



Lao People's Democratic Republic  
Peace Independence Democracy Unity Prosperity

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Ministry of Health

No. 518/MoH

Vientiane Capital, dated 18 March 2009

Ministerial Regulation on the Basic Principles in the Application of Sanitary  
and Technical Measures for the Food Safety Management

- Pursuant to the Food Law No. 04/NA, dated 15 May 2004
- Pursuant to the Prime Minister Decree on the Structure and Activities of Ministry of Public Health, No. 114/PM, dated 4 July 2008
- Pursuant to the Proposal of Food and Drugs Department

The Minister of Public Health issued the Regulation as follows:

Chapter I

General Provisions

Article 1. Objective

This Ministerial Regulation stipulates the basic principles and methodologies for the application of Sanitary and Technical Measures to conduct management, inspection and monitoring of food activities and business aiming to promote and ensure the food quality, standard and safety in order to protect consumers' health and life, facilitate fair practices and food trade; additionally, to promote the development and growth of food businesses; and to comply with the requirements of international economic integration framework.

Article 2. Scope of Application

This Ministerial Regulation is applied to any sanitary and technical measure to protect human health and food businesses.

### Article 3. Interpretation of Terms

Sanitary Measure: refers to any measure which is applied to protect human health or life from risks that may occur from food additives, contaminants, poisons or diseases that cause food illness or other adverse health effects

Technical Measure: refers to any technical measure which is applied in management and inspection of the production, processing, import, packaging and food labeling, including control, inspection and procedures to certify and distribute food in Lao PDR

Food Preparation: refers to the processing of the material into food that it shall be ensured in terms of safety, hygiene and quality

Creation of unnecessary barriers to food business refers to the application of any measure intended to protect consumer

Chapter II  
The Basic Principles  
in the Application of Sanitary and Technical Measures

Article 4. Basic Principles

The application of sanitary and technical measures for this administration in relation to food safety shall follow these principles:

- 1) Necessity to protect consumer health;
- 2) Standards determined in Lao PDR;
- 3) Ensure transparency; and
- 4) Non- discrimination

Article 5 Necessity to protect consumer health

The protection of consumer health shall be ensured by the sanitation and safety of food as stipulated in Article 14 and 15 of the Food Law while avoiding unnecessary barriers to food business activities or without adherence to scientific principles.

Article 6 Food standards in Lao PDR

Foods which are produced, imported and distributed in Lao PDR shall comply with the food standards of Lao PDR, based on the Codex Alimentarius standards, guidelines and recommendations. In the case where the standards of Lao PDR are higher than Codex Alimentarius standards, guidelines and recommendations or where Codex standard do not exist, the scientific justification shall be made by the relevant competent authorities.

Article 7 Transparency

1. Any measure which has been adopted or changed shall be promptly published and notification provided in writing, through available media in such a manner as to enable related government agencies, businesses, citizens and trading partners to be informed. There should be a reasonable interval between the publication of such measures and its entry into force in order to allow time for related stakeholders to prepare themselves, except in urgent circumstances.

2. Related agencies have the obligation to provide SPS enquiry points and notification points regarding SPS related information.

3. Any necessary information regarding SPS measures, forms, procedures,

information shall be announced at the place of administrative services in order to facilitate access to food business entrepreneurs.

#### Article 8 Non discrimination

The application of sanitary measures shall be constant with the non discrimination principle, de jure and de facto between country and country or between supplier and supplier.

### Chapter III Food safety framework

#### Article 9 A framework to ensure food safety

A framework to ensure food safety of Lao PDR consists of administration, legislation, risk assessment, integrated food chain approach, national human resource capacity, national data collection and scientific research, international standards and trade, national and international cooperation.

## Chapter IV

### Rights and Obligations of Public Health Agencies.

#### Article 13 Rights and obligations of Ministry of Public Health

In addition to regular rights and obligations according to their roles, additional rights and obligations are as follows:

1) A r t 4 t i o n s 7 . 1 1 1 4 .

## Article 15 Rights and Obligations of District Health Offices

In addition to regular rights and obligations according to their roles, additional rights and obligations are to implement the application of basic principles as provided for in Article 4 of this Ministerial Regulation and regularly report to provincial health offices.

## Chapter V Dispute Settlements

### Article 16 the procedures of dispute settlements

The dispute settlements consist of the following procedures:

1. Consultation
2. Administrative appeal
3. Court appeal

### Article 17 Consultation

Any party can request a consultation of a dispute related to the implementation of this Ministerial Regulation to understand reasons and to create mutual understanding. Each party should allow reasonable time and provide the necessary information to facilitate such consultation.

### Article 18 Administrative appeal

if the dispute can not be settled through consultation, the complainant can submit an appeal to the higher ranking public health agency or other relevant agencies. The health and other relevant agencies shall ensure impartiality for both parties, and such dispute shall be settled within 90 days.

### Article 19 Court appeal

If any party is not satisfied with the decision made under Article 18 of this regulation, such party can appeal to the court as provided for in related laws and regulations.

Chapter VI  
Final Provisions

Article 20. The implementation

The Department of Food and Drugs, Ministry of Public Health shall undertake the responsibility to extend and coordinate with provincial, Vientiane Health Offices and other related agencies throughout the country in order to implement this Ministerial Regulation.

Article 21. Entry into force

The Ministerial Regulation shall be entered into force 30 days after signed. If there are any contradictions between this Ministerial Regulation and other related regulations, the solution paragraph 2 of Article 10 of this Ministerial Regulation shall prevail.

The Minister of Ministry of Health