



LAW OF MONGOLIA

December 20, 2012

Ulaanbaatar city

ABOUT FOOD / Revised version /

CHAPTER ONE GENERAL PROVISIONS

Article 1. Purpose of the law

1.1. The purpose of this law is to regulate the relations arising in connection with providing food needs of the population with quality, nutritious and safe food in a stable and accessible manner, and conducting food activities.

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Article 2. Legislation on food

2.1. The legislation on food shall consist of the Constitution of Mongolia, the Law on National Security, the Law on Ensuring Food Safety, this Law and other legislative acts enacted in conformity with these laws.

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.

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Article 3. Definitions of legal terms

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

3.1.1. "Food" means food raw materials, semi-finished and processed products and drinking water required for normal functioning of human body and support and protection of health;

3.1.2. "Food security" means that the population has the opportunity to choose quality, nutritious and safe food in a stable and accessible manner throughout its life, regardless of the economic, social situation and geographical location of the country;

3.1.3. "Food quality" means compliance with food raw material and product standards, technical regulations and consumption requirements;

3.1.4. "Food hygiene" means specified in Article 4.1.5 of the Law on Ensuring Food Safety;

3.1.5. "Organic food" means raw materials and products of organic production of animal husbandry and agriculture and of pure natural origin that meet Mongolian and international requirements;

3.1.6. "Strategic food" means meat, milk, grain seeds, wheat, flour and drinking water necessary for physiological needs of Mongolians;

3.1.7. "Nutritious food" means food with adequate content of proteins, fats, carbohydrates, minerals, vitamins and beneficial microorganisms to ensure normal functioning and development of the human body and to replenish caloric intake;

3.1.8. "Manufactured with new technology" means a product that has never been produced and used in practice before in Mongolia, produced by advanced scientific and technological methods, or imported and introduced new technology into its operation, proven to have no adverse effects on human health. done;

3.1.9. "Food additive" means a substance or mixture that is not a product or a main component of food, is not nutritious, and is intentionally added during food production in order to add flavor, aroma, color, harden, dilute, prolong shelf life and speed up technological process ;

3.1.10. "Pure culture assets of microorganisms" means microorganisms and their biomass preparations used for production purposes during food processing;

3.1.11. "Food chain" means specified in Article 4.1.6 of the Law on Ensuring Food Safety;

3.1.12. "Food business operator" means a citizen of Mongolia, a foreign citizen, a stateless person (hereinafter referred to as "citizen") and a legal entity engaged in one or more activities related to the food chain;

3.1.13. "Good practice" is defined in Articles 4.1.19-4.1.21 of the Law on Ensuring Food Safety.

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Article 4. Principles of food safety

The following principles shall be followed to ensure food safety:

4.1.1. Food supply shall be stable and accessible;

4.1.2. Food shall contain nutrients necessary for human health;

4.1.3. Food shall not cause harm to human health and life;

4.1.4. Food information shall be accurate, transparent and objective.

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CHAPTER TWO FOOD SUPPLY

Article 5. Determination of food supply

The member of the Government in charge of health shall approve the appropriate amount of food, basic nutrients, minerals and vitamins required to ensure the normal functioning and development of the Mongolian body and to compensate for heat loss.

The member of the Government in charge of food shall determine the food supply based on the appropriate amount approved in accordance with Article 5.1 of this Law.

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Article 6. Food resources

6.1 Strategic food seasonal stocks shall be created in order to stabilize food supply and access of the population.

6.2 The Government shall approve the procedure for creating and spending strategic food stocks specified in 6.1 of this law.

Aimag and capital city governors shall take measures to create and spend strategic seasonal food reserves in accordance with the procedures set forth in Article 6.2 of this law within their territories.

6.4 Depending on the food supply and demand conditions, the Government may determine the types and quantities of food to form the strategic seasonal food stocks specified in 6.1 of this law.

6.5. The Governor of the respective level shall take measures to provide the population of his / her territory with stable and accessible strategic food.

6.6. The state central administrative body in charge of social protection shall be responsible for developing a methodology for identifying vulnerable groups of the population, conducting research and providing support to meet their food needs.

6.7. The member of the Government in charge of food matters shall determine the types and quantities of strategic food to be exported and imported in a given year based on the demand and supply of food, discussed by the National Food Safety Council specified in 18.1 of this law.

6.8. The State Central Administrative Body Responsible for Food Matters shall issue permits for export and import of strategic food in accordance with the procedures approved by the Government within the amount specified in Article 6.7 of this Law.

6.9. The amount of state stamp duty to be collected for issuing a permit specified in 6.8 of this Law shall be regulated by the Law on State Stamp Duty.

6.10. Relations related to the formation of the state food reserve shall be regulated by law.

~~6.11. Relations related to purchasing food with foreign loans and grants shall be regulated by the Law on Regulation of Foreign Loans and Grants.~~

~~*[/ This part was repealed by the law in force on February 18, 2015 /](#)*~~

6.12. The Government is prohibited to receive donations and assistance for products other than those specified in 3.1.9 of the Law on Infant and Young Child Food.

/ This section was added by the law in 5 May 2017 /

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Article 7. Foods derived from GMOs

7.1. Food derived from any living organism with a new combination of genetic information shall be called food derived from GMOs.

7.2. The state central administrative body in charge of food matters shall register food originating from GMOs in accordance with the procedure set forth in Article 14.1 of the Law on Ensuring Food Safety.

7.3. The state administrative body implementing food control (hereinafter referred to as "control body") and the organization in charge of biosafety shall inform the public about imported food originating from GMOs in electronic form.

7.4. It is prohibited to purchase food originating from GMOs with foreign loans and assistance.

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Article 8. Support and incentives for food business

The state may provide support and incentives for the following food activities:

8.1.1. Strategic food production;

8.1.2. Import of consumer food that cannot be supplied by domestic production;

8.1.3. Production of child nutrition and organic food;

8.1.4. Food production with a regulatory function, containing biologically active substances, enriched and beneficial microorganisms with the function of replenishing calories, substances necessary to support the function of the human body as a whole or certain organs;

8.1.5. Introduced good practices and controls specified in 10.2.1 of this law;

8.1.6. Potatoes, vegetables and fruits have been planted in the territory of Mongolia;

8.1.7. Production of food products to replace imports with new technologies using domestic raw materials.

8.2. Relations related to incentives to be provided to citizens and legal entities engaged in crop production shall be regulated by the Law on Agriculture.

8.3 Herders and intensive livestock breeders who supply healthy animals of certified origin and raw milk that meets the requirements of technical regulations to slaughter and milk processing plants and workshops may be given monetary incentives.

8.4. The list of consumer foods specified in 8.1.2 of this Law shall be approved by the Government member in charge of food matters.

8.5 The Government shall approve the forms of support and incentives to be provided to industries specified in Articles 8.1 and 8.3 of this Law and the procedure for their issuance.

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Article 9. Ensuring adequacy of food nutrients

The state central administrative body in charge of health shall perform the following functions to ensure the adequacy of food nutrients:

9.1.1. Carry out a national population nutrition survey every five years and report the results to relevant government agencies and the public;

9.1.2. To make recommendations on proper nutrition and healthy food of the population based on the research specified in 9.1.1 of this law and to organize information, training and advertisement;

9.1.3 approve procedures for assessing food risks produced by new technologies.

9.2. Some types of food may be enriched with biologically active factors necessary for the human body or reduced by reducing the content of excess substances.

9.3. Relations related to fortification and regulation of food composition shall be regulated by law.

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CHAPTER THREE REQUIREMENTS FOR FOOD ACTIVITIES

Article 10. Requirements for conducting food business

10.1. The following general requirements shall be set for conducting food activities:

10.1.1. Ensuring the quality and safety of food products and services and being responsible for the consequences of its activities;

10.1.2. To have buildings, equipment, tools, warehouses and vehicles that meet the standards and technical regulations;

10.1.3 perform construction, expansion, renovation and installation of new equipment and facilities for food production and service in accordance with the design approved by the competent authority;

10.1.4. To introduce good practices in its operations;

10.1.5. To have professional or specialized human resources in case of processing and catering;

10.1.6. To have an environmental impact assessment conducted in accordance with the law prior to commencing operations;

10.1.7. If required by law.

The following control and management systems may be implemented in food activities:

10.2.1. Hazard analysis and critical point control specified in 7.3 of the Law on Ensuring Food Safety;

10.2.2. Food quality management;

10.2.3. Safety management of food raw materials and products.

10.3. It is prohibited to use pesticides, chemical fertilizers, household pests, rodenticides and disinfectants in food activities, except for those included in the list approved in accordance with Article 6.1.3 of the Law on Toxic and Hazardous Chemicals.

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Article 11. Requirements for food export and import

Food shall be exported and imported only by legal entities registered in Mongolia.

11.2. The legal entity specified in Article 11.1 of this Law shall meet the following requirements in addition to those specified in the Law on Quarantine Control and Inspection when importing animals, plants and their raw materials and products:

11.2.1. A trade agreement has been concluded directly with an enterprise of the exporting country or with its official distributor;

11.2.2. Imported food must be from an enterprise that has certified the introduction of good practices or the control and management system specified in 10.2 of this law;

11.2.3. Two thirds of the shelf life of imported food shall be valid;

11.2.4. To have a dedicated warehouse and vehicle that meet the requirements of standards and technical regulations, or to have a contract with a legal entity or organization that meets these requirements.

11.3. The importer is not registered in accordance with Article 16 of this Law, internationally used identification marks, unmarked concentrates, food additives, pure microbial culture assets (hereinafter referred to as "culture assets"), food produced by organic and new technologies, 7.2. It is prohibited to import food from genetically modified organisms that have not been registered in accordance with

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CHAPTER FOUR FOOD SAFETY MONITORING, REGISTRATION AND GUARANTEE

Article 12. Internal control over food activities

A food business operator shall exercise internal control at each stage of the food chain and be fully responsible for the quality, hygiene and safety of its food raw materials and products.

The Government shall approve the standard procedure for implementing the control specified in 12.1 of this Law.

12.3. Relations related to ensuring hygiene and safety of food raw materials and products shall be regulated by law.

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Article 13. Control over food safety

Food safety control shall be implemented through the following activities:

- 13.1.1. Surveillance of food quality and nutrition in the market;
- 13.1.2. State control over food activities;
- 13.1.3. Customs and quarantine control over food export and import;
- 13.1.4. In case of exporting or importing strategic food, issuance of a permit specified in 6.8 of

this law.

13.2. The control specified in 13.1.2 and 13.1.3 of this Law shall be regulated by the relevant law.

13.3. Professional associations and other non-governmental organizations and citizens may exercise independent control over food safety within the scope and limits specified in the law.

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Article 14. Participation of non-governmental organizations in ensuring food security

Non-governmental organizations shall participate in ensuring food security in the following areas:

- 14.1.1. To monitor the implementation of the legislation on food by the public, demand to eliminate the revealed violations, and submit the issue to the competent authority for resolution;
- 14.1.2. To submit proposals on protection of consumer and food business rights to state and local administrative organizations;
- 14.1.3. To organize trainings and advertisements aimed at ensuring food safety and promoting proper nutrition in cooperation with relevant professional organizations;
- 14.1.4. To conduct research and implement projects related to ensuring food safety.

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Article 15. Consumer support for food safety

15.1. The consumer shall support activities to ensure food quality, hygiene, supply and access with the following participation:

- 15.1.1. To choose and consume food of clear origin and to protect his / her health;
- 15.1.2. To acquire knowledge and acquire methods on consumption of food containing appropriate proportions of essential nutrients in accordance with age, sex, health, labor, nature and climatic conditions;
- 15.1.3. To store, prepare and process food in accordance with its purpose and instructions, and to make it a habit for oneself and one's family members to prevent food-borne diseases.

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Article 16. Registration

16.1. The state central administrative body in charge of food matters shall register the food produced by fortifying preparations, food additives, cultural assets, organic and new technologies in the state registration.

The member of the Government in charge of food matters shall approve the procedure for registration and release for public consumption of fortified preparations, food additives, cultural assets, organic and new technologies food specified in 16.1 of this Law.

16.3. Relations related to determination and control of radiation levels in food shall be regulated by the Law on Nuclear Energy.

16.4. Relations related to organic food shall be regulated by law.

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Article 17. Verification

A food business operator may be certified by an internationally accredited authority for introducing the system of good practices, control and management specified in Articles 10.1.4 and 10.2 of this Law.

The State Central Administrative Body Responsible for Food Matters shall compile a list of accredited authorized bodies and certified food operators specified in Article 17.1 of this Law and make it public.

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CHAPTER FIVE NATIONAL FOOD SAFETY COUNCIL

Article 18. National Council for Food Safety

A non-staff National Council for Food Security (hereinafter referred to as the “National Council”) consisting of representatives of the public and private sectors responsible for coordinating food security in Mongolia shall work under the Government and the Chairman of the National Council shall be the Prime Minister of Mongolia.

18.2 The Secretary of the National Council, who is responsible for managing the day-to-day activities, shall be a full-time secretary.

18.3. The National Council may have a professional sub-council and a team of experts.

18.4 The Government shall approve the charter and rules of procedure of the National Council, appoint and dismiss its members.

The National Council shall perform the following functions:

18.5.1. To make proposals and recommendations to ensure the implementation and improvement of the state policy and legislation on food safety and submit them to the relevant organizations for resolution;

18.5.2. To coordinate inter-sectoral activities related to ensuring food safety;

18.5.3. To determine and give directions on further measures to be taken on food safety;

18.5.4. To annually inform the National Security Council on the actual consumption, supply and quality of food, hygienic condition, food type, composition, proper ratio of nutrients and further measures to be taken;

18.5.5. To submit an annual report on food safety to the State Great Hural.

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CHAPTER SIX MISCELLANEOUS

Article 19. Liability for violators

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

/ This article was amended according to the law dated December 04, 2015 /

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Article 20. Entry into force of the law

20.1. This law shall enter into force on March 1, 2013.

20.2. Article 10.1.4 and paragraph 16.1 of Article 16 of this Law shall come into force on January 1, 2014.

CHAIRMAN OF THE PARLIAMENT OF MONGOLIA Z.ENKHBOLD