



LAO PEOPLE'S DEMOCRATIC REPUBLIC
Peace Independence Democracy Unity Prosperity

Ministry of Health

No. 856/MoH
Vientiane Capital, 12 May 2006

**Regulation on the Control
on Production, Exported-Imported Safe Food**

Reference to:

- The Food Law No. 04, dated May 15th 2004;
- The Prime Minister Regulation No. 020/PM, dated March 19, 1999 on the structure and function of the Ministry of Health;
- The submission of the Food and Drug Department, dated December 26, 2005.

**The Minister of Health issued the regulation
On the production, exported-imported safe food as follows:**

**Part I
General Provisions**

Article 1. Objective and outputs

1. Objective

This regulation defines the principles, rules, measures for production, processing, import and export and distribution of Food in Lao PDR in order to management, control, strengthen and promote the food businesses units in term of development.

2. Outputs

To be as a tool of monitoring, control of the production, processing, import and export and distribution of Food; in order to ensuring the quality and safety for consumers, making the food businesses units and food activities functions smoothly undertake accordingly to defined rules and principles.

Article 2. Term of Definitions

Food products registration: means the information of formula in writing form that demonstrated the list of ingredients used in food composition including weigh or quantity of each item clearly identified.

Food additives: means the substances added in food for production, processing, treatment, packaging, transportation or storage purpose. These food additives are not include substances that enhancing the nutritional quality and other contaminants.

Food chain: means the process of food production, processing, treatment, packaging, transportation and storage.

Article 3. Scope and utilization

This regulation is used for food businesses units dialed with production, processing, import and export and distribution of Food in Lao PDR.

This regulation defines only basic principles, rules and measures; while other standards, quantity and others facilities such as material, ventilation and lighting; drainages and treatment of disposal in food premises or production rooms, utensils, packaging equipment, quantity of food additives to be use in food production and processing will be separately defined.

Part II Safe Food Processing

Section 1 Process of safe food

Article 4. Safe Food Production and Processing

Safe Food processing begins from selection of raw material, control of all steps of food production, processing, analysis, packaging, labeling, storage, transportation, distribution in order to ensure quality and safety of food products following with Good manufacturing practice (GMP).

Fermented food shall be processed in a manner that protects, as much as practicable, the food from the growth of pathogens. This shall mean that the process should aim for a rapid drop in pH.

Food or raw material drying should proceeded with pre cleaning and dry it in hygienic area that is free from pathogens, chemicals and toxic dust, with covers to protect from fly, insect or others that will be vehicles of pathogens and toxins.

Article 5. Food additives

Quantity and standard of Food additives used in Food should comply with the Codex Standard for food additives (Codex STAN 192-1995); the detail of quantity standard of food additives will be in the specific list.

The following Food additives and substances added in food are not allowed to use in Lao PDR:

- Borax (including baborate, sodium tetraborate and sodium pyroborate);
- Diethylene glycol (including Diethylene glycol, monoethylther)
- Formaldehyde
- Chloramphenicol
- Nitrofurans or nitrofurazole

Article 6. Equipment and utensils for food processing

Equipment, utensils and other facilities that are directly in contact with the food such as machine, table, chopping boat, knife, bowl, palate and other surfaces should be smooth, impervious to water, non-absorbent, durable, non-toxic; non chemical released, non corrosives and easily maintained, cleaned; and disinfected accordingly to the principles and characteristics of the food activity.

Utensils made from plastic, metal or others used in food, drying, autoclaving, cooking, steaming or storage raw material should be heat resistant; ensuring the toxics releasing into the food or raw material that will be harm for consumer's health.

Article 7. Packaging

Packaging directly in contact with food shall be clean and free from foreign matters; chemical hazardous and be suitable to keep quality of food in a manner for each characteristic of food.

Article 8. Storage of food products

Food products that have been passed go through steps of processing, production, finished and semi-finished products shall be separated from raw material and storage in suitable temperature and specific area shall not be mix with foreign matters and chemical accordingly to the characteristic of each product.

Article 9. Raw material and storage

Raw material used for processing and production of food shall be from sources that are free from pathogens and chemicals that harm to consumers; storage, containers, packaging, transportation shall ensure the temperature, standard and quality of each raw material according to the specific characteristic requirement of food that will be produced or processed.

Article 10. Processing, production and storage areas

To ensure safe food, beside applying to the regulation of related organizations, food handing, food production, storage areas such whole establishment or specific areas shall be separated from the rest room located in manner that is not built up of waste, solid waste; ensure that have no consequences from Chemical factory, pesticides, cement, community with more density and Roads with dust.

Processing, production and storage areas shall have the right and suitable ventilation; floor, walls, ceiling, window and door sills shall be durable, smooth, non-absorbing, non-building up the dust, easy to clean and maintenance; ensuring that to prevent the growth of moulds and micro organism; shall have the drainage and waste water treatment and disposal system that is required by standards and principles of waste disposal.

Section 2 Cleaning

Article 11. Cleaning and disinfection

Processing, production and storage areas shall be regularly kept in good hygiene condition to avoid contamination in food.

Before and after food processing, production, each time it is recommended to clean and disinfect equipments, utensils, machine and other related to the food production and processing.

To ensure the adequate of hygiene and disinfection of food premises, sufficient, suitable and effective hygiene equipment should be available according to the hygiene principle.

Article 12. Personal hygiene practices

Food handlers shall be in good health which are checked and approved by health authority at least 2 times per year.

Before in contact with food, food handlers shall always wash their hands each time according to the Good hygiene principles.

Part III Registration and Importation-exportation of Food

Section 1 Food registration and registration validity

Article 13. Food product registration

All food businesses obtained permit to operate business of food production shall register all products with processing procedure, formula and ingredients with Food and Drug Department to take consideration of issuing the registration of food products.

For registration to imported food, the registration will be undertaken for only the risk food and the list of Risk food will be determined separately.

Article 14. Consideration of Food product registration

Any food business wish to register food product shall provide all documents that require in form of Food and Drug department for food registration and Food and Drug Department will take consideration such satisfaction of documents, field inspection, and procedure of the production and take sample for analysis.

The duration of the consideration for issue of the registration is 4 months.

Article 15. Validity of registration and re-registration

The registration of food product valid 2 years, before the validity expire in 3 months, food business shall take the re-registration procedure with provide re-registration document with a copy of the issued registration and additional documents if any changes in the business.

Article 16. Withdrawal of registration

The registration will be withdrawal from the food business in case of:

- Business in crisis or stop business
- Food business did not apply for re-registration when the validity of registration is expired and not follow the recommendations of authority
- The result of the analysis indicated that food is not complied with standard or not follow the written recommendations (non conformant report) of food inspector
- It is officially certifies that it is distributed and sold I unsafe food that is harmful to consumers health.

Section 2

Import-Export and transit of Food

Article 17. Food importation

Any food business has subject to import Food to Lao PDR, shall provide all documents that require in form and submit to Food and Drug Authority and other concerned institutions according to the food import requirement in order to get approval and obtain the import permission.

After obtaining the approval and permission for importation that require by regulation, for practical importation food business handlers shall declare all documents to Food and Drug inspector and concerned staff in the checkpoint.

Article 18. The approval of food quality for repackaging and refilling

Food importer that has the purpose to import food for packaging or refilling, shall provide documents and all details of the original package and unit of new package and shall be authorized from exporter and submit to Food and Drug Authority.

In case the documents and quality of food are not complied with standard, it is forbidden to obtain the import permission.

Article 19. Food export

Food Exporter, who has the purpose to export food from Lao PDR, beside to applying with export principles shall provide the documents and submit to Food and Drug authority in order to consider and issue the export certification.

Article 20. Transit of Food

Food business handler, who has the purpose to transport food through Lao PDR, shall inform the Food and Drug authority and related institutions on the documents approved for export food from original country and approved document for import food of the third country.

Part IV

Food management and inspection

Section 1

Food Management and inspection authorities

Article 21. Roles and functions of food management and inspection authorities

Roles and responsibilities of food management and inspection authorities are defined in Part 6 of Food Law.

Section 2

Roles and functions of food inspector in entry point

Article 22. Roles and functions of food inspector in the checkpoints

Food and drug inspector in checkpoints is the government staff under the Food and Drug control Authority, and has the roles in providing assistance directly to the food safety authority in each level in monitoring and control of documents, raw materials and food import-export to and from Lao PDR.

Article 23. Rights and duties

Food and Drug inspector in checkpoints has rights and duties as follows:

1. To inspect the documents in comparison with the real goods; and to permit imported food in collaboration the concerned authorities
2. To reject the import food and to seize food in case the documents are not complete and incorrect, the food is not comply with the standard that is noticed in the documents; food is not certified and approved form the food and drug control authority.
3. Take samples according to the rate as officially defined (Goods are not complied with documents and unpackaged, storage and others)
4. Urgently report to the food and drug control authority on the details of the import and export or the seizure of goods
5. Regularly report to the food and drug control authority that the inspector belong to on the result of food control activities
6. Perform other rights and duties assigned by the upper authority.

Part V

Prohibition, rewards and measures

Section 1

Prohibition

Article 24. Prohibitions in Food production, processing and advertising

Any food products distributed in Lao PDR shall comply with the quality and safety implementing the following principles:

1. Prohibit using hazardous chemical and narcotic substances into the food.
2. Prohibit using textile colours and other colours that are not approved as food colour.
3. Prohibit using other chemicals that are not approved as food additives.
4. Prohibit using food additives over the quantity that is officially defined.
5. Prohibit faking the formula, label as registered.
6. Prohibit advertising the usefulness of food over the nature of food.

Article 25. Prohibitions in food packaging

Food produced with condition of Good manufacturing practices but the packaging shall comply the following principles:

1. Prohibit using packages that are not complied with standard and not approved
2. Prohibit to using the fertilizer bags, cement bags, feed bags and other bags that are used (the exception of the specific package)
3. Prohibit using the used or printed papers for raw materials or not dried food (exception of the specific papers)
4. Prohibit using plastic package to pack when raw material or food is still hot.

Article 26. Prohibitions in Food importation and distribution

1. Prohibit importing and distributing food that not complied with the quality and safety requirement that is officially defined by the competent authority
2. Prohibit importing raw material or food that is not checked and certified by competent authority of exporting country.

Section 2 Rewards and sanctions

Article 27. Rewards

Individuals, companies or organization having good deeds in implementing this regulation shall be adequately rewarded and privileged from treatments determined by the Ministry of Health.

Article 28. Measures towards violators

Individuals or organizations having violated of this regulation shall be educated, warned fined and punished, depending on the gravity of the case as follow:

1st violation: Educate, warn and record in the file.

2nd violation: seize goods and fine 10% of the goods according to the market price and record in the file

3rd violation: Seize goods and fine twice of the goods value according to the market price, record in the file or/and collaborate and submit to the concerned authority for temporally or closing the business depending on the case.

Any violation in first time, second or third, if it being strong consequences to the health, economic or life of consumers shall be punished according to the Criminal Law.

Part VI Final Provision

Article 29. Implementation

The Food and Drug Department, Ministry of Health in collaboration with concerned organizations has to develop and implement this regulation for getting the real result.

Article 30. Effectiveness

This regulation is effective from the date that is signed by the Minister of Health, Decree any regulations and rules are contradicted with this regulation will be repealed.

Minister of Ministry of Health