



LAW OF MONGOLIA

May 3, 2018

Ulaanbaatar city

ABOUT FORTRESS FOOD

CHAPTER ONE GENERAL PROVISIONS

Article 1. Purpose of the law

1.1. The purpose of this law is to regulate relations related to compulsory fortification of certain types of food in order to protect the health of the population and prevent vitamin and mineral deficiencies.

Article 2. Legislation on fortified food

2.1. The enriched food legislation shall include the Constitution of Mongolia, the Law on Health, the Law on Food, the Law on Ensuring Food Safety, the Law on Standardization, Technical Regulation and Accreditation of Conformity Assessment, the Law on State Inspection, this law and these other legislative acts issued in accordance with the law.

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 relations related to compulsory industrial fortification of certain types of food with vitamins and minerals, import, production, export and control of concentrators.

3.2. This law shall apply to relations related to the import of food of the same type as food fortified by compulsory fortification.

Article 4. Definitions of legal terms

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

4.1.1. "Fortified food" means food produced by adding vitamins and minerals individually or in a mixed form by industrial methods;

4.1.2. "Concentrating preparation" means a vitamin, mineral substance or a mixture thereof used for industrial fortification of food;

4.1.3. "List of food to be fortified compulsorily" means a document approving the type of food to be fortified and the composition and amount of fortifying preparations based on the results specified in Article 9.1.1 of the Food Law;

4.1.4. "Food fortification" means the addition of food fortifiers to food by industrial methods in accordance with the specified amount, conditions and technology specified in the standard.

CHAPTER TWO ORGANIZATION OF FOOD CONCENTRATION ACTIVITIES

Article 5. Food fortification activities

5.1. Based on the results of the research specified in Article 9.1.1 of the Law on Food, the state central administrative body in charge of health and food shall jointly submit a proposal on fortified food to the Government.

5.2 The Government shall approve the list of food to be fortified on a mandatory basis based on the proposal specified in 5.1 of this Law.

5.3. The state administrative body in charge of standardization and technical regulation shall approve the national product standard for each type of fortified food.

5.4. A fortified food producer shall produce products in accordance with the national standard specified in 5.3 of this law and establish an internal control system.

5.5. The manufacturer of the fortified food shall certify the product and the fortified preparation by an accredited laboratory.

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Article 6. Powers and functions of state organizations on food fortification

The State Great Hural shall exercise the following powers regarding food fortification:

6.1.1. To determine the Customs, tax and credit policies to support the import of equipment and concentrates required for compulsory food fortification;

6.1.2 approve the budget required for the implementation of the national program to support the production and consumption of fortified food;

6.1.3. Others specified in the law.

The Government shall exercise the following powers regarding food fortification:

6.2.1. To organize the implementation of the legislation on fortified food and monitor its implementation;

6.2.2. Approve a national program to support the production and consumption of fortified food;

6.2.3. To reflect and submit the funds required for the implementation of the national program specified in 6.2.2 of this law to the annual state and local budgets;

6.2.4. Others specified in the law.

6.3 The state central administrative body in charge of food matters shall perform the following functions regarding food fortification:

6.3.1. Approve procedures for production, storage and transportation of fortified food;

6.3.2. Register fortified preparations and fortified food in accordance with Article 16 of the Food Law and create a database;

6.3.3. To approve the design of signs and markings indicating that it is fortified food and the procedure for its use.

6.4. The state central administrative body in charge of health matters shall perform the following functions regarding food fortification:

6.4.1. To develop the list of food to be fortified in accordance with the law in cooperation with the state central administrative body in charge of food matters;

6.4.2. Organize a nationwide survey on food fortification effects every five years within the scope of research specified in Article 9.1.1 of the Food Law;

6.4.3. To present the results of the research specified in 6.4.2 of this law to the National Food Safety Council;

6.4.4. To prevent vitamin and mineral deficiency of the population, to provide citizens with information on the importance of fortified food, to organize training and advocacy.

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Article 7. Rights and obligations of producers of fortified food

7.1 Enriched food producers shall have the following rights:

7.1.1. To be covered by state support and incentives;

7.1.2. Others specified in the law.

7.2. In addition to those specified in Article 10 of the Law on Food and Article 10 of the Law on Ensuring Food Safety, a fortified food producer shall have the following responsibilities:

7.2.1. To conduct production in accordance with national standards and technology specified in 5.3 of this law;

7.2.2. To supply products for public use on the basis of certification by an accredited laboratory;

7.2.3. To put signs and markings on the label of fortified food;

7.2.4. To register the name, type, production and sales information of fortified food in the database specified in 6.3.2 of this law;

7.2.5 respect the rights of consumers and provide accurate and objective information;

7.2.6. To have equipment for food processing;

7.2.7. Others specified in the law.

Article 8. Rights and obligations of importers of concentrates

An importer of concentrates has the following rights:

8.1.1. To be covered by state support and incentives;

8.1.2. Others specified in the law.

The importer of concentrates shall have the following responsibilities:

8.2.1. To import concentrates containing ingredients necessary for food fortification approved by the list specified in provision 5.2 of this law;

8.2.2. To import concentrates with a certificate of origin, quality and safety issued by the competent authority of the exporting country;

8.2.3 follow the transportation and storage procedures to ensure that the quality of the concentrate is not compromised;

8.2.4. Others specified in the law.

Article 9. Import of fortified food

9.1. Imported products of the same type as the food to be fortified shall meet the requirements of the national standard of Mongolia.

9.2. Imported fortified food shall have a mark indicating that it is fortified.

9.3 Article 11 of the Food Law shall apply to the import of fortified food.

CHAPTER THREE CONTROL OF FORTRESS FOOD

Article 10. Producer's control over fortified food

10.1. The fortified food producer shall implement critical point control and certify its products by internal control.

Article 11. State control over fortified food

11.1. The professional inspection body (hereinafter referred to as "Inspection body") shall approve the procedure for mandatory control over food processing activities.

11.2. The state inspector of food quality and standards of the inspection organization shall monitor the production and trade of fortified food products.

11.3. The state inspector of food quality and standards at the border checkpoint and inland customs shall allow the import of concentrates into the territory of Mongolia based on the registration of the state central administrative body in charge of food matters and issue export certificates and import declarations.

CHAPTER FOUR MISCELLANEOUS

Article 12. Liability for violators of the legislation on fortified food

12.1. If the actions of an official violating this Law are not of a criminal nature, they shall be held liable in accordance with the Civil Service Law.

12.2. If the actions of a person or legal entity violating this Law are not of a criminal nature, they shall be subject to liability specified in the Law on Violations.

Article 13. Entry into force of the law

13.1. This law shall enter into force on December 31, 2019.

CHAIRMAN OF THE PARLIAMENT OF MONGOLIA M.ENKHBOLD