



Authentic in Lao only

**Lao People's Democratic Republic**  
**Peace Independence Democracy Unity Prosperity**

Ministry of Agriculture and Forestry

No: 1502/MAF  
Vientiane Capital, dated 23 June 2011

**Ministerial Decision**  
**on the Organization and Operation of Sanitary and Phytosanitary Enquiry Point**

- Pursuant to Prime Minister's Decree No.148/PM, dated 10 May 2007 on the Organization and Operation of the Ministry of Agriculture and Forestry.
- Pursuant to Prime Minister's Decree No. 363/PM, dated 19 August 2010 on the Notification and Enquiry of Trade Related Information.
- Pursuant to Minutes of the meeting co-organized by the Ministry of Industry and Commerce and the Ministry of Agriculture and Forestry on the Preparation for World Trade Organization Accession No.0333/MAF, dated 10 May 2011 and No.0474/MIOC, dated 09 May 2011.

**The Minister of the Ministry of Agriculture and Forestry hereby decides as follows:**

**Section I**  
**General Provisions**

**Article 1. Purpose**

This Decision defines the location, roles, duties, rights, organizational structure, working procedures and operation of the Sanitary and Phyto-sanitary Enquiry Point (SPS EP or Enquiry Point)<sup>1</sup> to develop a place for collecting and providing information with regard to sanitary and phyto-sanitary measures of the Lao PDR, aiming to ensure transparency of the supervision of agricultural products, to minimize the impact on trade and to contribute to the improvement of agricultural business environment.

**Article 2. Location and Roles**

SPS EP is a body under the organizational chart of the Department of Planning of the Ministry of Agriculture and Forestry with the roles to answer questions and provide

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<sup>1</sup> "SPS EP" or "Enquiry Point" is the informal abbreviation of Sanitary and Phyto sanitary Enquiry Point for ease of reading only and is not included in the Lao version.





The SPS EP shall consist of qualified personnel who are capable of using foreign languages such as French or English, and are able to coordinate [with concerned bodies] and answer questions effectively regarding SPS. The SPS EP is composed of a manager, a vice-manager and assisting staff. The Department of Planning of the Ministry of Agriculture and Forestry shall propose the personnel structure of the SPS EP to the Minister for official endorsement.

## **Section IV**

### **Duties of Focal Points and Coordination with Other Relevant Sectors**

#### **Article 7. Duties of Focal Points**

- 7.1 Summarize, analyze and answer to questions and report the application of SPS measures that are in force or in draft form to the Enquiry Point and Notification Unit according to their scope of responsibilities;
- 7.2 Report to the Enquiry Point on information for agricultural products or food that are related to trade;
- 7.3 Participate in meetings, seminars and training or dissemination activities that are related to the receiving and answering of questions or SPS notification activities;
- 7.4 Request for aid or technical assistance from the Enquiry Point and other sources;
- 7.5 Assist the National *Codex Alimentarius Committee* in defining national safety

- individuals, legal entities or organizations accurately, promptly and to avoid overlap of work;
- 8.3. For coordination within its sector at local levels and with other relevant sectors in addition to the two sectors mentioned above, the Enquiry Point shall follow up, develop and establish coordination mechanisms with sectors that are related to the receiving and answering of questions on SPS measures according to the needs of each period;
  - 8.4. Coordinate with other relevant sectors to monitor and keep them informed about the development, changes and amendment of legislation related to SPS measures within the jurisdiction of each sector to make information available for answering questions or for providing information to the Enquiry Point and to send questions back to Enquiry Point in case such sectors received questions directly.

## **Section V**

### **Working Procedures**

**Article 9.** The SPS EP shall operate according to the following procedures:

- 9.1. Comply with the principles of democratic centralism, collective leadership, individual responsibility combined with the implementation of a single leader regime according to the division of administration of each level that has clear delineation of responsibilities within the team;
- 9.2. The Director General of the Planning Department is directly responsible for the working of the SPS EP team in terms of achievements and shortcomings on the performance of their political duties; the Deputy-Director General of the Planning Department shall assist the Director General of the Planning Department, and take specific responsibilities as assigned by him;
- 9.3. Liaise and coordinate with the Department of Agriculture and Department of Livestock and Fisheries of the Ministry of Agriculture and Forestry, Department of Food and Drugs of the Ministry of Public Health and relevant Fo

## **Section VI Final Provisions**

### **Article 10. Budget and Seal**

The SPS EP shall use the budget and seal of the Department of Planning of the Ministry of Agriculture and Forestry to carry out official activities.

### **Article 11. Implementation**

The Department of Planning of the Ministry of Agriculture and Forestry shall play a central role to disseminate this Decision to organizations in charge of managing SPS activities and shall actively coordinate with all relevant sectors in strict implementation of this Decision.

### **Article 12. Effectiveness**

This Decision is effective from the date of its signing.

Minister of Agriculture and Forestry  
(Signature and seal)

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**Focal point** refers to a government unit established by the Department of Agriculture, Department of Livestock and Fisheries of the Ministry of Agriculture and Forestry and by the Food and Drugs Department, Ministry of Public Health, assigned to assist in the activities of the Enquiry Point.

**Other Relevant Sectors** refer to the SPS/TBT Notification Unit of the Ministry of Industry and Commerce and the TBT Enquiry Point of the National Authority for Science and Technology and other relevant sectors at the central and local levels concerning the application of SPS measures.

**Transparency** refers to the disclosure or open notification of information related to sanitary and phytosanitary measures proposed, approved and promulgated by Lao PDR to the domestic and foreign public, organizations and entrepreneurs for their awareness and anticipation.

**Risk Assessment** is the evaluation of the likelihood of entry, establishment and spread of human disease, plant disease, animal disease, zoonosis and causes of adverse effects on human or animal health arising from the presence of additives in human food, animal feed, contaminants in agricultural products, and toxins in beverages and animal feeds in Lao PDR or may arise from the import or export that could have adverse effects on biodiversity or the national economy that needs sanitary and phytosanitary measures for control and inspection.

**Appropriate level of sanitary or phytosanitary protection** is the level of protection deemed appropriate as defined by the authorities in charge of agricultural and forestry issues and health of Lao PDR including the level of