



LAW OF MONGOLIA

April 7, 2016

Ulaanbaatar city

ABOUT ORGANIC FOOD

CHAPTER ONE GENERAL PROVISIONS

Article 1 The purpose of the law

1.1. The purpose of this law is to regulate relations related to conducting organic agricultural production, production of organic food, feed and fertilizers, their certification, sale, import, use and promotion of organic signs and symbols.

Article 2. Legislation on organic food

Legislation on organic food includes the Constitution of Mongolia, the Law on Food, the Law on Ensuring Food Safety, the Law on Natural Plants, the Law on Forests, the Law on Standardization, Technical Regulation, and the Law on Accreditation of Conformity Assessment. The law on quarantine control and inspection of raw materials and products of their origin at the state border, this law and other legislative acts enacted in conformity with these laws.

/ This part was amended according to the law dated December 21, 2017 /

2.2. If an international treaty to which Mongolia is a party provides otherwise than this law, the provisions of the international treaty shall prevail.

Article 3 Scope of the law

3.1. This law shall apply to organic food of agricultural origin and unprocessed raw materials, products, organic food produced using natural plants, organic animal feed, organic fertilizers, seeds and seedlings.

3.2. This law shall not regulate the production of organic food from raw materials of animal origin and the production of public food.

Article 4. Definition of legal terms

The following terms used in this law shall have the following meanings:

4.1.1. "Organic food" means as specified in Article 3.1.5 of the Food Law;

4.1.2. "Organic production" means to engage in primary agricultural and food processing organic production in accordance with the requirements set forth in this law;

4.1.3. "Transition period" means the period from the conclusion of a contract with a person authorized to carry out certification specified in Articles 10.1 and 10.2 of this Law to the full transition to organic production;

4.1.4. "Certification" means ~~specified in Article 3.1.9 of the Law on Standardization and Conformity Assessment;~~

/ This provision was repealed by the law dated December 21, 2017 . /

4.1.5. "GMO" means specified in Article 3.1.2 of the Law on GMOs.

Article 5 Principles of organic production

The following principles shall be followed in organic production:

5.1.1. To protect the health and safety of soil, water, air, plants, animals and population;

5.1.2. Organic production shall not have negative impact on ecosystem and ecological stability shall be maintained;

5.1.3. To be based on fair market competition and to follow fair and compassionate principles at all stages of production;

5.1.4. To engage in the production of responsible methods and technologies aimed at protecting the environment, present and future generations' health and well-being, and preserving the organic and natural properties of products.

CHAPTER TWO ORGANIC PRODUCTION

Article 6. The transition to organic production

An organic producer shall submit a request to a person authorized to carry out certification specified in Articles 10.1 and 10.2 of this Law (hereinafter referred to as "certification body") to switch to organic production.

6.2. The certification body shall notify the state central administrative body in charge of food and agriculture in writing within 10 working days after concluding an agreement with the producer on the commencement of the transition to organic production and certification of organic food.

6.3. The certification body shall determine the time of the transition period in accordance with the procedure set forth in Article 8.3 of this Law, taking into account the location, type and traces of organic production, the status of the record keeping and the conclusion of the environmental impact assessment.

6.4. The certification body shall notify the state central administrative body in charge of food and agriculture and the specialized inspection agency in writing within 10 working days of the information on the full or partial transfer or failure to transfer to organic production.

6.5 Organic food processing industry may not have a transition period.

Article 7 Rights and responsibilities of organic producers

7.1. An organic producer shall have the following responsibilities in addition to those specified in Article 10.1 of the Law on Ensuring Food Safety:

7.1.1. To ensure the implementation of the agreement specified with Article 6.2 of this Law concluded with the certification body;

7.1.2. To develop and follow production methods and technologies to preserve the natural properties of food raw materials and products that do not adversely affect livestock, human and human health and the environment;

7.1.3. To use waste-free or low-waste technology and use water properly based on its internal resources;

7.1.4. In case of cessation of production of all or part of the organic production, notify the certification and professional inspection organization in writing within 10 working days.

An organic producer shall have the following rights:

7.2.1. To use the signs and markings indicating organic content specified in Article 11.2 of this Law on the labels of food, feed and fertilizers during the certification and transition period;

7.2.2. To engage in organic production together with inorganic production in accordance with the procedure set forth in Article 8.3 of this Law;

7.2.3. When purchasing raw materials and products from the supplier, demand a guarantee that the substances specified in 8.3 of this Law, GMOs, radiation treatment, growth hormone are not used and are organic.

Article 8 Requirements for organic producers

8.1. An organic producer shall meet the following requirements in addition to those specified in Article 10 of the Food Law:

8.1.1. To include organic production process and organic food in certification every two years;

8.1.2 be responsible for certification costs;

8.1.3. In case of using non-timber forest products and natural plants, to collect from the area determined by the state central administrative body in charge of environment, food and agriculture that no disinfection has been carried out with substances other than specified in 8.3 of this law during the last three years;

8.1.4. To implement relevant articles and provisions of the Law on Forests and the Law on Natural Plants when collecting and using non-timber forest products and natural plants.

In addition to those specified in Article 10.3 of the Law on Ensuring Food Safety in Organic Production, the following actions are prohibited:

8.2.1. To use substances other than those specified in 8.3 of this Law;

8.2.2. To carry out radiation processing during the processing of organic food;

8.2.3. To use sludge from sewage and urban treatment facilities of households and enterprises;

8.2.4. To use animals and their offspring obtained by cell cloning;

8.2.5 use genetically modified organisms, their raw materials, products and growth hormones.

The member of the Government in charge of food and agriculture shall approve the procedure to be followed in conducting organic agricultural production and production of organic food and the list of substances to be used.

The member of the Government in charge of food and agriculture shall approve the methodology for calculating the composition of organic food ingredients.

Article 9. Import, export and sale of organic food

Article 11 of the Law on Food, Article 13 of the Law on Ensuring Food Safety, the Law on Quarantine Control and Inspection of Import of Animals, Plants, Raw Materials and Products of Their Origin, and Standardization, technical regulations and conformity assessment accreditation shall be regulated in accordance with Article 13.4 of the Law.

/ CFS egt 12 dated December 21, 2017 amended the law. /

9.2. The state central administrative body in charge of food and agriculture shall register export and import organic food and create a database in accordance with Article 16.1 of the Law on Food.

9.3. Imported organic food for sale in the territory of Mongolia shall meet the following requirements in addition to those specified in 9.1 of this law:

9.3.1 be registered and included in the list in accordance with the procedure set forth in Article 16.2 of the Food Law;

9.3.2 have a valid certificate of organicness issued by the authorized certification body of the exporting country.

9.4. In case of retail packaging of imported organic food, the label shall meet the requirements set forth in Article 12.8 of the Law on Ensuring Food Safety.

9.5. The Specialized Inspection Agency shall issue inspection reports on the export and import of organic food and submit it to the state central administrative body in charge of food and agriculture on a quarterly basis.

CHAPTER THREE ORGANIC FOOD CERTIFICATION, LABELING AND REGISTRATION

Article 10. Certification bodies, organic production and food certification and registration

Certification of organic production and organic food, feed and fertilizers shall be performed by the following organizations:

10.1.1. A certification body accredited by the competent authority of Mongolia;

10.1.2. A foreign accredited certification body registered in Mongolia.

10.2. Food produced in accordance with the requirements set forth in this law shall be registered with the state central administrative body in charge of food and agriculture if producers, consumers and other parties jointly certify it based on mutual trust.

10.3. The procedure for registration of the certification body specified in 10.1 of this Law shall be approved by the national accreditation body, and in case of certification as specified in 10.2, the requirements for registration and certification shall be approved by the Cabinet member in charge of food and agriculture.

10.4. The certification body may certify, issue, suspend or revoke the certificate within the framework of rules, regulations and standards approved by the competent national and international organizations, in writing to the state central administrative body in charge of food and agriculture and specialized inspection agency. will be notified.

10.5. The state central administrative body in charge of food and agriculture shall compile a certified organic production and food database and update it from time to time and notify the specialized inspection agency in writing.

10.6. The state central administrative body in charge of national accreditation and food and agriculture shall compile and update the database on the certification body specified in Articles 10.1 and 10.2 of this Law from time to time.

10.7. The person who made the certification specified in Articles 10.1 and 10.2 of this Law shall have the following obligations:

10.7.1. To conclude an agreement with an organic producer specified in 6.2 of this law and ensure its implementation;

10.7.2. If an organic producer conducts production in violation of Article 8.2 of this Law, the certification shall be revoked and the information shall be officially notified to the specialized inspection agency and the state central administrative body in charge of food and agriculture within 10 working days;

10.7.3. To provide the authorized organization with information on the certified manufacturer;

10.7.4. It is prohibited for a person who has made the certification specified in Articles 10.1 and 10.2 of this Law to operate without registration with the national accreditation body.

Article 11 Organic food labels, markings and labels

11.1. If certified in accordance with Article 10.1 of this Law, a mark indicating that it is organic shall be placed on the label, and if certified as specified in 10.2, a mark indicating that it is organic shall be placed on the label.

11.2 Signs and symbols indicating that they are organic shall have a yellow background during the transition and a green background after the transition to organic production.

11.3. In addition to those specified in Articles 12.3, 12.4, 12.5, 12.6 and 12.7 of the Law on Ensuring Food Safety, the name of the certification body may be written on the organic food label.

11.4. The names and percentages of organic ingredients in food may be indicated on the label.

11.5. The following actions shall be prohibited when using signs and symbols indicating that they are organic:

11.5.1. To supply inorganic food, feed and fertilizers to the public for use and advertising with signs and markings indicating that they are organic;

11.5.2. To supply food, fodder and fertilizers produced during the transition period to the public for use with a green background and to use for advertising.

11.6. The member of the Government in charge of food and agriculture shall approve the design of signs and markings denoting organicity and the procedure for their use.

11.7. If the words "organic", "naturally pure" and "naturally pure" written on food labels in Mongolian and foreign languages are used, this law shall apply.

Article 12 Control of organic production and organic food

12.1. The Law on Food, the Law on Ensuring Food Safety, the Law on State Inspection, the Law on Consumer Protection, the Law on Consumer Protection, Animals, Plants, etc. shall be regulated by the Law on Quarantine Control and Inspection of raw materials and products of their origin at the state border.

12.2. The person who performed the certification specified in Articles 10.1 and 10.2 of this Law shall constantly monitor the process of organic food production.

CHAPTER FOUR MISCELLANEOUS

Article 13 Liability for violators of the law

13.1. If the actions of an official violating this Law are not of a criminal nature, he / she shall be subject to liability specified in the Civil Service Law.

13.2. A person or legal entity that violates this Law shall be subject to liability specified in the Criminal Code or the Law on Violations.

Article 14 Entry into force of the law

14.1. This law shall enter into force on January 1, 2017.

CHAIRMAN OF THE PARLIAMENT OF MONGOLIA Z.ENKHBOLD