



## LAW OF MONGOLIA

May 12, 2017 Ulaanbaatar City

### ABOUT FOOD FOR INFANTS AND CHILDREN

#### CHAPTER ONE GENERAL PROVISIONS

##### **Article 1 The purpose of the law**

1.1. The purpose of this law is to define a policy to support breastfeeding, to regulate relations related to providing healthy and safe food and to monitor it.

##### **Article 2. Legislation on food for infants and young children**

2.1. The Law on Infant and Young Child Food is enacted in accordance with the Constitution of Mongolia, the Law on Health, the Law on Food, the Law on Ensuring Food Safety, the Law on State Inspection, the Law on Advertising, and this Law. other legislative acts.

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

##### **Article 3 Legal terminology**

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

3.1.1. "Infant" means a child under one year of age after birth;

3.1.2. "Infant" means a child from one to three years old;

3.1.3. "Products intended for feeding infants and young children / hereinafter referred to as" special products " / " means food, food products and feeding means specified in 3.1.5-3.1.10 of this law, except for breast milk;

3.1.4. "International food standard (hereinafter referred to as" food standard ") " means a standard approved by the Food and Agriculture Organization of the United Nations and the Food Law Committee of the World Health Organization;

3.1.5. "Feeding means" means bottles, suckers and suckers, suction nozzles, cups with suction lids and similar products for feeding infants and young children;

3.1.6. "Infant formula" means milk, milk and similar products of animal and plant origin produced in accordance with the standards specified in 3.1.4 of this law for children under six months of age;

3.1.7. "Milk feed" means milk, milk and similar products of animal and plant origin produced in accordance with the standard specified in 3.1.4 of this law for children over six months of age;

3.1.8. "Supplementary food" means food supplemented from the age of six months according to the child's developmental stage;

3.1.9. "Special milk feed for the treatment of infants and young children" means milk milk and similar products for medical purposes produced in accordance with the standards specified in 3.1.4 of this Law and given to children who are unable to breastfeed due to illness;

3.1.10. "Infant and young child beverage" means tea, beverages and similar products produced for children over six months of age;

3.1.11. "Exclusive breastfeeding" means giving only breast milk to a child under six months of age.  
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#### **Article 4. Policies to support breastfeeding**

4.1. The policy to support breastfeeding shall be to support breastfeeding after birth, exclusive breastfeeding for up to six months, and continuous breastfeeding from six months to two years of age and beyond.

4.2. If the mother has died or it is not possible to breastfeed the child due to health reasons, or if the mother's milk reserve bank specified in 15.2 of this law does not have reserves, the baby's milk may be used under the instructions of a medical professional.

### **CHAPTER TWO COMPOSITIONS, PACKAGING, LABELING REQUIREMENTS AND PROHIBITIONS OF PRODUCTS**

#### **Article 5 General requirements for the composition of the intended product**

In addition to the standards specified in 3.1.4 of this law, the composition of the intended product shall meet the following general requirements:

5.1.1. Information on food ingredients and nutrients for infants and young children shall be placed on packaging and labels in accordance with Article 12 of the Law on Ensuring Food Safety;

5.1.2. If the designated product contains two or more food additives approved by the standard specified in 3.1.4 of this Law, it shall be written in the list of ingredients on the label;

5.1.3. The amount of pollutants contained in children's food meets the requirements set forth in Article 11.1.1 of the Law on Ensuring Food Safety;

5.1.4. Baby food does not contain pesticides.

5.2 Levels of hormones, antibiotics, pesticides, pathogens, toxins and other contaminants in children's food samples shall be determined by an accredited laboratory.

5.3. Dedicated products shall meet the standards specified in 3.1.4 of this law and the requirements specified in 7.1 of the Law on Ensuring Food Safety.

5.4. Foods for children from six months to three years of age may contain honey and natural sugars.

5.5. It is prohibited to use trans fats and raw materials derived from GMOs in children's food.

5.6. It is prohibited to import and sell food for children under six months of age, except for the products specified in 3.1.6 and 3.1.9 of this Law.

5.7. It is prohibited for governmental and non-governmental organizations and business entities to receive products with donations and assistance other than those specified in 3.1.9 of this Law.

#### **Article 6. General requirements for packaging and labeling of special products**

6.1. Packaging and labeling of special products shall contain the following information in addition to those specified in Articles 12.4 and 12.5 of the Law on Ensuring Food Safety:

6.1.1. Instructions for proper preparation of the product;

6.1.2. Method of sterilization and cleaning of food items;

6.1.3. A text explaining the ingredients, composition and contents of the product;

6.1.4. Necessary information of the entrepreneur (hereinafter referred to as "legal entity") engaged in production, distribution and sale;

6.1.5. instructions for storage of product packaging before and after opening.

6.2. The information to be placed on the packaging and label of the intended product shall be written in Mongolian.

6.3. It is prohibited to place the following information on the product packaging and label:

6.3.1. Information identifying the composition of the product with the nutrients and content in the composition of breast milk;

6.3.2. Information that the product is suitable for each child;

6.3.3. Drawings and images other than instructions for use expressed by the manufacturer's logo and image;

6.3.4. Health and nutritional warnings specifying the composition of the product.

#### **Article 7 Special requirements and prohibitions on milk packaging and labeling**

The following information shall be placed on the front of the milk packaging, packaging and label for infants and young children:

- 7.1.1. Age of use of the product;
- 7.1.2. A reminder that “breast milk is the best food”;
- 7.1.3. “Use this product only as recommended by a medical professional”.

7.2. It is prohibited for the manufacturer's brand name and other text on the packaging and label of dairy products to have the same content as the mother's milk.

#### **Article 8 Special requirements and prohibitions on additional food and beverage containers, packaging and labeling**

In addition to the general requirements specified in this law, the following information shall be placed on additional food and beverage containers, packaging and labels: 8.1.

- 8.1.1. The age of use of the product on the front of the label;
- 8.1.2. A warning under the heading “MEMORY” warning of health risks related to loss of preparation and storage procedures;
- 8.1.3. A warning not to give this product to children under six months of age;
- 8.1.4. Next to the instructions for use, the information “DO NOT ADD SALT OR SWEETS” in capital letters.

8.2. It shall be prohibited to place information on the packaging and label of complementary foods and baby drinks that identifies the product with the nutrients and content of breast milk or reduces the importance of breast milk.

8.3. A warning shall be placed on the packaging and label of milk and dairy products stating that “this product does not meet the daily nutrient, mineral and vitamin needs of children”.

#### **Article 9. Special requirements and prohibitions on food packaging and labeling**

The following information shall be placed on the packaging and labels of infant and young child feeding equipment:

- 9.1.1. A reminder specified in 7.1.2 of this law;
  - 9.1.2. “Bottle feeding has a negative effect on your baby's innate breastfeeding reflex”.
- 9.2. It is prohibited to place pictures and images on the packaging and labels of food items, except for the logo of the legal entity and images depicting cleaning and sterilization.
- 9.3. It is prohibited to place information on the packaging and labels of food items that reads “manufactured in accordance with the recommendations of a medical professional”.
- 9.4. It is prohibited for a legal entity to import or sell foodstuffs made of non-food grade plastic.
- 9.5. The information on packages, packaging and labels specified in 7.1, 7.2, 8.1, 8.3 and 9.1 of this Law shall be transparent and in Mongolian.
- 9.6. It is prohibited to produce, import and sell food products that do not meet the food standards, general and special requirements specified in this law.

### **CHAPTER THREE ADVERTISING AND INFORMATION**

#### **Article 10. Advertising for baby food and baby food**

- 10.1. It is prohibited to advertise and support the following products:
- 10.1.1. Products specified in 3.1.5, 3.1.6, 3.1.7, 3.1.9 and 3.1.10 of this law;
  - 10.1.2. Products warned by the state body in charge of health and control matters through mass media.
- 10.2. It is prohibited to carry out the following activities in order to increase sales of products intended for legal entities:
- 10.2.1. To use price discounts, rebates, special promotions and presentation screens;
  - 10.2.2. To prepare, publish and distribute materials related to infant and young child nutrition;
  - 10.2.3. To sponsor universities, colleges and research institutions providing medical education;
  - 10.2.4. To place brochures and posters related to special purpose products in the environment of health organizations;

10.2.5 provide financial support and sponsorship to health workers, specialists and researchers working in the field of infant and young child health and nutrition;

10.2.6. To organize events on health and nutrition of infants and young children, to select participants, to provide them with financial support and sponsorship;

10.2.7. To donate special products to children's hospitals, sanatoriums and orphanages at low prices.

10.3. It is prohibited for a legal entity to present a product or its sample individually or in a package with other products to health care organizations, employees and consumers for the purpose of selling the intended product or at a low price.

10.4. It is prohibited to sell the products specified in Articles 3.1.5, 3.1.6 and 3.1.7 of this Law in the environment of organizations providing health care and services to mothers and children.

10.5. It is prohibited to use the name, trademark, logo and other distinctive features of the intended product for goods and services not covered by this Law.

#### **Article 11 Nutrition information and training for infants and young children**

11.1. Information and training on infant and young child nutrition shall be organized by health organizations and non-governmental organizations licensed by the competent authorities in accordance with the principle of non-conflict of interest within the following content:

11.1.1. The importance of exclusively breastfeeding a child under the age of six months and continuing to breastfeed sustainably in the future;

11.1.2. Advantages and importance of breastfeeding;

11.1.3. Negative consequences of the decision to force the child out of the breast;

11.1.4. To provide additional food to children from the age of six months and its importance;

11.1.5. Negative consequences of breastfeeding and early supplementation;

11.1.6. Healthy nutrition of breastfeeding mothers;

11.1.7. To prepare additional food at home.

11.2. Information on infant and young child nutrition and training materials shall be scientifically based and it shall be prohibited to include the logo of the manufacturer and distributor and the brand name of the intended product.

#### **Article 12 Breastfeeding**

12.1. The medical specialist shall provide the following information to the breastfeeding mother as specified in 4.2 of this law:

12.1.1. On product use, cleaning and disinfection of food utensils;

12.1.2. Feeding infants using cups;

12.1.3. The risk of not using the product in accordance with the instructions.

#### **Article 13 Information for health professionals about specific products**

13.1 The following information on the intended product shall be provided to the health worker:

13.1.1. Information based on scientific evidence on the technical characteristics of the product and the method of application;

13.1.2. A source of research confirming the relationship between the product, its composition and children's health and development.

### **CHAPTER FOUR**

#### **ROLE OF PUBLIC ADMINISTRATION CENTER AND HEALTH ORGANIZATIONS, BUSINESS ENTITIES AND CITIZENS**

##### **Article 14 Functions of the state central administrative body and professional sub-councils**

The state central administrative body in charge of health, food and social protection shall cooperate in ensuring the implementation of the law on food for infants and young children within the scope of its responsibilities.

The state central administrative body in charge of health matters shall have the following functions:

14.2.1. Approve and implement instructions on feeding infants and young children based on appropriate amounts of food, basic nutrients, minerals and vitamins specified in 5.1 of the Food Law;

14.2.2. Develop a national program to support healthy food and proper nutrition for mothers, infants and young children, have it approved by the Government and ensure its implementation;

14.2.3. To develop, approve and implement procedures and instructions related to the implementation of this law.

14.3. The state central administrative body in charge of food matters shall support and encourage the production of baby food with food products widely used in local areas.

14.4. The state central administrative body in charge of social welfare shall implement the issue of providing nutrition support to mothers and children of households in need of social welfare support and assistance in accordance with Article 22 of the Law on Social Welfare.

14.5. A part-time professional sub-council (hereinafter referred to as "sub-council") responsible for coordinating the food safety of infants and young children shall work under the National Food Safety Council and the chairman of the sub-council shall be a member of the Government in charge of health. .

14.6. The branch council has the following functions:

14.6.1. To make decisions in support of breastfeeding and monitor its implementation;

14.6.2. To identify violations of this law and other relevant decisions, to inform the public in a transparent manner, and to submit proposals to the competent authority for resolution;

14.6.3. To annually evaluate the implementation of relevant laws and regulations on decisions supporting breastfeeding and to inform the National Food Safety Council about further measures to be taken.

#### **Article 15 Functions of health care organizations**

15.1. Functions of public and private health organizations at all levels to ensure the implementation of decisions supporting breastfeeding:

15.1.1. To advertise this law and other relevant legislation to the public;

15.1.2. To provide health workers with information on the importance of breastfeeding and professional methods;

15.1.3 organize training for health workers and citizens to provide information specified in Articles 11, 12 and 13 of this law.

15.2. Maternity hospitals and wards shall establish and operate a breast milk reserve bank in order to meet the nutritional needs of infants.

The member of the Government in charge of health shall approve the procedure for establishing and operating a breast milk reserve bank.

#### **Article 16 The role of health workers**

Employees of public and private health care organizations shall be obliged to stop illegal actions that impede the implementation of decisions supporting breastfeeding.

16.2. Employees of health care organizations, medical education institutions and research organizations shall submit written information from citizens and legal entities to the Cabinet member in charge of health matters on violation of this law and conflict of interest.

16.3. Information on violations committed by employees of health organizations shall be discussed by the Ethics Control Committee of Medical Professionals under the state central administrative body in charge of health matters.

16.4. Information on violations committed by employees of medical education institutions and research institutions shall be discussed by the Medical Ethics Control Committee under the state central administrative body in charge of health matters.

16.5. Ene Article 16.3 and 16.4-review committee stated in submitted to the Cabinet member in charge of health matters concluded.

#### **Article 17 Responsibilities of government organizations, business entities and citizens**

17.1. State organizations and business entities may create an environment and conditions for breastfeeding and feeding children.

17.2. A citizen shall notify the relevant authorities of inappropriate advertisements and violations of the law related to food for children.

**CHAPTER FIVE  
MISCELLANEOUS**

**Article 18 Monitoring the implementation of legislation**

The following persons shall monitor the implementation of the legislation on food for infants and young children:

18.1.1. Governors of all levels, organizations authorized to exercise control, other organizations and officials authorized by law within their competence;

18.1.2. A non-governmental organization that carries out public control in the field of consumer protection and protection of legitimate interests of citizens.

18.2. Instructions and procedures for conducting the assessment specified in 14.6.3 of this Law shall be approved by the state central administrative body in charge of health matters and the authority authorized to exercise control.

18.3. The supervisory authority shall conduct inspections and take measures to eliminate the revealed violations in accordance with the information, petitions and complaints submitted or submitted by citizens, the public and legal entities in the following forms: 18.3.

18.3.1. An open hotline for receiving applications and complaints from the authority authorized to exercise control;

18.3.2. Website of the authorized organization;

18.3.3. Information with evidence posted on e-commerce and social networks;

18.3.4. Government Citizens and Public Relations Center;

18.3.5. Petitions, complaints and official letters.

**Article 19 Liability for violators of the law**

19.1. 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.

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 20 Entry into force of the law**

20.1. This law shall enter into force on July 1, 2017.

**CHAIRMAN OF THE PARLIAMENT OF MONGOLIA M.ENKHBOLD**