

SUB-DECREE No.02 AN.Kr

ON FOOD HYGIENE

The Council of Ministers



- Considering the constitution of the State of Cambodia,
- Considering the law on the organization and activity of the Council of Ministers promulgated by decree No. 03 Kr dated February 10th, 1982.
- Considering the decision No. 87-80 KCh dated May 9th, 1980, of the Revolutionary People's Council of Cambodia on the roles, duties and organization of the Ministry of Health,
- Considering the statutory order No. 07 Kr.Ch dated July 13th, 1982, on the competence and procedure of law and regulations making,
- According to the Health Minister's request,

Decides

Chapter I

General Provision

Article 1: Food hygiene is a methodology searching for all measures to make food clean and pure, to keep hygienic qualities so as to ensure cleanliness in eating.

Article 2: In order to secure a good health for eaters there shall be thorough check. Foods that are to be checked are:

- a) Foods already cooked or needless to be cooked, such as cakes, vegetables, jam, sauce, drinking water, orangeade, wine, fizzy drink, etc.
- b) Raw foods to be mixed or cooked for eating: pork, beef, poultry, fish and other animal meat.
- c) Foods preserved in cans, glasses, bottles, plastic bags, jars or boxes.

Chapter II

Food Owner's Duties and Rights

Article 3: Food production bases, stock and distribution places, restaurants shall have suitable installations with hygienic characters.

Article 4: Food production bases, stock and distribution places, restaurants shall create facility conditions to hygiene agents in checking.

Article 5: Food producers, distributors, packers, waiters shall have their health checked once every six months at least.

Article 6: Food owners and production bases have the right to lodge complaints against hygiene agents in case of law breach or disagreement in expertise or analysis result.

Chapter III

Rights and Competence in Food Checking

Article 7: In Phnom Penh food checking is the competence of food hygiene agents of the Health Ministry.

In provinces and towns food checking is the competence of food hygiene agents appointed by provincial or municipal people's committees according to the request of provincial or municipal health offices.

Article 8: Food hygiene agents have the following rights:

- a) Checking, following up the application of law, sub-decrees, circulars, decisions and various provisions concerning food hygiene.
- b) Forbidding the production, sale and distribution of foods with characters contrary to hygiene principles.
- c) Going in and out of production and distribution places, restaurants to examine hygiene conditions.
- d) Taking food samples for analysis in case of doubt about hygiene qualities.
- e) Issuing food hygiene certificate to goods owner or representative
- f) Warning or fining
- g) Making minutes on checking in case of breach.
- h) Keeping or changing the objective of food lacking hygiene qualities. In the event of protest against the keeping, change of objective or fine, the Ministry of Health, municipal or provincial health offices shall examine and decide. If there is no agreement on fine, the file and evidences shall be sent to Court for decision.

Article 9: The Ministry of Health has the duty to protect the people's health, stop contamination or dangers caused by food, and collaborate with relevant ministries to give instructions, formalities and technical characteristics of food examination for ensuring food hygiene qualities.

Article 10: When doing his duty, a food hygiene agent shall wear uniform and identifying signs and have I.D. card and mission order.

Article 11: Authorities of bases shall collaborate with food hygiene agents at request.

Chapter IV **Penalty**

Article 12: In case of breach of the present sub-decree there shall be warning or penalization. The fine shall be the benefit of the State budget.

Article 13: Offenders against articles 3, 4, 5 and 8 (point B) of this sub-decree shall be warned or fined from 20 to 200 riels. In the event of subsequent offense the fine shall be doubled.

Article 14: Food hygiene agents, analysts or appraisal experts lacking for responsibility in duties and causing damage to food owner's interest shall be sentenced according to administrative law through warning, scolding, rank or position falling, forced dismissal without repayment of the damage caused by them.

- Any agent abusing his authority and causing damage to state property, joint and private property or taking a bribe on duty of food hygiene checking, shall be sentenced according to the law in force.

Chapter V

Final Provision

Article 15: Any provision contrary to this sub-decree is deemed null and void.

Article 16: The Cabinet of Council of Ministers, the Ministry of Health, the relevant ministries and institutions and the Provincial and Municipal People's Committees shall be put in charge of implementing this sub-decree according to their respective duties.

Article 17: The present sub-decree has judicial effect from the date of its publication.

F. the Council of Ministers
The Vice - Chairman
Signed and sealed

CHEA SOTH