

The Republic of the Union of Myanmar
Ministry of Health
Myanmar Food and Drug Board of Authority
Directive (8/2022)
1383 Kawza year, 4th waning moon of Pyartha
20th January, 2022

Myanmar Food and Drug Board of Authority uses the power given under article 13(b) of National food law, announce this directive with the purpose of; to give information concerning quality, safety and health of prepackaged foods to consumer who can choose properly, to implement labelling of prepackaged food which is manufactured, processed, packaged, stored, distributed, sold, imported, exported, displayed, promoted in the market to comply with local and international standards and to support traceability mechanism.

Directive for labelling of prepackaged foods
Chapter 1
Name, Relevance and Definition

1. This shall be called “Directive for labelling of prepackaged foods.”
2. This order is related to labeling of all packaged food intended to sell to the consumer and catering services.
3. The terms used in this order must have the identical meaning as in the National Food Law. The definition of the terms are as follows.
 - a. “Consumer” means persons and families purchasing and receiving food in order to meet their personal needs.
 - b. “Container” means any packaging of food for delivery as a single item, whether by completely or partially enclosing the food and includes wrappers. A container may enclose several units or types of packages when such is offered to the consumer.
 - c. “Lot or Batch Number” means the code number or other identification methods used to identify the origin of the products.
 - d. “Date of Manufacture” means the date on which the food becomes the product as described. It doesn’t mean the shelf life of the product.
 - e. “Date of Packaging” means the date on which the food is placed in the container in which it will be ultimately sold. It doesn’t mean the shelf life of the product.
 - f. “Use-by-Date or Expiration Date” means the last date of offer for sale/ or the last date to be consumed for the product, even after the prod to the consumer after which there remains a reasonable storage period in the home.
 - g. “Catering” means preparation and provision of food for the purpose of immediate consumption or take out at the restaurants, banquet hall, hotel, airplane, training schools, university, hospital and other similar places or at festival and charity places.
 - h. “Processing Aid” means a substance or material, not including apparatus or utensils, and not consumed as a food ingredient by itself, intentionally used in the processing of raw materials, foods or its ingredients, to fulfil a certain technological purpose during treatment or processing and which may result in the

non-intentional but unavoidable presence of residues or derivatives in the final product.

- i. "Ingredient" means any substance, including a food additive, used in the manufacture or preparation of a food and present in the final product although possibly in a modified form.
- j. "Lot, Batch" means the specific amount of product group manufactured under the same circumstance and situation.
- k. "Best Before Date or Best Quality before Date" means the date that allows the product to be sold without affecting the quality of the products if the product is remained unopened and kept under the circumstance as described in the label. However, the product could remain in acceptable condition to be consumed even after the date.
- l. "Food Business Operator" means the person or organization involved in the food production, modification, packaging, distribution, store, selling, importing, exporting, marketing directly and indirectly. The small and medium business owners that operated food production also fall under this category.
- m. "Claim" means any representation which states, suggests or implies that a food has particular qualities relating to its origin, nutritional properties, nature, processing, composition or any other quality.
- n. "Food for special dietary uses" mean food that is specially modified and made to fulfil the dietary needs due to the needs of specific physical, biological or disease, or a physical disability. Such food should be modified and produced differently from the regular food of the same origin in terms of structure.
- o. "Label" means any tag, brand, mark, pictorial or other descriptive matter, written, printed, stenciled, marked, embossed or impressed on, or attached to, a container of food.
- p. "Prepackaged food" means food that is packaged or made up in advance in a container, ready for offer to the consumer, or for catering purposes. The term does not apply to the immediate packaging of the food at the point of buying, the temporary packaging of the food by the seller at the point of selling or for the purpose of delivering from one place to another.
- q. CODEX standard means the standards imposed by CODEX Alimentarius Commission.

Chapter 2

General Labelling Principles

- 4. The following principles must be followed to label prepackaged food.
 - a. In regards to the food's appearance and properties, product descriptions that may cause wrong perception, wrong description, description of wrong definition or have two meanings must be avoided.
 - b. Descriptions or similar indications, either in text or picture or other format, that may cause the consumer to think or wrongly assume that this product is related to another product must be avoided.
 - c. In terms of defining the Brand and Trademark, the text, terms, usage, picture, illustration, self-identification, logo or similar definition of the following meaning must be avoided.

- i. Facts prohibited by the law, rules or by an organization not to be included in brand.
 - ii. Using the food name as required by the paragraph 5 (a) of this order as the brand name of the product. (For example, Black Olive Oil, Black Sesame Tea, Honey Yogurt etc.)
- d. In describing the information in the brand,
 - i. Firmly attach or print or in combination with the catered food on the packaging.
 - ii. If the packaging is coated with an extra layer, the extra layer should include the brand labeling instructions. Otherwise, it must be transparent that the description on the original packaging must not be covered by the extra package and must be seen clearly.
 - iii. The food name and net weight should be described clearly on the product front.
- e. The language used in product description
 - i. Either Myanmar language or the language accepted by the consumer as long as it is not opposed to the requirements described in other laws. More than one language could be used.
 - ii. If the language used in the label is unacceptable for the targeted consumer, instead of rebranding, adding only essential product descriptions could be done with the required language.
 - iii. Relabeling and supplementary label of the essential description must be done exactly as in the original label.
- f. The labeling and information described in information panel and principal display panel on the packaging should be in accordance with the order, directive and directions according to this order and others.

Chapter 3

Mandatory labelling of prepackaged foods

5. Except from the food products required to describe in accordance with their category, prepackaged food labeling must include the following in accordance with the Myanmar standard or CODEX standard.
 - a. The name of the food
 - b. List of Ingredients
 - c. Net Content, Quantity and Drained Weight
 - d. Name and address
 - e. Country of Origin
 - f. Lot identification
 - g. Date marking
 - h. Instructions for use
6. In describing the name of the food in prepackaged food labeling
 - a. The name shall indicate the true nature of the food and normally be specific and not generic. (For example, oil should be named specifically as in peanut oil, palm oil etc.)
 - b. If it has been already specified in Myanmar standard or CODEX standard, only that one name shall be used.

- c. If the food product is not associated with as per the description in paragraph a and b, generic name that is easy to understand or the name that is commonly called shall be used to avoid the consumer's misunderstanding.
 - d. If the food product is a combined modification of different ingredients, the well-known name (for example – Halawa (Burmese food)), or the name modification that specialize the main ingredient (for example – plum jam, fish paste) shall be used to avoid consumer's confusion. If the ingredients are from the same product category or type, the generic name could be specified with the prefix or suffix "mix" or "mixed" (for example fried mix, mixed oil), or use the term "mix" from the main ingredient to the secondary or lower ingredient (for example – sesame niger oil mix).
 - e. A "coined", "fanciful", "brand" name, or "trade mark" may be used, there shall appear on the label either in conjunction with, or in close proximity to, the name of the food.
 - f. Such additional words or phrases as necessary to avoid misleading or confusing the consumer in regard to the true nature and physical condition of the food including but not limited to the type of packing medium, style, and the condition or type of treatment it has undergone; for example: dried, concentrated, reconstituted, smoked. (for example, the ordinary fried noodle are named as in flying noodle, omelet are named as in fried David, dehydrated radish, smoke dried fish etc.))
 - g. If the food product is intended for special dietary purpose, it shall use the prefix or suffix of "Special Dietary" or "Special Dietetic" or other terms of the same meaning together with the name of the food to describe the product name.
 - h. If the name of location is to be mentioned in the food name, the food shall either be produced in that location or the specific ingredients from that location is used or the way the food is processed and produced as in the traditional way of that location. If the production method is the same as another country's production method, the word "Style" should be mentioned to specialize the product name.
 - i. The location name could be mentioned as a part of brand name when it does not cause the confusion or wrong perception to the consumer. (For example, the brand name "shwe taung" and the product "noodle" as in labeling "Shwe Taung - Noodle" could cause confusion with the traditional Shwe Taung Noodle.)
 - j. Food products where the scent and taste are added shall be named "scented", "flavored" or similar terms in naming the products. In doing so, the terms "natural", "same nature" or "artificial" could be used together with the terms "scented" and "flavored".
7. In describing the ingredient list of the prepackaged food
- a. Except for single ingredient foods, a list of ingredients shall be declared on the label.
 - b. The list of ingredients shall be headed or preceded by an appropriate title which consists of or includes the term 'ingredient'.
 - c. All ingredients shall be listed in descending order of ingoing weight at the time of the manufacture of the food.
 - d. Where an ingredient is itself the product of two or more ingredients, such a compound ingredient may be declared, as such, in the list of ingredients,

provided that it is immediately accompanied by a list, in brackets, of its ingredients in descending order of proportion (m/m). Where a compound ingredient (for which a name has been established in a Codex standard or in Myanmar standard legislation) constitutes less than 5% of the food, the ingredients, other than food additives which serve a technological function in the finished product, need not be declared. (For example, if masala more than 5% of the ingredient, it shall be described as “Masala (Cardamon, Star anise etc...) and if it is below 5%, it shall be described only as “Masala”.)

- e. The following foods and ingredients which are known to cause hypersensitivity and shall always be declared with Bold letters or always specific allergy notice.
 - i. Cereals containing gluten; i.e., wheat, rye, barley, oats, spelt or their hybridized strains and products of these;
 - ii. Crustacea and products of these;
 - iii. Eggs and egg products;
 - iv. Fish and fish products;
 - v. Peanuts, soybeans and products of these;
 - vi. Milk and milk products (lactose included);
 - vii. Tree nuts and nut products; and
 - viii. Sulphite in concentrations of 10 mg/kg or more.
- f. Even though the food listed in paragraph (e) that may cause allergy are not included in the product, if there is a chance of these might somehow be included somehow in the production process, the term “Ingredient that may cause allergy could be included” shall be included in the label. Picture and symbols could also be used for easier understanding.
- g. Added water shall be declared in the list of ingredients except when the water forms part of an ingredient such as brine, syrup or broth used in a compound food and declared as such in the list of ingredients. Water or other volatile ingredients evaporated in the course of manufacture need not be declared.
- h. As an alternative to the general provisions of this section, dehydrated or condensed foods which are intended to be reconstituted by the addition of water only, the ingredients may be listed in order of proportion (m/m) in the reconstituted product provided that a statement such as “ingredients of the product when prepared in accordance with the directions on the label” is included. In doing so, serving size or portion size shall be described clearly.
- i. The presence in any food or food ingredients obtained through biotechnology of an allergen transferred from any of the products listed in paragraph (e) shall be declared. (For example, genetically or bio technically modified food ingredients.)
- j. Pork fat, lard and beef fat shall always be declared by their specific names.
- k. Food additive can be described with the terms “natural”, “same origin” or “man-made” in accordance with their type. For scent.
 - i. Natural Scented – food flavoring, herbs, fruits, leaves, barks, buds, roots, poultry, fish, eggs, milk, dairy, yeast and other scents extracted with suitable methods.
 - ii. Same origin scent – scent extracted from scented products or from labs that have the same chemical compound with the natural scent for the intention for consumption.
 - iii. Man-made Scent – man made scent that are not naturally found.

- l. A food additive carried over into a food in a significant quantity or in an amount sufficient to perform a technological function in that food as a result of the use of raw materials or other ingredients in which the additive was used shall be included in the list of ingredients.
 - m. A food additive carried over into foods at a level less than that required to achieve a technological function, and processing aids, are exempted from declaration in the list of ingredients.
 - n. If a food additive is included in the list of ingredients of paragraph (e) that may cause allergic reaction, it should be declared in the ingredient list.
 - o. For special dietary food, if the sodium ingredient is less or reduced, the terms “less sodium” or “reduced sodium” or other similar terms should be used in conjunction with the food name.
 - p. Changing the General Class Name into the specific class name and food additive description of the ingredients should only be done in accordance with the relevant institution direction and requirements.
- 8. In describing the net weight, quantity and drained weight in food labeling,
 - a. The net contents shall be declared in the metric system (“Système International” units). The local measuring standard could also be used if desired.
 - b. for liquid foods, by volume;
 - c. for solid foods, by weight;
 - d. for semi-solid or viscous foods, either by weight or volume.
 - e. For big pack that includes small retail packs, the number of small retail packs shall be declared and the net content of small retail packs and total net content shall be declared. For example, “20 x 10 g packs (200 gram)” “6x200 ml packs (1.2 litre or 1200 ml)”.
 - f. In addition to the declaration of net contents, a food packed in a liquid medium shall carry a declaration in the metric system of the drained weight of the food. For the purposes of this requirement, liquid medium means water, aqueous solutions of sugar and salt, fruit and vegetable juices in canned fruits and vegetables only, or vinegar, either singly or in combination.
- 9. In describing the name and address in food labeling,
 - a. If it is domestically produced food product, the food producer business operator’s name, mailing address with postal code including email and web address if available, phone number should be declared. If the business address and production address are not the same or if there are more than one production plant, in addition to the business address, the production plant number or code should also be described.
 - b. For food products imported from abroad, in addition to food business operator, importer or distributor or re-packaging business mailing address with postal code including email and web address if available, and phone number must be included.
 - c. If it is produced by a business which is not self-manufactured, in addition to the business name, it should include the term “Manufactured for –” or “packed for –”.
- 10. In describing the prepackaged food’s country of origin in the label,
 - a. The country of origin of the food shall be declared if its omission would mislead or deceive the consumer.

- b. When a food undergoes processing in a second country which changes its nature, the country in which the processing is performed shall be considered to be the country of origin for the purposes of labelling.
11. Each container shall be embossed or otherwise permanently marked in code or in clear to identify the producing factory and the lot.
12. In describing the date in food labeling, if not otherwise determined in an individual Codex standard or Myanmar Standard, the following date marking shall apply:
- a. Use-by date or Expiration date for the products that shall be consumed prior to that specific date for food safety and quality affirmation.
 - b. If a product was not in completely deteriorated condition but the quality is not at its best, “Best Before Date” or “Best Quality Before Date” shall be used instead of “use by date” or “Expiration Date”.
 - c. the day and the month for products with a minimum durability of not more than three months shall be declared. However, if the authorities requested, the year must also be declared. At least the month and the year for products with a minimum durability of more than three months must be declared.
 - d. If the dates are not included in the text label, the direction to that date indication should be mentioned. For example – Expiration date (at the bottom of the can.)
 - e. In describing the date and year, numerical numbers could be used and the year could either identified with two numbers or four numbers, the months could either be identified with short terms or numerical numbers. DD/MM/YY or DD/MM/YYYY must be used. Otherwise, the following format could be used. For example 2019-12-02 (YYYY-DD-MM).
 - f. In a situation where the dates are not required, it shall be done in accordance with the requirements from the authorities.
 - g. Only the production date or packaged date are required for the following products.
 - i. fresh fruits and vegetables, including potatoes which have not been peeled, cut or similarly treated;
 - ii. wines, liqueur wines, sparkling wines, aromatized wines, fruit wines and sparkling fruit wines;
 - iii. beverages containing 10% or more by volume of alcohol;
 - iv. bakers’ or pastry-cooks’ wares which, given the nature of their content, are normally consumed within 24 hours of their manufacture;
 - v. vinegar;
 - vi. food grade salt;
 - vii. solid sugars;
 - viii. confectionery products consisting of flavoured and/or coloured sugars;
 - ix. chewing gum.
 - h. The production date and the packaged date shall be declared in accordance with the description in paragraph (a) and (b). In doing so, the “production date” or “packaged date” shall be declared clearly in accordance with paragraph (e) without causing any confusion with the background color, design and picture.
13. Instructions for use, including reconstitution, where applicable, shall be included on the label, as necessary, to ensure correct utilization of the food.

Further explanation

- a. If it is required to add meat, fish, egg and vegetables to add in the instant noodle, directions or steps to modify must be included in the direction.
- b. If the labeling shows the modification status of the food in a plate or via some other means may cause the confusion that everything is included in the packaging. Thus, doing so without the direction to modify shall not be done.
- c. If the final modification in a serving plate is shown, serving or portion size in doing so must be shown clearly.

Chapter 4

Additional Mandatory Requirements

14. Requirements to notify the consumer in accordance with the prepackaged food's nature shall be declared as follow.

- a. Instruction to store –if the product's durability (date) or original quality depends on how it was stored, specific condition to be stored should be declared on the labeling.
- b. Content –
 - i. The individual ingredient's content in % in production, relevant weight or volume should be declared for the product that are sold through mixture or combination.
 1. If the ingredient is specialized in the label in text, picture or graphic design.
 2. If the ingredient is not in the name of the food product or when the ingredient is essential to represent the characteristic of the food product or when the consumer in the targeted area would assume the ingredient would include in the food product or when failure to declare the ingredient content would cause misperception and mislead the consumer.
 - ii. Content amount is not required for the following situation.
 1. If the ingredient is in a very tiny amount just for the scent and flavoring purpose.
 2. If it is specified in a specific standard according to Myanmar standard or CODEX standard.
 3. When the ingredient is listed on the label in text, picture or graphic design, variation in the content does not reflect the characteristic of the food product, or when it is not the main requirement to differentiate from similar products and thus would not cause the confusion, misleading or misconception to the consumer in the targeted market. (for example – the content of caramel in the peanut crisps.)
 - iii. According to paragraph 14 (b) (i), the ingredient shall be declared on the product label as follow.
 1. Numerical percentage
 2. The original percentage, relevant weight or volume of each ingredient should be listed next to or closest to the text, picture or graphic design, next to the name of the food product or next to each ingredient of the product.

3. If a specific ingredient is specialized, the lowest percentage of the ingredient or the highest percentage of the ingredient shall be declared.
 4. If the ingredient's moisture is enhanced with the heat or other methods, the ingredient content at the final stage should only be declared in the ingredient in percentage, weight or volume.
 5. When the ingredient amount or total ingredient amount exceed 100%, the ingredient shall be declared based on 100 gram of the final product.
- c. Irradiated Food – Food processed with ionizing radiation method shall follow the following instruction in labeling.
- i. The label of a food which has been treated with ionizing radiation shall carry a written statement indicating that treatment in close proximity to the name of the food. The use of the international food irradiation symbol, as shown below, is optional, but when it is used, it shall be in close proximity to the name of the food.



- ii. When an irradiated product is used as an ingredient in another food, this shall be so declared in the list of ingredients.
 - iii. When a single ingredient product is prepared from a raw material which has been irradiated, the label of the product shall contain a statement indicating the treatment.
- d. Alcoholic Beverages - % of alcohol by volume (Alc % Vol) (%ABV) or degree of proof should clearly be declared.
- e. Warning- When it is targeted to a specific age group, or produced in accordance to specific requirement for specific health condition, or when it is not suitable for specific health condition, or when there is a specific limit to consumption amount or timeframe, or other similar situation, full warnings should be declared clearly.
- f. Nutrition facts – must be declared when a food product is added with vitamins and minerals or when a certain nutrition is reduced or removed. In doing so, specific requirements as in CODEX guidelines on Nutrition labelling CAC/GL 2-1985 or Myanmar standards must be followed.

Chapter 5

Requirements for Claims

15. Prepackaged food labeling should not follow the following.

- a. Labeling indication that means daily nutrition requirements are sufficient, except for the indication in line with CODEX standard or relevant indication recognized by relevant institutions or departments.
 - b. Labeling indication that means daily food intake and balanced food are not sufficient for nutrition.
 - c. Labeling without enough evidence of proof.
 - d. Labeling indication that means to be able to cure certain disease or being unhealthy,
 - i. Special dietary requirements according to Myanmar Standards or CODEX standards.
 - ii. Permitted with an existing law
 - e. Labeling that may cause worry or doubt on the safety of food from the same origin or nature.
 - f. Labeling that glamourize and exaggerate the food additive for colour, scent and taste that do not included in original food ingredient.
16. The following terms that may cause mis conception or wrong perception should not be used.
- a. Incomplete comparison, such as “the best”, “personal experience “etc.
 - b. The process of clean production should not be interpreted as “good for health”, “healthy”, “very good for health”, “suitable for health” and other terms of similar meanings.
17. When labeling for prepackaged food
- a. If a food product is infused with nutrition such as vitamin, minerals and amino acid and thus wanted to emphasize that it is more nutritious or extra nutrition value, such infusion should be in line with the Myanmar standard or CODEX standard or relevant departments or institution’s direction.
 - b. When specific nutrition from a product is reduced, or removed and wanted to highlight the special nutrition fact of the food product, it should be in line with the Myanmar standard or CODEX standard or relevant departments or institution’s direction.
 - c. The usage of “natural”, “authentic”, “real”, “fresh”, “homemade”, “organic”, “bio-“ or other similar terms should be in line with the Myanmar standard or CODEX standard or relevant departments or institution’s direction.
 - d. If a product is in line with the religious or tradition authority organization, or got the permission from such organization, it could be labeled as such. For example – HALAL.
 - e. If the labeling indication that shows it has specific properties also indicates similar products also have the same properties, it could be used.
 - f. If a product do not include a specific ingredient or additional ingredients to the product, it shall be permitted if it is in line with the following and not causing any confusion.
 - i. It is not a requirement by Myanmar Standard or CODEX standard.
 - ii. It is regular ingredient assumed by the consumer
 - iii. Replacement of ingredients are not used to get the product of same properties or even if used the properties of replacement ingredient is declared clearly.

- g. Clear description of not including or infusing one or more nutrition shall be considered as nutrition facts and it shall be done in accordance with Myanmar Standard, CODEX standard or relevant department or institution's direction.
- h. In order to dispose the packaging or food or the labeling, in terms of describing the labeling indication in text, picture and symbol, it shall be done in accordance with international standard or relevant institution or department's directives.

Chapter 6

Additional Requirements

18. Any picture, text or graphic design could be used to describe any information if it is inline with the labeling principles and not causing any misconception, if it is inline with the requirements listed in this principle, and if it is in line with special requirements. In doing so –
 - a. Photo, picture and graphic design descriptions of fruit, vegetable, chicken, meat, fish and egg should not be used if they are not included in the product. If included in the design and if it is in line with the requirements, if it is using food additive to improve the scent and taste of the food, it shall state that "scent and flavor are added" or similar description of photo, picture and graphic design shall be used. However, their original form should not be included.
 - b. When photo, picture and graphic design are used to describe the ingredient of the food or the food mixture, ingredient percentage should be declared accordingly.
 - c. When the food grades are to be mentioned, it should be easily understandable and shall not cause any misconception or confusion.
19. CODEX guidelines on Nutrition labelling CAC/GL 2-1985 or Myanmar Standard should be used to describe the nutrition facts.
20. When there are enough evidence, text, symbols, indication, recognition, picture of barcode, QR code, vegetarian symbols, brand, brand name and trademark, award, medals, certification, analysis and findings could be used. But
 - a. The food business operator must take full responsibility of the above descriptions are true and eligibility.
 - b. When a food label includes the above indications, evidence should be submitted to relevant departments or institutions.
 - c. The relevant departments or institutions could prohibit the indications above based on their findings.

Chapter 7

Special Requirements to be followed

Prohibited Descriptions

21. Labeling on prepackaged foods prohibited by the relevant departments and institutions such as license, endorsement and similar description.
22. Good Hygienic Practice, Good Manufacturing Practice, Hazard Analysis and Critical Control Point, ISO and relevant certification, endorsement obtained shall not be described in the labeling of the prepackaged food without the approval from the relevant department or institutions.

Information Description on Labeling

23. Labeling description on the prepackaged food shall be able
- To read with regular eyesight.
 - Visible and unable to discard.
 - Background and text color should enhance the visibility and shall not be confused with the design, graphic and illustration.
 - The font size of Myanmar font “o” english font “o” shall be at least 1 mm.
 - The heading shall be bigger than the text in the body.
 - The font size and label should be in ratio with the size of different packaging.

Screen facts for relevant institutions and departments

24. The following descriptions shall be included as long as the relevant department or institution has not completed the screening process for the food safety measure of the prepackaged food products.
- “Relevant department has not screened” shall be printed in rectangle box with 2 mm font size in bold on the product package when the permission from relevant department or institutions is not granted yet.
 - Everyone who received the production license or import license from relevant department or institutions or department, the identification number or text required to be shown shall be printed with 2mm font size in bold in rectangle box.
 - Food supplement, dietary supplement, herbal supplement, functional food and similar products should describe the following terms in Burmese in 1 mm font size in bold in rectangle box, except for the case excluded by the relevant department and institutions.
“The result has not been tested. Not intended for disease detection, cure, and protection”

Points to note for description

25. Notice or Special Notice for Public Health and food safety should be described if directed from the relevant departments.
26. Nutrient, Fortified food, Genetically Modified food and non-infection disease control facts related to labeling, description and notice for public health shall be included the labeling if requested by the relevant departments.

Chapter 8

Exemption

27. With the exception of spices and herbs, small units, where the largest surface area is less than 10 cm², may be exempted from the requirements of paragraphs 7, 11, 12, 13 and 14.
28. Food packed by the retailers at the point of sale or temporary packaging by retailer shall be exempted from this order.
29. –
- Small packaging in big packaging which are intended for food quality control, food safety or due to a technology, the small packs are exempted from the labeling.
 - However, the big pack shall include detail labeling description direction not to retail those small packs or not to serve the small packs directly shall be included.

- c. If the small packs are intended for retails and for direct consumption, it is not exempted from the labeling order and details should be labelled.
- 30. When food is not directly sold to the consumer or intended for packaging business, the prepackaged food may be exempted from this labeling order. However, enough information and evidence on labeling shall be handed to the buyer with separate documentations, in electronic formats or other means.

Chapter 9

Responsibility

- 31. Every food business operator shall follow the following instructions.
 - a. Food business operator, importer or distributor shall comply the labeling order for the prepackaged food.
 - b. Any business owner or operator of food packaging or repackaging shall comply with this labeling order.
 - c. Mobile Sale, Online Sale, Transporting, Storing, Distribution, Retail and Wholesale, or anyone involved in the supply chain of the prepackaged food shall comply with this labeling order and should only conduct business with the product that comply this labeling order.
 - d. When relevant department or institutions directed to submit the explanation of the labeling of the product, detail information shall be submitted in Burmese or English.
- 32. Everyone who wish to display, provide sample and donate the prepackaged food is responsible to use the products that are in line with this labeling order.
- 33. Consumers, sellers, or restaurant owners who intended to cook and cater the prepackaged food are responsible to use the products that are in line with this labeling order and shall use the products in accordance with the labeling instruction.
- 34. Every consumer is responsible for choosing the right products that are in line with this labeling order and use the product in accordance with the labeling instruction.
- 35. Anyone who finds the products that are not in line with this labeling order shall freely report to Food and Drug Administration department or any committee or organization formed under the national food law.

Chapter 10

Delegation of authority

- 36. Committees formed under the National Food Law and FDA under Ministry of Health is responsible for overseeing if the labeling order is implemented in place and provide expert view on the matters. In case of different opinions, dispute and exclusions are occurred, the decision made by the Director General of FDA shall be final. However, the committees or organizations formed under the FDA and national food law shall not have any authority on the approval of labeling.
- 37. FDA under Ministry of Health is responsible for making directives, announcement, rules and regulation related to labeling and other similar matters as described in the National Food Law, Paragraph 38, sub paragraph (b).
 - a. Nutritional Facts
 - b. Nutritional Indications
 - c. Health Facts

- d. Health Notice
 - e. Packaging Facts
 - f. Genetic/ Bio Technological Facts
 - g. Special Facts (“Natural”, “Organic” etc.)
 - h. Food categorization and naming
38. Everyone is subject to labeling in accordance with the requirement of the relevant department for food safety.

Chapter 11

Effect of Power

39. Products produced domestically or import from abroad prior to this order should not be reversely affected by this order. In addition, the definition of duration of effect of power should only be specified with the date of production within the country or date of import, whether the labeling is allowed prior to this order or not, the order should affect the same.
40. After this order is enacted, one year period shall be specified as notice and repair period. After one year, the following business and duration shall be assumed as the enforcement period.
- a. Three months for import business, medium sized domestic production business and above.
 - b. Six months for small sized production business.
 - c. Nine months for food business operators that are not from paragraph (a) and (b)
41. For the prepackaged food which are not in line with this labeling order during the enforcement period, the following management methods shall be used.
- a. Written notice to business operator or promise not to do it again for first violation.
 - b. Prohibition, seizure or destroying of the product for second violation.
 - c. Halting or Cancellation of import, export or production or distribution endorsement for third violation.
42. After the enforcement period is over, the management methods listed in paragraph 41 and punishments according to paragraph 31 shall be used.
43. According to the directive order 22/2014 of FDA from Ministry of Health, BMS products that needs to follow that order shall comply with this order within one year of the effective date and shall not be gain any benefit from the paragraph 40, the enforcement period.

Chapter 12

Penalties

44. Any food business operator found to be violated this order or any prohibition, they shall be punished in accordance with the national food law code 31.
45. To take legal action against the labeling order violation, in accordance with national food law code 31, approval from FDA or FDA of the relevant division and states shall be obtained.
46. The food business operator shall comply with the labeling and instruction order, directive and direction in accordance with the national food law.

Dr. Thet Khine Win

Chairman
Myanmar Food and Drug Administration

