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\* The Law on Safety of Food Products was adopted by the Parliament and is pending entering into force.

- **Nutritive value of food products** - combination of properties of food products adequate to satisfy physiological needs of humans for necessary substances and energy;
- **Certificate of safety of food products** – a document that certifies compliance of food products with relevant food safety requirements;
- **Certification** – a procedure of confirming of compliance of food products with the requirements set forth by normative documents;
- **Certificate of compliance** – a document issued in accordance with the rules of the certification system for confirming compliance of certified product with the requirements set forth by normative documents;
- **Technical documents** – documents in accordance to which manufacture, storage, transportation and sale of food products is performed (technical requirements, technological instructions, formulations, etc.);
- **Normative documents** - documents adopted in the manner prescribed by the legislation of the Republic of Tajikistan, including documents in accordance with international treaties recognized





**Article 7. Measures in the Area of Safety of Food Products in the Absence of International Standards, Guidelines and Recommendations**

1. If there are no international standards, guiding principles and recommendations or if food

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- Eliminate deficiencies of food products that are manufactured or are in the circulation, which not meet the requirements of this Law;
- Ensure unhindered access to inspectors exercising state supervision of objects subject to control, for performing inspection activities;
- Keep a record of acquiring and dispensing of food products, food additives, flavorings and auxiliary materials used in the production or handling of food products, for the period of three years. In the case of mass food production, food additives, flavorings and auxiliary processing materials, such records shall be kept by the lot number.

2. Natural and legal persons engaged in manufacture and circulation of food products and supplying services related to retail sales of food products and public catering shall be fully responsible for ensuring the safety of manufactured, shipped, and sold food products.

#### **Article 14. Ensuring Safety of Food Products**

Safety of food products shall be ensured by way of:

Applying measures of state regulation in the area of safety of food products;

Conducting by natural and legal persons involved in manufacturing and sales of food products logistical, agrochemical, veterinary, technological, engineering, sanitary-epidemiological phytosanitary arrangements related to meeting requirements of relevant normative documents applicable to food products and conditions applicable to manufacturing, storage, transportation and circulation thereof;

Conducting manufacturing control over the safety of food products and control manufacture, storage, transportation and circulation thereof;

Application of civil, legal, administrative measures in respect of persons violating requirements of this Law and other normative documents.

#### **Article 15. Information on Safety of Food Products**

1. Natural and legal persons involved in manufacture and sales of food products, in providing services in retail sale of food products and services related to public catering shall provide comprehensive and credible information to buyers and consumers, as well as to state bodies authorized to supervise and control safety of food products, on compliance with requirements of relevant normative documents in the process of manufacture and sales of food products.

2. Authorized state bodies (in the area of standardization, certification, metrology and trade, sanitary-epidemiology supervision, veterinary supervision and phytosanitary control and plant quarantine) control shall provide to interested parties the information safety of food products, compliance with requirements of relevant normative documents standards in the process of manufacture and sales of food products, providing services related to trade and public catering, on novel food products, and measures related to prevention of sales of unsafe food products.

3. The authorized state bodies shall, through single information center, provide the information, documents and data in accordance with international legal acts related to the following:

- Proposed and adopted measures on safety food products;
- Measures of control, inspection and certification of food products;
- Procedures for assessment of risk and methods of determination of appropriate level of protection of human life and health in the Republic of Tajikistan;
- Membership and participation in international and regional consultations, systems of protection of human life and health an on existence and content of bilateral and multilateral international agreements and contracts.





- Issuance of the sanitary certificate for food products upon request of interested parties



2. Coordination Council shall consist of representatives of ministries and agencies involved in food safety, as well as of outstanding individuals, academics and experts whose professional activity is related to the safety of food products.

3. Coordination Council shall be established by the Government of the Republic of Tajikistan and shall operate under regulations approved by the Government of the Republic of Tajikistan.

### **CHAPTER III. STATE REGULATION IN THE AREA OF FOOD SAFETY**

#### **Article 21. State Regulation in the Area of Food Safety**

1. Requirements related to safety of food products, conditions of their manufacture, preparation and circulation, safety of services related to retail sale of food products and public catering shall be established by relevant technical regulations, sanitary, veterinary and phytosanitary rules and guidelines.

2. Technical regulations, sanitary, veterinary and phytosanitary regulations shall be developed and approved by the Government of the Republic of Tajikistan.

(without preliminary notification) inspection in accordance with the level of risk, in a manner established by the Government of Tajikistan.

3. Frequency of state supervision of any establishment subject to requirements of this Law, must reflect the following:

- 1) Risks related to the facility as well as technology of the manufacturing and/or processing;
- 2) Results of the preliminary state supervision;
- 3) Reliability of the control procedures applied by the economic operator in order to comply with requirements of relevant technical regulations and sanitary and veterinary rules;
- 4) Existence of suspicion that an economic operator does not comply with requirements of this Law and other normative legal acts.

4. State supervision and control of food products imported into the territory of the Republic of Tajikistan, on the crossing points of the border of the Republic of Tajikistan and points of the customs clearance, shall be performed by the state sanitary-epidemiological supervision service,

2. Dietary supplements can be added to certain foods, taking into account the level of inclusions, as defined in the relevant sanitary rules, and also can be produced for direct consumption as a distinct food product.

#### **Article 27. Requirements for Ensuring Safety of Novel Food Products**

1. In developing novel food products, new technological processes for their production, packaging, storage, transportation, labeling and sales, natural and legal persons must substantiate safety requirements for such food products, provide information on safety of such products at the stage of their manufacturing and sales, develop manufacturing control programs of safety of such food products and establish expiration period for such food products.

2. Expiration period of food products shall be established in respect of food products susceptible to quality loss within a time period from the production date, which acquire properties harmful to human health, thus becoming unsuitable for their intended use.

3. Safety indicators of novel food products, their expiration periods, packaging requirements, labeling and information about such food products, production and marketing conditions for such products, programs of manufacturing safety control, testing methodology, recycling and disposal methods of unsafe food products shall be included in technical documents.

4. Draft technical documents and test samples of novel food products shall be subject to sanitary and epidemiological evaluation.

5. Requirements of approved technical documents shall be mandatory for natural and legal persons involved in manufacturing and sales of specific kinds of food products.

#### **Article 28. Requirements for Ensuring Safety of Food Products during the Production Process**

consumers and organize their examination, disposal or destruction in accordance with established procedure.

8. The competent authorities in the field of food safety shall review the rules and regulations on food safety, including dietary and baby foods, food and biological additives to ensure their conformity with generally accepted international standards at least once in every 5 years or when new scientific data become available.

### **Article 29. Requirements for Food Safety with Respect to Packing, Packaging and Labeling**

1. Food products must be processed in a hygienically clean environment, free from harmful substances (or at the level harmless to humans), to be packaged and packed in a manner that ensures safety during their storage, transportation and sales.

2. Natural and legal persons involved in packing and packaging of food products must comply with the normative documents applicable to packing and packaging, labeling, as well as to those applicable to materials used for packaging and labeling of food products.

3. In addition information required by the legislation of the Republic of Tajikistan on consumer protection, labels, tags or insert-sheets used for packaged foods shall include the following information, taking into ac

**Article 30. Requirements for Ensuring Safety of Food Products during Storage and Transportation**

1. Storage and transportation of food products must be carried out under conditions ensuring





prevalence of such diseases due to specifics of manufacture and sales of food products, including persons not covered by regular medical check-ups and hygiene trainings, shall not be allowed an access to performing activities in direct contact to food products, materials and items.

### **Article 35. Withdrawal from Circulation of Unsafe Food Products**

1. The manufacturer food products found to be unsafe shall withdraw such products from the circulation independently or upon the instruction of the authorities responsible for state supervision and control.

2. The manufacturer or supplier who suspects or determines that the violation of food safety has occurred at any stage of production, processing or handling of food product that is no longer under his direct control shall immediately notify the authorized body and initiate the procedure for the withdrawal of such product from circulation. If the product has reached consumers, the manufacturer or supplier shall notify the consumer in a clear and effective way the cause the

10. The owner of unsafe food products shall provide a document or its duly certified copy confirming the recycling or destruction of such food products to the state supervision and control authority, which has decided on their recycling or destruction.

11. State control and supervision authority, which has decided on recycling or destruction of unsafe food products shall control their recycling or destruction, in order to prevent possible poisoning of humans and animals, spread of diseases and environmental pollution.

## **CHAPTER V. FINAL PROVISIONS**

### **Article 37. Fees for Services Rendered**

Any fees payable in connection with any administrative procedures, laboratory testing, examinations, control and other procedures related to safety of food products shall be limited in to the amount to their actual costs.

### **Article 38. Funding of the State Supervision**

State supervision of objects subject to state sanitary-epidemiological and veterinary supervision shall be performed free of any charge and shall be funded by the State Budget of the Republic of Tajikistan.

### **Article 39. Responsibility for Violation of this Law**

For any violations of this Law and any other provisions of legal acts regulating safety of food products natural and legal persons shall be held responsible in accordance with the legislation of the Republic of Tajikistan.

### **Article 40. Coming into Force**

This Law shall come into force on 1 January 2013.