

ACCESSION OF MONGOLIA

Draft Notification by Mongolia

The following draft notification is being circulated in accordance with Article 10.6 of the Agreement on Technical Barriers to Trade.

**Part I**

1.	Member to Agreement notifying: MONGOLIA If applicable, name of local government involved (Articles 3.2 and 7.2):
2.	Agency responsible or authority designated to handle comments regarding the notification can be indicated if different from above:  Ministry of Trade and Industry
3.	Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):  Spirits and alcoholic beverages HS Chapter 22 (22.03 - 22.08)
5.	Title, number of pages and language(s) of the notified document:  1. Law on Standardization and Quality Certification - 1994 (11 pages) 2. Alcoholism Law - 1994 (8 pages) 3. Rules on Importation, Distribution and Retail Sale of Alcoholic Beverages and Supervision over Importation, Distribution and Retail Sale of Alcoholic Beverages enforced by the Government Decree No.76 (1994) due to the adoption of the Alcoholism Law (4 pages) 4. Rules on Approval Procedure for Importation of Alcoholic Beverages enforced by the Minister of Trade and Industry's Order No.209 (1994) due to the adoption of the Alcoholism Law and of the Government Decree No.76 (2 pages) 5. Joint Order of the Minister of Trade and Industry, Minister of Health and the Chairman of the National Development Board No.208/a/73/122 on Determination of Requirements for Imported Alcoholic Beverages - 1994 (1 page)

## 6. Description of content:

The Law on Standardization and Quality Certification regulates the relations pertaining to the adoption and application of standards, procedures for assessment of conformity and the quality certification and control as well as the competence and activities of the standardizing bodies.

Any products are imported into Mongolia subject to quality certificate or any other document by the competent authorities of an exporting country, certifying their conformity with relevant standards under Article 12(3) of the Standardization and Quality Certification Law.

The Alcoholism Law regulates matters relating to the production, importation, and the sale and distribution as well as the consumption of alcoholic beverages.

Alcoholic beverages are imported into Mongolia subject to prior testing and inspection by the appropriate authorities (standardizing bodies and phytosanitary services) under Section 4 of Article 5 of the Alcoholism Law.

But the Section 4 of Article 5 of the Alcoholism Law is not applied to the importation of alcoholic beverages having a quality certificate by a manufacturer certifying its conformity with the requirements of international standards (Section 6 of Article 5 of the Alcoholism Law)

Rules on Importation, Distribution and Retail Sale of Alcoholic Beverages and Supervision over Importation, Distribution and Retail Sale of Alcoholic Beverages deal with the requirements for import of alcoholic beverages, and the domestic sale and distribution of alcoholic beverages as well as the supervision by the appropriate agencies over the importation, distribution and retail sale of alcoholic beverages. Alcoholic beverages are imported into Mongolia subject to prior testing and inspection thereof by the appropriate authorities under Section 4 of Article 5 of the Alcoholism Law. However, these provisions are not applied to the importation of alcoholic beverages having a quality certificate by a manufacturer, certifying its conformity with the requirements of international standards.

Licence for the importation of alcoholic beverages is granted within 3 days upon submission by any business entities wishing to do so, of relevant documents under Article 4 of the Rules on Approval Procedure for Importation of Alcoholic Beverages.

The Joint Order of the Minister of Trade and Industry, Minister of Health and the Chairman of the National Development Board No.208/a/73/122 determines the chemical composition of alcoholic beverages eligible for the importation into Mongolia. This order also adopts a list of alcoholic beverages whose importation is prohibited due to testing and conformity assessment thereof by the appropriate authorities.

## 7. Objective and rationale: Protection of human life and health

8. An international standard, guideline or recommendation does not exist, If an international standard, guideline or recommendation exists, whenever possible, identify deviations: "not known"

<p>9. Relevant documents:</p> <ol style="list-style-type: none"><li>1. Law on Standardization and Quality Certification Publication date: Turiin Medeelel - 1995, No.5 (Mongolian)</li><li>2. Alcoholism Law Publication date: Turiin Medeelel - 1994, No.3 (Mongolian)</li><li>3. Rules on Importation, Distribution and Retail Sale of Alcoholic Beverages and Supervision over Importation, Distribution and Retail Sale of Alcoholic Beverages Publication date: April 1994 - Zasgiin Gazryn medee - organ of the Government of Mongolia (Mongolian)</li><li>4. Rules on Approval Procedure for Importation of Alcoholic Beverages Publication date: August 1995 - Periodical "Laws and Regulations Affecting Trade and Industry", page 30-33 (Mongolian)</li><li>5. Joint Order of the Minister of Trade and Industry, Minister of Health and the Chairman of the National Development Board No.208/a/73/122 Publication date: August 1995 - Periodical "Laws and Regulations Affecting Trade and Industry", page 37 (Mongolian)</li></ol>
<p>10. Date of entry into force/period of application:</p> <ol style="list-style-type: none"><li>1. Law on Standardization and Quality Certification Effective date: 1 April 1995</li><li>2. Alcoholism Law Effective date: 1 February 1994</li><li>3. Rules on Importation, Distribution and Retail Sale of Alcoholic Beverages and Supervision over Importation, Distribution and Retail Sale of Alcoholic Beverages Effective date: 16 April 1994</li><li>4. Rules on Approval Procedure for Importation of Alcoholic Beverages Effective date: 16 June 1994</li><li>5. Joint Order of the Minister of Trade and Industry, Minister of Health and the Chairman of the National Development Board No.208/a/73/122 Effective date: 16 June 1994</li></ol>
<p>11. Texts available from: National enquiry point [] or address and telefax number of other body:</p> <p>Ministry of Trade and Industry Sambuu Street - 46 Ulaanbaatar - 11 Mongolia Phone: 322367 Fax: 976-1-326325</p>

## **Part II**

I. The Joint Order of the Minister of Trade and Industry, Minister of Health and the Chairman of the National Development Board No.208/a/73/122 determines the chemical composition of alcoholic beverages eligible for the production, importation and sale in Mongolia.

The permitted amount of some chemicals which may be contained in any alcoholic beverages is indicated below.

II. The Government Decree on the Implementation of the Law on Tobacco Hazards No.33 (1994) determines the maximum amount of gum and nicotine contained in cigarettes and tobacco, eligible for the production and sale in Mongolia.

Paragraph (b) of Article 3 of this Decree provides that the amount of nicotine should not exceed 1.4mg and, in respect of gum, it should not exceed 15g.

**Permitted amount of some chemicals which may be contained in any alcoholic beverages**

<b>Permitted amount of chemicals (not exceeding)</b>													
Types of alcoholic beverages	Lead	Cadmium	Arsenic	Mercury	Copper	Zinc	Iron	Aluminium	Bromine	Chromium	Nickel	Manganese	Antimony
	Pb	Cd	As	Hg	Cu	Zn	Fa	Al	Br	Cr	Ni	Mn	Sb
	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l	mg/l
Whisky	0.3	0.03	0.2	0.005	5	10	15	8	0.5	0.5	0.01	5	0.2
Wine and Liquor	0.3	0.03	0.2	0.005	5	10	15	8	0.5	0.5	0.01	5	0.2
Vodka	0.03	0.01	0.05							0.5			0.2
Beer	0.3	0.03	0.2	0.005	5	10	15						0.2

Comments: Any quantitative restrictions and quotas are not introduced