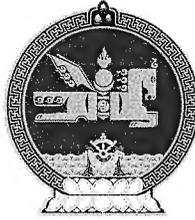


LAW OF MONGOLIA
ORGANIC FOOD



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07 April, 2016

Ulaanbaatar city

ORGANIC FOOD

CHAPTER ONE General provisions

Article 1. Purpose

1.1. The purpose of this law is to regulate all aspects on organic agriculture, production of organic food, feed and fertilizer, their certification, trade, import, use of organic logo and advertisement.

Article 2. The legislation on organic food

2.1. Legislation on organic food consists of the Constitution of Mongolia[1], Law on food[2], Law on food safety[3], Law on natural plants[4], Law on Forestry[5], Law on Standardization and Accreditation[6], Law on phytosanitary control of animal and plant originated products and raw materials at the border[7], and this law, and other legislative acts issued in conformity with all.

2.2. If an international treaty to which Mongolia is party states in different way, the provisions of international treaty shall prevail.

Article 3. Scope

3.1. This law shall apply to agricultural originated organic food, unprocessed raw materials and products, natural plant originated organic food, organic feed, organic fertilizer and seed and seedlings.

3.2. This law shall not apply to produce food from raw materials of wild animals, and regulate activities of the public food.

Article 4. Definitions

4.1. The following terms, which used in this law shall be interpreted as follows:

4.1.1. "organic food" is that given in 3.1.5 in Law on Food;

4.1.2. "organic production" means to enterprise organic agricultural production of primary and food processing compliant with the requirements established in this Law;

4.1.3. "conversion period" means the time between the start of the contract with authorized body defined in 10.1 and 10.2 of this Law full transfer into organic production;

4.1.4. "certification" is that given in 3.1.9 in Law on Standardization and Accreditation ;

4.1.5. "genetically modified organisms" is that given in 3.1.2 in Law on Genetically Modified Organism;

Article 5. Principles of organic production

5.1. The following principles shall be adhered in organic production:

5.1.1. protect health and safety soil, water, air, plants, animal and human existence;

5.1.2. organic production should conserve sustainability of nature and ecology and has no harm to the ecosystem;

5.1.3. should be based on fair competitiveness of market and adhere fairness and gracious;

5.1.4. to enterprise using responsible method and technology orienting to conserve organic and characteristics of the nature and to protect environment, health and wellness of the present and future generation.

5.2. Food and feed is considered as organic if 90 or above percent of ingredients are organic.

CHAPTER TWO Organic production

Article 6. Conversion period of organic production

6.1. Food producer shall submit its request to the authorized body (hereinafter referred to as "certification body") defined in 10.1 and 10.2 of this law.

6.2. The certification body shall inform the Central state administration body in written form within 10 working days upon contract issued on start up of conversion period and certifying of organic food.

6.3. The conversion period shall be determined by the certification body according to 8.3 of this Law by taking into account location, type, condition of registration of traceability and conclusion of Environment Impact Assessment of organic production.

6.4. The certification body shall inform the central state administration body and specialized inspection body on status of partial and full conversion or no conversion in written form within 10 working days.

6.5. Organic food manufacturing can have no conversion period.

Article 7. Rights and Duties of organic producer

7.1. Organic producer shall be responsible for the following duties in addition to duties defined in 10.1 of Law on Food safety:

7.1.1. implement activities defined in contract with the certification body as per 6.2 of this law;

7.1.2. develop and comply with technology that conserve natural characteristics of food raw material and product nature and has no negative impact on human and animal health and environment;

7.1.3. based on internal resources, use no waste or low-waste technology, utilize water rationally;

7.1.4. shall inform certification body and specialized inspection body in written form within 10 working days if entire organic production or specific product production is closed.

7.2. Organic producer has the following rights:

7.2.1. if certified, use organic logo defined in 11.2 of this law on label of food, feed, fertilizer during conversion period;

7.2.2. to enterprise combined organic and non organic production according to 8.3 of this law;

7.2.3. when procure raw material, product from a supplier, require certification determines as organic and no usage of substance, modified organism, radiation, growth hormone defined in 8.3 of this law.

Article 8. Requirements for Organic producer

8.1. Organic food producer shall meet the following requirements in addition to provision 10 of Law on Food:

8.1.1. get certified organic production process and organic products biennially

- 8.1.2.** responsible for expenses for certification;
- 8.1.3.** in case of use of forest resources and natural plants, it shall be harvested from field where no disinfectant other than defined in 8.3 in this law is applied in last three years, and determined by central state administration body for environment and food;
- 8.1.4.** forest resources and natural plants are used in comply with law on Forestry and law on natural plant.

8.2. The following are prohibited in organic production, in addition to 10.3 of law on Food safety::

- 8.2.1.** use other substances defined in 8.3 of this law;
- 8.2.2.** use radiation in processing of organic food;
- 8.2.3.** utilize household and industrial waste, and mud from treatment facility of city;
- 8.2.4.** utilize animal, its offspring produced by cloning;
- 8.2.5.** utilize modified organism its originated ram material, product and growth hormone.

8.3. Cabinet member responsible for food and agriculture shall approve list of substances, procedures for organic food production and enterprising organic agriculture.

8.4. Cabinet member responsible for food and agriculture shall approve methodology to calculate ingredients of organic food.

Article 9. Import, export and trade of Organic food

9.1. All relations related to import and export of organic food is regulated in accordance with article 11 of law on Food, article 13 of law on Food safety, law on phytosanitary control of animal, plant originated raw material and product at the border, article 16.14.2 of law on Standardization and accreditation. ory its inputs, fertilizer, feed and pesticide shall be conducted in accordance with provisions 11 of Law on Food and 13 of Law on Food Safety.

9.2. Central state administration body responsible for food and agriculture registers and establishes information database export and import of organic food in accordance with 16.1 of Law on food.

9.3. To trade imported organic food in Mongolia the following requirements shall be met in addition to 9.1 of this law:

- 9.3.1.** shall be registered and listed in accordance with 16.2 law on food;
- 9.3.2.** shall have valid certification issued by export country certification body determines product as organic.
- 9.4.** The label of repacked imported organic food for retail should comply with 12.8 of law on Food safety.
- 9.5.** Specialized agency shall compile facts on control of import and export of organic food and submit to the central state administration body responsible for food and agriculture quarterly.

CHAPTER THREE

Certification, labelling and registration of organic food

Article 10. Certification body, certification of organic production and product, registration

10.1. The following body shall execute certification for organic production and organic food, feed and fertilizer:

- 10.1.1.** certification body accredited by an authorized body of Mongolia;
- 10.1.2.** a foreign accredited body registered in Mongolia.

10.2. If a product produced in accordance with requirements of this law is certified jointly by producer, consumer and other parties based on mutual trust, it shall be registered to the central state administration body responsible for food and agriculture.

10.3. The national accreditation body approves a procedure to register certification body defined in 10.1 of this law; the cabinet member responsible for food and agriculture approves a procedure for requirements, registration and certification for certifying as per 10.2.

10.4. The certification body shall certify, issue a certification, suspend and cancel within the scope of standard, procedure and regulation approved by national and international authorized body and shall inform the central state administration body and specialized inspection body in written form.

10.5. The central state administration body responsible for food and agriculture shall establish database of certified organic production and

products and inform timely to the specialized inspection body in written form.

10.6. National accreditation body and the central state administration body responsible for food and agriculture shall establish and review timely database of a body defined in 10.1 and 10.2 of this law.

10.7. Certification body defined in 10.1 and 10.2 of this law shall have the following duties:

10.7.1. establish contract with organic producer as per 6.2 of this law and ensure implementation;

10.7.2. if organic producer breaks 8.2 of this law, shall inform the central state administration body responsible for food and agriculture and specialized inspection body within 10 working days in written form and cancel certification;

10.7.3. provide with information of authorized body;

10.7.4. it is forbidden that certification body defined in 10.1 and 10.2 of this law functions if not registered at national accreditation body.

Article 11. Logo, Mark and Labeling of organic food

11.1. If certified as per 10.1 and 10.2 of this law use logo and mark respectively on label, to identify as organic, if certified as per 10.2 of this law use mark identifies as organic.

11.2. Background color of Logo and Mark used to identify organic should be yellow during conversion period and green after transferring into organic production.

11.3. Label of organic food can include name of certification body in addition to requirements in 12.3, 12.4, 12.5, 12.6, 12.7 of law on Food safety.

11.4. Label can include organic ingredients of food.

11.5. The following is forbidden in use of organic logo and mark:

11.5.1. non organic food, feed, fertilizer is supplied for public use and used for advertisement with logo and mark of organic food;

11.5.2. food, feed, fertilizer produced during conversion period is supplied for public use and used for advertisement with green background.

11.6. Cabinet member responsible for food and agriculture shall approve design of logo, mark of organic product and its application procedure.

11.7. If “organic” “ecologically pure” and “natural originated pure” are used on label in foreign and mongolian language this law shall be applied.

Article 12. Organic production, Control on organic food

12.1. Control on trade, import, export, transportation, storage of organic food is regulated in accordance with Law on Food, Law on Food safety, Law on State Control [9], Law on Consumer’s right [10] and Law phytosanitary control of animal, plant and their originated raw materials at border.

12.2. Certification body defined in 10.1 and 10.2 of this law shall be responsible for regular control on organic production.

CHAPTER FOUR Miscellaneous

Article 13. Measures in case of infringements and irregularities

13.1. if infringement of an officer is not subject to crime it is charged with responsibility as per Law on Civil servant.

13.2. an individual and entity breaks this law shall be charged with responsibility as per Criminal Code or Law on Infringement.

Article 14. Entry into force

14.1. This Law shall be enforced from the 1st of January of 2017.

CHAIRMAN OF THE MONGOLIAN PARLIAMENT

Z.ENKHBOLD

[1] the Constitution of Mongolia, published in the 1st Issue of 1992, "State information".

[2] Law on Food, published in the 2nd Issue of 2013, "State information".

[3] Law on Food safety, published in the 2nd Issue of 2013, "State information".

[4] Law on Natural plant, published in the 5th and 6th Issue of 1995, "State information".

[5] Law on Forestry published in the 22nd Issue of 2012, "State information".

[6] Law on Standardization and Accreditation, published in the 21st Issue of 2003, "State information".

[7] Law on Control of Phytosanitary of animal, plant their originated raw material and product at border published in the 46th Issue of 2002, "State information".

[8] Law on modified organism, published in the 29th Issue of 2007, "State information".

[9] Law on State Control, published in the 2nd Issue of 2003, "State information".

[10] Law on protection of consumer's right, published in the 3rd Issue of 2004, "State information".