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**Resolution of National Assembly  
of Lao People's Democratic Republic  
on Approval of the Revised Law on Food**

Pursuant to paragraph 2, Article 53 of the Constitution and paragraph 1, Article 3 of the Law on National Assembly of the Lao People's Democratic Republic on the Rights and Duties of the National Assembly.

After the 5<sup>th</sup> Ordinary Session of the 7<sup>th</sup> Legislature of the National Assembly has made a broad and in-depth consideration on the substance of the Revised Law on Food in the afternoon Session held on 24 July 2013;

**The [National Assembly] Session Agrees to:**

**Article 1.** Approve the Revised Law on Food with majority votes.

**Article 2.** This Resolution enters into force from the date of its signing.

Vientiane Capital, Date: 24 July 2013

President of the National Assembly

*[signed and stamped]*

Pany YATHORTOU

President

No.172/PS  
Vientiane Capital, Date: 20.08.2013

**Decree of the President  
of Lao People's Democratic Republic  
on the Promulgation of the Law on Food (Revised Version)**

- Pursuant to paragraph 1, Article 67, Chapter VI of the Constitution of the Lao People's Democratic Republic;
- Pursuance to the Resolution of the National Assembly, No.06/NA, dated 24 July 2013;
- Pursuant to a Letter from the Standing Committee of the National Assembly No.020/SC, dated 16 August 2013.

**The President of the Lao People's Democratic Republic Issues a Decree to:**

**Article 1.** Promulgate the Law on Food (Revised Version).

**Article 2.** This Decree enters into force from the date of its signing.

President of the Lao PDR

*[signed and stamped]*

Choummaly SAYASONE

**LAO PEOPLE'S DEMOCRATIC REPUBLIC**  
**PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY**

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National Assembly

No. 33 /NA  
Vientiane Capital, Date: 24 July 2013

**LAW ON FOOD**

(Amended Version)

**PART I**  
**GENERAL PROVISIONS**

**Article 1 (amended). Objective**

This Law defines principles, regulations and measures on the management, monitoring and inspection of food and food business to ensure quality and effectiveness, to ensure that food is safe and nutritious, to aim at protecting and promoting consumers' health to be healthy and strong, and to have long lives contributing to the protection and development of the nation.

**Article 2 (amended). Food**

Food means any article or substance, whether is raw, semi-processed , processed, or primary food, such as fresh [and] raw food, that is intended for human consumption, which includes drinks, other products and any substance that is used in the manufacture, preparation or treatment of food, but does not include cosmetics, tobacco and substances used [only] as therapeutic substances.

**Article 3 (amended). Definitions**

Terms used in this Law [shall] have the following meanings:

1. **Food safety** means the assurance that food will not harm consumers when it is manufactured, prepared, sold, distributed or consumed according to its intended use;
2. **Equivalence** means the capability of different [food] inspection and certification systems to meet the same objectives;
3. **Additive** means any substance that is added to food for technical purposes, including shape, taste, smell, color and etc. that is used in manufacturing , processing, treatment, packaging, transportation and storing of food [such that it] may directly or indirectly affect the nature of food;

4. **Adulterate** means adding or removing any object into, out of, or as a substitute for, another substance that causes food to have no quality, be substandard and to provide a false impression or hide defects that may harm consumers' health;
5. **Contaminant** means any substance that is present [in a food] as a result of manufacturing, preparation, processing, treatment, storing, packing, packaging, transportation [of food] and from the environment;
6. **Contaminated food** means food that contains contamination, germs, toxic chemical substances, adulterated materials or that contains other substances in a quantity or amount that exceeds the standards that are dangerous to the health of consumers;
7. **Counterfeit food** means food where its [original] ingredient is replaced by other material, food that is produced to hide defective quality or counterfeit food, food with labelling that deceives consumers with regard to the quality, quantity or origin of food, or that uses a trademark from another registered food;
8. **Food treatment** means the change of the nature of a food, such as from techniques for the storage, pasteurization, change of shape, color, smell, taste of food and so on;
9. **Food business** means any business activity involving manufacturing, processing, packaging, labelling, distributing and serving, storage, transport, export, import, transit, supply, certification [and] analysis, which excludes the selling of street food and the selling of [prepared] food in the market;
10. **Food handler** means a person who directly handles and contacts food or surfaces and other utensils used with food and other persons involved in the manufacturing, processing and serving of food;
11. **Food business operator** means an individual, legal entity or organization authorized to operate a food business in accordance with laws and regulations of Lao PDR;
12. **Hazard Analysis and Critical Control Point (HACCP)** means a system that identifies, evaluates and controls hazards [that can] significantly impact food safety;
13. **Food hygiene** means the observance of standards of hygienic good practice aimed at avoiding contamination of food;
14. **Label** means any mark, pictorial or descriptive information attached to a food container for the purpose of providing information on food, its use, storage, manufacture and distributor;
15. **Package** means any material used to place and package all types of food, whether opened or closed, where such package shall be consistent with its intended use and as defined by standards and regulations;
16. **Premises** refer to any building or other structure, whether permanent or otherwise, that includes a vehicle or land on which such buildings or structures [are in place], and any adjoining area and street side, that is used for the manufacturing, processing, sale, packaging, treatment, transport and storage of food;
17. **Street food** means ready-to-eat food and drink that is sold along the sides of a street and in other public places;
18. **Traceability** means the ability to follow the history of the circulation of food through specified stage(s) of manufacturing, processing and distribution;
19. **Recall** means the action of removing counterfeit or sub-standard food that is unsafe and [that can cause] harm to the health of consumers where such food has already been supplied to and reaches consumers;
20. **Primary product** means raw materials obtained from the soil, water or products from plantations, husbandry and fishery, including non-timber forest products that are used as food;

21. **Lot** refers to a manufactured food product that has the same standard, using the same raw materials and components;
22. **Risk analysis** means [procedures of] risk assessment, management and communication;
23. **Nutrition** means food that is nutritious, useful and safe that enables physical growth, balance and enhancement of mental development;
24. **Vulnerable population** refers to children under five years old, elderly persons, pregnant women, sick people and the immuno-compromised;
25. **Food chain** means all food production processes ranging from plantation, husbandry, harvest, primary processing, manufacturing, processing, storage, transport, distribution, serving and consumption;
26. **Good practice** refers to the operation of good agriculture practice, good hygienic practice, good production practice, good storage practice, good transport practice and so on.

#### **Article 4 (amended). Food Policy**

The State promotes domestic and foreign individuals, legal entities and organizations to invest in traditional and international food businesses, with respect to manufacturing, processing, serving, storage, transport and distribution of food to meet domestic consumption and for export.

The State [should] provide information to citizens on the consumption of safe, quality and nutritious food; and provide facilities, personnel, vehicles and financial support for food [safety] management activities as appropriate.

The State supports and encourages the entire society and people to be involved in food activities.

#### **Article 5 (new). Food Safety Principles**

Food safety activities shall comply with the following basic principles:

1. Ensure food safety control measures;
2. Ensure the protection and promotion of health, lives, rights and interests of consumers;
3. Carry out food business in a correct, transparent, fair and accountable manner;
4. Ensure consistency with international standards, treaties and agreements to which Lao PDR is a party.

#### **Article 6 (amended). Obligations of Citizens on Food Safety Activities**

Lao citizens, aliens, stateless persons and foreign individuals residing in the Lao PDR are obliged to contribute to the management and inspection of manufacturing, preparation, storage, serving, distribution, donation and transport of food to ensure that food is safe, of good quality and meets standards, and to ensure public awareness of health education with regard to food safety, nutrition and consumption of hygienic food, and exaggerated advertisements that cause negative impacts on health.

### **Article 7 (new). Scope of Application**

This Law applies to both domestic and foreign individuals, legal entities or organizations operating food business, and consumers, as defined in this Law, including selling food alongside the street and in the markets of Lao PDR, except food that is processed for household consumption.

### **Article 8 (amended). International Cooperation**

The State promotes foreign, regional and international relations and cooperation in the areas of food [safety] activities through the exchange of experience, information, science and technology research, human resource development, technical assistance and budget support, and in compliance with international treaties and agreements to which Lao PDR is a party.

## **PART II FOOD STANDARDS AND FOOD SAFETY CONTROL**

### **CHAPTER 1 FOOD STANDARDS**

### **Article 9 (amended). Food Standards**

Any food manufactured, exported, imported and distributed in Lao PDR shall comply with the food safety standards of the Food [Safety] Management Authority.

The establishment and development of food standards shall consider local facts and conditions relating to plantation, livestock, manufacturing, handling, processing, storage and transport of food and shall be based on risk analysis according to a scientific basis.

Where Lao standards are not available, Codex standards shall be applied.

### **Article 10. Groups of Food**

Food is categorized into three groups:

1. Carbohydrates;
2. Protein;
3. Vitamins and minerals.

### **Article 11. Carbohydrates**

Carbohydrates refer to the food group that gives the body power, enabling the body to be active, such as: rice, flour, sugar, and others that create energy.

## **Article 12. Protein**

Protein refers to the food group that helps to build up body growth and immunity to infection, such as: meat, fish, milk, eggs and various types of beans.

## **Article 13. Vitamin and Minerals**

Vitamins and minerals refer to the food group that is necessary for physical and mental development and that helps to increase physical immunity against germs, such as: vegetables, fruits, vitamins, iodine, and other minerals.

## **Article 14 (new). Additives**

Additives used in food manufacturing, processing, and treatment in the Lao PDR shall be limited to additives approved by Codex and ASEAN.

Additives have no nutritious value and are not a main food ingredient.

## **Article 15 (new). Food Risk**

Risky food is food that is contaminated by germs, hazardous chemical substances, counterfeit food, expired food and others that are not safe and can harm consumers at present or in the long-run.

Risky food is categorized according to its nature and factors that cause risk and the risk [associated with] people, which are divided into three levels --high, medium and low levels.

Types of food that are risky are defined in a separate regulation and may be subject to periodical amendment.

Food that is risky for children, supplementary food and new [novel] food that has never been consumed shall be safe [for consumers] and consistent with standards and defined laws and regulations.

## **CHAPTER 2 FOOD SAFETY CONTROL**

## **Article 16 (new). Food Safety Control**

Food safety control is to make food wholesome for health and safety, and fit for consumption. All aspects of quality need to be controlled in all processes involved with the food chain from plantation, livestock [and] fishery, production and processing to consumption.

### **Article 17 (new). Food Safety Control Measures**

Food safety [control] measures are any measure being applied to protect human health and lives from the risks that may be caused by an additive, contaminant, poisoned substance or germs that cause poisonous food.

Food safety [control] measures shall include:

- Legal measures that are in compliance with laws and regulations and food safety standards;
- Sanitation measures are measures being used to protect human health and lives from the risks that may be caused by contaminants;
- Technical measures are any procedure related to finished-product standards, production methods, tests, inspection, certification and accreditation.

### **Article 18 (New). Application of Food Safety Control Measures**

Food safety [control] measures shall be applied according to the following:

- be applied to the extent that is necessary for the protection of consumer health, [based] on the level of risk and consistent with international standards, Codex and ASEAN on food safety;
- be based on risk assessment that is carried out in an independent, objective and transparent manner based on scientific evidence;
- shall not create unnecessary barriers to trade and not discriminate between domestic and foreign products and producers, nor among foreign countries where similar conditions prevail.

The State recognizes equivalent food safety measures of the exporting countries given that such measures have the protection level that is equivalent to the food safety [control] measures of Lao PDR.

### **Article 19 (new). Training and Raising Awareness**

Advertisement, training and awareness raising activities on food safety, sanitation in food processing, and the selection of safe and nutritious food shall be carried out in a systematic, continuous and widespread basis through various means in order to make consumers aware of and to understand food safety and consumption of food that is good for health.

Food business operators shall be educated and have an understanding of principles of good [production] practices according to processes of the food chain.

### **Article 20 (new). Food-borne Illnesses**

A food-borne illness is a sickness caused by the consumption of food that is contaminated with pathogens, hazardous chemical substances and natural toxins.

When food-borne illness occurs, it shall be reported to the Public Health Sector and to relevant local administration to take emergency action and [to provide] immediate solutions.

#### **Article 21 (new). Food Emergency Response**

In response to an emergency or outbreak of disease from food, the Ministry of Public Health shall take the following steps:

- Food and Drug Department shall report immediately;
- implement a response plan immediately;
- make a public announcement on such matter immediately;
- have a well-structured communication point and shall coordinate with the relevant local administrations; and,
- implement mechanisms for early-warning.

#### **Article 22 (new). Food Safety [System]**

Food [that is] manufactured, processed, distributed, exported, imported and distributed shall be safe for consumers. Food that is safe shall comply with the principles of good manufacturing [and] hygienic practices, Hazard Analysis and Critical Control Point (HACCP) and other practices.

Food safety shall be certified and approved by the Ministry of Public Health.

#### **Article 23 (new). Food Laboratory**

Food laboratory is a laboratory that has the duty to analyze food [and ingredients] in order to certify food quality and safety according to defined standards as established or adopted by the Ministry of Public Health.

In case it is necessary to send a food sample for analysis in a foreign country, the laboratory of such country shall meet international standards and be officially recognized by the Ministry of Public Health of Lao PDR.

#### **Article 24 (amended). Food Donation**

Individuals, legal entities or organizations wishing to donate food or giving food aid from domestic or foreign countries to Lao PDR shall ensure that such food [meets] quality and safety standards by being certified by the country of origin and authorized by the Ministry of Public Health.

## **PART III FOOD BUSINESSES**

### **CHAPTER 1 FOOD BUSINESSES**

#### **Article 25 (amended). Business Activities Regarded as Food Businesses**

Business activities that are food businesses consist of manufacturing, processing, packaging, labelling, distributing, serving [and] supply, storage, transportation, export, import, transit, advertisement, certification and analysis that shall be in line with Article 40 of this Law and other relevant laws and regulations.

#### **Article 26 (amended). Food Production**

Food production is a process of taking any article or substance to prepare, process [and] manufacture it into food by production methods, including planting crops and raising animals.

Food production shall be safe and comply with hygienic principles and good food manufacturing practice, which are defined in a separate regulation.

#### **Article 27 (amended). Food Preparation**

Food preparation is the process of taking food and using utensils to cook food, which shall be safe, hygienic and have quality as follows:

- Materials used for food processing shall ensure nutrition;
- Meat, fish, shellfish, shrimp and others shall be clean and cooked; vegetables and fruits shall be washed to make sure they are clean;
- Premises and utensils, including bowls, plates, spoons and other utensils that are used in preparation, shall be clean;
- Food processors [preparers] shall be free of communicable diseases, have good personal hygiene and wear special and clean clothes, and be subject to a health examination at least once a year.

#### **Article 28 (new). Food Packaging and Food Container**

Food packaging shall comply with good hygienic principles and use materials that are suitable with the characteristics of each type of food, and [shall] secure food quality and safety.

Food containers shall have quality and safety that shall not cause the food to lose quality or make the food contaminated and shall be used specifically for each type of food.

### **Article 29 (new). Food Labelling**

Food that is distributed, supplied, sold, served, exported, imported and donated in Lao PDR shall be labelled in Lao language and/or a [major] international language indicating the detailed and correct information of the food, which are defined in a separate regulation.

### **Article 30 (amended). Food Distribution**

Domestic food distribution is comprised of wholesale, retail sale [and] donation, which shall comply with specified laws and regulations to ensure safety and quality of food for consumers.

### **Article 31 (amended). Food Service and Supply**

Food service and supply at places, including educational institutions, hotels, restaurants, hospitals, wedding parties, important official events and other events, shall ensure the safety, hygiene and quality of food according to the standards and [hygienic] principles on food as defined by laws and regulations.

### **Article 32 (amended). Food Storage**

In order to ensure that the quality [and safety] of food is not degraded, that food has not spoiled or perished and [that it is in] a fit condition to be consumed, it shall be stored according to the requirements defined for [each] specific type of food and [shall] comply with good storage principles to secure food safety.

### **Article 33 (new). Food Transportation**

The transportation of food from the first destination to its final destination shall ensure food quality [and] safety and shall comply with specific requirements of each type of food and comply with good transportation principles.

### **Article 34 (amended). Food Export**

Food that is exported from the Lao PDR shall meet the [quality] standards and safety [requirements] as specified in the laws and regulations and comply with the requirements of importing countries.

Food quality and safety is certified by the Ministry of Public Health.

### **Article 35 (amended). Food Import**

Individuals, legal entities or organizations wishing to import food shall submit complete documents, including an analysis certificate from the laboratory of the country of origin, quality and safety certificates and other relevant documents in order to ask for permission from the Ministry of Public Health or Provincial [and] Capital Department of Public Health depending on each case.

Food imported shall ensure safety, hygiene and quality.

Detailed requirements [and] procedures on the importation of food and types of food that are subject to pre-import permission are defined in separate regulations.

#### **Article 36 (new). Food Transit**

Individuals, legal entities or organizations wishing to transport food from one country in transit through Lao PDR to a third country shall be permitted by the Ministry of Public Health or Provincial [and] Capital Department of Public Health depending on each case. The transit shall be carried out by submitting prescribed documents to a food and drug inspector at a designated entry checkpoint.

The transport of transit food shall be in closed [and] sealed containers and shall comply with transit requirements. Where there is a trans-shipment of goods to another truck or unloaded to a warehouse before it is transited, it shall be certified by the food and drug inspector in terms of quantity and types of goods declared to be transited to a third country and [shall] make a memo [with the appropriate information] and notify the exit checkpoint where such goods will be transited.

#### **Article 37 (new). Food Advertisement**

Food advertisement, including for supplementary food, high-risk food and to indicate its wholesomeness, is allowed only if its content [and] format are approved by the Ministry of Public Health and other relevant sectors.

The content and format of food advertisement:

- shall be clear and consistent with the facts in terms of types, kinds, characteristics and quality of food, and with trademarks and services;
- contain complete information on food;
- shall not insult and slander the manufacturing and services of others;
- exhibit food at various events.

The advertisement can be carried in all forms, including advertisement in a general way and through mass media.

#### **Article 38 (new). Food Quality Certification**

Before a food product is distributed, exported, imported, served and donated, it is subject to inspection and certification of quality from the Ministry of Public Health.

Requirements, procedures and types of food that are subject to certification are defined in a separate regulation.

Individuals, legal entities or organizations wishing to operate a business in food quality and safety certification shall be authorized by the Ministry of Public Health.

### **Article 39 (new). Food Analysis**

Individuals, legal entities or organizations wishing to operate a business in food analysis shall comply with good laboratory practice principles and relevant international standards and shall be certified and authorized by the Ministry of Public Health.

## **CHAPTER 2 FOOD BUSINESS CONTROL**

### **Article 40 (amended). Food Business Operation**

Individuals, legal entities or organizations wishing to operate a food business shall file a set of documents as defined in the Law on Investment Promotion and Law on Enterprises to the Industry and Commerce Sector for consideration after a technical approval is received from the Ministry of Public Health in cooperation with other relevant sectors, except businesses that relate to primary production.

### **Article 41 (new). Registration of a Food Product**

Individuals, legal entities or organizations that are granted a business license, before operating a business in manufacturing, distribution, export and import, their food products shall be registered with the competent Public Health Sector.

A list of food products, procedures and requirements for registration are defined in specific regulations.

### **Article 42 (new). Collection of Fees and Charges**

The collection of fees and technical service charges on food shall be applied according to the relevant legislation in each period.

### **Article 43 (new). Protection of Intellectual Property for Food**

The State protects and maintains confidential information on those whose food [product] is registered according to this Law and [shall] comply with the Law on Intellectual Property and international treaties and agreements to which Lao PDR is a party.

### **Article 44 (new). Traceability**

Individuals, legal entities or organizations [may] carry out traceability [activities] to find out sources of raw materials, suppliers, manufacturers and information on the supply of food products that harm consumers' health.

Traceability is one of the obligations of [food] business operators.

#### **Article 45 (new). Recall**

Where a food business operator is aware that their products are unwholesome and could harm consumers' health, the food business operator shall recall their food and dispose their food according to the regulations.

The disposal of food shall be done in the presence of food and drug officials and representatives from relevant sectors.

The food business operator shall be responsible for all costs occurred with respect to the recall and disposal of their food.

#### **Article 46 (new). Food Unfit for Consumption**

Where a food and drug inspector finds that food is unfit for [human] consumption, the inspector shall:

1. confiscate and seize such food, it is forbidden to sell or move [such] food;
2. remove such food to a specified place;
3. order the immediate destruction of the food.

Where any action mentioned above is taken, the food inspector shall immediately notify higher levels in his/her organization and notify other relevant authorities so that all necessary measures are taken to ensure public safety and the protection of consumers, including giving public warnings.

#### **Article 47 (new). Food for Vulnerable Populations**

The processing, sale [and] serving of food, and donation [of food] to schools, hospitals and other places, to consumers, particularly vulnerable populations, shall ensure that the food is hygienic, safe, wholesome and nutritious.

#### **Article 48 (new). Selling of Street Food**

Sellers of street food shall comply with good hygienic practice for the processing, selling and serving of food as defined in the specific regulations.

#### **Article 49 (new). Suspension and Withdrawal of a Food Business Registration**

The suspension and withdrawal of food registration is carried out in case of the outbreak of disease or an emergency caused by poisoned food as a result of improper acts of a business operator depending on each case by coordinating with relevant sectors.

The food and drug inspector shall assess the implementation of measures on suspension. Where such problems are resolved, the food and drug inspector shall allow [the food business operator] to resume operations.

## **PART IV RIGHTS AND OBLIGATIONS OF FOOD BUSINESS OPERATORS AND CONSUMERS**

### **Article 50 (amended). Rights and Obligations of Food Business Operators**

Food business operators have the right to:

1. be informed about the objectives and results of inspection;
2. appeal on the violation of their rights on food business or treatment made by food and drug inspectors;
3. receive information on food activities;
4. implement other rights as defined in the laws and regulations.

Food business operators have the following obligations:

1. Strictly comply with the laws and regulations related to food;
2. Cooperate with food and drug inspectors while on [inspection] duties;
3. Ensure that the manufacturing, distribution, serving, export, import, and donation of food shall have quality and safety;
4. Pay for damages caused by their fault in food business operations;
5. Facilitate officials during their inspection duties;
6. Carry out traceability and recall of unfit and unsafe food for consumption;
7. Summarize [and] report correct information on food safety;
8. Implement other obligations as defined in the laws and regulations.

### **Article 51. Rights and Obligations of [Food] Consumers**

[Food] consumers have the following rights:

1. Being served with safe and quality food that is appropriate for consumption;
2. Receive correct information on food, nutritious ingredients, safety and quality, storage and know how [in order] to select food for consumption;
3. Being protected from deceptive practices and wrong information with regard to the package, label, advertisement and sale of food;
4. Return food that is unfit for consumption or unsafe, and receive compensation for damages made by a food business operator;
5. Implement other rights as defined in the laws and regulations.

[Food] consumers have the following obligations:

1. Strictly comply with the laws and regulations related to food [safety];
2. Inform the Public Health Sector and relevant local administrations immediately with regard to a food business operator who manufactures unsafe, non-quality, degraded [and] counterfeit food and food-borne illnesses;
3. Implement other obligations as defined in the laws and regulations.

## **PART V PROHIBITIONS**

### **Article 52 (amended). Prohibitions for Food Business Operators**

Food business operators are prohibited to perform the following:

1. operate a food business without authorization from the Public Health and relevant sectors;
2. manufacture, process, export, import, distribute, serve and donate unsafe food to consumers and cause damage to the environment in violation of laws and regulations, [in violation of] fine Lao traditions, and causing danger to human lives and health and assets of other people and society;
3. counterfeit food products for their own economic benefit that causes damage to the reputation of the registered product of others;
4. use additives that are not specified in laws or regulations;
5. use raw materials that have residues from insecticides, pesticides, herbicides, antibiotics, hormones, heavy metal and other substances that exceed defined limits;
6. use toxic chemicals, narcotics, substances that damage nerves, colorants that endanger health and food additives over the defined limits as defined in the laws and regulations in the manufacturing and processing of food;
7. use prohibited chemical substances in food business operations;
8. manufacture, sell, package or store food in unsafe containers to consumers;
9. use toxic, dirty or inappropriate materials for packaging, such as newspapers, printed papers and bags for fertilizers, animal feed, cement and other materials;
10. advertise food that exaggerates the facts, induces and influences consumers, particularly children, overstates the effectiveness for treatment and improving health, that lead to misunderstanding for consumers, violating the laws and regulations on food advertisement;
11. Other behaviors that violate the laws and regulations.

### **Article 53 (new). Prohibitions for Personnel and Food and Drug Inspectors**

Food and drug personnel and inspectors are prohibited to act as follows:

1. Perform duties in an unfair [and] biased manner [and] inconsistent with the laws and regulations;
2. Demand, ask for and receive a bribe, [and] abuse [their] position, power and duties for personal benefit;
3. Falsify documents or use false documents, disclose secrets and provide information without authorization, delay or destroy documents related to the food business;
4. Conceal, help and collude with a food producer who produces non-quality and unsafe food;
5. Have other behaviors that violate the laws and regulations.

### **Article 54 (new). Prohibitions for Consumers**

Food consumers are prohibited to act as follows:

1. Say bad things about food products and services or any action that causes damage to food business operators;
2. Use food products and services that damage the environment, [that are] in violation of the laws and regulations, and [in violation of] fine Lao traditions, that causes damage to the life, health and property of others and society;
3. Do other actions that violate laws and regulations.

## **PART VI DISPUTE RESOLUTION**

### **Article 55 (new). Forms of Dispute Resolution**

Food disputes shall be carried out according to any of the following forms:

1. Resolution by conciliation or mediation;
2. Administrative dispute resolution;
3. Resolution by the Economic Dispute Resolution Authority;
4. Suing to court;
5. International [dispute] settlement.

### **Article 56 (new). Resolution by Conciliation or Mediation**

When a dispute involving food activities occurs, the parties may resolve such dispute by discussion, negotiation, compromise or mediation.

### **Article 57 (new). Administrative Dispute Resolution**

When a dispute involving food activities occurs, the parties are eligible to propose to competent relevant sectors to resolve such dispute according to the laws and regulations.

### **Article 58 (new). Resolution by the Economic Dispute Resolution Authority**

When a dispute involving food activities occurs, the parties are eligible to propose to the economic dispute resolution authority to resolve it according to the laws and regulations.

### **Article 59 (new). Suing to Court**

When a dispute involving food activities occurs, any party may sue such dispute to the People's Court to resolve it according to the laws and regulations.

### **Article 60 (new). International Dispute Settlement**

When an international dispute involving food occurs, the parties may submit the dispute to a domestic, foreign or international dispute resolution authority as agreed upon or shall comply with international treaties and agreements to which Lao PDR is a party.

## **PART VII FOOD AND DRUG MANAGEMENT COMMITTEE**

### **Article 61 (new). Establishment of the Food and Drug Management Committee**

The Food and Drug Management Committee is a non-permanent body that has duties to consider and approve policy and strategy and to coordinate with relevant sectors in the management of food and drug activities [and] the inspection of the quality of domestic produced and imported food products aiming at the protection of the rights and interests of consumers, the reduction or limitation of food hazards, and to ensure the health and lives of consumers.

The Food and Drug Management Committee consists of the:

- National Committee for Food and Drug Management ;
- Provincial [and] Capital Food and Drug Management Committee;
- District [and] Municipal Food and Drug Management Committee.

### **Article 62 (new). National Committee for Food and Drug Management**

The National Committee for Food and Drug Management consists of:

1. Minister of Public Health	Chair
2. Vice-Minister of Agriculture and Forestry	Vice-Chair
3. Vice-Minister of Industry and Commerce	Vice-Chair
4. Vice-Minister of Science and Technology	member
5. Vice-Minister of Finance	member
6. Vice-Minister of Planning and Investment	member
7. Vice-Minister of Information, Culture and Tourism	member
8. Vice-Minister of Public Security	member
9. Representatives from the relevant Committee/s of the National Assembly	members
10. Chiefs of Cabinets or Director Generals of Departments of relevant ministries	members

The National Committee for Food and Drug Management is appointed by the Prime Minister and the Food and Drug Department of the Ministry of Public Health is its secretariat.

The organization (structure) of Provincial and District Committees for Food and Drug Management are defined in a specific regulation.

### **Article 63 (new). Rights and Duties of the Food and Drug Management Committee at Each Level**

Food and Drug Management Committees [at each level] have the following rights and duties according to their scope of responsibilities:

1. Be the chief of staff for the government, province, capital city, district, and municipality for activities involving research and the development of policies and strategic and management plans regarding food safety in each period;
2. Mobilize, manage and use funds raised and supported from both domestic and foreign donors to effectively implement food safety management;
3. Provide technical advice to relevant sectors with regard to food safety management activities;
4. Cooperate [and] coordinate with relevant sectors in the implementation of food safety management activities;
5. Summarize [and] report outcomes of the implementation of their activities to the Government, Provincial [and] Capital Governor, District [and] Municipal Chief and Public Health Sector;
6. Implement other rights and duties as defined in the laws and regulations.

#### **Article 64 (new). Lao [National] Codex Committee (LNCC)**

The Lao National Codex Committee (LNCC) is a technical assistant body under the National Committee for Food and Drug Management that serves as a chief of staff in the research and establishment of standards and technical coordination on food quality control with relevant organizations in Lao PDR and with the International Codex Alimentarius.

The Lao National Codex Committee's abbreviation is "LNCC".

The Lao National Codex Committee consists of representatives from the Ministry of Public Health, Ministry of Agriculture and Forestry, Ministry of Industry and Commerce, Ministry of Science and Technology and other relevant sectors.

Regulations on the operation of the Lao National Codex Committee are defined in a separate regulation.

The Lao National Codex Committee may appoint sub-technical committees.

#### **Article 65 (new). Rights and Duties of the Lao National Codex Committee**

The Lao National Codex Committee has the following rights and duties:

1. Create, amend and develop food standards for Lao PDR and propose [them] to the Ministry of Public Health for consideration and approval;
2. Contribute in the development of regional and international food standards, and research and compile comments on behalf of Lao PDR to propose to the Ministry of Public Health in order to submit to the International Codex Alimentarius;
3. Propose comments and provide information to the National Committee for Food and Drug Management on the difficulties and limitations on the development of food standards, quality and safety;
4. Research [and] analyze information received from the International Codex Alimentarius on food standards relating to the interests of Lao PDR;
5. Coordinate with cooperation projects on food standards of international organizations to ask for technical and financial support;
6. Summarize and report to the Lao National Codex Committee the outcomes of the implementation of its activities on a regular basis;
7. Implement other rights and duties as defined in the laws and regulations.

**PART VIII  
FOOD MANAGEMENT AND INSPECTION**

**CHAPTER 1  
FOOD MANAGEMENT**

**Article 66 (amended). Food [Safety] Management Authority**

The State carries out food management in a centralized and uniform manner nationwide by the designation of the Ministry of Public Health to be directly responsible for [food management] and to cooperate with the Ministry of Agriculture and Forestry, Ministry of Industry and Commerce, Ministry of Science and Technology, other relevant sectors and local administrations.

The Food [Safety] Management Authority consists of:

1. Ministry of Public Health;
2. Provincial [and] Capital Public Health Department;
3. District [and] Municipal Public Health Offices;
4. Village Health Committee.

**Article 67 (amended). Rights and Duties of the Ministry of Public Health**

In the management of food activities, the Ministry of Public Health has the following rights and duties:

1. Research the policies, strategic plans and laws related to food management activities in order to propose to the Government for consideration;
2. Elaborate such policies and strategic plans into detailed plans, programs and detailed projects, and supervise their implementation;
3. Disseminate and [provide] education on laws and regulations on food nationwide;
4. Build, strengthen, upgrade and provide technical training on food to food personnel, inspectors and food business operators;
5. Authorize the establishment, suspension or withdrawal of a food business in cooperation with the Ministry of Industry and Commerce;
6. Register, list and certify good manufacturing standards, quality analysis, and authorize advertisement and the export and import of food products;
7. Suspend or revoke decisions, orders and instructions of the food management authority at lower levels that are not consistent with the laws and regulations;
8. Consider and process appeals/complaints of individuals, legal entities or organizations on food standards, quality and safety;
9. Promote and support safe food manufacturing from farm to table nationwide;
10. Coordinate with relevant stakeholders in the management of food activities, including natural resources that are food;
11. Cooperate with foreign countries and international organizations to facilitate food activities management;
12. Summarize and report outcomes of the implementation of its activities to the Government on a regular basis;
13. Implement other rights and duties as defined in the laws and regulations.

## **Article 68. Rights and Duties of the Provincial and Capital Public Health Departments**

In the management of food activities, the Provincial and Capital Public Health Departments have the following rights and duties:

1. Elaborate the policies, strategic plans, laws and regulations on food activities for implementation;
2. Disseminate and [provide] education on laws and regulations on food under their scope of responsibilities;
3. Inspect food businesses in order to propose to the Ministry of Public Health regarding the establishment, suspension or withdrawal of a food business under their jurisdiction;
4. Propose capacity building and training on food to personnel, food inspectors and food business operators at its level;
5. Propose the registration [and] certification of good manufacturing standards, quality analysis, and authorize the advertisement, export and import of food products under its jurisdiction;
6. Consider [providing] permission on the establishment of a food business under their jurisdiction;
7. Suspend or revoke decisions, orders and instructions of the District [and] Municipal Public Health Office that are not consistent with the laws and regulations;
8. Consider and process appeals/complaints of individuals, legal entities or organizations on food standards, quality and safety under its jurisdiction;
9. Promote and support safe food manufacturing from farm to table within its province [and] capital;
10. Coordinate with relevant stakeholders in the management of food activities, including natural resources that are food under its responsibilities;
11. Cooperate with foreign countries and international organizations to facilitate food management activity management as assigned by higher levels;
12. Summarize and report outcomes of the implementation of its activities to the Ministry of Public Health and Provincial [and] Capital administrations on a regular basis;
13. Implement other rights and duties as defined in the laws and regulations and as assigned.

## **Article 69. Rights and Duties of the District and Municipality Public Health Offices**

In the management of food activities, the District and Municipal Public Health Offices have the following rights and duties:

1. Implement the policies, strategic plans, laws and regulations for food activities effectively;
2. Disseminate and [provide] education on laws and regulations on food under its jurisdiction;
3. Make proposals on the establishment, suspension or withdrawal of a food business to the Provincial [and] Capital Public Health Department for consideration in order to propose to the Ministry of Public Health;
4. Consider and process appeals/complaints of individuals, legal entities or organizations on food standards, quality and safety under its responsibilities;
5. Promote and support safe food manufacturing from farm to table within its district [and] municipality;

6. Coordinate with relevant offices in the management of food , including natural resources that are food, under its responsibilities;
7. Summarize and report outcomes of the implementation of its activities to the Provincial [and] Capital Public Health Department and District [and] Municipal Administration on regular basis;
8. Implement other rights and duties as defined in the laws and regulations.

#### **Article 70 (new). Rights and Duties of the Village Health Committee**

In the management of food activities, the Village Health Committee has the following rights and duties:

1. Implement food activities under its jurisdiction;
2. Disseminate and [provide] education on laws and regulations on food and health of consumers within the village;
3. Consider and process proposals of consumers on food [problems] according to its jurisdiction;
4. Raise awareness of villagers to stay healthy by consuming safe and nutritious food;
5. Promote the production of safe traditional food according to the capacity of the village and households;
6. Provide information on unsafe and poisoned food to warn villages to be cautious;
7. Summarize and report outcomes of the implementation of its duties to the District and Municipal Public Health Office and village administration on regular basis;
8. Implement other rights and duties as defined in the laws and regulations.

#### **Article 71 (new). Rights and Duties of Other Sectors**

All sectors at the central and local levels have the right and duty to cooperate with the Public Health Sector in order to make effective management of food activities under their responsibilities.

## **CHAPTER 2 FOOD INSPECTION**

#### **Article 72 (new). Food Inspection Authority**

The Food Inspection Authority consists of:

1. Internal inspection authority that is the same authority as the food management authority as defined in Article 66 of this Law;
2. External inspection authority consists of the National Assembly, State Audit Authority and Government Inspection and Ant-Corruption Authority, Lao Front for National Construction, mass organizations and mass media.

#### **Article 73. Inspection Content**

The content of food inspection includes:

1. Registration and issuance of permits for the operation of food business;
2. Implementation of laws and regulations related to food by State authorities and other organizations;
3. Monitoring and inspection of activities on manufacturing, processing, storage, distribution, export, import, consumption [and] donation of food by the public and private sectors.

Inspection aims to ensure that food activities are carried out in accordance with the laws and regulations, [are] risk-based and [that] food business operators carry out [their businesses] in an ethical and fair manner in order for food to [meet] standards, quality and be safe.

#### **Article 74. Forms of Inspection**

Inspection shall be carried out in the following forms:

- Regular inspection;
- Inspection with prior notice;
- Inspection without prior notice

Regular inspection is an inspection that is carried out in accordance with a plan and on a regular and certain period of time.

Inspection with prior notice is an inspection that is not included in the plan but is carried out by informing the audited person in advance.

Sudden inspection is an urgent inspection without informing the inspected person in advance.

An inspection of food activities shall comply with the laws and regulations and be based on food risk that is defined in a separate regulation.

#### **Article 75 (new). Food and Drug Inspector**

A food and drug inspector is a public health official who is qualified and competent in food science, pharmaceutical, chemistry and biology and has passed a selection examination, and [has been] appointed by the Minister of Public Health.

#### **Article 76 (new). Right and Duties of the Food and Drug Inspector**

A food and drug inspector has the following rights and duties:

1. Enter all premises used for food business operations;
2. Carry out food inspection at the designated border checkpoints;
3. Implement inspection procedures as defined in laws and regulations;
4. Seize or confiscate unfit food for consumption, sub-standard, no quality and unsafe and report to relevant sectors for consideration according to the laws and regulations;
5. Summarize and report results of the inspection to the Public Health Sector and relevant sectors for resolution;
6. Implement other rights and duties as defined in laws and regulations.

**PART IX**  
**POLICIES TOWARDS PERSONS WITH OUTSTANDING ACHIEVEMENT**  
**AND MEASURES AGAINST VIOLATORS**

**Article 77 (amended). Policies toward Persons with Outstanding Achievement**

Individuals, legal entities or organizations and civil servants who are in charge of food management activities with outstanding achievement in the implementation of this Law, including food business operations that have carried out [operations with] standards, quality and safety, will be rewarded and receive incentives as defined in laws and regulations.

**Article 78 (amended). Measures against Violators**

Individuals, legal entities or organizations violating any provision of this Law, particularly prohibitions, shall be re-educated, face disciplinary actions, be fined or face criminal actions depending on the severity of each case, including paying for damages that have been caused.

**Article 79 (amended). Re-Education Measures**

Individuals, legal entities or organizations that violate this Law, including providing food to the society [in the form of] producing, preparing, serving, storing, distributing, exporting, importing or donating food that is sub-standard, of degraded quality [or] unsafe [but] that does not cause serious danger to the health of consumers, will be re-educated and warned.

**Article 80 (new). Disciplinary Measures**

Public Health personnel and food and drug inspectors violating this Law, particularly prohibitions with light degree that are not a criminal offense and that cause low damage or are unwilling to report on the offense to avoid their offense, shall face disciplinary actions according to the regulations, such as a warning of the offense, suspension of promotion or dismissal from being a civil servant.

**Article 81 (amended). Fines**

Individuals, legal entities or organizations violating this Law as a non-criminal offense, including selling food that is sub-standard, degraded and unsafe, [including selling food] with additives, contaminants or expired food to the society, shall be fined as defined in the specific regulations.

**Article 82 (amended). Civil Measures**

Individuals, legal entities or organizations violating this Law that causes damage to others shall compensate [them] for damages that they have caused.

**Article 83 (amended). Criminal Measures**

Any person violating this Law that [commits a] criminal offense shall be prosecuted according to the Penal Law depending on the severity of each case.

**PART X  
FINAL PROVISIONS**

**Article 84 (amended). Implementation**

The Government of Lao People's Democratic Republic shall implement this Law.

**Article 85 (amended). Effectiveness**

This Law shall enter into force ninety days after the President of the Lao People's Democratic Republic issues a Promulgation Decree.

This Law replaces the Law on Food No.04/NA, dated 15 May 2004.

Any regulations and provisions contradicting with this Law shall be cancelled.

President of the National Assembly  
Pany Yathotou