management and inspection;
7. coordinate with the concerned sectors in food management and inspection in order to effectively realize the implementation of the adopted and promulgated laws and regulations on food;

8. cooperate with the foreign countries and international organizations in order to create all conditions favorable to facilitate the food management and inspection activities;
9. perform other rights and duties as prescribed by the laws.

Article 44 Rights and duties of the Provincial Health Authority/City

The Provincial Health Authority, City has the main rights and duties in food management and inspection as follows:

1. turn the policy, plans and decisions of the government on food management and inspection activities into plans, programs and projects in details;
2. implement the policy and strategic plans of food management and inspection activity, issued by the Ministry of Public Health and by oneself;
3. lead the District public health offices, Municipality in food management and inspection activities;
4. manage, inspect and control the quality of food produced, processed, distributed, imported, exported, donated in the area of its own responsibility in order to render the food qualified and standardized;
5. manage and inspect the food advertising in the area of its own responsibility;
6. instruct, disseminate the information data and promote the society to produce and consume safe and qualified food;
7. consider the complaint or proposal of the population relating to the food quality, standard and food activity management and inspection;
8. coordinate with the concerned sectors in food management and inspection in order to effectively realize the implementation of the adopted and promulgated laws and regulations on food;
9. perform other rights and duties as prescribed by the laws.

Article 45 Rights and duties of the office of District public health office/Municipality

The of public health office of the district, municipality has the main rights and duties in food management and inspection as follows:

1. implement the policy and strategic plans of food management and inspection activity, issued by the Provincial Public Health Authority, municipality;
2. manage, inspect the food quality and monitor food advertising in the area of its own responsibility;
3. instruct, disseminate the information data and promote the society to produce and consume safe and qualified food;
4. consider the complaint or proposal of the population relating to the food quality, standard and food activity management and inspection;

5. coordinate with the concerned sectors in food management and inspection in order to effectively realize the implementation of the adopted and promulgated laws and regulations on food;
6. perform other rights and duties as prescribed by the laws.

Article 46 Food inspection

Food inspection is the examination of food, raw materials, production, processing, packaging, service, storage, distribution, importation, exportation and donation of food, including the testing of the food productivity and food products commencing from the primary production to the finished products in order to ensure that food comply to quality and standard as prescribed by the laws.

Food inspection divides into tree types as follow:

- regular systematic inspection;
- inspection by advance notice;
- surprise inspection

The regular systematic inspection is an inspection conducted regularly following to the plans and in fixed periods.

The inspection by advance notice is an inspection conducted out of the plan, when deemed necessary that food business operator shall be notified in advance.

The surprise inspection is an urgent inspection conducted without any notice in advance to the food business operator to be inspected.

During the food inspection process, the inspectors shall properly and strictly implement following the laws and regulations.

Part VII Rewards and sanctions

Article 47 Rewards

Individuals or organizations having good deeds in implementing this law shall be rewarded and privileged from treatments determined in detail by the government.

Article 48 Measures towards violators

Individuals or organizations supplying food to the society that violate the provisions of this law shall be educated, fined or criminally punished, depending on the gravity of the breached acts, including the compensation of the damages occurred.

The food manager and inspector officials committing an offence in their duty performance, such as duty abandon, unlawful use of title, abuse of power, receiving of bribes, shall be educated, disciplined or criminally punished accordingly to the gravity of the violated acts.

Article 49 Educational measures

Individuals or organizations supplying food to the society that produce, process, service, store, distribute, import, export or donate the foods which are unqualified and dangerous to the health of the population shall be educated.

Article 50 Fines

Individuals or organizations as defined in Article 49 of this law that continue to commit such acts shall be fined.

Individuals or organizations that have supplied to the society the unsafe, non-standardized, adulterated, contaminated or expired food shall be fined.

The rates of the fines shall be separately determined in a specific regulation.

Article 51 Civil measures

Individuals or organizations supplying the food to the society that cause the damages to the consumers resulting from the production, processing, importation, exportation, service, storage, distribution, donation of unsafe, unqualified, non-standardized, adulterated, contaminated or expired food shall be repaired the damages occurred.

Article 52 Criminal measures

Individuals supplying the food to the society who produce, process, import, export, service, store, distribute, donate the unsafe, unhygienic, unqualified, non-standardized, adulterated, contaminated or expired foods which are dangerous to the life or health of the consumers shall be punished accordingly to the criminal law.

Part VIII Final Provisions

Article 53 Implementation

The government of the Lao People's Democratic Republic shall issue the detail provisions and implement this law.

Article 54 Effectiveness

This law shall be effective ninety days after the date the President of the Lao People's Democratic Republic issues its promulgating Decree.

Rules, regulations and provisions contradicting this law are hereby cancelled.

President of the National Assembly

Samane VIGNAKET