

**LAO PEOPLE'S DEMOCRATIC REPUBLIC**  
**PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY**

Ministry of Industry and Commerce

No. 1225/MOIC.DTP  
Vientiane Capital, dated 01 Aug 2017

**Decision**  
**On National One District One Product**

- Pursuant to the Prime Minister's Decree on Organisation and Movement of Ministry of Industry and Commerce No. 522/PM, dated 23 Dec 2011.
- Pursuant to the Proposal of Department of Trade Promotion No. 0389/TPD, dated 23 May 2017.

**Minister of Ministry of Industry and Commerce hereby issues a decision:**

**Chapter I**  
**General Provisions**

**Article 1      Objectives**

This Decision determines the principles, regulations, and measures regarding the selection and procedures for requesting a permit to use national One District One Product trademark. This shall be used as a reference for reviewing, considering and selecting products and services in a district that are good quality and have unique characteristics to use the national One District One Product trademark. It aims at encouraging a process of production for commercial purpose at village and district levels, protecting rights and benefits of producers and consumers, and contributing to strong growth of national economic development.

**Article 2      National One District One Product**

A product under the Nation One District One Product shall be a product that utilises craftsmanship, intellect, creativity, unique and resources of a local area. It consists of products and services related to local culture and fine tradition which are considered as intellectual property of producer. It defines as "One District One Product" or an acronym: "ODOP".

**Article 3      Definition**

Terms used in this decision are defined as follows:

1. **Product** means a product in the form of goods and services.
2. **One District One Product in the form of goods** means a product that utilises craftsmanship, creativity, intellect, and resources of a local area, having unique characteristics and long tradition and being a tangible product such as textile, coffee, fruit juice, etc.

One District One Product in the form of goods consists of 3 categories:

- 1) Craft comprises of 5 groups:
  - Woven textile craft: is a handmade product composed of raw materials mainly from natural cotton, silk and fiber that can be transformed into threads/yarns and others such as sin (Lao skirt), shirt, Lao scarf, tablecloth, etc.
  - Handicraft: is a handmade product composed of raw materials mainly from bamboo, rattan, and woods that can be turned into sticky rice container, meal tray table, table, chair, etc.
  - Wood carving craft: is a handmade product composed of raw materials mainly from scrap wood, tree stump, root, that can be carved into a statue of people, animals, nature, etc.
  - Valuable metal carving craft: is a handmade product mainly composed of raw materials of silver, gold, steel, copper, stainless steel, etc.
  - Pottery craft: is a handmade product mainly sourced from soils to sculpture charcoal stove, alcohol jar, water jar, etc.
- 2) Foods and beverages:
  - Foods mean an agricultural product, a ready-to-eat food, an instant food, which are certified by Food and Drug Department (FDD)'s Standard, Organic Standard, Good Agricultural Product (GAP), Natural Agriculture, GMP, HACCP, ISO. These foods are packaged and distributed to general public such as rice, canned fruits, snacks, chili paste, etc.
  - Beverages mean a ready-to-drink beverage and an instant beverage which contain alcohol and non-alcohol substance. Alcohol beverages: Lao BongYa (Lao fermented whiskey), wine, Lao Khao (Lao whiskey), etc. Non-alcohol beverages: fruit juice, herbal juice, instant coffee, ginger juice, mulberry tea, etc.
- 3) Traditional herbal medicine means a product from a plant, tree, a part of plant, tree, animal that could be medicine being prepared, packaged, sealed. Effectiveness of the medicine is either scientifically proven or not proven but it needs to be recognized by Health Department.
3. **One District One Product in the form of service** means intellectual property that is intangible such as pattern, method of decoration or service system that uniquely represents a group of people, culture, tourist place, tradition, lifestyle, uniqueness, distinction, local community tradition.
4. **District committee and provincial committee** means a committee being appointed to select products representing national ODOP at district and provincial levels. A district committee is appointed by a district governor; for the provincial level: Vientiane Capital is appointed by a provincial governor, the committee consists of relevant sectors including industry and commerce, agriculture and forestry, science and technology, health, information culture and tourism, natural resources and environment, and Lao National Chamber of Commerce and Industry.

#### **Article 4      Scope of application**

This Decision applies to individuals, legal entities, internal organisations related to the production of goods and services for national ODOP in Lao PDR.

## **Chapter II**

### **Selection and Permit to Use National ODOP Trademark**

#### **Article 5 National ODOP selection principles**

Selection of products representing national ODOP shall comply with the following principles:

1. Being produced by enterprise, producer group, family business, cooperatives that have production procedure as follows:
  - Labour input in the production is less than 50 people;
  - Raw materials used in the production are sourced in the local or other areas of the country, they are reusable or reproducible materials such as planting, raising, growing naturally. They are systematically protected and managed locally;
2. Production and design are unique and relate to local culture and national tradition.
3. A product is produced and serviced in consistent with requirements, standards and regulations of related sectors to ensure the safety of health, property and benefit of consumers and environment.
4. If there are the same kind of products, it is required to identify the difference of the design, package, trademark or brand name of the product owner and may need to register the trademark to certify its uniqueness to avoid duplication.

#### **Article 6 Ineligible products for national ODOP**

A product cannot be selected as national ODOP when it falls under the following conditions:

1. A product is made of imported raw materials more than 20%;
2. A product is made of illegal raw materials;
3. A product is counterfeit or infringes intellectual property;
4. A product provides a negative effect on health and environment;
5. A product that cannot be produced and supplied in a continuous and sustainable manner;
6. A product solely produced by foreign individual, foreign legal entity or a joint venture between domestic individual or legal entity and foreign individual and legal entity.

#### **Article 7 Procedures of proposing to use national ODOP trademark**

Proposing to use national ODOP trademark comprises of the following procedures:

1. Those who have an intention to use national ODOP trademark shall submit the application to the district where the production is located in order to request the district committee for review and consideration;
2. After the district committee has approved the application, the District Office of Industry and Commerce shall submit the application and the approval certificate of

district committee to the Provincial Department of Industry and Commerce, and the provincial selection committee shall review and consider.

3. After the provincial committee has approved the application, the Provincial Department of Industry and Commerce shall submit the application and the approval certificate of provincial committee to Department of Trade Promotion, Ministry of Industry and Commerce to consider issuing a permit to use national ODOP trademark.

#### **Article 8      Consideration period for issuing a permit to use the trademark**

Consideration on granting a permit to use national ODOP trademark in each procedure has timeframe as follows:

1. District committee is responsible for appraising and collecting information from the actual production area to review and consider, then informs District Office of Industry and Commerce within 10 business days after the date of receiving the documents in order to summarise and submit the documents of the business unit proposing to receive a permit to use national ODOP trademark to Provincial Department of Industry and Commerce;
2. Provincial committee is responsible for summarising list of applications proposed by districts in the province and arranging the appraisal meeting for the provincial or Vientiane Capital selection committee to review and consider the applications. Once the applications have been approved, the committee shall inform the provincial or Vientiane Capital Industry and Commerce Department to prepare and submit the applications and the approval certificate of Provincial committee to Department of Trade Promotion, Ministry of Industry and Commerce within 10 business days after the date of receiving the documents;
3. Once Department of Trade Promotion, Ministry of Industry and Commerce receives the list of applications proposed by the provincial level or Vientiane Capital; The review, consideration, suspension notification and issuance of a permit to use national ODOP trademark shall be conducted within 10 business days after the date of receiving the documents.

#### **Article 9      Description and validation period of using national ODOP trademark**

National ODOP trademark shall consist of the following descriptions: history, product type, processing procedure, sources of raw materials, ingredients, expired date, and nutrient information.

Validation period of using national ODOP trademark is referred to in the contract on using national ODOP trademark which is valid for 3 years and may be extended. The extension proposal shall be submitted 6 months before the validation period ends, by following procedures and timeframe of requesting for permission stipulated in Article 8 and 9 of this Decision. Failing to submit the proposal within the timeframe is considered as an automatic waiver.

## **Article 10 A proposal of adding or cutting a list of national ODOP**

Those who are permitted to use national ODOP trademark can propose to add a list of new products to the list of national ODOP by following the procedures and timeframe of requesting permission stipulated in Article 8 and 9 of this Decision.

In the case of a product having been approved to use the national ODOP trademark, once it is found out that it fails to meet the requirements as prescribed in this Decision, district committee and provincial committee can request Department of Trade Promotion, Ministry of Industry and Commerce to remove the description in the permit certificate or revoke the permit certificate of national ODOP trademark.

### **Chapter III Definitions and the Use of National ODOP Trademark**

## **Article 11 Components and definitions of national ODOP trademark**

National ODOP trademark consists of: Lao number one (໑), design of Lao number one, and true colour of trademark in which each component has its meaning as follows:

1. Lao number one (໑) reflects a unique production procedure of goods and service patterns representing One District One Product in Lao PDR and means that it is a key priority of the government to solve poverty, create employment, and generate income for people based on utilising local intellect and potential;
2. A design of Lao number one means exquisiteness, craftsmanship, local intellect of Lao people;
3. True colour of trademark means emerald colour that is a symbolic of commerce and economic development. In practical application, the size of trademark is not fixed, it depends on the characteristic and size of the product.

## **Article 12 Use of national ODOP trademark**

Use of national ODOP trademark shall be for the following objectives:

1. Used as a national ODOP trademark sealed in a unique product or a service establishment representing national One District One Product. The product or service establishment has been granted a permit to use national ODOP;
2. Used for attaching to or printing on clothes, documents and publications to broadly advertise and create good reputation of the movement of national ODOP campaign;
3. Used in the national ODOP exhibition show, national ODOP exhibition center, and ODOP distribution location;
4. Used in villages and groups of villages/areas that are included in the target group of the district promotion and development project/process, and prepared for the official approval announcement;

5. Used in other activities included in the implementation process of promotion policies on providing unique goods and services: national One District One Product or national ODOP.

### **Article 13 Annual main activities of national ODOP**

An implementation of annual national ODOP tasks comprises of 2 main activities:

1. A conference reviewing the implementation of national ODOP campaign across the country, this includes annual national ODOP exhibition activity taking place in different parts of the country.
2. Medal of honour is awarded to the products of national ODOP across the country every 2 years based on the readiness and potential of province (there is a specific selection guideline).

## **Chapter IV Prohibition**

### **Article 14 General prohibition**

Any individual, legal entity or organisations are prohibited to engage in the following behaviours:

1. Using the national ODOP trademark without permission;
2. Being an intermediate, offering or receiving bribes for the benefit of oneself, an individual or a specific group of people;
3. Other behaviours in violation of laws and regulations.

### **Article 15 Prohibition for the national ODOP trademark holder**

Any national ODOP trademark holder is prohibited to engage in the following behaviours:

1. Using the trademark or the term: “One District One Product or ODOP” as a name of company, enterprise, business, product or business activities that are irrelevant to the promotion of the national ODOP;
2. Counterfeiting or altering the description in the permit certificate of ODOP trademark;
3. Other behaviours in violation of laws and regulations.

## **Chapter V National ODOP Supervisory Authority**

### **Article 16 National ODOP Supervisory Authority**

Ministry of Industry and Commerce centrally supervises tasks in associated with national ODOP nationwide by assigning Department of Trade Promotion,

Ministry of Industry and Commerce as the direct responsible authority and centre of coordination among related parties in the central, local, and international levels.

National ODOP supervisory authority consists of:

1. Department of Trade Promotion, Ministry of Industry and Commerce;
2. Provincial Department of Industry and Commerce, Vientiane Capital;
3. District Industry and Commerce Department.

#### **Article 17 Rights and duties of Department of Trade Promotion**

Department of Trade Promotion has the following rights and duties in relation to the supervision and implementation of tasks related to national ODOP:

1. To study and create policies, legislations and measures relating to the use of the trademark and supervision and promotion of the national ODOP in order to propose to the relevant government authorities for consideration;
2. To extensively advertise and disseminate policies, legislations and measures relating to the use of the trademark and supervision and promotion of the national ODOP to related parties and society;
3. To consider issuing and suspending or revoking permit certificate of national ODOP trademark;
4. To appoint a committee to consider providing medal of honour to producers of national ODOP;
5. To provide consultation and recommendations to the selection committee at district and provincial levels and entrepreneurs proposing to receive a permit to use the trademark, development and promotion of production, packaging, brand creation to enter the domestic and international markets;
6. To summarise and report tasks relating to national ODOP across the country to the delegates of Ministry of Industry and Commerce to acknowledge on a regular basis;
7. To implement other rights and duties as stipulated in laws and regulations.

#### **Article 18 Rights and duties of Provincial Department of Industry and Commerce, Vientiane Capital**

Provincial Department of Industry and Commerce, Vientiane Capital, has the following rights and duties relating to supervision and implementation of tasks related to national ODOP:

1. To extensively advertise and disseminate policies, legislations and measures relating to the use of the trademark and supervision and promotion of the national ODOP to related parties and society within the province;
2. To coordinate with the provincial committee to consider the products proposed by the district committee and coordinate with Department of Trade Promotion to consider issuing a permit certificate to use the national ODOP trademark;
3. To be a secretariat appointing the provincial ODOP selection committee;

4. To resolve any disputes occurring in the province after the producer has been granted a permit to use the national ODOP trademark;
5. To provide consultation and recommendations to the district selection committee and entrepreneurs proposing to receive a permit to use the trademark, development and promotion of production, packaging, brand creation to enter the domestic and international markets;
6. To summarise and report tasks relating to the national ODOP within the province to the Department of Trade Promotion to acknowledge on a regular basis;
7. To apply rights and implement other duties as stipulated in laws and regulations.

#### **Article 19 Rights and duties of District Industry and Commerce Department**

District Industry and Commerce Department has the following rights and duties in relation to supervision and implementation of tasks related to national ODOP:

1. To extensively advertise and disseminate policies, legislations and measures relating to the use of the trademark and supervision and promotion of the national ODOP to related parties and society within the district;
2. To coordinate with the district committee to consider approving the products in the district and propose to the Provincial Department of Industry and Commerce, Vientiane Capital to consider approving the national ODOP trademark of the district;
3. To be a secretariat appointing the District ODOP selection committee;
4. To resolve any disputes occurring in the district after the producer has been granted a permit to use national ODOP trademark;
5. To provide consultation and recommendations to the district selection committee and entrepreneurs proposing to receive a permit to use the trademark, development and promotion of production, packaging, brand creation to enter the domestic and international markets;
6. To summarise and report tasks relating to national ODOP within the district to the Provincial Department of Industry and Commerce, Vientiane Capital to acknowledge on a regular basis;
7. To apply rights and implement other duties as stipulated in laws and regulations.

### **Chapter VI**

#### **Policies towards Persons with Outstanding Achievement and Measures against Violators**

##### **Article 20 Policy towards Persons with Outstanding Achievement**

Individuals, legal entities or organizations with outstanding achievement in the enforcement of this Decision shall be praised or granted policies according to laws and regulations.

##### **Article 21 Measures against Violators**

Individuals, legal entities or organizations violating this Decision shall be educated, disciplined, fined, responsible for civil damages or sentenced to criminal



offences depending on the seriousness of violation and additional punishment measures for the following cases:

1. The national ODOP trademark holder, engaging in behaviours which may deteriorate the reputation of national ODOP or express dishonesty or lack of business ethics, shall be educated or the permit certificate of national ODOP trademark shall be revoked;
2. In the case of having granted a permit to use the trademark, if it appears that trademark holder is failing to fulfil all requirements prescribed in regulations, they shall be educated or the permit certificate of national ODOP trademark shall be revoked;
3. Those who use the national ODOP trademark without permission or the permit certificate of national ODOP trademark has been revoked shall be responsible to such action according to laws and regulations.

## **Chapter VII Final Provisions**

### **Article 22    Implementation**

Department of Trade Promotion, Provincial Department of Industry and Commerce, Vientiane Capital, and District Office of Industry and Commerce are assigned to act as a key coordinator coordinating with the committee at district and provincial levels, local authorities, related sectors to effectively implement this Decision as prescribed in the scope of their rights.

### **Article 23    Effectiveness**

This Decision enters into force from the date of signing and after being disclosed in the official Gazette for fifteen days.

This Decision shall replace the Regulation on the use of national One District One Product (ODOP) trademark No. 2433/MOIC., dated 26 Nov 2012.

**Minister**

[Seal and Signature]

Khemmany Pholsena