

The Law
Is introduced by parliamentarians
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Of the Kyrgyz Republic:
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LAW OF THE KYRGYZ REPUBLIC ON FORTIFICATION OF BAKING FLOUR

This law sets out legal provisions for providing of population of the Kyrgyz Republic with safety flour, enriched (fortified) by the vitamin-mineral or mineral supplement.

Chapter I. General statements

Article 1. Basic definitions used in this Law

The following basic definitions are used in the Law:

Safety of flour – a characteristic of the flour ensuring its innocuous usage with regards to life of the population and/or storage within determined date of expiration;

Vitamin-mineral or mineral supplements (premix) – products containing vitamins and mineral substances which are added to food products for fortification, salubrious to health and conducting to prophylaxis of diseases caused by their deficiency in the organism;

Iron deficiency condition – a pathological status of the human organism associated with insufficient intake of iron with food products or emerged as a result of its abnormal assimilation or losses in the organism;

Quality of the enriched flour – a complex/set of physical-chemical and organoleptic parameters attributed to the enriched flour;

Micronutrients – essential/irreplaceable nutritional substances (vitamins, minerals and micro-elements) required for vital activity of the organism;

Enriched (fortified) baking flour – flour in which one or more of nutritional ingredients (vitamins, minerals, proteins, amino- or oligo-acids) and other substances, lacking in the flour initially or lost during processing and storage, are added;

Expiration date – period of time during which a food product is considered qualified for usage according to its intended purpose;

Standard of the vitamin-mineral premix – a set amount of multi-component mix of vitamins and microelements added to the flour for enriching purpose;

Standard of the enriched flour – a regulating normative document setting out mandatory quantity of vitamins and microelements per kilo of flour in mgs;

Fortification – process of introducing of micronutrients into food products to compensate the losses resulted by technological processing to the level of its original amount, as well as adding of those micronutrients not presented in a food product to the level higher than its natural amount.

Article 2. The legislation of the Kyrgyz Republic on baking flour fortification

The legislation of the Kyrgyz Republic with regards to baking flour fortification is based on the Constitution of the Kyrgyz Republic and consists of this Law, other legal normative acts of the Kyrgyz Republic, and International Agreements and Conventions joined in by the Kyrgyz Republic and come into effect in the established order.

Article 3. The tasks of this Law

This Law is aimed at regulating of issues related to enriching of baking flour, creation of conditions to prevent diseases and conditions associated with deficiency of iron and other microelements and vitamins in the human organism, maintenance of health and intellectual potential of citizens of the Kyrgyz Republic.

Chapter II. Authority of the government of the Kyrgyz Republic, local administrations and local self-governments in the sphere of fortification of the baking flour and prophylaxis of iron deficiency conditions

Article 4. Authority of the Government of the Kyrgyz Republic

The Government of the Kyrgyz Republic in the sphere of enrichment of the baking flour and prophylaxis of iron deficiency conditions will:

- develop and implement integrated national strategy in the sphere of baking flour enrichment and prophylaxis of iron deficiency conditions;
- approve and sponsor targeted national programs aimed at prophylaxis of diseases and iron deficiency conditions among the citizens, and provision with safe flour enriched (fortified) by the vitamin-mineral or mineral supplement;
- ensure national standardization related to manufacturing, storing, distributing and safety of enriched flour;
- exert control over consumption of enriched flour, first of all at educational organizations, organizations of healthcare, social development, justice, defense and other government-financed organizations;
- ensure mandatory enrichment of the baking flour of highest and first sorts, manufactured from the wheat of state reserves and funds;
- introduce measures to economical stimulation of juridical and physical persons engaged in production of enriched flour (giving the funds for purchase of premises);
- ensure the state control over compliance with mandatory requirements regarding to enriched flour;
- ensure introducing of actions on raising awareness among the population on risks and consequences of diseases conditional on deficiency of vitamins and microelements in food products, and necessity to consume fortified flour and the products made from it;
- pursue international cooperation with the purpose to mobilize of investments for growth of production of the enriched flour and develop the resource base to ensure control over its safety.

Article 5. Authority of the state administrations and local self-governments

The local state administrations and self-governments to ensure provision of population with quality and safe flour will:

- develop and implement local programs on flour enrichment at all miller enterprises in the region and prophylaxis of iron deficiency conditions;

- have rights to allocate funds within the locally developed budget for introducing of measures aimed at fortification of flour and prophylaxis of iron deficiency conditions;
- exert control over mandatory consumption of enriched flour at educational organizations, organizations of healthcare, social development, justice, defense and other government-financed organizations;
- ensure access to safe enriched flour among the population, including those residing in remote and hard-to-reach regions;
- exert control over manufacturing, storage conditions and distribution of baking flour enriched by vitamin-mineral or mineral supplements in accordance with requirements established by normative legal provisions of the Kyrgyz Republic.

Article 6. Authority of the organs performing state surveillance over safety and quality of the enriched flour

The state surveillance over compliance with the technical regulations (or normative legal acts and standards until the technical regulations come into force) with regards to enrichment of baking flour will be fulfilled by specially authorized government healthcare and standardization organs. The state surveillance over enriched flour and its storage conditions, transportation and distribution will be fulfilled during exploitation of the enriched flour. The state surveillance over manufacturing objects and production processes will be fulfilled during exploitation of the objects through regular planned and unplanned inspections.

Chapter III. State regulation over ensuring of safety of the enriched baking flour

Article 7. Ensuring of safety of the enriched flour

State standardization of requirements in regard to safety of the fortified flour which is produced, imported and distributed in the Kyrgyz Republic will be set out by the technical regulations, or by the normative legal acts or standards until such the regulations come into force.

Until the technical regulations come into force, the requirements concerning to the enriched flour, exploited over the territory of the Kyrgyz Republic, will be subjects to compliance with safety and quality with regards to life and health of the population, as well as prevention of actions which mislead the consumers.

Article 8. Responsibilities of the juridical and physical persons in the sphere of ensuring safety of the enriched flour

The juridical and physical persons engaged into entrepreneurial activity associated with production, transportation, storage and distribution of the enriched flour will be obliged to guarantee its safety and quality, ensure compliance with the processes of production, storage, transportation and distribution of the enriched flour according to technical regulations, or normative acts and standards valid until the technical regulations come into force. The producers or suppliers should carry out certification or declaration of the enriched flour confirming its compliance with obligatory technical provisions, or normative acts and standards valid until the technical regulations come into force.

Chapter IV. Enrichment of the baking flour

Article 9. Basic principles of enrichment of the baking flour

The basic principles of enrichment of baking flour are the following:

- recognition as a priority among the national task the provision of population with enriched flour;
- unity of rules concerning standardization of quantity of the enriching substances, and processes (methods) of production, storage, transportation, distribution and usage;
- obligatory compliance with the sanitarian norms and rules concerning to exploitation of the enriched flour;
- usage of unified monitoring forms and methods with regards to enrichment and consumption of enriched flour;
- application of unified research methods on enriched flour.

Article 10. Requirements to the enriched flour

The miller enterprises should use for enrichment of flour the vitamin-mineral or mineral supplements, allowed for use in the Kyrgyz Republic by an authorized state healthcare organ.

Equipment, goods and raw materials intended for use in production of enriched flour should be compliant with requirements of the technical regulations of the Kyrgyz Republic.

The baking flour produced from the wheat stored in state reserves and funds are subject to mandatory enrichment.

Import of the enriched flour onto the territory of the Kyrgyz Republic will be carried out in accordance with the order established by the legislation of the Kyrgyz Republic.

The Government of the Kyrgyz Republic will set out procedures on mandatory certification or declaration over compliance of enriched flour which is produced, imported and distributed on the territory of the Kyrgyz Republic until the relevant technical regulations come into force, as well as the order of conduction in this sphere of state surveillance.

Article 11. Requirements to packaging and labeling of the enriched flour

The package of the enriched flour should ensure safekeeping of the vitamin-mineral or mineral supplements in a value specified by normative documents, and made of materials allowed for use by an authorized state healthcare organ.

The requisites on the label of enriched flour should be written in state and official languages on every unit and contain the following information:

- name of the product;
 - sort;
 - name of a producer, its location (juridical address, country of origin);
 - brand name (if available);
 - net weight;
 - nutritional value;
 - date of production and number of a packaging shift;
 - storage conditions;
 - expiration date;
 - name of the reference document used for identification and as information that confirms the compliance;
 - words “enriched”, “байытылган/байытылган” are highlighted through the large types;
 - generally accepted logo and indication of the inserted supplements.
- If necessary a brand name can be used on the packages.

Article 12. Requirements/specifications for ensuring quality and safety of the enriched flour, its transportation and distribution

Storage, transportation and distribution of the enriched flour should be performed under conditions which ensure the preservation of its quality and safety.

It is allowed the storage of the enriched flour in specially equipped rooms and facilities which are compliant with the sanitarian rules and norms.

In case of failure during storage, transportation and distribution which led to deprivation of relevant quality and quantity of the ingredients, the entrepreneurs and juridical persons performing storage and distribution must recall the product and undergo the examination, and in accordance with the results ensure utilization or liquidation of the product.

It is not allowed on the territory of the Kyrgyz Republic the production, import and distribution of enriched flour if there is:

- no compliance certificate;
- no compliance with appropriate conditions on transportation, storage and distribution;
- expired consumption date;
- absence of labels;
- a falsified product.

Chapter V. Final provisions

Article 13. Liability for infringement of this Law

For infringement of this Law the delinquents incur the liability in accordance with the legislation of the Kyrgyz Republic.

Article 14. Entry into force of this Law

This Law becomes effective during three months from the date of official publication.

The Government of the Kyrgyz Republic during three months shall:

- bring its regulations in compliance with this Law;
- consider and submit the proposals to the Jogorku Kenesh of the Kyrgyz Republic to ensure the phased enrichment of the flour at all flour mills of the country.

President of the Kyrgyz Republic