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LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

Decision of
The Minister of Science and Technology
on Pre-packaged Products Management in Lao PDR

Department of Standardization and Metrology

Ministry of Science and Technology

Vientiane capital, 2017

(Unofficial translation)



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Ministry of Science and Technology

No:0542/MoST-DoSM

Vientiane Capital, date:16 May 2017

Decision of

The Minister of Science and Technology

on Pre-packaged Products Management in Lao PDR

- Pursuant to The law on Metrology Law, No: 36/NA, dated: 13 Dec 2013;
- Pursuant to Decrees of The Prime minister on implementation and performance of Ministry of Science and Technology, No: 309/PM, dated: 28 Sep 2011;
- Upon the proposal of the Department of Standardization and Metrology, No: 007/MoST-DoSM, dated: 05 Oct 2016.

The Minister of Science and Technology

Decision:

Chapter 1

General Provisions

Article 1. Objective

The Decisions on Pre-packaged Products Management defines policies, principles, rules, and measures for the pre-package products management and certification concerning to manufacture, import-export and distribution align with the requirements defined in Lao PDR and international terms. In order to support products flow in trade and to ensure that justice in social, safety and unity in implementation around country and harmonizes with Pre-packaged Products regulation between ASEAN Member States and globalization to manage Pre-packaged Products including characters, dimension, mass and volume indicated in product's labeling.

Article 2. Pre-packaged products

Pre-packaged Products is a product refilled in any containers that indicates its character, define and quantity on the label before trading. The quantity of a pre-package product will not be changed unless it is opened nor labeling changed.

Article 3. Explanations

Useful vocabularies have been used in this Decision are as following:

1. Quantity (Qn) is a number of products defined in each label. Defining quantity separated in two types as followed:
 - 1.1 Gross weight is the total weight of a product and its packaging.
 - 1.2 Net weight is the weight of a product without the weight of its packaging that can be shown in length, volume, mass or quantity.
2. Metrology authority organization is Department of Standardization and Metrology, Division of Science and Technology in each provinces, including Vientiane Capital and assigned sectors of Science and Technology in each districts;
3. Lot is a set of product containing in any containers that indicates the size, name or trademarks produced at the same time;
4. Sampling products are the sample of products chosen or taking samples from a lot set of products for checking;
5. Unconformity packing is a packing that is not harmonize with the regulation such as maximum permissible error higher than permission (T) referring to table 1 in Article 6 in this Decision;
6. Sampling is collecting method for prepackage as defined;
7. Sample collecting is prepackage product collected from any Lots of product to provide basic information for making decision about a set of product conformity. 'n' is a number of the sampling;
8. Label is a small piece of paper, fabric, plastic, or similar material attached or stamped to an object for advertisement and giving information about it;
9. Permissible Error (T) is an error quantity in any prepackage products that allows to be higher or lower as defined;
10. Suppliers are manufacturers, merchandisers, sellers and distributors;
11. Consumers are buyers and users.

Article 4. Scope of application of the Decision

This Decision is applied to individuals, both internal and external organizations which manufactures, import, export, packs and supplies all kinds of prepackage products as the list defined in Lao PDR.

Chapter 2

Quantity of Prepackage Products

Article 5. Quantity of prepackage products

Quantity of prepackage products must be indicated as following:

1. Prepackage products concerning to dimensions must be indicated in length;
2. Prepackage products concerning to solid or solid with liquid must be indicated in mass;
3. Prepackage products concerning to liquid must be indicated in volume;
4. It is not necessary to indicate the quantity on the label for prepackage products which are contained less than 5 g or 5 mm. Unless, gross weight of a product is acceptable.

Article 6. Quantity of prepackage products showing in number

1. Prepackage products are contained up to 50 pieces must be contained more than quantity defined;
2. The average value of prepackage products are contained more than 50 pieces must equal to defined quantity and permissible error is 1%.

Table 1: Tolerable Deficiency

Normal Quantity (Qn) in Gram (g) or Milliliter (ml)		Tolerable Deficiency (T)	
From	To	As % of Qn	mg or ml
5	50	9.0	-
50	100	-	4.5
100	200	4.5	-
200	300	-	9.0
300	500	3.0	-
500	1.000	-	15.0
1.000	10.000	1.5	

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10.000	15.000		150
15.000	50.000	1	

Note: The permissible errors show in percentage, mass or volume must be corrected into 0.1 g or ml in this table, whenever it is used.

3. The result of all operations on checking of prepackage product quantity calculated in volume (under the temperature of laboratory while testing) must change for calculation at 20°C (20°C ±1°C) (referring to the equation) for instance, oil products, air-conditioners and frozen products.

Chapter 3

Management, testing, fees and fines

Article 7. Primary principle of management and prepackage product checking

Primary principle of management and prepackage product checking aim to strengthen quality and capability of economic-social related to management, services and consumer protection according to primary principle as following:

1. To ensure life safety, asset, environment and social requirement;
2. To ensure the public awareness, justice, unity and transparency, reliability, discrimination and barrier to trade avoidance;
3. To ensure conforming with terms, national regulation, region and international; align with reality and implement capability in management and prepackage product checking;
4. To ensure that manufacturers, merchandiser, importers, exporters and traders can follow the terms and management process and prepackage product checking;
5. Operation checking by committee each time must include announcement letter or Decision issued by Department of Standardization and Metrology, Division of Science and Technology from provinces and Vientiane capital as assignment.

Article 8. Sampling principle

1. Collecting sample is a random sampling that represents all prepackage products supposed to be in sampling;
2. A number of prepackage product sampling from a set of checking and being used to provide basic information for making decision on conformity of a checking set;
3. Internal manufactured products will be collected the sampling at the packaging line;
4. Imported products will be collected at the import storage only.

Article 9. Checking methods

1. Samples of prepackage products will be chosen by using sampling as principle defined;
2. In some cases, prepackage products could be checked at any places. However, some prepackage products could not be checked immediately, cause samplings have to be tested in the laboratory of metrology authority or certified laboratory from metrology authority organization.

Article 10. Checking terms of prepackage products

There are three types of prepackage checking included:

1. Prepackage products must be checked before import, export and trading;
2. Annual check once a year; According to annual plan with specific time;
3. Emergency and urgent check as requested from public without notification.

Article 11. Inspection and certification document of prepackage products

According to Annex 3 defined that all types of prepackage products must apply for prepackage products registration to related authority before importing, exporting, packing and trading in Lao PDR, referring to the form and documents of related authority as below:

1. Prepackage products Registration form;
2. The details of prepackage products to be registered;
3. Copies of related documents;
4. Samples of prepackage products.

Article 12. Label and trademarks

1. All prepackage product's label that manufacture, import and trade in Lao PDR must be described in Lao to inform the product information. The specific information on label must be clear, easy to read, understand and difficult to erase. For foreign language on label must contain the description that aligns with Lao language as defined and the information as following:

- Name of product;
- Name and location of the factory or company, manufacturer, packager, importer or trader;
- Specific quantity (quantity specification should be conformed with Unit of Lao PDR or International Standards of Unit (SI) as defined);
- Manufacture date, month and year;

- Expire date, month and year;
- Instructions and maintenances;
- Quantity, net weight and volume;
- Ingredients;
- Warning.

2. In cases of solid and solid with liquid products; quantity and weight of the prepackage products must be defined on the label.

Article 13. Sizes of the letter and number on label

Sizes of the letter and number on labels indicate the specific quantity of prepackage products should implement as Table 2 as following:

Table 2: minimum permissible error of letter and number sizes:

Defined quantity calculated in Gram (g) or Milliliter (ml)	Minimum letter and number size Millimeter (mm)
Up to 50	2
More than 50 to 200	3
More than 200 to 1.000	4
More than 10.000	6

For prepackage products that indicated in pieces, length and areas, size of letter and the minimum size number must not be less than 2 millimeters (2mm).

Article 14. Document considerations and approvals

1. The completed documents aligned with Article 11 will be accepted;
2. Requested documents for inspection and verification of prepackage products should be considered at official working day within 5 days;
3. Completed documents that conform to the defined regulations will be issued the conformity certification within 10 days of official working day.

Article 15. Certification issuing

Individuals, both internal and external organizations that launches their business related to prepackage products in Lao PDR before importing, exporting, packing and trading must be checked,

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verified from Department of Standardization and Metrology, Division of Science and Technology Provinces, Vientiane Capital as assigned or management division;

Registration certification of prepackage products will be issued at once without expired date.

Article 16. Fees, service charges and fines

Prepackage products registration shall include fees, services charges and measures for fines as followed:

1. Fees and service charges shall be referred to the Ordinance of the President on Fees and Service Charges of Metrology Activity that issue each time;
2. Fines shall be referred to The Decree of The Minister on The fines and Measures for Violators of Standards and Metrology Laws that issue each time.

Chapter 4

Authorities and Duties of

Management Organization of prepackage products

Article 17. Management organization of prepackage products

Inspection and verification authority of prepackage products are managed by Department of Standardization and Metrology, Division of Science and Technology Provinces, Vientiane Capital as assigned or management division.

Article 18. Authorities of prepackage products management organization

Authorities of prepackage products management organization included:

1. To manage prepackage products checking system complying with national technical, regional and international regulations;
2. Samples of prepackage products that concern to dimension, mass and volume indicated on labels shall conform to national technical, regional and international regulations before manufacturing, importing, exporting, packing and trading;
3. Calibration certificate will be issued after the result complies with defined regulations;
4. In case of the result does not comply as defined, calibration officers have to make a record and suspended order to importing, exporting and trading of prepackage products, then makes a report to the top and related sectors to deal with.

Article 19. Duties of prepackage products management organization

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Duties of Prepackage Products Management Organization consist of:

1. To collaborate with related organization in calibration of prepackage products to conform to national technical, regional and international regulations;
2. Justice, transparency, unity and reliability on their duties;
3. Time setting for implementation of prepackage products calibration to manufacturer, importers, exporters, packers and traders (not include emergency check);
4. To suggest the manufacturer, importers, exporters, packers and traders about applying steps for calibration permission of prepackage products;
5. To maintain and provide information to related sectors about the prepackage products calibrations;
6. To report the calibration of prepackage products to related sectors and hierarchy;
7. Only prepackage products that passes the calibration will be issued;
8. To exercise other authorities and perform other duties as prescribed by regulations and relevant law.

Chapter 5

Rights and Obligations

Article 20. Rights of prepackage product operators

Rights of Prepackage Product Operators consist of:

1. To advertise and promote their prepackage products after certification from relevant authority;
2. To request for justice whenever the calibration of prepackage products is not fair;
3. To exercise other authorities and perform other duties as prescribed by regulations and relevant laws.

Article 21. Rights of consumers

Rights of Consumers consist of:

1. To be able to select from a range of prepackage products as satisfaction;
2. Unfairness and unconformity on prepackage products could be complained to relevant authority;

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3. To exercise other authorities and perform other duties as prescribed by regulations and relevant laws.

Article 22. Obligations of business operators on prepackage products

Obligations of Business Operators on Prepackage Products comprise of:

1. To perform according to The Metrology Law and this Decision;
2. To respond for all damages occurred from their prepackage products;
3. To provide collaborate and facilitate to metrology authority organization when calibration of prepackage products implemented;
4. To exercise other authorities and perform other duties as prescribed by regulations and relevant law.

Chapter 6

Restrictions

Article 23. Restrictions for business operations

Restrictions for Business Operations consist of:

1. Prepackage products are not inspected by Department of Standardization and Metrology, Division of Science and Technology Provinces, Vientiane Capital as assigned will not be allowed to manufacture, import, export, pack and trade;
2. To interrupt the performances of metrology calibration and inspection authorities;
3. To bribe and consort with inspection authorities;
4. To Forge the document and certification concerning to prepackage products.

Article 24. Restrictions for prepackage products inspection authorities

Restrictions for prepackage products inspection authorities include as followed:

1. To be irresponsible and unreliable to the duties;
2. To perform injustice and prejudice against individuals and organizations;
3. To bribe and use their duties for personal benefit;
4. To forge, hold back and delay documents of verification.

Article 25. Restrictions for individuals and organizations

Restrictions for Individuals and Organizations consist of:

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1. To use the duty to interrupt and interfere the performance of prepackage products inspection authorities;
2. To advertise and promote the prepackage products that are not inspected correctly;
3. To make pollution to the environment and social;
4. To assist and protect the violators of this Decision;
5. To conceal and hide the violation that concerns to the regulations and laws;
6. To perform other duties that comply with regulations and laws.

Chapter 7

Policies towards Persons with

Outstanding Performance and Measures against Violators

Article 26. Policies towards persons with outstanding performance

Individuals and organizations with outstanding performance in cooperation, implementation the regulation and law related to metrology management or this Decision will receive the rewards or other policies as assigned by regulation and law.

Article 27. Measures against authority officers

Authority officers who interrupt or violate this Decision shall be punished as following: education, removal, imposition or dismiss, and other measures as provided by Chapter 8 of Penal Law, in any cases and other relevant regulations and law.

Article 28. Other measures against violators

Any Individuals and organizations that violate this Decision shall be warned and subject to educational or disciplinary, fines, penal measures, compensations or punishment as any cases by regulations and laws.

Chapter 8

FINAL PROVISIONS

Article 29. Implementation

Department of Standardization and Metrology, related departments and equivalent organizations are assigned to organize strictly and realistically implement this decision.

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Article 30. Effectiveness

This Decision comes into effect on the date of its signing and after posting on Lao Official Gazette for 15 days. This Decision is replaced The Decision on registration and Pre-package Management, No: 366/PM.NAST, dated 19 Feb 2017.

All registrations that are incompliant with this Decision must be cancelled.

Minister

Ministry of Science and Technology

(Signed and sealed)

Borviengkham Vongdala

Annex 1

1. Guideline for Prepackage Products Supervision

- 1.1 The manufacturers should be supervised and inspected at least once a year;
- 1.2 The manufacturers should keep records on the net content checking of his products and should be able to provide the records to the inspectors when requested;
- 1.3 The manufacturers should provide proper assistance to the inspectors;
- 1.4 Legal metrology officials must obtain the right to enter the plants for inspection during normal working hours.

2. Suitable scales for supervision

Accuracy of Measurement

Gross Weight in g	Scale Interval (d) In g
Less than 25	0.01
From 25 to less than 1.000	0.1
From 1.000 to less than 5.000	1.0
5.000 and more	2.0

3. Suitable control scales for packers

Normal Quantity in g or ml	Scale Interval (d) In g
less than 10	0.1
from 10 to less than 50	0.2
from 50 to less than 150	0.5
from 150 to less than 500	1.0
from 500 to less than 2500	2.0
2500 and more	5.0

Annex 2

Sampling Plans for use by Legal Metrology Officials

1. Inspection lots shall be assumed to be homogenous if there no indication to the contrary;
2. Prepackage products for the sample shall be selected using random sampling;
3. Sample prepackage products must be collected after the point of final checking by the packers;
4. Inspection lot shall be manufactured within an hour.

Sampling plan for prepackage products with nominal quantity expressed in units of weight and volume:

1. Normal simple sampling plan:

Lot size L	Sample size n	Number of non-conforming prepackage products allowed c	k-factor k
100 to 500	50	3	0.379
501 to 3.200	80	5	0.295
More than 3.200	125	7	0.234

$$\bar{X}_0 = \bar{X}_1 = ks \text{ (s is the standard deviation of } X_1 \text{)}$$

\bar{X}_0 = means the corrected mean

\bar{X}_1 = means the average value of X_1

X_1 = means observed value

2. Total test

For the lot size smaller than 500(from 10 to 99) there is a 100% inspection and the number of non-conforming prepackage products shall not exceed than 2.5 % of the produced prepackage products.

3. Destructive test

Lot size	Sample size	Number of non-conforming prepackage products allowed	k-factor
L	n	c	k
equal or more than 100	20	1	0.640

Sampling plan for prepackage products with nominal quantity expressed in units of length, area and count:

Lot size	Sample size	Number of non-conforming prepackage products allowed	Factor for confidence
L	n	c	a
26 to 50	3	0	1.00
51 to 150	5	0	0.35
151 to 500	8	1	0.20
501 to 3200	13	1	0.15
3201 and more	20	1	0.10

$$\bar{X}_0 = \bar{X}_1 + aR \quad (R \text{ is the span of } X_1)$$

\bar{X}_0 = means the corrected mean

\bar{X}_1 = means the average value of X_1

X_1 = means observed values

Guideline for Tolerable Deficiency for unequal prepackage products

For the first step in trade unequal prepackage products with weight indication are not allowed to have a greater error than below:

Nominal quantity (Qn) in g	Tolerable Deficiency in g
Up to 500	2.0
From 501 to 2000	5.0

From 2001 to 10000	10.0
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Annex 3

Drained Quantity of Products packed in Liquid Medium

3.1 This procedure can be used to determine the drained quantity of product in liquid medium and can be applied to prepackage products with normal quantities up to 50 kg. When a prepackage products contain solid goods in a liquid medium there are three possibilities as below:

3.1.1 The liquid medium in meant to be left over after consuming or using (e.g. cucumber in vinegar water), the terms “content of the prepackage products” (equal “quantity of the product”) applies to the solid products. In this case the solid products are those contained in the prepackage products excluding the packing material and the liquid medium.

3.1.2 The liquid medium is not meant to be left over after consuming or using (e.g. liquid with raisins, but also to fruit juice with pulp.), the terms “content of the package” (equal “quantity of the product”) applies to the solid products and liquid medium.

3.1.3 The liquid medium might or might not be left over after use (e.g. sweetened juice with fruits and fish oil.). The definition of the packing material does not distinguish between the liquid medium and the goods. For instance a recipe on the label could clarify if the liquid medium “is meant to be left over after use” or not. In this case the quantity of solids and the quantity of liquid medium could be on the label.

List of Prepackage products shall be registered and inspected in Lao PDR

1. Meat and other meat from cows, buffaloes, pigs, sheep and poultry;
2. Aquatic animals, meat from aquatic animals and other parts of aquatic animals that can be eaten, for instance fishes, prawns, crabs, octopus, shells and sea cucumbers;
3. Fresh milk, condensed milk, powdered milk, milk tablet, milk products and other pasteurized milk;
4. Creamer, powdered creamer, yoghurt, butter, cheese and artificial cheese;
5. Instant food, sausages and products from meat, poultry and aquatic animals and so on;
6. Vegetables, herbs, mushrooms, bamboo shoots and corns;
7. Dry chili, dry peppers including pepper powder;

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8. Fruit and barks from fruit that can be eaten;
9. Seeds and seeds from fruit included sesames, watermelon seeds, soy beans, cashew nuts and sun flower seeds;
10. Seaweeds;
11. Paddy rice, rice and grains;
12. Flour from plants, flat grains, seed grains, potatoes, taros, beans, sago and cassavas;
13. Plants, vegetables and other canned plants and vegetables;
14. Products from potatoes, beans, grain, baking powder, fry, bake or grill; bread, cookies and crispy;
15. Noodles, instant noodles, rice noodles, vermicelli, spaghetti, Galician lines (pasta) and instant porridges;
16. Kid meals;
17. Coco powder, other food coco, chocolate, including in liquid, powder, tablet, flat and bars;
18. Fried coffee beans, tea, instant coffee and tea;
19. Jam, jelly and fruit stir;
20. Brown and white sugar cane, sugar bar, coconut sugar, sugar powder and palm sugar, Xylitol, honey, artificial honey, syrup, sugar favor and candy;
21. Lard and vegetable oils;
22. Fish sauce, vinegar, soy bean sauce, chili sauce, tomato sauce, oyster sauce, salad dressing and other sauce;
23. Spices, shrimp past, coconut milk, coconut milk powder and seasonings;
24. Salt;
25. MSG and seasoning;
26. Drinking water, mineral water, soft drink, fruit and vegetable juice, soy bean milk, energy drink, whisky, beer and other drinks;
27. Fodder;
28. Lime and cement grout;
29. Cement;
30. Kerosene;
31. Engine oil, brake fluid, power oil and grease;
32. Cooking gas;

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33. Fertilizers and Organic fertilizers;
34. Paint, paint oil, varnish oil and construction materials;
35. Thinner and turpentine;
36. Ink or toners;
37. Cosmetics;
38. Facial cream and skin lotion;
39. Shampoo, conditioner, hair care products, hair growth and hair dye;
40. Hair oil, hair gel or cream;
41. Toothpastes and mouth wash;
42. Soap and shower gel;
43. Facial foam and cleanser;
44. Soap powder, liquid detergent and softeners;
45. Perfumed smooth starch and deodorizer;
46. Fruits and vegetables gel cleanser;
47. Dishwashing, floor and sanitary ware liquid;
48. Glass cleansing liquid;
49. Polishing wax for shoes, leather and metal ware;
50. Matches;
51. Shafts;
52. Candles;
53. Tissue, facial, hand and mouth tissue and toilet papers;
54. Writing or printing papers;
55. Cotton;
56. Silks;
57. Sanitary pads and dry per;
58. Cotton and cotton buds;
59. Nails.