



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Government of Lao PDR

No.472/GOL
Vientiane Capital, 30.12.2019

Decree

On Food Products and Feeding Equipment for Infants and Toddlers

- Pursuant to the Law on the Government of Lao PDR No. 04/NA, dated 8 November, 2016
- Pursuant to the Food Law) No. 33/NA, dated 24 July, 2013
- Pursuant to the Proposal of the Minister of Health No, 0021/MOH, dated 9 January 2020

The Government of Lao PDR has issued this present Decree:

Part 1

General Provisions

Article 1 Purpose of the Decree

This decree determines principles, regulations and measures for the management, monitoring and inspection of food products and feeding equipment for infants and toddlers, to ensure that the implementation of this task is efficient and effective, aiming to protect, promote and support breastfeeding to ensure that infants and young children enjoy good nutrition and proportional physical and mental development, and an excellent mental development, to become quality human resources and contribute to the development and the protection of the nation.

Article 2 Explanation of Terms

Terminology used in this decree has following meanings:

1. **Infants** refers to children from birth to 12 months of age;
2. **Toddlers** refers to children from 12 to 36 months of age;
3. **Complementary food products** refers to other food products which are suitable as an addition to mother's breast milk, such as infant formula and follow-on

formula for use from 6 months to 36 months of age, including complementary food products that can be simply prepared at home by using local ingredients;

4. **Infant formula** refers to milk or milk-like products, originally from animals or plants, which is industrially manufactured in accordance with the Codex Alimentarius Standard and which meets the nutrition requirements of infants from birth and for their first six months, and also includes any therapeutic milk;
5. **Follow-on formula** refers to milk or milk-like products, originally from animals or plants, which is industrially manufactured in accordance with the Codex Alimentarius Standard which has been certified or marketed as suitable follow-on formula for feeding infants older than six months of age;
6. **Toddler formula** refers to milk or milk-like product, originally from animals or plants, which is industrially manufactured in accordance with the Codex Alimentarius Standard, which has been certified or marketed a follow-on formula suitable for feeding young children from 12 months of age or, and is sometimes referred to as “growing up milks”.
7. **Growing-up milk** refers to milk products low in protein, with components of vitamins and minerals to be suitable for feeding children from 12 months of age to 36 months of age;
8. **Food containers** refers to equipment used for containing or packaging food products for sale;
9. **Producers** refers to persons, companies or other business entities who are involved in the business of producing food products and feeding equipment for infants and toddlers either directly or through dealers, or any person supervised under a mutual agreement to operate such a business;
10. **Distribution** refers to buying and selling of food products and feeding equipment for infants and toddlers by wholesale or retail marketing or distribution or providing them for free to persons and families in need;
11. **Marketing** refers to selling or distributing, advertising and publishing information about food products for infants and toddlers directly or indirectly.
12. **Marketing staff** refers to persons with responsibilities in marketing specific or several types of food products and feeding equipment for infants and toddlers;
13. **Advertisement** refers to presenting material by any method, directly or indirectly, that aims to convince or encourage people to buy or use food products and feeding equipment for infants and toddlers through individuals, media channels, electronic communication, billboards, news boards and other methodologies.
14. **Promotion** refers to any method, direct or indirect, for convincing people, entities and organizations to encourage mothers or caregivers to purchase or use

food products and feeding equipment for infants and toddlers whether or not referencing specific names or brands;

15. **Symbol** refers to a logo or picture identifying a company or a specific product;
16. **Label standard** refers to a logo, picture or a message on a food container for the purpose of providing information regarding infant and toddler food product, utilization, conservation, manufacturer and seller;
17. **Powdered formula for infants for therapeutic purpose** refers to therapeutic powdered milk used for treatment of infants and toddlers.

Article 3 Principles on Infant and Toddler Food products and feeding equipment

The management of food products and feeding equipment for infants and toddlers shall be implemented under the following principles:

1. Consistent with the policies directions, laws, the National Nutrition Strategy and Plan of Action.
2. Ensure the protection, the promotion and support of breastfeeding;
3. Ensure that the business of food products and feeding equipment for infants and toddlers and the provision of information and advertisement related to these products and equipment are operated properly, with justice, transparency and accountability;
4. Comply with international standards, international conventions and agreements to which Lao PDR is a party.

Article 4 Scope of Use

This decree applies to individual persons, legal entities and both domestic and international organizations conducting activities related to food products and feeding equipment for infants and toddlers in Lao PDR

Part 2 Management of Food Products and Feeding Equipment for Infants and Toddlers

Article 5 Food products for Infants and Toddlers

Food products for Infants and Toddlers comprise milk products used in complementary or instead of breastfeeding for children from six months of age to thirty-six months of age, such as: infant formula, toddler formula or growing-up formula, complementary food

products and other food products that the Ministry of Health defines as food products for infants and toddlers.

Article 6 Food equipment for infants and toddlers

Feeding equipment for infants and toddlers are products used to store food and feed infants and toddlers, such as: plastic milk bottles, rubber nipples, pacifiers and other equipment that the Ministry of Health defines as feeding equipment for infants and toddlers;

Article 7 Management of Food Products for Infants and Toddlers

Food products and feeding equipment comprise the following:

1. The provision of information related to breastfeeding and food products and feeding equipment for infants and toddlers;
2. The management of food products and feeding equipment for infants and toddlers.

Part 3

Providing Information on Breastfeeding, Food Products and feeding equipment for Infants and Toddlers

Article 8 Providing Information on Breastfeeding

Providing information on breastfeeding means providing knowledge by counseling and guidance on breastfeeding by advertising and disseminating information in several forms, using verbal communication and media channels.

The Health Sector must coordinate with sector offices, local organizations and other concerned stakeholders in providing information on breastfeeding.

Article 9 Providing Information on Food Products and feeding equipment for Infants and Toddlers

Providing information on food products and feeding equipment for infants and toddlers means providing knowledge and guidance on how to select and use these food products or how to provide care to children when the mother is not able to feed her baby completely with her own breast milk.

Concerned doctors, nurses or midwives shall provide knowledge and guidance to mothers or caregivers individually on how to select food products and feeding equipment for infants

and toddlers, including how to use them properly , including preparing, milk feeding, storing milk, cleaning of feeding equipment, and cautions about using them.

Article 10 Content of Information on Infant and Toddler Care

Information about breastfeeding infants and toddlers, food products and feeding equipment for infants and toddlers shall consist of the following contents:

1. The importance, the benefits and the high nutritional value of mother breast milk on a continuous manner, for healthy and growing development of infants and toddlers.
2. Exclusive breastfeeding from birth to six months of age and continue until they are twenty-four months of age or more, is considered as the best for feeding children.
3. Expressing milk in a cup to feed the baby in case the mother cannot breastfeed herself and would like to breastfeed again;
4. Methods and reasons for advising mothers to feed infants and toddlers with food products and feeding equipment, as well as impacts on feeding children with these food products and feeding equipment;
5. The importance of introducing complementary food to infants and toddlers that can be easily prepared at home, by using locally sourced ingredients, to infants and toddlers after six months of age.

Information on feeding infant and toddler shall be in Lao language, clear, easy to understand, in line with the facts, science and technology. The information must not include any content, symbol or mark to draw interest of people in the use of food products and feeding equipment for Infants and Toddlers.

Part 4

Management of food products and feeding equipment for infants and toddlers

Article 11 Management of food products and feeding equipment for infants and toddlers

The Management of food products and feeding equipment for infants and toddlers is the identification of technical measures to advertise, sell, issue labels and donate food products and feeding equipment for infants and toddlers.

Article 12 Advertisement for food products and feeding equipment for infants and toddlers

The advertisement for food products and feeding equipment for infants and toddlers whatever the location is, through all types of media and all forms of marketing activities must receive approval from the Health department and other concerned sectors.

The advertisement for food products and feeding equipment for infants and toddlers comprises of the following content:

1. Published information must be written in Lao language and use clear and easy to understand and scientific text, without leading to any misunderstanding, without photos or contents attracting people to feeding infants and toddlers with other food products;
2. It should not be used to market, promote or support the use of food products for infants and toddlers, whether directly or indirectly, or play the role of central media for linking complementary foods to food for infants and toddlers;
3. Trademarks or symbols of any food products and feeding equipment for infants and toddlers should not be mentioned to market, sell or distribute these products.

Article 13 The Distribution of food products and feeding equipment for infants and toddlers

The distribution of food products and feeding equipment for infants and toddlers must receive approval from the Health offices and concerned sectors.

Food products and feeding equipment for infants and toddlers cannot be sold at the following places:

1. Nurseries, kindergartens;
2. Health facilities;
3. Other places as identified by the Ministry of Health.

Article 14 Labels for food products and feeding equipment for infants and toddlers

Labels for food products and feeding equipment for infants and toddlers must be relevant with the laws and regulations related to food at each period and labels must comply with the Codex Alimentarius.

The Ministry of Health is in charge of identifying the characteristics, forms and methods to issue labels for food products and feeding equipment for infants and toddlers.

Food products and feeding equipment for infants and toddlers that are purchased, sold, distributed, circulated, served and donated in Lao PDR must have a label written in Lao language and/or foreign language, indicating correct information related to the products.

Article 15 Donation of food products and feeding equipment for infants and toddlers

Quality and safety of food products and feeding equipment for infants and toddlers that will be donated or given as a support in Lao PDR must be ensured by having the country of origin of these products to certify, and these must receive the approval from the Ministry of Health and other concerned sectors.

Article 16 Contents of labels for infants, toddlers and Follow-on Formulas

Apart from having contents as defined by the Food Law, labels for infants, toddlers and follow-on formulas shall also contain the following:

1. Use of letters, symbols or photos which are clear and easy to understand;
2. Directions for appropriate preparation;
3. Necessary conditions for storing milk, before and after opening the container or bag, including storage temperature and environment;
4. Ingredients and information about its nutritional value
5. Shall not contain photos or drawings, except to illustrate steps for making up the infant formula.

The content of labels on infant, toddlers and follow-on formulas must not lead to any misunderstanding or belief that infants, toddlers and follow-on Formulas are equal or superior to mother's breast milk and there should be no content encouraging women to stop breastfeeding.

Article 17 Contents of labels for complementary food products for infants and toddlers

Except having contents complying with the Food Law, labels for complementary food products for infants and toddlers shall also contain the following:

1. Content of important observations:
 - Mother's breast milk is the best food for infants and toddlers because of its complete nutritional value;
 - Directions for appropriate preparation that must be followed to avoid causing any harm to infants and toddlers' health;
2. Content related to "caution":
 - Never add sugar, honey or any ingredient that give a sweet taste because it may lead to infants and toddlers' overweight and teeth decays;
 - Shall not mix complementary food with unboil water or use milk bottles which have not been boiled yet or mix complementary food in wrong quantities, which can make infants and toddlers sick;
 - Mixed complementary food shall not be used after the recommended time, in inappropriate temperature and environment, as it can be harmful to infants and toddlers;
3. A chart with directions for preparation of complementary food for infants and toddlers or follow-on formula;
4. Ingredients and nutritional facts of complementary food products.

Contents of labels for complementary food for infants and toddlers shall not lead to misunderstanding or belief that complementary food is equal or has more nutritional value than mother breast milk and shall not contain any content encouraging mothers to stop breastfeeding their babies.

Article 18 Contents of Non-Fat Milk, Low-Fat Milk, sweetened condensed milk and standard powdered milk

Contents of labels for Non-Fat Milk, Low-Fat Milk, sweetened condensed milk and standard powdered milk in powdered or liquid form shall contain clear and precise specific

recommendations or cautions, with letters of at least two millimeters in height and with a font size of not less than 1/3 of the font size of the product name, in order to avoid using Non-Fat Milk, Low-Fat Milk, Sweetened Condensed Milk to feed infants.

Article 19 Contents of labels for milk bottles, rubber nipples and pacifiers

Labels of milk bottles, rubber nipples and pacifiers shall contain the following content:

1. Important observations regarding age range;
2. Important caution regarding temperature, quantity and preparation method, that mothers or caregivers must strictly comply
3. Recommendations regarding cleaning and sterilization, written in words as well as a chart for preparation;
4. Sentence explaining that using a feeding cup is a best feeding method than breastfeeding;
5. Name and address of the manufacturer or distributor.

Part 5 Prohibitions

Article 20 Prohibitions for Business Operators

Producers or distributors or their representatives are prohibited from behaving as follow:

1. Offering one or several samples of food products for infants and toddlers for free to anyone
2. Giving or distributing all kinds of tools, equipment, data or information that are used to promote the use of food products or any type of feeding equipment or providing any information that promotes the use of food products and feeding equipment for infants and toddlers;
3. Selling food products or feeding equipment for infants and toddlers during a special exhibition, distributing vouchers or goods for free, or giving any discount;
4. Sponsoring festivals, contests, "hot lines", providing any counseling services or any promotion campaigns related to reproductive health, pregnancy, childbirth, and infant and toddler care that aim to advertise and promote food products and feeding equipment for infants and toddlers;
5. Behaving in other ways that breach concerned laws and regulations.

Article 21 Prohibitions for Concerned Workers and Authorities

Concerned health workers and authorities are prohibited from:

1. Abusing of their position or duties or using violence, forcing, threatening, giving, receiving gifts or acting as an intermediary for such action, which have an impact on the interests of the State, the collectives, people, entities or organizations
2. Protecting, hiding or covering, or being an accomplice of a business operator in any wrongdoing related to food products and feeding equipment for infants and toddlers;
3. Disclosing any State or Government confidential information, any information regarding business operators, or withhold, slow down or falsify documents, or

- lack of responsibilities in managing food products and feeding equipment for infants and toddlers;
4. Distributing food products and feeding equipment for infants and toddlers to pregnant women, young mothers or caregivers, without any authorization;
 5. Behaving in other ways that breach concerned laws and regulations.

Article 22 General Prohibitions

Individuals, legal entities and organizations are prohibited from:

1. Using violence, forcing, threatening or hindering concerned authorities in the execution of their duties
2. Distributing, selling, storing or displaying infant and toddler food products for commercial purposes
3. Making advertisement in any form to convince and promote food products for infants and toddlers without any authorization;
4. Giving or receiving donation or any kind of support in the form of food products and feeding equipment for infants and toddlers without any authorization;
5. Acting as an intermediary for receiving or giving bribes to concerned authorities
6. Offering food products and feeding equipment for infants and toddlers as gifts to Health workers or any concerned sectors;
7. Providing or receiving any support, or providing any budget for research activities, meetings or seminars, as well as education funds without any authorization;
8. Behaving in other ways that breach laws and regulations

Part 6

Management and Inspection of Food Products for Infants and Toddlers

Article 23 Organizations Responsible for the Management and Inspection of Food Products for Infants and Toddlers

The Ministry of Health is directly responsible and centrally coordinates with ministries, organizations and local authorities and other relevant sectors.

The organizations responsible for the management and inspection of food products and feeding equipment for infants and toddlers comprise of:

1. Ministry of Health;
2. Vientiane Capital and Provincial Health Departments;
3. Vientiane Municipality, Capital and District Health Offices.

Article 24 Rights and Duties of the Ministry of Health

The Ministry of Health has the following rights and duties related to the management of food products for infants and toddlers:

1. Conduct research; develop and improve policies, strategies and regulations related to food products for infants and toddlers; and submit proposals to the Government for approval;
2. Develop policies, strategies and regulations into detailed plans, programs and projects and provide directions for their implementation;
3. Issue agreements, resolutions, guidelines and announcements related to food products for infants and toddlers;
4. Advertise and disseminate nationwide policies, strategies and regulations related to food products for infants and toddlers and mother breastfeeding;
5. Encourage, supervise, monitor and inspect the management of food products and feeding equipment for infants and toddlers nationwide;
6. Protect, promote and support the safe preparation of complementary food products with fresh locally sourced produce for infants of 6 months of age and older and toddlers;
7. Examine suggestions from individuals, legal entities or organizations regarding standards, quality and safety of food products for infants and toddlers;
8. Coordinate with ministries, organizations and other stakeholders for the management of food products for infants and toddlers;
9. Contact and collaborate with foreign, regional and international organizations regarding the management of food products and feeding equipment for infants and toddlers;
10. Summarize and report their activities to the government on a regular basis;
11. Enjoy rights and perform other duties as defined by laws and regulations;

Article 25 Rights and Duties of Vientiane Capital and Provincial Health Departments

For the management of food products for infants and toddlers, Vientiane Capital and Provincial Health Departments have the following rights and duties, according to their scope of responsibility:

1. Conduct research, develop and improve regulations related to the management of food products for infants and toddlers, and submit proposals to Provincial Governors and the Vientiane Capital Governor for consideration;
2. Develop policies, strategies and regulations into detailed plans, programmes and projects and implement them;
3. Conduct research, issue agreements, resolutions, guidelines and announcements related to food products for infants and toddlers, and submit them to Vientiane Capital and Provincial Governors;
4. Advertise, disseminate policies, strategies and regulations related to the management of infant and toddler food products and the protection, promotion and support of mother breastfeeding;
5. Encourage, supervise, monitor and inspect the management of food products and feeding equipment for infants and toddlers;
6. Protect, promote and support mother breastfeeding, promote the preparation of safe complementary food products with fresh locally sourced products for infants of 6 months of age and older and toddlers;
7. Examine suggestions from individuals, legal entities or organizations related to standards, quality and safety of food products for infants and toddlers;
8. Coordinate with Sector Departments, Provincial Departments, equivalent organizations and other stakeholders regarding the management of food products for infants and toddlers;
9. Coordinate with international organizations on the management of food products and feeding equipment for infants and toddlers;
10. Summarize and report their activities to provincial authorities and the Ministry of Health on a regular basis;
11. Enjoy rights and perform other duties as defined by laws and regulations.

Article 26 Rights and Duties of Vientiane Municipality, Capital and District Health Offices

For the management of food products for infants and toddlers, Vientiane Municipality, Capital and District Health offices have the following rights and duties according to their scope of responsibility:

1. Implement policies, strategies and regulations related to the management of food products for infants and toddlers;
2. Develop policies, strategies and regulations into detailed plans, programmes and projects and implement them;
3. Conduct research, issue agreements, resolutions, guidelines and announcements related to the management of food products for infants and toddlers, and submit them to the Vientiane Municipality chief, Vientiane Capital and District Governors for consideration;
4. Advertise and disseminate policies, strategies and regulations related to the management, promotion and support of mother breastfeeding, and the management of food products for infants and toddlers;
5. Encourage, supervise, monitor and inspect the management of food products and feeding equipment for infants and toddlers;
6. Protect, promote and support mother breastfeeding , as well as the production of safe food for infants and toddlers from six months of age and more and toddlers, by using fresh products available locally;
7. Examine suggestions of individuals, legal entities or organizations related to standards, quality and safety of food products and feeding equipment for infants and toddlers, or submit them to their superiors for consideration;
8. Collaborate with District offices, equivalent organizations and other stakeholders for the management of food products and feeding equipment for infants and toddlers;
9. Summarize and report their activities to provincial authorities and capital and provincial health departments on a regular basis;
10. Enjoy rights and perform other duties as defined in laws and regulations.

Article 27 Rights and Duties of other Sector Departments and Relevant Local Authorities

To implement the management of food products for infants and toddlers, other sector departments and relevant local authorities have rights and duties to collaborate, implement, monitor, inspect and coordinate with health sector departments according to their scope of responsibility.

Article 28 Inspection Contents

For the management of food products for infants and toddlers, inspection shall be performed on the following:

1. Implementation of related policies, strategies and regulations as well as management of food products for infants and toddlers
2. Inspect the content and the issuance of labels, the advertisement of food products and feeding equipment for infants and toddlers;
3. Implementation of tasks performed by concerned organizations, employees and authorities

Article 29 Types of Inspection

Three types of inspection shall be performed regarding the management of infant and toddler food products:

1. Routine inspection
2. Inspection with prior notification
3. Random inspection

Routine inspection is performed according to regular plans and on a fixed timeframe.

Inspection with prior notification is an unplanned inspection performed when needed and after informing the inspection targets at least twenty-four hours in advance.

Random inspection is a quick inspection performed without prior notification to target organizations.

When conducting inspections, target organizations or people shall be cooperative and inspections shall be performed in strict accordance to laws and regulations.

Part 7

Awards for Persons with Outstanding Performance and

Disciplinary Measures for Persons with Breaches

Article 30 Awards for Persons with Outstanding Performance

Persons, legal entities and organizations showing outstanding performance in the implementation of this decree, first, by being an example, by actively contributing to the management of food products and feeding equipment for infants and toddlers, are entitled to obtain commendations and other appropriate recognition in accordance with laws and regulations.

Article 31 Disciplinary Measures for Persons with Breaches

Individuals, legal entities and relevant organizations that breach this decree, especially by encouraging, promoting understanding and belief that feeding babies with food products

and feeding equipment for infants and toddlers as better than mother breastfeeding or by infringing prohibitions related to the management of food products for infants and toddlers, will be reeducated, disciplined, fined or put under criminal charge in accordance with the seriousness of the breaches, and may be required to pay civil compensation.

Article 32 Reeducation Measures

Individuals, legal entities or organizations breaching this decree for the first time, especially prohibitions related to non-criminal faults, will be reeducated and warned according to the Law on Civil Servants.

Article 33 Disciplinary Measures

Concerned employees and authorities who have been involved in breaches of this decree and regulations related to the management of food products for infants and toddlers, especially prohibitions related to matters which are not criminal faults, such as lack of responsibility towards assigned work, will be disciplined according to the law on Civil Servant.

Article 34 Administration of Fines

Individuals, legal entities or organizations, as retailers and wholesalers, manufacturers, import-export companies that have committed small breaches to this decree and have already been reeducated according to article 32 of this decree or and in case of losses and criminal faults, such as infringements, shall be fined as follows:

- First time: File a report and a fine between 5.000.000 Kip and 50.000.000 Kips;
- Second time: File a report and fine between 50.000.000 Kips and 100.000.000 Kips;

In case of serious losses, shall be fined at least 100.000.000 Kips and business license for food products and feeding equipment for infants and toddlers will also be suspended or revoked, according to the request from the organization responsible for this task.

Article 35 Civil Measures

Individuals, legal entities or organizations that have breached this decree, laws and relevant regulations in a way that causes losses to individuals, legal entities and other organizations shall pay civil compensation for the losses they have caused.

Article 36 Criminal Measures

Individuals, legal entities or organizations that have breached this decree in a way that is criminal shall be tried as defined in Criminal law and other laws mentioning criminal measures.

Part 8

Final Provisions

Article 37 Implementation

The Ministry of Health has been assigned to take the lead and coordinate with other concerned sectors to efficiently and effectively implement this decree.

Ministries, equivalent organizations, local authorities and concerned stakeholders shall acknowledge and cooperate to strictly implement this decree according to their respective roles.

Article 38 Effectiveness

This decree enters into force fifteen days after the date of signature and after it is officially issued in the Government's gazette.

Provisions and terms that conflict with this decree shall be revoked.

On behalf of Government of Lao PDR

Prime Minister

[Seal and signature]

Thongloun Sisoulith