

THE LAW OF THE REPUBLIC OF TAJIKISTAN ON THE QUALITY AND SAFETY OF FOOD

CHAPTER 1. GENERAL PROVISIONS

Article 1. Purpose of the Law

This Law shall determine legal and socio-economic relations at different stages of procurement and production, transportation and storage, sales of food, materials and items and their ingredients as well as package and auxiliary materials between the manufacturer, vendor and consumer with view of securing implicit implementation of rights of physical and legal persons to acquire pollution free, quality and safe for human health food products and materials including dietary product, baby food and bioactive supplements.

Article 2. Key definitions

The following key definitions shall be used in this Law:

Foodstuff – natural or processed (canned) products consumed by human in food, i.a. baby food, dietary food, bottled water, liquor, beer, soft drinks, chewing gums, as well as food stock, food and bioactive supplements;

Baby food – food for children under 14 adequate for physiological needs of children organism;

Dietary food – designed for medical and preventive diet;

Food stock – stock of vegetable, animal, micro-biological, mineral and artificial origin and water,

Technical documents – documents confirming that manufacturing, storage, transportation and marketing of food products, materials and items are provided under (technical regulations, technological instructions, formulas, etc.);

Sales of food products, materials and items – purchase and sale (i.e. import-export) or other modes of transfer of food products, materials and items (hereafter – sales), their storage and transportation;

Falsified food products, materials and items- intentionally falsified as the produce of real manufacturer;

Identification of food products, materials and items – a procedure to establish a compliance of certain food products, materials and items with standards and information on food products, materials and items enclosed with the compliance regulating documents and indicated in the labels;

Recycling of food products, materials and items – poor-quality and harmful food products, materials and items used in processing of products not intended for nutritive aims;

Expiration date – period of time as of the manufacturing date during which time food products are suitable for consumption;

Monitoring – on-going follow-up of the quality and safety of food products aimed to determine their compliance with the desired output;

Pesticides – toxic chemicals to combat pests and insects;

Organoleptic characteristics – food product indicators that can be determined and assessed

Article 5. Quality and safety assurance of food products, materials and items

Quality and safety of food products, materials and items is assured by way of:

Applying measures of state regulation in the area of quality and safety assurance of food products, materials and items;

Conducting by physical and legal persons involved in manufacturing and sales of food products, materials and items logistical, agrochemical, veterinary, technological, engineering, sanitary-epidemiological phytosanitary arrangements related to meeting requirements of the regulatory documents for food products, materials and items, manufacturing provisions, storage, transportation and marketing;

Conducting manufacturing inspection over the quality and safety of food products, materials and items, terms of manufacture, storage, transportation and marketing, introducing quality management system of food products, materials and items (hereafter quality systems);

Deploying civil, legal, administrative measures and criminal responsibility against persons violating requirements of this Law and other regulatory documents.

Article 6. Information on Quality and Safety of Food Products, Materials and Items

Physical and legal persons involved in manufacture and sales of food products, materials and items, in delivering services in retail sale of food products, materials and items and items related to public catering shall submit comprehensively and credible information on compliance with requirements in manufacture and sales of food products, materials and items and delivery of such services to consumers and buyers as well as to inspection and controlling authorities of the Government of the Republic of Tajikistan on quality and safety of food products, materials and items

Authorized body of the Government of Tajikistan on state inspection in the area of standardization, certification, metrology and scale, sanitary and epidemiology surveillance, veterinary inspection and plant quarantine control shall supply state authorities, physical and legal persons with information on quality and safety of food products, materials and items, on compliance with standards in manufacture and sales of food products, materials and items, service delivery in public catering, on state registration of food products, materials and items, on confirming their compliance with standards and measures related to prevention of sales of low-grade and harmful products, materials and items.

CHAPTER 2. AUTHORITIES OF THE GOVERNMENT OF TAJIKISTAN AND AUTHORISED BODIES OF THE GOVERNMENT

Development and marketing of targeted and technical academic programs related to food products quality and safety assurance;
State standardization of quality and safety of food products, materials and items;
Promotion of international cooperation;
Promotion of other competencies envisaged by the legislation.

Article 8. Powers of Authorized Bodies of the Government of Tajikistan in the area of Food Products Safety and Quality Assurance

Authorized bodies of the Government of the Republic of Tajikistan in the area of food products quality and safety shall be delegated capacities in the manner established by the legislation of the Republic of Tajikistan.

Capacities of state food product quality safety controlling authorities shall be determined by the Government of the Republic of Tajikistan in accordance with the legislation.

CHAPTER III. STATE REGULATION IN THE AREA OF QUALITY AND SAFETY OF FOOD PRODUCTS

Article 9. State Quality and Safety Standardization of Food Products, Materials and Items.

Standard requirements to quality of food products, materials and items, to safety assurance, packaging, labeling, to manufacturing inspection over quality and safety of food products, materials and items, to evaluation procedures and approval of compliance with standards, stipulated in regulatory documents, to testing and identification methodology, to technical documents and quality systems shall be established based on state standards.

Requirements to nutritive value of food products, to safety of food products, materials and items, safety conditions of their development, processing, manufacturing and safety of services, delivered in retail trade of food products, materials and items and in the area of public catering shall be established based on respective sanitary standards.

Veterinary safety requirements to certain food products, their development, manufacture and sales shall be established based on relevant veterinary standards.

State standards, sanitary and veterinary standards shall be established by State Inspection authorities on standardization, certification, metrology and trade, by the State Sanitary and Epidemiology Surveillance and Veterinary control in accordance with their competences and in the manner established by the legislation of the Republic of Tajikistan.

Requirements to quality and safety of food products, materials and items, established by the state standards, sanitary and veterinary standards shall be mandatory for physical and legal persons.

State registration of food products, materials and items includes:

Appraisal of documents submitted by the manufacturer, supplier of food products, materials and items;

Approval of their compliance with the standards, manufacture and delivery provisions of food products, materials and items, as well as results of tests, held where necessary;

Incorporation of food products, materials and items, their manufacturers and suppliers in the state register of food products, materials and items authorized for production, import and sales in the Republic of Tajikistan;

Provision of state registration certificate for f

With respect to food products, materials and items not subject to mandatory certification and compliance confirmation with standards stipulated in regulatory documents, physical and legal persons involved in manufacture and sales of such food products, materials and items shall be eligible to exercise voluntary certification of above in the manner established by the legislation of the Republic of Tajikistan.

In the event the manufacturer of certified products, materials and items with available quality compliance certificate, or a provider of food services delivered in retail trade and public catering shall breach requirements stipulated in regulatory documents, respective certifying authority must suspend manufacture or sales of food products, materials, items, service delivery,

chemical (including radioactive), biological substances and their compounds, microorganisms and other biological organisms posing a threat to health.

On administration and application provisions (as respects products of baby food, dietary food and bioactive supplements);

On modes and conditions of manufacturing ready-to-eat meal (as respects concentrates and semi products);

On storage conditions (as respects food products regulated by established requirements for storage conditions);

On manufactured date, expiration date and packaging date of food products.

Article 19. Quality and Safety Requirements of Food Products, Materials and Items as Regards Storage and Transportation

Chapter 21. Quality and Safety Requirements of Food Products, Materials and Items Imported to the Republic of Tajikistan

Quality and safety requirements of food products, materials and items imported to the Republic of Tajikistan shall comply with the standard requirements of the Republic of Tajikistan.

Manufacturer and supplier commitments towards meeting requirements stipulated in regulatory documents as respect food products, materials and items imported to the Republic of Tajikistan shall be a substantive provision of the product supply contract.

Based on the findings of the appraisal of low-grade and hazardous products, materials and items, the respective authority for state inspection and control shall endorse a resolution on their recycling or disposal.

Owner of off-grade and hazardous products, materials and items shall opt for a technique and

Article 28. Responsibility of Official of State Inspection and Control Authorities

Officials of state inspection and control authorities shall be held responsible for inappropriate performance, including non-disclosure of facts that created a threat to human health and life in a manner established by the legislation of the Republic of Tajikistan.

President of the
Republic of Tajikistan

E.Rahmonov

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