



4 June 2024

(24-4232)

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Committee on Technical Barriers to Trade

Original: English

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

<b>1. Notifying Member:</b> <u>MYANMAR</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
<b>2. Agency responsible:</b> Prof. Dr. Khin Zaw Director General Department of Food and Drug Administration, Ministry of Health  <b>Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b>  Dr. Pyei Phyo Director (Food Division) Department of Food and Drug Administration, Ministry of Health Contact: +95(9) 5161891 Email : <a href="mailto:gurugyi@gmail.com">gurugyi@gmail.com</a> , <a href="mailto:foodasean3.mm@gmail.com">foodasean3.mm@gmail.com</a> <a href="http://www.fda.gov.mm">www.fda.gov.mm</a>
<b>3. Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], 3.2 [ ], 7.2 [ ], other:</b>
<b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> (ICS code(s): 67)
<b>5. Title, number of pages and language(s) of the notified document:</b> The Law Amending the National Food Law (2024); (2 page(s), in English)
<b>6. Description of content:</b> This Notification is to inform WTO Members that Myanmar State Administration Council Amended the following section. Section 28 of the National Food Law shall be substituted as follows : "28. Whoever violates any provision of section 22 shall, on conviction : <ol style="list-style-type: none"><li>1. if it is an offence relating to food in subsection (a), subsection (b), subsection (c), subsection (d), subsection (e), subsection (f) or subsection (g), be punished with imprisonment for a term which may extend to ten years and may also be liable to fine which may extend from a minimum of three hundred thousand kyats to a maximum of 3 million kyats;</li><li>2. if it is an offence relating to food in subsection (h) or subsection (i), be punished with imprisonment for a term which may extend to one year or with fine which may extend to five hundred thousand kyats or with both;</li></ol> the court shall pass an order to destroy or dispose of the exhibits involved in the offence,

in accordance with the stipulations.

Section 29 of the National Food Law shall be substituted as follows:

"29. Whoever violates the provision of section 23 shall, on conviction, be punished with imprisonment for a term which may extend to ten years and may also be liable to fine which may extend from a minimum of one million kyats to a maximum of five million kyats. In addition, the court shall pass an order to destroy or dispose of the exhibits involved in the offence, in accordance with the stipulations."

30. The expression "with fine which may extend from a minimum of one hundred thousand kyats to a maximum of three hundred thousand kyats" and "In addition, the exhibits involved in the offence shall also be liable to be confiscated." in section 30 of the National Food Law shall be substituted by the expressions "with fine which may extend from a minimum of three hundred thousand kyats to a maximum of three million kyats" and "In addition, the court shall pass an order to destroy or dispose of the exhibits involved in the offence, in accordance with the stipulations."

31. The expression "shall be punished with imprisonment for a term which may extend to three years or with fine which may extend from a minimum of one hundred thousand kyats to a maximum of three hundred thousand kyats or with both" in section 31 of the National Food Law shall be substituted by the expression "shall be punished with imprisonment for a term which may extend to five years and may also be liable to fine which may extend from a minimum of three hundred thousand kyats to a maximum of three million kyats."

**7. Objective and rationale, including the nature of urgent problems where applicable:** The Objective of the Amended National Food Law is to modify the criminal punishments based on the current situation. From the date of the amended National Food Law, penalties must be administered in accordance with the law.; National security requirements

**8. Relevant documents:**

Myanmar National Food Law (1997), Myanmar National Food Law Amend (2013), Myanmar National Food Law Amend (2023).

**9. Proposed date of adoption:** 20 March 2024

**Proposed date of entry into force:** 20 March 2024

**10. Final date for comments:** 20 March 2024

**11. Texts available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:**

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