

**LAW ON  
THE MANAGEMENT  
OF QUALITY  
AND SAFETY OF PRODUCTS  
AND SERVICES**

~~CONFIDENTIAL~~

HOW  
THE MANAGEMENT  
OF QUALITY  
AND SAFETY OF PRODUCTS  
IS ACHIEVED

## **REACH KRAM**

**No. NS/RKM/0600/001**

**WE**

**PREAHBATH SAMDECH PREAH NORODOM  
SIHANOUK REACH HARIVONG UPHATOSUCHEAT  
VISOTHIPONG AKAMOHABORASRATANAK  
NIKARODOM THAMMIKMOHAREACHEATHIREACH  
BOROMANEAT BOROMABOPIT PREAH CHAU KRONG  
KAMPUCHEA THIPDEY**

- Referring to the 1993 Constitution of the Kingdom of Cambodia;
- Referring to Reach Kram No. NS/RKM/0399/01 of March 8, 1999 on the Amendment of the Articles 11, 12, 13, 18, 22, 24, 28, 30, 34, 51, 78, 90, 91, and 93 and Articles of Chapters VIII to XIV of the Constitution of the Kingdom of Cambodia,
- Referring to Reach Kret NS/RKT/1198/72 of November 30, 1998 on the formation of the Royal Government of Cambodia;
- Referring to Reach Kram 02/NS/94 of July 20, 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers;

- Referring to Reach Kram No. NS/RKM/0196/16 of January 24, 1996 promulgating the Law on the Establishment of Ministry of Commerce;
- Pursuant to the Proposal of the Prime Minister and the Minister of Commerce.

### **HEREBY PROMULGATE**

The Law on the Management of Quality and Safety of Products and Services as ratified by the National Assembly on 29 May 2000 at the third plenary session of the second legislature and as ratified by the Senate as to its entire form and legality on 02 June 2000 at the second plenary session of the first legislature and whose meaning are as follow:

### **CHAPTER 1 GENERAL PROVISIONS**

#### **Article 1:**

The scope of this law shall govern the following:

- all commercial enterprises;
- all manufacturers for commercial ends;
- importers, exporters, and merchants;

- service providers;
- advertisers of products, goods, and services; and
- civic associations and non governmental agencies engaged in manufacturing, commerce, or humanitarian relief.

**Article 2:**

"Production/manufacturing" within the meaning of this law shall be defined as including the following: animal husbandry, dairy production, agricultural crop harvesting, fruit collection, fisheries, animal slaughtering, and the production, processing, and packaging of products together with stocking during production and the first pre-commercialization services.

"Commercialization" within the meaning of this law shall be defined as including the following:

- all stocking operations, transport, custody for purpose of trade, sale display, and sales of products and goods;
- all gratuitous gifts of products including importation and exportation as well as sales, provisions of services, or the provisions of gratuitous services.

**CHAPTER 2  
CONSUMERS' RIGHTS AND ECONOMIC  
OPERATORS' OBLIGATIONS****Article 3:**

Manufacturers and service providers shall be required to indicate on their products, goods, and services in Khmer language the ingredients, composition, users' guidelines, manufacturing date, and expiration date along with other requirements which guarantee the safety and health of consumers prior to their commercialization.

Manufacturers and services providers shall be liable for strictly complying with the provisions in the above mentioned paragraph.

**Article 4:**

Manufacturers and services providers shall comply with the general requirements of providing accurate information of the composition or configuration of their products, goods, or services to prevent confusion by consumers or damage to competition.

Manufacturers and traders shall comply with the provisions in the above paragraph for all commercialized products and services.

**Article 5:**

Merchants, traders, and service providers responsible for products, goods, or services first placed in the stream of commerce in the Kingdom of Cambodia shall be required to ensure that their products or services are in compliance with the provisions of this law.

Upon request from the competent inspecting agents as stipulated under Article 27 of this law, local manufacturers, importers, and service providers responsible for the first commercialization of these products and services shall be required to provide proof of inspections or records of prior examinations.

**Article 6:**

When the products, goods, or services could harm the health or safety of consumers, their manufacturing and commercialization shall be subject to a prior submission of a declaration to the competent institutions and have a prior authorization by the competent institutions following an inspection and an indication of usage guidelines in Khmer language.

**Article 7:**

It shall be strictly prohibited to produce or place into the stream of commerce products, goods, or services mentioned in Article 6 of this law when no prior disclosure has been made or

no prior authorization has been issued by the competent institutions.

**Article 8:**

The following acts shall be strictly prohibited:

- evasion or attempt to evade inspections as stipulated under Article 6.
- commercialization of products, goods, or services which have not been inspected.

**Article 9:**

Importation of products or goods not found in compliance with this law can be authorized provided they are only transited for re-exportation.

**Article 10:**

Importation of products and goods which are of humanitarian status or for non-commercial purposes can be made provided there is a special prior authorization from the Ministry of Commerce subsequent to the approval of the Royal Government.

This special authorization can only be made provided that the products and goods concerned are in conformity with international trade fair practices or internationally recognized norms.



**Article 11:**

Manufacturing of products not in compliance with this law shall be allowed provided they are destined for export to other countries where their sales are legal and pursuant to a specific international contractual arrangement.

**Article 12:**

Presentation of a proper compliance certificate, for exportation and importation, shall be required for certain products which:

- may be harmful to the health or safety of consumers;
- may affect fair commercial practices;
- may preserve and enhance the quality of locally manufactured products;
- are required by international trade or international conventions.

The inspection of the compliance certificate shall be the responsibility of the Ministry of Commerce and other concerned ministries.

**Article 13:**

The Ministry of Commerce shall be responsible for entering into international technical cooperation agreements governing

inspections of exported and imported goods, except for gas and petroleum.

### **CHAPTER 3**

## **QUALITY LABEL AND CREATION FORMALITIES**

#### **Article 14:**

A quality label is a separate mark to identify the quality of a product, good, or service that manufacturers or service providers voluntarily affix to their products or services. The affixing of the quality label is done for the purpose of meeting the consumers' demand for information, to improve the manufacturer's and service provider's production performance, and to enhance the quality of domestic products.

Manufacturers and service providers shall affix the quality label in strict compliance with the conditions stipulated under Article 59 of this law.

The modalities for determining a quality label shall be determined by a sub-decree upon the proposal of the Ministry of Commerce and other concerned ministries.

#### **Article 15:**

A norm within the meaning of this law shall be defined as a technical specification accessible to the public which has been established with the cooperation and consensus of all parties concerned, based on scientific and technological tests and

experiences, which is adopted by a national accrediting institution for repeated or permanent use and whose recognition is not compulsory.

A national standard system shall be established in order to provide norms and other reference documents to assist in the settlement of technical and commercial problems related to products, goods, and services which can occur repeatedly in the relations between economic, scientific, technical, and social partners.

The organization and functioning of the National Standard Institute shall be defined in a sub-decree.

## **CHAPTER 4 COMMERCIAL FRAUD REPRESSION**

### **Article 16:**

Whether the party is privy or not to a contract, or a third party, it shall be prohibited from falsifying or attempting to falsify products, goods, or services by any means with respect to:

- identity, type, nature, place of origin, physical or nutritional quality, contents, and quantity;
- past inspections, usage guidelines, non conforming usage, risks associated with usage, precautionary measures for all products, goods, and services;

- manufacturing methods and date of production, use, or consumption of products.

**Article 17:**

It shall be prohibited to falsify products used, or kept, for commercialization by modifying the products through treatment or tampering such as adding, subtracting, or substituting any part of or the whole component, which is prohibited by regulations or in the absence of any regulations by customs, or which is not in compliance with the regulations.

It shall be strictly prohibited to put in the stream of commerce products which are known to be falsified.

**Article 18:**

It shall be prohibited to put in the stream of commerce food products which are known to be contaminated or toxic or do not meet bacteriological or sanitary requirement as stipulated by regulations of the ministries concerned.

**Article 19:**

It shall be prohibited to keep at production, processing, and commercialization sites the following:

- products known to be falsified.
- food products known to be contaminated or toxic, or do not

