

[Unofficial Translation]

LAO PEOPLE'S DEMOCRATIC REPUBLIC  
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

President

No. 172/P  
Vientiane Capital, dated 20.08.2013

**DECREE**  
*of the*  
**PRESIDENT**

*of the*  
**LAO PEOPLE'S DEMOCRATIC REPUBLIC**

**On the Promulgation of the Law on Food (Amended)**

- Pursuant to Chapter VI, Article 67, Item 1 of the Constitution of the Lao People's Democratic Republic;
- Pursuant to Resolution No. 06/NA, dated 24 July 2013, of the National Assembly of the Lao People's Democratic Republic; and
- Pursuant to Proposal No. 20/NASC, dated 16 August 2013, of the National Assembly Standing Committee.

**The President of the Lao People's Democratic Republic**  
**Decrees That:**

Article 1. The Law on Food (Amended) is hereby promulgated.

Article 2. This decree shall enter into force on the date it is signed.

The President of the Lao People's Democratic  
Republic  
*[Seal and Signature]*  
Choummaly SAYASONE

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

National Assembly

No. 06/NA

**RESOLUTION**  
*of the*  
**NATIONAL ASSEMBLY**

*of the*

**LAO PEOPLE'S DEMOCRATIC REPUBLIC**

**On the Adoption of the Law on Food (Amended)**

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

After broad consideration of the contents of the Law on Food (Amended) at 5<sup>th</sup> Session of the VII General Assembly of the National Assembly at the afternoon session on 24 July 2013

**The General Assembly Resolves to:**

Article 1. Adopt The Law on Food (Amended) by majority resolution.

Article 2. This resolution shall enter into force on the date it is signed.

Vientiane Capital, dated 24 July 2013  
President of the National Assembly

*[Seal and Signature]*

Pany YATHOTOU

LAO PEOPLE'S DEMOCRATIC REPUBLIC  
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

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National Assembly

No. 33/NA  
Vientiane Capital, dated 24 July 2013

**LAW ON FOOD**  
**Part I**  
**General Provisions**

**Article 1 Objectives**

This Law defines the principles, regulations and measures on the administration, monitoring and inspection of food, food business in order to [ensure] quality, effectiveness and to ensure the safety of food, [and] nutritional value with the aim of protecting and promoting the general health of, and longevity of consumers in order to contribute to national protection and development.

**Article 2 (Amended) Food**

Food is any material or substance in a form that is processed, semi-processed, cooked, fresh or raw for consumption by human beings; other products and substances used in the production, processing or treatment, but does not include cosmetics, tobacco and chemicals used in the treatment of diseases.

**Article 3 Definitions**

This law limits the meaning of terms used as follows:

1. Food safety means to ensure that food is not dangerous to consumers during production, processing, sale, distribution or consumption in accordance with fitness for use;
2. Equality means ຄວາມກ້າວເກີງ of the inspection system, certification which may entail different methods, but with the same objectives;
3. Food additives means any substance added to food for technical purposes, including to [alter] the shape, [enhance] the taste, aroma, [or] color, etc., used during production, preparation, treatment, packaging, transportation and storage of food, which may directly or indirectly benefit or harm the specific characteristics of food;
4. Food preservatives means the addition or extraction-replacing of any substance causing food to lose quality, not meet standards and cause misunderstanding, conceal defects and which may endanger the health of consumers;
5. Contaminants means any substance which contaminates [food] during the production processing, treatment, storage, packaging, transport stages and may be caused by the environment;
6. Contaminated food means food that is contaminated, contains germs, toxic chemical substances, foreign substances or other substances in a quantity or amount in excess of standards, that is dangerous to the health of consumer;
7. Counterfeit/food means food which has had the materials replaced, food that is produced to conceal deficiencies in quality or artificially produced food, food labeled to defraud and mislead consumers relating to the quality, quantity or amount or food that uses the trademark of other food that has been officially registered;
8. Food treatment means the altering the characteristics of food, such as storage, [and] sterilization methods; altering the shape, color, aroma, and taste, etc.
9. Food business means any food production, processing, packaging, labeling, distribution provision of services, storage transportation, import, export, transit, supply, certification, and analysis activities, including the sale of food on the side of the road [and] at the market;
10. Food handler means an individual who works directly with food, handles food or equipment and other tools used in the handling of food and other participants in the production, processing and provision of food services;
11. Food business operator means an individual, legal entity or organization authorized to operate a food business in accordance with the laws and regulations of the Lao PDR;

12. HACCP—Hazard Analysis and Critical Control Point means the system that defines, evaluates and controls food safety hazards;
13. Food hygiene means the performance of good hygienic practices to avoid food contamination;
14. Label means a mark, picture or text used on food packaging with the aim of providing information about the food, use and storage, the manufacturer and distributor;
15. Package means materials used in the filling and packaging of all types of food, whether open or closed, whereby such packaging shall meet fitness for use purposes in accordance with defined standards and regulations;
16. Food business operations premises means a constructed item or other permanent or temporary structure, including vehicles, land, whereby such thing is located and the surrounding premises, and road used for the production, preparation, sale, packaging, treatment, transport and storage of food;
17. Street food means food that can be eaten and drunk immediately sold on roadsides and other public places;
18. Investigation means investigation relating to the transit of food, specifically the production, processing and distribution;
19. Food recovery means the standards for the recovery of food which has been provided to or is in the hands of consumers, where such food is counterfeit, fails to meet standards, is unsafe and is a danger the health of consumers;
20. Original products means the raw products originating from the land, water or products cultivated, bread and fished, including wiled products to be used as food;
21. Food recipes means food products produced under the same standards, the same materials and mixtures;
22. Risk analysis means the evaluation, administration and communication of risk;
23. Nutrition means food that contains nutrients, is beneficial and safe to enable physical growth, balance and able to enhance development;
24. Risk groups means children younger than five years of age, the elderly, pregnant women, the poor, people with congenital diseases and people with low immune systems;
25. Food chains means all stages of food production from planting, breeding, harvesting, preliminary processing, production, processing, storage, transport, distribution, servicing and consumption; and
26. Good performance means good agricultural, sanitary production, storage and transport practices, etc.

#### **Article 4 (Amended) Policies Regarding Food**

The State encourages domestic and foreign individuals, legal entities and organizations to invest in traditional and international food activities involving the production, processing, service, storage, transportation and distribution of food to meet domestic consumption demands and export.

The State emphasizes the provision of information to citizens on safe, quality food consumption with a nutritional value, facilitate personnel, vehicles and budgets for appropriate food administration activities.

The State encourages social mobilization and participation of the public in food activities.

#### **Article 5 (New) Principles Relating to Food**

Food activities shall be undertaken in accordance with the following basic principles:

1. Ensure food safety control standards;
2. Ensure the protection, promotion of health, life, rights and benefits of consumers;
3. Operate food businesses in a valid, transparent and auditable manner; and
4. Ensure compliance with international standards, conventions and international agreements that the Lao PDR is a State party.

#### **Article 6 Obligations of Citizens Relating to Food**

Lao citizens, aliens, stateless persons, foreigners in the Lao PDR have the obligation perform and contribute in the administration, inspection of production, preparation, storage, serving, distribution, donation and transport of food to ensure that the food is safe, of [good] quality and meets standards, disseminate health education involving safe food, nutrition, the consumption of hygienic food and sanitation and the results of false advertising which damages the health.

#### **Article 7 Application**

This Law applies to domestic and foreign individuals, legal entities or organizations which operate food businesses and to consumers as provided in this Law, including the sale of food on the street and at markets in the Lao PDR, excluding the preparation of food in the household.

#### **Article 7. International Cooperation**

The State promotes foreign, regional and international cooperation in the area of food activities through the exchange of experience, information, scientific research and technology, human resources capacity building, technical assistance and budgets, the implementation of conventions and international agreements to which the Lao PDR is a State Party.

## **Part II Food Standards and Safety Control**

### **Chapter 1 Groups of Food**

#### **Article 9 (Amended) Food Standards**

Food that is produced, imported into, exported and distributed in the Lao PDR shall comply with the food safety standards of the Food Administration Authority.

The creation and development of food standards shall be based on the actual situation and conditions of the country in relation to cultivation, animal husbandry, production, administration, processing, storage and transportation and shall be based on scientific risk analysis.

In the event that food standards have not been specified in the Lao PDR, the international standards, rules and guidelines on food shall be applied.

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

Food is classified into three groups as follows:

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

#### **Article 11 Carbohydrates**

Carbohydrates refers to the group of food that provides energy enabling the body to be active, such as: rice, animal and plant oils, flour, sugar, etc. that provide energy.

#### **Article 12 Proteins**

Proteins refers to the group of food that helps the body to grow and immunity to disease, such as: meat, fish, milk, eggs and various types of beans.

### **Article 13 Vitamins and Minerals**

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

### **Article 14 (New) Additives**

Food additives used in the production, processing and the treatment of the food in the Lao PDR shall be based on the additives determined in international and ASEAN rules and guidelines.

Food additives have no nutritional value and are not a main food ingredient.

### **Article 15 (New) Risk Foods**

Risk foods are foods contaminated with germs, dangerous chemicals, counterfeit food, expired food, etc. which is unsafe and pose an immediate and long-term danger to consumers.

Risk foods is grouped in accordance with the characteristics of the food, risk factors and groups of people at risk which are categorized into three levels of risk—high, medium and low.

The types of food per level of risk are provided in separate regulations and may be amended periodically.

Food which poses a risk to children, food supplements and new foods which have not been previously used for consumption shall be safe and be in accordance with standards and laws and regulations.

## **Chapter 2 Food Safety Control**

### **Article 16 (New) Food Safety Control**

Food safety control is the control of food to benefit the health, protect safety, ensure suitability for consumption and shall control all characteristics and the quality of food, and all stages of the food chain from cultivation, animal husbandry, production, processing to consumption.

### **Article 17 (New) Measures for Food Safety Control**

Measures for food safety control are the measures used in order to protect our health and lives from the risks posed by food additives, contamination or germs and toxic substances.

Measures for food safety control include:

- Legislative measures is the implementation of laws and regulations and food safety standards;
- Hygiene measures are measures used to protect our health and lives posed by the threat of food contamination; and
- Technical measures are the various stages involving processed food production standards, production methods, testing, inspection, certification and approval.

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

Food safety control measures shall be used as follows:

- Where necessary to protect the health of consumers, in accordance with the level of risk of food which shall be consistent with international standards and international and ASEAN regulations and guidelines on food safety;
- Not to unnecessarily obstruct commerce and not differentiate between the implementation against products, domestic and foreign producers or between countries which have similar administration procedures.

The Sate acknowledges the food safety control measures of exporting countries if such measures have an equal level of protection as the food safety control measures of the Lao PDR.

### **Article 19 (New) Training and Conscience Building**

In order to enable consumers to have knowledge and an understanding of food safety and the consumption of healthy food, dissemination, training, [and] conscience building in a broad and systematic manner relating to food safety, food processing hygiene, selection of safe food and nutritional value.

Food business operators shall acknowledge and understand food chain performance rules procedures.

### **Article 20 (New) Illnesses Caused by Food**

Illnesses caused by food are illnesses resulting from the consumption of contaminated food, food containing toxic substances and environmental poisons.

Upon being afflicted with an illness caused by food, the illness shall be reported the relevant public health sector authorities and local administration authorities in order to implement remedial measures and corrective procedures in a timely manner.

### **Article 21 (New) Emergency Emergencies Remedial Measures**

In order to remedy emergencies relating to food or outbreaks of food related health epidemics, the Ministry of Health shall implement the following measures and methods:

- The Department of Food and Drugs to report in a timely manner;
- Implement remedial action plans in a timely manner;
- Urgently notify the public of the situation;
- Establish clear communications points and coordinate with the relevant local administration authorities; and
- Implement advance warning mechanisms.

### **Article 22 (New) Food Safety Assurance**

Food produced, processed, distributed, imported and donated shall ensure consumer safety. Food safety assurance shall be produced under good production hygiene, risk analysis rules and HACCP and other relevant principles.

Safe food shall be certified and approved by the Ministry of Health.

### **Article 23 (New) Food Analysis Laboratory**

Food analysis laboratories are testing laboratories responsible for analyzing the quality of food as a reference for food quality and safety certification in accordance with standards established and approved by the Ministry of Health.

In the event that food samples need to be sent abroad for analysis, the food analysis laboratory of the country concerned shall implement international standards and be approved by the Ministry of Health of the Lao PDR.

### **Article 24 (Amended) Donation of Food**

Individuals, legal entities or organizations which wish to donate food or provide food assistance to the Lao PDR from domestic and foreign sources shall be safe and of [good] quality, and shall be certified by the country of origin and authorized by the Ministry of Health.

## **Part III Food Business**

### **Chapter 1 Food Business**

**Article 25 (Amended). Food Activities Deemed Food Business**

Food activities deemed food business comprise production, processing, packaging, labeling, distribution, serving, and supply, storage, transportation, import, export, cross-border transit, advertising and analysis which shall be performed in accordance with Article 40 of this Law and other relevant laws and regulations.

**Article 26 (Amended) Production of Food**

The production of food is the utilization of materials or other substances prepared, processed into through cultivation and animal husbandry.

The production of food shall ensure safety through the implementation of good hygiene principles and good production practices which are governed in separate regulations.

**Article 27 (Amended) Food Processing**

Food processing is the utilization of materials and processed into food which shall ensure safety, hygiene and quality as follows:

- The materials for food processing shall contain nutrients or be cultivated;
- Meat, fish, mussels, shrimps, etc. shall be cleaned and cooked; vegetables and fruits must be washed clean;
- The premises, utensils, such as: bowls, plates, spoons and other equipment used in food processing shall ensure cleanliness;



- The food processor shall not be a carrier of a communicable disease, shall have good personal hygiene, wear clean clothing and shall undergo health examinations at least annually.

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**Article 28 (Amended) Packaging and Packing**

Food packing shall be carried out under hygienic principles and the materials used shall be suitable for each type of food, ensure quality and safety of the food.

The package shall be of good quality and safe, not permitting the food to degrade, become contaminated and each shall only contain the same size for each type of food.

**Article 29 (New) Labeling**

Food that is moved, distributed, sold, served, imported, exported and donated in the Lao PDR shall be labeled in the Lao language and/or a foreign language providing correct information regarding the food which are provided in separate regulations.

**Article 30 (Amended) Food Distribution**

The Distribution of food domestically which comprises the wholesale, retail sale, and donation of food shall comply with specified laws and regulations to ensure the safety and quality of food for the consumer.

**Article 31 (Amended) Serving and Provision of Food**

The serving and provision of at different places such as educational institutions, hotels, restaurants, hospitals, weddings, official functions and other locations food shall ensure the safety, hygiene and quality of the food in accordance with the standards and general rules regarding food as provided in laws and regulations.

**Article 32 (New) Food Storage**

In order that food shall not degrade, become rancid, spoiled and be in a condition fit for consumption, food shall be stored in the under the specific conditions for each type of food and kept in accordance with appropriate storage principles in order to ensure food safety.

**Article 33 (New) Food Transportation**

The transportation of food from point of origin to destination shall ensure food quality, [and] safety and under the specific conditions for each type of food and in accordance with appropriate transportation practices.

**Article 34 (Amended) Export of Food**

Food exported from the Lao PDR shall meet the quality and safety standards provided in laws and regulations and shall performed in accordance with the requirements of the importing country.

The Ministry of Health is responsible for food quality and safety certification.

**Article 35 (Amended) Import of Food**

Individuals, legal entities or organizations wishing to import food shall provide full documentation, such as food analysis certificates issue by the laboratories of the country of origin, quality certification, safety certification and other relevant documentation and apply to the Ministry of Health or Provincial, City Health Division as the case may be.

Imported food shall ensure safety, be hygienic and be quality food.

The conditions, procedures for the import of food and the categories of food for which import applications are to be applied for prior to import are covered in separate regulations.

**Article 36 (New) Food Transit**

Individuals, legal entities or organizations who intend to transport food from a country of origin through the Lao PDR to a third country shall apply for a transit license from the Ministry of Health or

Provincial, City Health Division as the case may be. Transit documents shall be submitted to border food and drugs inspectors.

Cargo containers shall be closed and labeled and performed in accordance with transit conditions. In the event that the cargo is to be offloaded or warehoused prior to transit, the cargo shall be inspected by food and drugs officers in regards to quantity and type as notified prior to transit to the third country and recorded and notify border at the recipient country.

#### **Article 37 (New) Food Advertising**

The advertising of food, such as food supplements, high-risk foods and references to properties may be undertaken after the contents, and form has been authorized by the Ministry of Health and other relevant sector authorities.

The content and form of advertising shall be as follows:

- Clear, factual regarding category, type, characteristics, food quality, trademarks, and service marks;
- Contain complete information regarding the food;
- Not be sarcastic towards and insult the products and services of others;
- Be shown at festivals;

Advertising may be undertaken in all forms, such as on billboards or through media advertising.

#### **Article 38 (New) Food Quality Certification**

Prior to distribution, import, export, servicing and donating food products food products shall be inspected and certified.

The conditions, procedures for, and categories of food subject to certification are covered in specific regulations.

Individuals, legal entities or organizations wishing to operate certification and safety businesses shall be authorized by the Ministry of Health.

#### **Article 39 (New) Food Analysis**

Individuals, legal entities or organizations who wish to operate food analysis businesses shall implement good laboratory principles and relevant standards and shall be certified and authorized by the Ministry of Health.

## **Chapter 2 Control of Food Business**

#### **Article 40 (Amended) Operation of Food Businesses**

Individuals, legal entities or organizations who wish to undertake food businesses shall submit the documents provided in the Law on Investment Promotion and the Law on Enterprises to the Industry and Commerce Sector for consideration after consent regarding technical aspects is provided by the Health Sector in cooperation with other relevant sector authorities, except for basic production businesses.

#### **Article 41 (New) Registration of Food Products**

Individuals, legal entities or organizations authorized to establish a business may produce, distribute, import, export [food] only after registration of the food products with the relevant Health Sector.

The procedures and conditions for the registration of food products are covered in separate regulations.

#### **Article 42 (New) Collection of Fees and Service Charges**

The collection of technical fees and service charges for food related activities shall be performed in accordance with periodic relevant regulations.

#### **Article 43 (New) Protection of Food Intellectual Property Rights**

The State protects and preserves the confidential information of legally registered persons in accordance with this Law and in compliance with the Law on Intellectual Property, conventions and international agreements which the Lao PDR is a State party.

#### **Article 44 (New) Investigations**

Individuals, legal entities or organizations participate in investigating the origin or raw materials, providers, producers and information regarding the distribution of food products that affect the health of consumers.

#### **Article 45 (New) Recall**

When a manufacturer becomes aware that its food products do not meet quality standards and are unsafe for consumers, the food business operator shall be responsible for recalling the food products and destruction in accordance with regulations.

The destruction of food products shall be undertaken in the presence of food and drugs inspectors and officers of other relevant sector authorities.

Food business operators shall be responsible for all expenses involving the recall and destruction of food products.

#### **Article 46 (New) Food Unsafe for Consumption**

When food and drugs inspectors discover food that is unsafe for consumption, the inspectors shall act as follows:

1. Seize, the food, prohibit the sale or movement;
2. Move the food into another location; and
3. Order immediate destruction.

During the implementation of any of the above measures, food and drugs inspectors shall immediately report the matter to their higher authorities and notify the other relevant sector authorities in order to implement necessary measures in order to ensure the safety of society and protect consumers and also notify and warn the public.

#### **Article 47 (New) Food for High Risk Groups**

The processing, sale, servicing, donation of food to schools, hospitals and other premises shall ensure hygiene, safety and be nutritious for consumers, such as risk groups.

#### **Article 48 (New) Sale of Street Food**

Sellers of street food shall perform in accordance with good hygiene principles in the preparation of food and services as provided in separate regulations.

#### **Article 49 (New) Suspension and Withdrawal of Food Business Licenses**

The suspension and withdrawal of food business licenses will occur when there is an outbreak of food-related health epidemics or other emergencies arising from food poisoning resulting from improper actions of food business operators as the case may be in cooperation with the relevant sector authorities.

Food and drugs inspectors shall monitor the implementation of suspensions and after standards have been improved may authorize the business to continue 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 following rights:

1. Receive notifications of inspection and results of inspection;
2. Submit complaints about rights violations during the operation of its business activities or the performance of duties of food and drugs inspectors;
3. Receive information about food activities; and
4. Other rights provided in laws and regulations.

Food business operators have the following obligations:

1. Respect and strictly perform in accordance with food laws and regulations;
2. Cooperate with food and drugs inspectors when they carry out their duties;
3. Ensure that the production, distribution, servicing, import, export and donation of food is of good quality and safe;
4. Pay all damages arising from their wrongdoings during the undertaking of food business operations;
5. Facilitate food and drugs inspectors in the performance of their duties;
6. Investigate and recall food that fails to meet quality standards and is unsafe;
7. Summarize and report information regarding unsafe food; and
8. Perform other obligations as provided in laws and regulations.

**Article 51 (Amended) Rights and Obligations of Consumers**

Consumers have the following rights:

1. Receive safe and good quality food that is suitable for consumption;
2. Receive correct information about food, nutritional value, safety and quality, storage and understand [available] options regarding consumption;
3. Receive protection against fraud and wrong information on packaging, labels, advertising and the sale of food;
4. Return food and be compensated by food business operators resulting from consuming unsafe food; and
5. Other rights as provided in laws and regulations.

Consumers have the following obligations

1. Respect and strictly implement food laws and regulations;
2. Report unsafe, low quality, below standard and counterfeit food business operators and illnesses resulting from the consumption of food to the health sector authority and local administration authorities in an urgent manner; and
3. Other obligations as provided in laws and regulations.

**Part V**  
**Prohibitions**

**Article 52 (Amended) Prohibitions for Food Business Operators**

Food business operators are prohibited from the following behavior:

1. Operate a food business without the authorization of the health sector authorities;

2. Produce, process, import, export, distribute, serve and donate unsafe food to consumers and damage the environment, contravene laws and regulations, the fine traditions, endanger life, health and property of other persons and society;
3. Counterfeit food products for economic gain that damages the reputation of registered entities;
4. Use additives that have not been approved in laws and regulations;
5. Use materials in the production of food that contain pesticide, insecticide residues, herbicides, antibiotics, hormones, metal based substances and other substances in excess of the standards provided in laws and regulations;
6. It is absolutely prohibited to use poisonous chemicals, habit forming substances, hallucinates, and colorants that endanger health and the use of artificial sweeteners, preservatives, cochineal, and adulterated colorants in the production and processing of food in amounts that exceed standards defined by laws and regulations;
7. Use other chemicals not authorized for use in the operation of food businesses;
8. Produce, sell, pack or store food in dangerous vehicles that are a hazard to consumption;
9. Use toxic, contaminated or unsuitable materials for packing food, such as: newspapers, printed paper, cement bags and other materials;
10. Falsely advertise, entice, encourage consumers to buy, especially children; claim medicinal properties, health benefits causing consumer misunderstanding, and breach or violate food advertising laws and regulations; and
11. Other behavior in violation of laws and regulations.

#### **Article 53 (New) Prohibitions for Food and Drugs Officers and Inspectors**

Food and drugs officers and inspectors are prohibited from the following behavior:

1. Carry out their duties unfairly, discriminately, and illegally;
2. Claim and request bribes, abuse their position, authority and duties for personal gain;
3. Falsify or use fake documents, reveal and provide confidential information without authorization, delay or destroy documents relating to food businesses;
4. Conceal, assist and collaborate with food below standard and unsafe food producers; and
5. Other behavior in violation of laws and regulations;

#### **Article 54 (New) Prohibitions for Consumers**

Consumers are prohibited from the following behavior:

1. Defame food products and services or other actions that damage food business operators;
2. Use food products and services that damage the environment, contravene laws and regulations, the fine traditions, endanger life, health and property of other persons and society; and
3. Other behavior in violation of laws and regulations.

### **Part VI Dispute Resolution**

#### **Article 55 (New) Forms of Dispute Resolution**

Disputes relating to food may be resolved in the following forms:

1. Compromise and Mediation;
2. Administrative resolution;
3. Resolution by the Economic Dispute Resolution Organization;
4. Decision of the People's Court; and
5. Dispute resolution of an international nature.

#### **Article 56 (New) Compromise and Mediation**

In the event of a dispute relating to food activities, the parties may [resolve the dispute] through consultation, negotiation, compromise or mediation.

#### **Article 57 (New) Administrative Resolution**

In the event of a dispute relating to food activities, the parties may submit the dispute to the authorizing sector authorities to consider and resolve the dispute in accordance with laws and regulations.

#### **Article 58 (New) Resolution by the Economic Dispute Resolution Organization**

In the event of a dispute relating to food businesses, the parties may submit the dispute to the Economic Dispute Resolution Organization to consider and resolve the dispute in accordance with laws and regulations.

#### **Article 59 (New) Resolution by Decision of the People's Court**

In the event of a dispute relating to food business, either of the parties may file a case with the People's Court for consideration and a decision in accordance with laws and regulations.

#### **Article 60 (New) Dispute Resolution of an International Nature**

In the event of a dispute of an international nature relating to food business, the parties may submit the dispute to national, foreign or international dispute resolution organizations or resolve the dispute in accordance with conventions and international agreements to which the Lao PDR is a State party.

### **Part VII The Food and Drug Administration**

#### **Article 61 (New) Establishment of the Food and Drug Administration**

The Food and Drug Administration is a non-standing organization which has the role of policy approval, strategic planning and coordinating with relevant sector authorities in food and drug administration, inspect the quality of food products produced domestically and imported from abroad with the aim of protecting the rights and interests of consumers, reduce or eradicate dangerous food in order to protect the health and lives of consumers.

The Food and Drug Administration is comprised of:

- The National Committee for the Administration of Food and Drugs;
- The provincial and city food and drug offices; and
- The district and municipal food and drug offices.

#### **Article 62 (New) The National Committee for the Administration of Food and Drugs**

The National Committee for the Administration of Food and Drugs is comprised of:

1. The Minister of Health, Chairman;
2. The Deputy Minister of Agriculture and Forestry, Vice Chairman;
3. The Deputy Minister of Industry and Commerce, Vice Chairman;
4. The Deputy Minister of Science and Technology, Vice Chairman;
5. The Deputy Minister of Finance, Member;
6. The Deputy Minister of Planning and Investment, Member;
7. The Deputy Minister of Information, Culture and Tourism, Member;
8. The Deputy Minister of Public Security, Member;
9. Representatives of relevant commissions of the National Assembly, Member; and
10. Heads of relevant offices or ministerial divisions, Member.

Members of the National Committee for the Administration of Food and Drugs are appointed by the Prime Minister and the Food and Drug Department, Ministry of Health as the Secretariat.

The organizational structure of the committees for the administration of food and drugs at the provincial and district levels is provided in separate regulations.

**Article 63 (New) Rights and Duties of Food and Drug Administration Committees at Each Level**

The rights and duties of food and drug administration committees at each level are as follows:

1. To act as chief-of-staff to the government, provinces, cities, districts, municipalities in the study of, policy making, strategic planning and food safety administration plans periodically;
2. Mobilize, manage and use grants and support provided by domestic and international organizations in order to implement food safety administration activities in an efficient manner;
3. Provide technical advice to relevant sectors regarding food safety administration activities;
4. Participate and cooperate with relevant sector authorities in the implementation of food safety administration activities;
5. Summarize, and report on the implementation of their activities to the government, provincial governors, mayors, district heads, municipal heads and health sector authorities;
6. Other rights and duties provided in laws and regulations and as assigned.

**Article 64 (New) Lao National Codex Committee**

The Lao National Codex Committee is the agency that provides technical activities assistance and is responsible to the National Committee for the Administration of Food and Drugs and is the chief-of-staff to such Committee in the study of, determination of standards and provide technical coordination on the administration of food quality in cooperation with relevant implementing authorities within the Lao PDR and international codex committees.

The Lao National Codex Committee is called the ຄະນະກຳມະການກົດລະຫັດລາວ (ຄກອລ) in the Lao language.

The Lao National Codex Committee is comprised of representatives of the Ministries of Health, Agriculture and Forestry, Industry and Commerce, Science and Technology and other relevant sector authorities.

The regulations governing the activities of the Lao National Codex Committee are covered in separate regulations.

The Lao National Codex Committee may appoint (a) technical subcommittee(s).

**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, improve and develop food standards for the Lao PDR and submit them to the Ministry of Health for consideration and approval;
2. Contribute in the establishment of regional and international standards, study, compile opinions on behalf of the Lao PDR and submit them to the Ministry of Health for submission to the International Codex Committee;
3. Provide opinions and information the National Committee for the Administration of Food and Drugs regarding difficulties and limitations on the establishment of standards, quality and safety of food;
4. Study, analyze data received from the International Codex Committee on food standards that relate to the interests of the Lao PDR;
5. Cooperate with food standards assistance projects of international organizations in order to obtain technical support and funding;
6. Summarize and report results of the implementation of its activities to the National Committee for the Administration of Food and Drugs on a regular basis; and
7. Other rights and duties as provided in laws and regulations and as assigned.



**Part VIII**  
**Administration and Inspection of Food Activities**

**Chapter 1**  
**Administration of Food Activities**

**Article 66 (Amended) Food Administration Organization**

The government manages food activities in a centralized and unified manner nationwide by assigning the Ministry of Health as being directly responsible and in cooperation with the Ministry of Agriculture and Forestry, The Ministry of Industry and Commerce, the Ministry of Science and Technology, other relevant sector authorities and local administration authorities.

The Food Administration Organization comprises:

1. The Ministry of Health;
2. Provincial, City health divisions;
3. District, municipal health offices; and
4. Village health center committees.

**Article 67 (Amended) Rights and Duties of the Ministry of Health**

In the course of the administration of food activities, the Ministry of Health has the following main rights and duties:

1. To study policies, strategies and laws relating to food administration activities for proposal to the government for consideration;
2. To convert such policies, and strategic plans into detailed plans, programs and working projects and direct the implementation;
3. Disseminate, advertise and provide training about laws and regulations relating to food activities nationwide;
4. Create, improve, upgrade and train employees, food and drug inspectors and food business operators on food subjects;
5. Authorize the establishment of, suspension or dissolution of food businesses in collaboration with the Ministry of Industry and Commerce;
6. Register, determine lists and certify production standards, quality analysis, authorize advertising, imports and exports of food products;
7. Suspend or cancel decisions, orders, instructions and notifications of food administration organizations at lower levels under its responsibility that conflict with laws and regulations;
8. Consider requests or proposals of individuals, legal entities or organizations regarding the amendment of standards, quality and safety of food;
9. Support and promote and encourage the production of safe food starting with cultivation, animal husbandry and consumption nationwide;
10. Collaborate with the relevant authorities and international organizations to facilitated food administration activities;
11. Cooperate with foreign countries and organizations to create conditions to facilitate the administration of food activities;
12. Summarize and report results of the implementation of food activities to the government regularly; and
13. Other rights and duties as provided in laws and regulations.

**Article 68 (Amended) Rights and Duties of Provincial, City Health Divisions**

In the course of the administration of food activities, the provincial, city health divisions have the following rights and duties:

1. Expand the policies, strategic plans and laws and regulations relating to food administration activities for implementation;
2. Disseminate, advertise and provide training about laws and regulations relating to food activities in accordance with the scope of responsibility;
3. Monitor food businesses and request the Ministry of Health to suspend or cancel food businesses in accordance with its role in the event of violations of laws and regulations;
4. Create, improve, upgrade and train employees, food and drug inspectors and food business operators on food subjects at its level;
5. Propose the registration, determine lists and certify production standards, quality analysis, authorize advertising, imports and exports of food products within its responsibility;
6. Consider the authorization to establish food businesses within the scope of its responsibilities;
7. Suspend or cancel decisions, orders, instructions and notifications of district and municipal health offices that conflict with laws and regulations;
8. Consider requests or proposals of individuals, legal entities or organizations regarding the amendment of standards, quality and safety of food within its role;
9. Support and promote and encourage the production of safe food starting with cultivation, animal husbandry and consumption within its provinces and cities;
10. Collaborate with the relevant authorities at its level in the administration of food activities, including food natural resources within its responsibilities;
11. Cooperate with foreign countries and organizations on the administration of food activities as assigned by the higher authorities;
12. Summarize and report results of the implementation of food activities to the Ministry of Health and provincial and city administration authorities regularly; and
13. Other rights and duties as provided in laws and regulations and as assigned.

#### **Article 69 (Amended) Rights and Duties of District, Municipal Health Offices**

In the course of the administration of food management activities, district, municipal health offices have the following rights and duties:

1. Implement the policies, strategic plans and laws and regulations relating to food administration activities in an effective manner;
2. Disseminate and provide training about laws and regulations relating to food activities in accordance with the scope of responsibility;
3. Propose the establishment, suspension or dissolution of food businesses to the provincial, city health divisions for consideration to submit to the Ministry of Health [for approval];
4. Consider requests or proposals of individuals, legal entities or organizations regarding amendment of standards, quality and safety of food within its role;
5. Support and promote and encourage the production of safe food starting with cultivation, animal husbandry and consumption within its districts and municipalities;
6. Collaborate with the relevant offices in the administration of food activities, including food natural resources within its responsibilities;
7. Summarize and report results of the implementation of food activities to the provincial, city health divisions and district and municipal administration authorities regularly; and
8. Other rights and duties as provided in laws and regulations and as assigned.

#### **Article 70 (New) Rights and Duties of Village Health Center Committees**

In the course of the administration of food management activities, village health center committees have the following rights and duties:

1. Implement food activities within the scope of their villages;
2. Disseminate and provide training about laws and regulations relating to food activities and the health of consumers within the scope of their villages;
3. Consider requests of consumers regarding food within the scope of its role;
4. Mobilize the public to take care of their health by consuming safe and nutritious food;
5. Promote the production of safe traditional food in accordance with the conditions and potential of the village and family;

6. Provide information regarding safe food and toxic food to teach the villagers to be careful;
7. Summarize and report results of the implementation of food activities to the district and municipal health offices and village administration authorities regularly; and
8. Other rights and duties as provided in laws and regulations and as assigned

#### **Article 71 (New) Rights and Duties of Other Sector Authorities**

All central and local sector authorities have the rights and duties to collaborate with health sector authorities in order to ensure that food administration activities are undertaken in an effective manner in accordance with their role.

## **Chapter 2 Inspection of Food Activities**

#### **Article 72 (New) Food Activity Inspection Organization**

The Food Activity Inspection Organization comprises:

1. Internal inspection organizations which is the same as the Food Administration Organization as provided in Article 66 of this Law;
2. External Inspection organizations are the National Assembly, the State Inspection Organization, the Government Inspection and Anti-Corruption Organization and the National Front for Construction, Mass Organizations and the media.

#### **Article 73 (New) Content of Inspection**

The content of inspection is as follows:

1. The registration and issue of certification relating to the operation of food businesses;
2. The implementation of laws and regulations relating to State organizations and other organizations; and
3. The monitoring, inspection of operations regarding the production, processing, storage, distribution, import, export, consumption and donation by the public and private sector.

Inspection is aimed at ensuring that food activities are carried out in accordance with laws and regulations, based on risk, the ethics and fairness of food business operators to ensure that food meets standards of good quality and ensure safety.

#### **Article 74 (New) Forms of Inspection**

Inspections are undertaken in the following forms:

1. Regular inspection;
2. Inspection by advance notice; and
3. Surprise inspection.

Regular inspection refers to an inspection performed regularly that is according to plans and at pre-determined times.

Inspection by advance notice refers to an inspection that is unplanned with advance notice is given to the inspected party.

Surprise inspection refers to a surprise inspection without advance notice to the inspected person.

Inspections shall be carried out in accordance with laws and regulations and based on risk which are covered in separate regulations.

#### **Article 75 (New) Food and Drug Inspectors**

Food and drug inspectors are health inspectors who are qualified, have the knowledge and ability in the food science, pharmaceutical, chemical, biological sectors and have passed a strict selection process and appointed by the Minister of Health.

#### **Article 76 (New) Rights and Duties of Food and Drug Inspectors**

Food and drug inspectors have the following rights and duties:

1. Enter all premises where food businesses are operated;
2. Inspect food at all import, export checkpoints;
3. Perform all inspection procedures provided in laws and regulations;
4. Seize or confiscate food that is sub-standard, low quality and unsafe and request the relevant authorities to consider action in accordance with laws and regulations;
5. Summarize and report on results of inspection to the health sector authorities and other relevant authorities for remedy; and
6. Other rights and duties provided in laws and regulations.

### **Part IX**

#### **Policies Towards Persons with Outstanding Achievement And Measures Against Violators**

#### **Article 77 (Amended) Policies Towards Persons with Outstanding Achievement**

Individuals, legal entities or organizations and State employees responsible for food administration activities who have outstanding achievements in the implementation of this law, such as: operating food businesses in accordance with standards, quality and safety will be commended and receive other incentives as determined in laws and regulations.

#### **Article 78 (Amended) Measures Against Violators**

Individuals, legal entities or organizations which violate any provision of this Law, such as violation of prohibitions will be re-educated, disciplined, fined or prosecuted depending on the severity of the case and be responsible for compensating for damages caused.

#### **Article 79 (Amended) Re-Education Measures**

Individuals, legal entities or organizations which violate this Law, such as providing food to society who have produced, prepared, served, stored, imported, exported or donated food of [unacceptable] quality but that is not severely dangerous to the health of people will be re-educated.

#### **Article 80 (New) Disciplinary Action**

Health officers, food and drug inspectors who violate this law, such as minor violations of prohibitions which are not of a criminal nature, do not cause severe damage, no intent to make false reports, avoid their violations shall be disciplined in accordance with laws, such as warned, suspended from promotion or removed from office.

#### **Article 50. Fines**

Individuals, legal entities or organizations which violate this Law which is not of a criminal nature, such as the provision of sub-standard, low quality and unsafe food, contaminated food or food expired for consumption will be fined as stipulated in laws and regulations.

**Article 82 (Amended) Civil Measures**

Individuals, legal entities or organizations which violate this Law and cause damage to another individual shall compensate for such damages.

**Article 83 Criminal Proceedings**

Individuals, legal entities or organizations which violate this Law and such violations are of a criminal nature shall be punished under the Penal Code depending on the severity of the case.

**Part X  
Final Provisions**

**Article 84 (Amended) Implementation**

The government of the Lao People's Democratic Republic shall implement this law.

**Article 85 (Amended) Effectiveness**

This law shall become effective after ninety days from the date of the promulgating decree of the President of the Lao People's Democratic Republic.

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

Any provisions that contradict this law are hereby repealed.

President of the National Assembly  
[signature and seal]  
Pany YATHOTOU