

## **TRANSLATION**

From : Ministry of Public Health\*  
Director\_General for Department of Supervision over Foodstuff,  
Beverages, Cosmetics and Hygienic Products

Collection of Laws and By-Laws Sanctioned in 1347 (1968)

No : 26592  
Date: 30/8/47 (20<sup>th</sup> November 1968)

Ministry of Public Health

With the enforcement of the Laws, the Amendment of Article 2 of the Law for Foodstuff, Beverage, Cosmetic, & Hygienic products and its Note and the aforesaid law that has been approved by the Senate and the National Consultative Assembly of the Parliament, is being communicated hereunder.

### **With the Blessings of the Almighty God**

With reference to Principle 27 of the Supplementary Act of the Constitutional Law, it is decreed that:

#### **Article 1**

The Amendment Law of Article 2 for Foodstuff, Beverage, Cosmetics, and Hygienic products and its Note approved by the Senate and the National Consultative Assembly of Parliament and attached to this manuscript, will be executed at the right time.

#### **Article 2**

The Government is commissioned to enforce this Law.

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\*At present Ministry of Public Health have been changed to Ministry of Health and Medical Education.

**Date: 20 Aban 1347 (10<sup>th</sup> November 1968)**  
**No. 0078 dated 29/8/1347 (19<sup>th</sup> November 1968)**  
**Amendment of Law, Article 2 of the Law for Foodstuff, Beverage, Cosmetics, and Hygienic products and its Note.**

Single Article

In Article 2 of the Law for Foodstuff, Beverage, Cosmetics, and Hygienic products sanctioned in the month of Tir 1346 (June-July 1967) and its Note effecting the following amendments:

- (A) STATEMENT (To perpetrate each one of the actions mentioned above in Article One will be punishable according to the results and the effects achieved therefrom and as described below:)

Deleted from Article and in its place to add the following statement:

The above mentioned fraud in Article One according to the case, will necessitate one of the following penalties:

1)

In cases where fake material aforesaid in Article One hasn't reached the hands of consumers or that its use hasn't been the cause of illness or no damage, the punishment would be 3 months to one year correctional imprisonment.

- (B) Row Nos. 1,2,3,4 of Article 2 will change to 2, 3,4, and 5.

(C) STATEMENTS (regarding Paragraphs 1,2,3 of this Article, the initial punishment for the offence would be minimum punishments aforementioned in this Article).

- (D) The Note below of Article 2 is amended as below:

(With regard to Paragraphs 2,3,4 and 5, the perpetrator of this Article, apart from imprisonment, should pay the compensation from 5,000 to 100,000 Rials, sentenced to deprivation from employment for any job pertaining to foodstuff, beverage, cosmetics, and hygienic products from one year to three years.)

The above law contains an Article which was approved by the Senate on Monday 6<sup>th</sup> of Khordad 1347 (approx. 26<sup>th</sup> May 1968) in a meeting on Thursday 9<sup>th</sup> of Aban 1347 (30<sup>th</sup> October 1968), approved by the National Consultative Assembly of Parliament.

**WITH THE CONFIRMATION OF THE ALMIGHTY**

With reference to Principle 27, Supplementary to Constitutional Laws, it is ordained:

First Article – The Law for Foodstuff, Beverage, Cosmetics, and Hygienic products that has been approved by Senate and the National Consultative Assembly of Parliament and is regulated in this document, will be implemented on time.

Second Article – The Executive Committee of Government is responsible for implementing this Law.

**Dated 28 Tir 1346 (18<sup>th</sup> July 1967)**  
**No. 4220 dated 4.5.46 (25<sup>th</sup> July 1967)**  
**(The Law for Foodstuff, Beverage, Cosmetics, and Hygienic products)**

Article 1

The perpetrator for any one of the below actions regarding foodstuff, beverage, cosmetics, and hygienic products would be charged with the punishments ordained in the Law:

1. Distribution or selling of a product in place of another product.
2. Mixing of other materials to a product for the purpose of profiteering
3. Non-observance of the Standards or the registered formula in those cases where the formula has been determined and its observation too according to the Standard is obligatory.
4. To distribute and sell adulterated products and/or selling and distributing the goods whose validity dates have expired.
5. To use extra color and essence and any other extra illegal substance in foodstuff, beverage, cosmetics, and hygienic products and /or in children's toys.

Article 2

Committing any of the actions aforesaid in Article 1 and according to the result and final effects from it, will compulsorily be charged with the punishment as mentioned below:

1. In the event that it results in the illness of the consumer or will cause damage that requires less than one month of treatment, the punishment for the perpetrator would be corrective imprisonment from 6 months to 2 years and any time the treatment period should last more than one month, the perpetrator's punishment would be up to 3 years of correctional imprisonment.
2. In the event that it results in the amputation of a part of the consumer's body, the perpetrator's punishment to the extent of damage, would face from 3-10 years of imprisonment with hard labor.
3. In the event that the hygienic or cosmetic substance results in damage of beauty or ugliness, the perpetrator's punishment with due consideration of the extent of damage or ugliness, will face correctional imprisonment from one year to three years.
4. In the event that it results in the death of consumer, the perpetrator's punishment would be from 3 to 15 years of imprisonment with hard labor.

With regard to Paragraphs 1,2,3 of this Article, the starting of offence will be charged with minimum punishment ordained in the Article.

NOTE : With regard to this Article, the court should charge the perpetrator apart from the imprisonment, payment of compensation from 5,000 to 100,000 Rials and deprivation of engaging in any trade and/or any work related to foodstuff, beverage, cosmetics, and hygienic products from one to three years.

### Article 3

Any one who prepares foodstuff, beverage, cosmetics, and hygienic products in fraudulent manner and consumption of this material results in the death of the consumer, the punishment is death.

### Article 4

In those cases where foodstuff, beverage, cosmetics, and hygienic products contain poisonous material to unauthorized level, the court will charge the perpetrator according to the case, the minimum punishment aforementioned in Article 2.

### Article 5

Misleading competition from any person regarding the substance referenced in this Law will be subject to Paragraph A of Article 224 of the Law for General Punishment.

### Article 6

At any time, as a result of negligence or carelessness or lack of skill of manufacturer or organizer or seller or distributor or any of their agents, will create foodstuff, beverage, cosmetics, and hygienic products in any form whose consumption results in illness or damage, whose treatment is less than one month, the punishment of the perpetrator, depending on the case, will face 2-6 months correctional imprisonment and in case that the treatment period would exceed one month, minimum punishment of imprisonment for perpetrator in the Article and correctional fines would be charged from 5000 Rials to 50,000 Rials.

### Article 7

From the date this Law was sanctioned, the establishment of any type of factory or workshop for preparing foodstuff, beverage, cosmetics, and hygienic products would depend on obtaining permit from Ministry of Public Health and with regard to factories,

Permit to establish also from the Ministry of Economic Affairs\*. The conditions for the

issuance of permit, way to operate and produce and revenue operation and managing the organization pertinent in this By-Law which will be prepared by the Ministry of Public Health and confirmed.

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\*At present certificate of the establishment with regard to factories should be obtained from Ministry of Industries & Mines.

### Article 8

For issuing licence for manufacture of any kind of processed products which are prepared in factories, Ministry of Public Health will receive the amount of 5000 Rials and for issuing licence for any type of processed products prepared in workshops covered in this Law, will receive 500 Rials which will exclusively be used for the establishment and expansion and completion of laboratories for food products.

NOTE 1 : Workshops that offer their products with specified marks and packaging like the commercial type, are covered by this Law.

NOTE 2 : Each of the authorized labs affiliated to Ministry of Public Health are permitted to receive lab fees from real or statutory persons who request lab tests for their materials or products based on tariff suggested by the Ministry of Public Health and which will be approved by the financial commissions of Parliament.

The income collected from the execution of this verdict and this Article will be directed to an account in the Central Treasury and in each organization, it would be used for the expansion and completion of that same organization.

NOTE 3 : The listing of factories and workshops covered in this Law will be prepared by the Ministry of Public Health and announced after approval of the Health Commissions of Parliament.

Article 9 – The directors and manufacturers and importers of foodstuff, beverage, cosmetics, and hygienic products whose organizational category will be released in the Ministry of Public Health announcement and who are engaged in the job on the date of approval of this Law and its executing by-laws, are obliged to apply for permit from Ministry of Public Health within six months from the publication of this announcement. The applications received will be reviewed by the Technical Committee comprising of 3 eligible persons appointed by the Ministry of Public Health and within 6 months, the Committee's decision of rejection or acceptance of request will be issued.

Any time and at the scheduled time, a request is made for the issue of a permit and/or the commission rejects the request of the owner of organization at the order of the Public Prosecutor, the organization would be temporarily shut down.

From the aforementioned order until 10 days after this announcement, a complaint can be lodged at the provincial court for investigation and the court will investigate out of turn and give their decision which is final.

NOTE : The executing By-Laws of Items 8 & 9 by the Ministry of Public Health have been prepared and upon approval by the Public Health Commissions, they will be implemented.

Article 10 :

The rejection of application for issuing the permit would not be an objection for the owner of the organization to re-apply his request for the Health Permit and for construction in conformation with the regulations of Article 8.

Article 11 :

At local organizations whose type is determined by the Ministry of Public Health and its list published, their owners are obliged in accordance with the orders of Ministry of Public Health, to indicate the necessary specifications regarding each product in eligible Farsi on the packing or mentioned on the product's container.

In those cases where the product formula or the compound materials mentioned according to the request of the manufacturer of formula should be maintained and the product formula should be submitted beforehand to the Ministry of Public Health and the Permit Number should be mentioned on the packing.

The violators of the regulations of this Article will be charged with paying a fine from 5000 Rials to 20,000 Rials.

Article 12 :

The Ministry of Public Health is obliged to announce the authorized list of colors and essences and all other materials to be added to foodstuff, beverage, cosmetics, and hygienic products and also the type of material used for containers in the industry of foodstuff, beverage, cosmetics, and hygienic products and/or the colors in making toys. It is not permissible to add those substances not mentioned in the announcement for foodstuff, beverage, cosmetics, and hygienic products without the permission from the Ministry of Public Health and also to use poisonous substances in the form and extent unauthorized for whitening and cleaning and brightening or coloring the containers or covering and packing of foodstuff, beverage, cosmetics, and hygienic products is not allowed and the punishment for the manufacturers or organizers of the subject items in this Article provided it is necessitated for more severe punishment, would be charged with correctional imprisonment from 3 months to one year.

Article 13 :

The Health regulations according to the By-Laws from the Ministry of Public Health are defined and announced through appropriate channels for the public together with all the information. Violation of aforementioned health regulations will result in correctional punishment for the offence which will be according to the By-Laws approved by the Ministry of Justice and determined by the Ministry of Public Health. The mission assigned by Ministry of Public Health or any other responsible organizations for the supervision over the foodstuff, beverage, cosmetics, and hygienic products, are responsible to list the violators of health

regulations and stating the cases of their violation and introduce them to the local health authorities.

The local health authority, in the event of confirming the case of violation reported by the Control Supervisor, should introduce the violator to the court and should send a written warning to the Head of the organization that at the appointed time which would be determined in the By-Laws, should proceed to resolve the hygienic deficiencies.

In the event that after the deadline, the referenced violations are not resolved, the Control Supervisor is responsible to report the case again to the local Health authority who upon enquiries and confirmation of the Supervisor's report, should issue a written warrant to temporarily close and seal the location.

The permission to resume work will be issued when the owner or the responsible Manager of the organization would convince the local Health authority that the regulations would be obeyed.

#### Article 14

All the counterfeit materials or decayed goods or with expired validity dates would be confiscated immediately upon discovery and any time that the Ministry of Public Health or any other authorized organizations certified that the confiscated materials are fit for some human, animal or industrial consumption but there's no possibility to store them, the confiscated goods upon verdict of the provincial Public Prosecutor and awareness of the owner of the goods would be sold in the presence of the representative of the provincial Public Prosecutor and the money obtained, would be deposited in the treasury of the Public Prosecutor until the finalization of the legal case and announcement of final verdict and in the event that it is certified that the discovered material is not useable for human or animal or industrial consumption, they would be immediately destroyed.

In all the above instances and also in the case of toys and tools and equipments of violation, the court, in accordance with Article 5 of the Law, will define the general punishment and if previously sold, the amount obtained from selling would also be dealt with legally.

The income from execution of this Article would be used for the establishment and expansion and completion of research labs and control of food materials.

#### Article 15

Those who purchase the materials aforementioned in Article 14, should transact or use it exclusively as approved by the Ministry of Public Health or by any other responsible organization otherwise according to the case, it would be punishable in line with this Law.



#### Article 16

From the date of approval of this Law, the release of Foodstuff, Beverage, Cosmetics, and Hygienic products from Customs in any form and quality for commercial or advertising purpose would be possible conforming with the general regulations apart from possessing Health and Consumption Eligibility Certificates from the Country of Origin is obliged to obtain import permit from the Ministry of Public Health and the importer is also responsible in order to obtain this pertinent permit to show substance formula and the preservatives added to it and these should be declared to the Ministry of Public Health.

#### Article 17

All the penalties included in this Law are considered to be general punishments.

#### Article 18

The Government is responsible for execution of this Law. The above Law containing 18 Articles and 6 Notes which were approved by the Senate on Monday 19<sup>th</sup> Tir 1346 (9<sup>th</sup> July 1967) were approved on Thursday 22<sup>nd</sup> Tir 1346 (12<sup>th</sup> July 1967) by the National Consultative body of Parliament.

**BY-LAWS OF THE EXECUTIVE LAW ON  
Foodstuff, Beverage, Cosmetics, and Hygienic products  
Approved in Khordad & Tir 1347 (May-July 1968)**

No: 1/542

Date: 11/4/1347 (1<sup>st</sup> July 1968)

In the execution of Article 7 of the Law for Foodstuff, Beverage, Cosmetics, and Hygienic products approved in Tir 1346 (June/July 1967) and the above Notes of the By-Laws pertaining to the conditions for the issue of permit and the way to operate and manufacture and revenue operations and the management of the aforementioned organizations in the Law and also on condition of holding their technical management are approved in 14 Articles and one Note as described below:

**Executive By-Laws for Article 7 of the Law for Foodstuff, Beverage, Cosmetic, & Hygienic products**

Article 1

Substances that are used for eating, drinking, cosmetics and hygiene of skin and hair and nails and cleanliness of people and/or additives added to foodstuff, beverage, cosmetic, & for hygienic packing and also containers and packing of above mentioned items covered in the Law and also the colors used in containers and materials for packing of children's toys are covered in the By-Laws.

Article 2 – Establishment Permit

The applicants for permit to establish factories and workshops related to the Law are responsible prior to ordering their factory or workshop, to complete the questionnaire prepared by the Ministry of Public Health and given to the applicant, and should be enclosed with the proposal and establishment of factory or workshop under consideration and submitted to the Ministry of Public Health.

Article 3 - Permit for revenue operations

The holder of permit for establishment should, after establishing the factory or workshop, define the detailed description and apart from introducing the technical person to the Ministry of Public Health, should request permit for revenue operations.

NOTE : The document confirming acceptance of the Technical Manager together with a copy of his Identity Card and copy of his educational qualifications and two 4x6 size photographs should be attached to the above application.

#### Article 4

The technical manager should have one year's job experience in one of the scientific or research or industrial or lab organizations in related field otherwise, he should commit that while engaged in the job, he would successfully complete the one-year training course which will be held for this purpose by the Ministry of Public Health.

#### Article 5

The General Office for the Supervision of Foodstuff, Beverage, Cosmetic, & Hygienic products is responsible to register the applications upon receipt in the registry and according to the date application was received and to send its technical experts for surveying the pertinent factories or workshops.

The technical experts will promptly enter the results of their survey together with their comments into the special form at their disposal and dispatch it to the Central Organization within one week so that upon being eligible and fulfilling the necessary conditions, the pertinent permit will be issued within 10 days and in the event that there's any objection or another opinion, it should be announced in detail to the applicant before the expiry of this period.

#### Article 6

The existing factories and workshops are obliged to review within 6 months and in conformity with the Regulations of this Law and the By-Laws, to apply for a permit. The General Office for the Supervision of Foodstuff, Beverage, Cosmetic, & Hygienic products will review the requests received and in the event of conformity with the By-Laws, the requested permit will be issued within one month and its opinion for amendment and supplementary should within that same period be notified to the applicant so that within the deadline which will not be beyond 6 months, will amend and clear the pertinent defaults otherwise until the supplementary and amendments are not done and the permit not issued, the operation of the factory or workshop will be blocked.

#### Article 7

The General Office for the Supervision of Foodstuff & Cosmetics is responsible to inspect the organizations covered in this Law, minimum once a year, and control the factory's rotation of work with regard to their technical and hygienic affairs.

#### Article 8

The duties of the Technical Expert are as follows:

- (a) During the making and mixing of the substance under consideration, the Technical Expert should personally be present to supervise the pertinent job otherwise his license will be suspended for 3 months.

- (b) The Ministry of Public Health should be informed about any type of basic alteration which is made in the conditions for the establishment or revenue operations of the factory or workshop.
- (c) His technical & health suggestions should be reported in writing to the employer and the employer is obliged to implement the pertinent technical and health suggestions.

In the absence of this, the Technical Expert should report the affair to the General Office for the Supervision of Foodstuff, Beverages, Cosmetics and Hygienic Products so that it can be investigated and the necessary decision reached.

#### Article 9

The Technical Expert doesn't have the right to transfer its license to any person and in the event of sickness or travel or absence, the employer is obliged to introduce in his place, another qualified person to the Ministry of Public Health.

#### Article 10

The producers and organizers of foodstuff, beverages, cosmetics and hygienic products, whose list will be published by the Ministry of Public Health, are obliged, for the purpose of having a control of their products, to have an equipped laboratory suitable for their pertinent factory or workshop and in the event that their volume of production doesn't necessitate preservation in a private laboratory, then one of the labs approved by the Ministry of Public Health should commit and facilitate the control of this related job.

#### Article 11

The license for revenue operation and technical duties of the violators of these By-Laws (except in the case of Note A of Article 8 which has a special verdict) will be suspended for the first time for a period of one month and upon repetition, for 3 months. In the event of suspension of the license of the Technical Expert, the employer is obliged to promptly introduce another technical expert.

#### Article 12

The Technical Committee for consultation and technical cooperation in the implementation of the regulations regarding foodstuff, beverages, cosmetics and hygienic products, will appoint a committee by the name of Technical Committee comprising of 5 experts in the related fields for a period of 2 years appointed by the Minister of Public Health. The Chairman of the Committee should be one of the officials of the Ministry of Public Health and the Director and Members of the Committee will continue with their jobs until the re-elections.

#### Article 13

The duties of the Technical Committee are as follows:

- A) Mutual participation in the efforts and giving technical views and consultations at the request of the General Office for the Supervision of foodstuff.
- B) Investigation and expression of views to requests regarding the establishment of factories or workshops covered in the Law and also the documents pertaining to the technical officials which would be sent through the General Office for the Supervision of foodstuff.

#### Article 14

The Committee can form sub-committees of experts in the different fields of foodstuff, beverages, cosmetics and hygienic products to regulate the By-Laws and also conduct discussions and consultations regarding the duties given to each one and the chairman of each of the sub-committees should be a member of the original and also it is possible that the Heads of the Committees will invite consultants to their sub-committees.

### **Executive By-Laws of Articles 8 & 9 of the Law for Foodstuff, Beverages, Cosmetics and Hygienic Products**

#### Article 1

Centers for production and/or preparation and/or preservation of materials covered under Article 8 & 9 of the Law for Foodstuff, Beverages, Cosmetics and Hygienic Products are covered as described below:

1. Foodstuff and Beverage Materials
  - a. By-products of meat
  - b. By-products of fish and fowl
  - c. Milk and its by-products
  - d. Nutritional food
  - e. By-products of different fruits
  - f. By-products of different edible vegetables
  - g. Different types of fatty food and edible oil
  - h. By-products of grains and cereals
  - i. Different kinds of sweets and lump sugar
  - j. Alcoholic and non-alcoholic beverages
  - k. Syrups and pickles and their by-products
  - l. Tea, cocoa, and coffee and their substitutes and by-products
2. Centers for preparing and making cosmetic and hygienic products
  - a. Cosmetic materials and fortifiers
  - b. Hygienic and cleansing materials
  - c. Disinfectants and insecticides

### 3. Miscellaneous

- a. Containers and packing for foodstuff, beverages, and cosmetics and centers  
for making them.
- b. Centers for preserving foodstuff, beverages, and cold storage
- c. Containers for preparing and manufacturing and cooking of foodstuff, beverages, and hygienic products.

#### Article 2

Ministry of Public Health for By-Products, packaging and similarly factories and workshops covered by the Law in accordance to health priority and gradually when the General Office for the Supervision of Foodstuff and Cosmetics are ready, it would be advertised for public information.

#### Article 3

The cleansing of workshops and factories covered under the Law for Foodstuff, Beverage, Cosmetics, and Hygienic products would be controlled by the committee comprising of representatives of Ministry of Public health, Ministry of Revenue & Economic Affairs, Ministry of Labor and Social Affairs, and the Ministry of Agricultural & Consumable Production that would be held at the Ministry of Public Health.

#### Article 4

The revenues collected from issuing licenses for expansion and completion of foodstuff laboratories and securing technical staff and converting the laboratories to full time according to the budget suggested by the General Office for the Supervision of Foodstuff and will be approved by the Ministry of Public Affairs and made available for use.

The above By-Laws contain four Articles which were approved on Thursday 12<sup>th</sup> of Khordad 1347 (1<sup>st</sup> June 1968) of Public Health Committee of the National Consultative Assembly and during the meeting on Saturday 25<sup>th</sup> Khordad 1347 (14<sup>th</sup> June 1968) of the Committee of Public Health of the Senate supported by Note 3 of Article 8 and Note 8 below of Article 9 of the Law for Foodstuff, Beverage, Cosmetics, and Hygienic products.