



USDA Foreign Agricultural Service

GAIN Report

Global Agriculture Information Network

Template Version 2.09

Required Report - public distribution

Date: 10/30/2007

GAIN Report Number: VM7055

Vietnam

FAIRS Country Report

Update

2007

Approved by:

John Wade - Ag Counselor
U.S. Embassy

Prepared by:

Truong Minh Dao, Bui Thi Huong, Pham Khanh Linh and FAS/Vietnam

Report Highlights:

The report updates Vietnam's regulations on good labeling, state inspection of imported foodstuff products, customs clearance procedures on imported goods and others regulations regarding management of foodstuff products in Vietnam. List of the important contacts is also renewed.

Includes PSD Changes: No
Includes Trade Matrix: No
Annual Report
Ho Chi Minh City [VM2]
[VM]

Table of Contents

DISCLAIMER..... 3

SECTION I: FOOD LAWS..... 3

SECTION II: LABELLING REQUIREMENTS 3

SECTION III: PACKAGING AND CONTAINER REGULATIONS 17

SECTION IV: FOOD ADDITIVE REGULATIONS 17

SECTION V: PESTICIDE AND OTHER CONTAMINANTS 29

SECTION VI: OTHER REGULATIONS AND REQUIREMENTS 31

SECTION VII: OTHER SPECIFIC STANDARDS..... 36

SECTION VIII: COPYRIGHT AND/OR TRADEMARKS 41

SECTION IX: IMPORT PROCEDURES..... 44

APPENDIX 1 45

Metal Residues allowed in food products mg/kg (pmm) 45

APPENDIX II : 46

Key Government Contacts..... 46

DISCLAIMER

This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in (Hanoi and Ho Chi Minh City of Vietnam) for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY

SECTION I: FOOD LAWS

Vietnam is working to update the Food Safety Ordinance ratified in 2003 to the Vietnam's Food Safety Law. Recently, a Food Safety Law drafting committee was formed that is headed by the health minister. Post will follow-up the law updating progress.

Vietnam's Standing Committee of the National Assembly (NA), the country's legislature approved the Ordinance on Food Safety in July 22, 2003, which regulates the hygienic processing of foods and foodstuffs.

The ordinance, with seven chapters and 58 articles, provides that all food producers and processors, including households, individuals, and organizations, must ensure hygiene during processing.

It bans all activities processing stale, addled, contaminated, poisonous and unclean foods, which are harmful to people's health. The trading of food and foodstuffs containing germs or disease is also prohibited.

The ordinance regulates all genetically modified foods, which are quite new for most Vietnamese consumers, must be clearly labeled as such.

The ordinance became effective from November 01, 2003 (for more detail pls. see VM 3014)

SECTION II: LABELLING REQUIREMENTS

On August 30, 2006, Prime Minister Nguyen Tan Dung signed Decree No. 89/2006/ND-CP on goods labeling. This replaces Prime Minister Decision No. 178/1999/QDTTg of August 30, 1999 that promulgated the Regulation on labeling of domestically circulated and exported and imported goods, and Decision No. 95/2000/QD-TTg of August 15, 2000 that provided adjustments and supplements to it. The new decree would normally have been effective in March 2007, six months after publication in the Official Gazette, but due to delay in issuing the implementing guidelines, it will not go into effect until September 2007. (see VM7037)

(Nutritional Labelling, Green Labelling, Health Claims, Organic Labelling)

On August 30, 1999 the Prime Minister of Vietnam issued a new decree concerning the labelling of consumer products in Vietnam. Decision TTg 178-99 nominally went into force on March 1, 2000. To date, the implementing regulations have yet to be issued by all relevant ministries. The Ministry of Trade (MOT) is responsible for the decree's implementation. It is important to note that one of the key elements of the decree is the requirement of a Vietnamese Language panel. Production and application of the Vietnamese language label will in almost all cases be done by VN importers/distributors after the goods have cleared customs prior to retail sale. The Market Police will enforce the decree by spot checks at retail outlets. The following are provisions of the 1999 Decree and the 1995 Decree.

Decree No178-99/QD- TTg on August 30, 1999, by the Prime Minister

**THE REGULATION ON THE LABELING OF GOODS TO BE CIRCULATED IN THE
COUNTRY, AND EXPORT AS WELL AS IMPORTED GOODS**

—0—

(Issued together with Decision No178/1999/QD-TTg
of August 30, 1999, of the Prime Minister)

Chapter I
GENERAL PROVISIONS

Article 1: ***Governing scope***

This Regulation prescribes the labeling of goods made in Vietnam for circulation in the country and for export, as well as foreign-made goods imported for sale on the Vietnamese market.

1. Goods are defined as being processed foodstuffs, raw and fresh foodstuffs, essential commodities and necessities which are not ready-packed and sold directly to consumers; foods and drinks which are ready-packed and are consumed within 24 hours, shall not be governed by this Regulation.

Article: ***Objectives of Application***

Subject to this implementing Regulation are organizations, individuals and merchants that produce and /or trade in goods made in Vietnam for domestic circulation, and/or for export; as well as organizations, individuals and merchants that import goods for sale in Vietnam.

Article: ***Interpretation of terms***

In this Regulation, the following terms shall be construed as follow:

1. **Goods labels** are inscriptions, printings, drawings, images or signs, which are imprinted or embossed directly or affixed, stuck or pinned firmly on goods or their packings to display necessary and principal information about such goods.

2. **Merchandise packings** are those directly attached to goods and sold together with such goods to consumers, including holding packings and exterior packings:
 - a) **holding packings** are those directly holding goods, forming shapes and figures of goods or tightly covering goods to their shapes and figures;
 - b) **exterior packings** are those used to contain one or several goods holding packings.
3. **Non-merchandise packings** are those not retailed together with goods, including various kinds used in the transportation and preservation of goods for means of transportation or in warehouses.
4. **Goods labeling** is the inscription of necessary and principal information about goods on their labels in order to provide consumers with basic information to identify goods and serve as the basis for purchasers to decide on the selection, consumption and use of such goods, and for functional bodies to effect the inspection and supervision of such goods.
5. **Compulsory content of goods labels** is the part containing the most important information about goods that must be inscribed on the goods labels.
6. **Non-compulsory content of goods labels** is the part containing other information other than the content compulsory inscribed on the goods labels.
7. **Principal display panel (PDP)** is a part on which the compulsory contents of goods labels are inscribed, which can be easily and clearly spotted by the consumers in normal goods display conditions, and designed according to the actual size of the packing directly holding goods, and must not be laid out on the packing's bottom part.
8. **Information part** is the part laying to the right of the principal display panel, on which the non-compulsory contents of the goods label, or some compulsory contents in cases where the principal display panel is not large enough to contain such compulsory contents, are inscribed.

Article 4: Basic requirements of goods labels

All letters, numerals, drawings, images, signs and /or marks put on goods labels must be clear, and true to the real properties of goods. They must not be ambiguously inscribed, thus causing misunderstanding or mistakes with other goods labels.

Article 5: Language used to display goods labels

1. **Labels of goods to be circulated in the country** must be inscribed in Vietnamese, but depending on the requirements of each kind of goods, they may be inscribed in foreign language(s), but in smaller sizes.
2. Labels of export goods may be inscribed in the language(s) of the country(ies) or territory(ies) importing such goods, if it is so agreed upon in the goods sale/purchase contracts.

3. For goods imported for circulation and sale on the Vietnam market, the language(s) on such goods' labels shall be displayed by one of the following methods: :

- a) When signing the import contract, the merchant shall request the goods suppliers to agree on the inscription on original label of compulsory content's information in Vietnamese.
- b) In cases where the agreement defined at Point a) Cause 3 of this Article cannot be reached, the merchant importing the goods shall have an auxiliary label inscribing the compulsory contents' information in Vietnamese and apply it together with the foreign language original label of such goods, before such goods are put on sale or circulation on the market.

Chapter II **INSCRIBING CONTENT OF GOODS LABELS**

Section 1: COMPULSORY CONTENTS

Article 6: *Goods appellations*

1. **Goods appellations** are particular names of goods or names already used in the Vietnamese Standards of such goods. The names of goods shall be inscribed in letters or a height not shorter the half (½) of the highest letter on the goods label.
2. In cases where a goods item has not had its name specified in the Vietnamese standards (the VS), its name shall be the one specified in the International Standards, published for application by Vietnam.
3. In cases where a goods item has no name specified in Clauses 1 and 2 of this Article, such goods shall use the name followed by coding title specified in the International Harmonized Commodity Description and Coding System already published for application by Vietnam.
4. In cases where a goods item has no name specified in Clause 1,2 and 3 of this Article, such goods item shall be entitled to use a name concretely describing or clearly stating its utility.

Article 7: *Names and Addresses of merchants responsible for goods.*

1. In cases where a goods item is completely produced at a production establishment, the of merchant responsible for such goods shall be the name of such production establishment, with the following inscription on the goods label:
Manufactured at _____, or Produce of _____
2. In cases where a goods item is assembled from components and spare parts produced by different production establishments, the name of the merchant responsible for such goods shall be the name of the establishment that assembles finished products, with following inscription on the goods label:

Assembly establishment _____, or assembled at _____

3. In cases of imported goods or goods sold by sale agents for foreign merchants, the name of the merchant responsible for such goods shall be the name of the importing merchant or the merchant acting as the sale agent, with the following inscription on the goods label:

Importing merchant _____, or Agency merchant _____

4. Each address shall comprise: house number, street (village, hamlet), ward (commune), urban district (rural district, provincial town), city (province).

Article 8: Quantity of goods

1. Quantity of goods is the actual number (counting number) or net weight, volume or measures of goods, contained in merchandise packing.
2. Measuring units used to denote the quantity of goods are the lawful measuring units of Vietnam, under the international system of measuring units (S.I).

If another system of measuring units is applied, the coefficients for converting such system into the S.I system of measuring units must be inscribed., except for such special goods as picture tubes of television set (T.V), crude mineral oils, etc.

3. The size and numerals for inscribing goods quantity on goods labels shall be designed depending on the size of the principal display panel (PDP).
4. The quantity shall be inscribed on the position below the PDP with an area equal to 30% of that of the PDP and a height equal to about 1/3 (one third) of that of the PDP.
5. The letters and numerals used to inscribe the quantity shall be lined up in parallel with the packing's bottom.

Article 9: Composition

1. Goods being ready-packed foodstuffs, drinks or cosmetics, which are composed of two or more constituents must have their constituents inscribed on the labels.
2. Other goods composed of two or more constituents must have the constituent(s) decisive to the goods' use value inscribed on their labels.
3. Goods constituents shall be inscribed in order from high to low volume or content (volume percentage), with the following inscription: Composition _____, or constituents _____
4. For goods which are required to ensure safety for human beings and environment, when being used and having a complex composition of two or more constituents, the names of such complex composition as well as its constituents must be inscribed in order from high to low volume or content (volume percentage).
5. Those constituents or substances in a complex composition of a special type, which have been treated by radiation, genetic engineering or preservatives..., of which the use doses

have been prescribed or which have been put on the list of substances that cause reactions or hazards... must be inscribed on the goods labels under the international regulations already published for application by Vietnam.

Article 10: *The principal quality criteria*

The principal quality criteria decisive to the use value and the human and environmental safety criteria set for goods when they are consumed must be inscribed on such goods labels.

Article 11: *Production date, expiry date and preservation duration*

1. For the goods of which the production date, under detailed guidance of the branch managing ministries defined in clause 2, Article 19 of this Regulation, is required to be inscribed, such production date must be inscribed on the goods' labels. A goods item's production date is the index of the day, month and year, when the production of such goods item is completed.
2. Depending on the characteristics and requirements of the instructions on the use and management of each specific group and category of goods, one of the following dates must be inscribed on the goods labels:
 - a) For goods groups and categories being food, cosmetics and pharmaceuticals, the expiry date must be inscribed. The expiry date is the number indicating the day, month and year, beyond which the goods must not be circulated and used;
 - b) For goods groups and categories requiring quality safety in their preservation and storing, the preservation duration must be inscribed on their labels. The preservation duration is the number indicating the day, month and year, during which the goods can be kept in preservation storage and beyond which the goods quality may deteriorate before they are put on sale or consumed.
3. The way the production date, expiry date and preservation duration are inscribed:
 - a) They are inscribed according to calendar day, month and year;
 - b) Day indicator comprises two numerals; Month indicator comprises two numerals or in letters; Year indicator comprises two last numerals of the indicated year.

Article 12: *Preservation instruction and use instruction*

1. There must be on goods labels the reservation instruction, the use instruction and cautions of possible harms if the goods are used improperly, as well as the way of dealing with possible harmful occurrences.
2. In cases where a goods label is not large enough for inscribing the above-said instructions, such instructions must be inscribed on a manual to be provided together with the goods to the goods purchasers.

Article 13: Goods' origin

For export goods and import goods, the names of the countries of origin must be inscribed on the goods labels.

Section 2: NON-COMPULSORY CONTENTS

Article 14: Besides the compulsory contents that must be displayed on the goods labels, depending on the special requirements and peculiarities of each goods item, other necessary information may be inscribed, which, however, must not contravene the provisions of law and this Regulation, and at the same time must hide nor lead to misunderstanding of the compulsory contents on the goods labels.

Chapter III**STATE MANAGEMENT OVER THE GOODS LABELING****Article 15: Contents of the State Management (by State management agencies) over the goods labeling**

1. Compiling and submitting to the competent State agencies for promulgation or to promulgate according to assigned competence the legal documents on goods labeling.
2. Supervising and inspecting the observance of the legal documents on goods labeling.
3. Detecting, preventing and handling according to assigned competence or proposing the competent agencies to handle violations of the legislation on goods labeling.

Article 16: The agencies in charge of the State Management over goods Labeling

1. The Ministry of Trade shall have responsibility of State management over the labeling of goods circulated in the country, as well as that for the exported and imported goods.
2. The specialized State management agencies shall have to coordinate with the agency in charge of the State management over trade in performing the State management over the goods labeling according to the provisions of law.

Chapter IV**VIOLATING ACTS****Article 17: Acts of violating the legislation on goods labeling include:****Following is the violating acts of commodity labeling law:**

1. Circulating goods without goods labels as prescribed.
2. Inscribing on goods labels information in images, drawings or letters which are not true to the real properties of such goods.

3. Using goods labels which are so unclear and dim that the *Contents* inscribed thereon cannot be read by bare eyes.
4. Failing to fully inscribe on goods labels the compulsory Contents as prescribed.
5. Displaying Contents on goods labels not in the prescribed sizes, positions or languages or by improper inscribing method.
6. Erasing, crossing out or modifying contents inscribed on goods labels.
7. Changing goods labels for the purpose of deceiving consumers.
8. Using goods labels already protected by law without their owners' consent.
9. Using goods labels identical to those of the same kind of other merchants, which are protected by law.

All of organizations and individuals that commit any of the above-said violation acts shall be handled according to the provisions of law.

Article 18: *The forms of and competence for handling of violations.*

The forms of and competence for the handling of violations in the field of goods labeling shall comply with the regulations on the handling of administrative violations in the field of commerce.

Chapter VI
IMPLEMENTATION PROVISIONS

Article 19: *Effect*

1. This Regulation takes effect 6 (six) months after its promulgation.
3. The branch-managing ministries shall have to base themselves on their respective management functions and the requirements regarding the use and preservation of particular goods items under their charge, to provide detailed guidance for the labeling of such particular goods items, which must not contravene the provisions of this Regulation, then submit them to the Ministry of Trade for summation and report to the Prime Minister.

Prime Minister
PHAN VAN KHAI

On August 15/8/00, The Prime Minister has promulgated the Decision No.95/2000/QĐ-TT amending Decision No.178/1999/QĐ-TT. The amendment can be summarized as follows:

- 1). Revision of Article 6, column 1: The height of Vietnamese name of goods on its label is not shorter than 02 mm.

- 2). Revision of Article 8, column 4: The Quantity shall be inscribed on the main position of the PDP.
- 3). Revision of Article 9, column 1: Goods being ready-packed foodstuffs, cosmetics and drugs, which are composed of two or more constituents, must have their constituents inscribed on the labels.

This regulation takes effect as of January 1, 2001.

IMPLEMENTING OF VN NEW LABELING REGULATION WITH IMPORT GOODS

November 29: Diskasing with Mr. Nguyen Dang Minh, Director CODEX Vietnam, Directorate for Standards and Quality.

November 30: Meeting with Mr. Le Minh Tam, Director, Who has prepared this Regulation
Ms. Hue, Head of Technical Service
Mr. Khue, Technical Service
Ms. Phuong, Head of Inspection Service
Ms. Loan, Head of Admin. Service

Department of Good quality and Measure Management, Ministry of Trade

Purpose:

- Consumers Protection.
- Resist the false goods in Vietnam Market
- Resist the smuggling and dodge taxes

On December 15, 2000, Ministry of Trade issue the Circular No.34/1999/TT-BTM on Guidelines for implementing Decree No.178/1999/QD-TTg.

According to the Decree, this regulation should have been effective from March 1, 2000. Before this time, all import commodities will be applied the old Regulation, in case the goods is not over used date, it will be continued to circulate in the country until it's used duration is expired. However, because of differerent reasons, the effectiveness of Decree No.178/1999/QD-TTg was postponed to July 1, 2000.

For goods imported for circulation and sale on the Vietnamese market:

In cases, Importers can not request the good supplier to agree on the inscription on the original label of the compulsory content's information in Vietnamese, the importer shall have to make an auxiliary label in Vietnamese and stick it together with the original label before put on sale or circulated on the market. The auxiliary label shouldn't be cover the original label, and the size of auxiliary label depends on the size of goods and original label.

For example: Importer can stick an auxiliary label in Vietnamese in the wine bottle-neck

Customer couldn't stop to control the import goods (for example wines, canned foods and foodstuff) without auxiliary label or no information in Vietnamese on the original label, because the auxiliary

Label is be required to stick only before such goods are put on sale or circulated on the market. The importer or Foreign agency in Vietnam is responsible to make auxiliary label.

In the auxiliary label should be inscribed the compulsory content's information in Vietnamese:

1. Good appellation
2. Name and address of merchants responsible for goods (producer, Importer, Agency...)
3. Quantity of goods
4. Composition
5. Principal Quantity criteria
6. Production date, expiry date and preservation duration
7. Preservation instruction and used instruction
8. Good's origin

This information should be in accordance with the information on origin label.

For the alcoholic drinks import could be in according the toxin require of Ministry of Health

For some special foods, cosmetics... Health certificate is requirements, and it is issued by origin country (please see attached)

Every year, Ministry of Science, Technology and Environment has issued the list of Import, Export goods are required National quality control. For example, in 1999 approximate 100 goods have been required to do National Quality Control.

Decree No23 TDC/QD on February 20, 1995 by the Vietnamese General Department of Standard - Measurement - Quality (All the regulations on food labelling issued before are invalid). This document regulates the following aspects:

1. General requirement:
The regulation is in accordance with Codex Stan 1 - 1991.
2. Terminology:
This part gives out the explanations of some terminology in order to avoid misunderstanding.
3. Mandatory labelling contents:

The following information must appear on an imported food product label:

- i) Name of foodstuff

The name of the foodstuff must be specific, not abstract. It can be a certain name in the List of Vietnamese Standards (TCVN) or in any legal national document. In case no specific

requirements for foodstuff name is available, a name given by Codex or the ISO can be used. The name of the foodstuff can be a common name clarified by a descriptive term in order to avoid misunderstanding.

ii) List of ingredients:

All the ingredients of the foodstuff must be listed on the label unless there is only one ingredient.

iii) Net content and drained weight

Net content is announced according to the International system of measurement or the Anglo-Saxon system of measurement.

For food products packaged in solutions (such as water, sugar solution or salt solution, vinegar, etc.), the drained weights must be put on the labels.

iv) Name and Address of manufacturing and/or packaging company

v) Country of origin

The country of origin of imported food is the name of the manufacturing country. For food reprocessed in a country other than the exporting country and totally changed, the other country is the country-of-origin.

vi) Number code and bar code

vii) Quality registration number

viii) Shelf-life

The shelf-life of the following pre-packaged food must be included on the labels:

- Children's food: Nutritional powder
Other nutritional products
Tinned food for children
- Milk and dairy products:
Condensed milk with sugar
Powder milk
Sanitised milk
Yoghurt
Butter and milk
Cheese (except for solidified cheese)
- Coffee, cacao and their products:
Powder coffee, dissolving coffee and other coffee mixtures with milk and butter.
Powder cacao, cacao butter and chocolate.

- Packaged ice-cream
- Fat oil, vegetable oil and their products
 - Fat oil and vegetable oil
 - Vegetal butter
 - Margarine and shortening
- Beverages
 - Beer
 - Beverages with alcoholic content of less than 10%
 - Fruit juice (packed)
 - Other beverages (except for packed beverages and purified water)
 - Biscuits and bread
 - Instant noodles
 - Tinned meat, fish and vegetables (For imported tinned food, date of production is allowed on labels)
 - Egg products
 - Sauces
 - Food additives with shelf-life of less than 18 months

The shelf-life for the above-mentioned food must be written on the labels as follows:

- The labelled shelf-life should be the best recommended shelf-life.
 - Write shelf-life on the label: "Best before + (*time*)
- Time* should include date, month and year for products with the recommended shelf-life of less than 3 months.
- Time* should include month and year for products with the recommended shelf-life of more than 3 months.
- Date, month and year must be written in normal numbers which are divided into three couple of digits separated by points (for example, 02.09.99 means September 2, 1999).
- ***Shelf-life must be put in an easily recognised place on the label. Otherwise the label should refer to the place of shelf-life (for example, on the bottom of the tin).***

- ix) How to preserve
- x) User's introduction
- xi) Radioactive food products

The labels including the above-mentioned mandatory information must meet the following requirements:

Labels must be printed, stuck, etc. firmly on the containers.

Labels must be easily recognised and read, and remain intact during consumption and usage under normal conditions.

When the labelled products are repacked, the package must include the necessary information as put on the inside labels, or it must be transparent enough to see through the labels inside.

The name of the product and its net content should be put in the most easily recognised place on the label.

xii) Food additives

The labelling of food additives based on Codex Stan 107-1981 is applied to food additives produced domestically and imported for domestic consumption. The labelled names of food additives include:

- The name of the group which contains the additives
- The name of the additives
- The international codes

If there are more than one food additive in one package, list them in details in order of greater percentage in the package.

For a mixture of flavour enhancer, label it "flavour" beside an adjective reflecting its characteristic such as "Natural" or "Artificial".

If in a mixture of additives there is an additive which is given a maximum limit, its real percentage or number should be clearly labelled.

Label the atomic formula and other information about the quality of the additives.

4. Voluntary labelling contents

Additional information can be included in the label if it doesn't go against the concerned legal documents. The quality-ranking indication (for example: One of the top 10 food products) can also be included as long as it is easy to understand.

Imported food products could be labelled in either Vietnamese or English. An original foreign label and its Vietnamese sub-label is permitted.

5. Nutritional labelling

The information which must appear on a nutritional labelling is as follows:

- i) Nutritional Declaration: (Mandatory)
- ii) List the nutrients (mandatory)
 - Power value
 - The quantity of Protein and digestible carbon-hydrate (such as sugar, powder, except food fibre) and fat.

- The quantity of other nutrition claimed on the label.
- Other concerned nutrition.
- Nutrient content
- Permitted tolerance levels

iii) Additional information (voluntary): Additional information to nutritional labelling to help consumers recognise the nutritional values of nutrients.

The following nutritional claims are not allowed to be announced:

- i) Claims which assure that this foodstuff can provide all major nutrition (except for food products which are recognized, by an authoritative organisations or in a specific Vietnamese Standard (TCVN) or Codex Standard, that they can duly provide all major nutrition)
- ii) Claims which imply that a balanced regimen with ordinary food products can not duly provide all major nutrition.
- iii) Claims which cannot be proved or clarified.
- iv) Meaningless claims about absolute and comparative nutritional contents.

The following nutritional claims are conditional:

- i) Claims that a food product has special nutrient values or added nutritional values with such nutrition as vitamins, minerals and amine acids must follow legal documents.
- ii) Claims that a food product has special quality by reducing or eliminating some nutrition must be based on research on nutrient contents and must follow legal documents.
- iii) Such terms as "pure", "natural", etc., must follow specific requirements when used.
- iv) Claims that the food product has no added nutrition must follow the mandatory nutritional declaration (as mentioned above).

The following health claims are not allowed to be announced:

- i) Claims that the food product can prevent, relieve or treat a disease, function troubles or a special biophysical state, except for food products specialised for diet regimens which has been regulated in Vietnamese standards or Codex standards.
- ii) Claims which may cause consumers to doubt or worry about similar food products.
- iii) Meaningless claims about absolute and comparative contents.

Manufacturers are totally responsible for their implied claims. If the authorities find out the implied claims are not true, manufacturers can be fined or even withdrawn of their business registrations.

SECTION III: PACKAGING AND CONTAINER REGULATIONS

There are no regulations on the size or weight of imported food containers. Additionally, there are no laws or regulations on container product recycling. However, there are restrictions on the use of packaging materials. These restrictions are issued on pages 56-61/Part B (Standards on the Safety and Hygiene of Food Packaging Materials)/ Stage II (Limitations on Contaminants)/ Chapter I (Limitations on Food Additives and Contaminants)/ List of Food Product Hygiene Standards issued accompanied with Decree Number 867 by the Ministry of Health, dated 04th April, 1998 (for more detail, Pls. see VM9019). The restrictions are imposed on the following groups of packaging materials:

- Ceramics and Glass;
- Synthetic plastic;
- Alloy.

For each group of materials there are: 1) regulations on the permitted/non-permitted level of impurities; and, 2) testing methods of its specific sub-groups of material (e.g., for PVC, the content of ibutyltin must be no more than 55 ppm, cresyl phosphate no more than 1000 ppm vinyl clorua no more than 1 ppm; testing the content of ibutyltin at 25⁰C in 1 hour, etc.)

SECTION IV: FOOD ADDITIVE REGULATIONS

On August 31, 2001 Ministry of Health issued Decree No.3742/2001/QD-BTY on the List of Food Additives allowed to use in Food. The Decree provides the list of permitted food additives in different ways. Firstly, the food additives are grouped into 21 groups based on their functions. They are:

- Acidity regulator
- Flavor enhances
- Firming agents
 - Preservatives
 - Anti-caking agents
 - Anti-Oxidants
 - Anti foaming agents
 - Mixing agents
 - Artificial sweeteners
 - Stuffs made from starch
- Enzymes
- Inert gas
- Emulsifiers
- Thickeners
- Moisturizing agents
- Firming agents
- Polishing agents

- Coloring agents
- Sequestrants
- Foaming agents
- Powder treatment agents

By the second way, the approved food additives are listed is by using International Numbering System (INS) (see the below list). The third way, the food additives are listed in the alphabet order. Maximum level (ML) of the approved food additives allowed to used in each kind of food are also presented in the decree. Please contact post for more detail as it is available in Vietnamese only.

The list of food additives allowed to use in food presented in Decree No. No.3742/2001/QĐ-BYT replaces the list of food additives allowed to use in food stated in the Ministry of Health Decree No. 867/1998/QĐ-BYT dated April 4, 1998 (please see VM9019)

List of food additives allowed to use in food (in accordance with Ministry of Health Decision No.3742/2001/QĐ-BYT dated August 31, 2001)

NO	INS	Names of food additives	
		VIETNAMESE	ENGLISH
1	2	3	4
1.	100i	Vàng Curcumin (Vàng nghệ)	Curcumin
2.	101i	Vàng Riboflavin (Riboflavin)	Riboflavin
3.	102	Vàng Tartrazin (Tartrazin)	Tartrazine
4.	104	Vàng Quinolin	Quinoline Yellow
5.	110	Vàng Sunset FCF (Sunset Yellow FCF)	Sunset Yellow FCF
6.	120	Carmin	Carmines
7.	122	Carmoisine	Azorubine (Carmoisine)
8.	123	Đỏ Amaranth (Amaranth)	Amaranth
9.	124	Đỏ Ponceau 4R (Ponceau 4R)	Ponceau 4R
10.	127	Vàng Erythrosin (Erythrosin)	Erythrosine
11.	128	Đỏ 2G	Red 2G
12.	129	Đỏ Allura AC	Allura Red AC
13.	132	Indigotin (Indigocarmine)	Indigotine
14.	133	Xanh Brilliant FCF	Brilliant Blue FCF

15.	140	Clorophyl	Chlorophyll
16.	141i	Clorophyl phức ®ång	Chlorophyll Copper Complex
17.	141ii	Clorophyl phức ®ång (muèi Natri, kali cña nã)	Chlorophyll Copper Complex, Sodium And Potassium Salts
18.	142	Xanh S	Green S
19.	143	Xanh lôc bÒn (FCF)	Fast Green FCF
20.	150a	Caramen nhãm I (kh<ng xõ lý)	Caramel I- Plain
21.	150c	Caramen nhãm III (xõ lý amoni)	Caramel III - Ammonia Process
22.	150d	Caramen nhãm IV (xõ lý amoni sulfit)	Caramel IV - Ammonia Sulphite Process
23.	151	şen Brilliant PN	Brilliant Black PN
24.	155	N©u HT	Brown HT
25.	160ai	Beta-caroten tæng híp	Beta-Carotene (Synthetic)
26.	160aii	Caroten tù nhi^n (chiÕt xuÊt tõ thùc vËt)	Natural Extracts (carotenes)
27.	160b	ChÊt chiÕt xuÊt tõ Annatto	Annatto Extracts
28.	160e	Beta-Apo-Carotenal	Beta-Apo-Carotenal
1	2	3	4
29.	160f	Este Metyl (hoÆc Etyl) cña axit Beta-Apo-8'-Carotenic	Beta-Apo-8'-Carotenic Acid, Methyl Or Ethyl Ester
30.	161g	Canthaxanthin	Canthaxanthine
31.	163ii	ChÊt chiÕt xuÊt tõ vá nho	Grape Skin Extract
32.	170i	Canxi cacbonat	Calcium Carbonate
33.	171	Titan dioxit	Titanium Dioxide
34.	172i	S³t oxit, ®en	Iron Oxide, Black
35.	172ii	S³t oxit, ®á	Iron Oxide, Red
36.	172iii	S³t oxit, vµng	Iron Oxide, Yellow
37.	200	Axit sorbic	Sorbic Acid
38.	201	Natri sorbat	Sodium Sorbate
39.	202	Kali sorbat	Potassium Sorbate
40.	203	Canxi sorbat	Calcium Sorbate
41.	210	Axit benzoic	Benzoic Acid

42.	211	Natri benzoat	Sodium Benzoate
43.	212	Kali benzoat	Potassium Benzoate
44.	213	Canxi benzoat	Calcium Benzoate
45.	214	Etyl p-Hydroxybenzoat	Ethyl p-Hydroxybenzoate
46.	216	Propyl p-Hydroxybenzoat	Propyl p-Hydroxybenzoate
47.	218	Metyl p-Hydroxybenzoat	Methyl p-Hydroxybenzoate
48.	220	Sulphua dioxit	Sulphur Dioxide
49.	221	Natri sulfit	Sodium Sulphite
50.	222	Natri hydro sulfit	Sodium Hydrogen Sulphite
51.	223	Natri metabisulfit	Sodium Metabisulphite
52.	224	Kali meta bisulfit	Potassium Metabisulphite
53.	225	Kali sulfit	Potassium Sulphite
54.	227	Canxi hydro sulfit	Calcium Hydrogen Sulphite
55.	228	Kali bisulfit	Potassium Bisulphite
56.	234	Nisin	Nisin
57.	238	Canxi format	Calcium Formate
58.	239	Hexametylen Tetramin	Hexamethylene Tetramine
59.	242	Dimetyl dicacbonat	Dimethyl Dicarboxate
1	2	3	4
60.	251	Natri nitrat	Sodium Nitrate
61.	252	Kali nitrat	Potassium Nitrate
62.	260	Axit axetic b'ng	Acetic Acid, Glacial
63.	261	Kali axetat (c ₂ c muèi)	Potassium Acetates
64.	262i	Natri axetat	Sodium Acetate
65.	262ii	Natri diaxetat	Sodium Diacetate
66.	263	Canxi axetat	Calcium Acetate
67.	270	Axit lactic (L-, D- và DL-)	Lactic Acid (L-, D- and DL-)
68.	280	Axit propionic	Propionic Acid
69.	281	Natri propionat	Sodium Propionate

70.	296	Axit malic	Malic Acid (DL-)
71.	297	Axit fumaric	Fumaric Acid
72.	300	Axit ascorbic (L-)	Ascorbic Acid (L-)
73.	301	Natri ascorbat	Sodium Ascorbate
74.	302	Canxi ascorbat	Calcium Ascorbate
75.	303	Kali ascorbat	Potassium Ascorbate
76.	304	Ascorbyl palmitat	Ascorbyl Palmitate
77.	305	Ascorbyl stearat	Ascorbyl Stearate
78.	307	Alpha-Tocopherol	Alpha-Tocopherol
79.	310	Propyl galat	Gallate, Propyl
80.	314	Nhũa c©y Gaiac	Guaiac Resin
81.	315	Axit erythorbic (Axit Isoascorbic)	Erythorbic Acid (Isoascorbic Acid)
82.	319	Tert-Butylhydroquinon (TBHQ)	Tertiary Butylhydroquinone
83.	320	Butylat hydroxy anisol (BHA)	Butylated Hydroxyanisole
84.	321	Butylat hydroxy toluen (BHT)	Butylated Hydroxytoluene
85.	322	Lexitin	Lecithins
86.	325	Natri lactat	Sodium Lactate
87.	326	Kali lactat	Potassium Lactate
88.	327	Canxi lactat	Calcium Lactate
89.	330	Axit xitric	Citric Acid
90.	331i	Natri dihydro xitrat	Sodium Dihydrogen Citrate
1	2	3	4
91.	331iii	Trinatri xitrat	Trisodium Citrate
92.	332i	Kali dihydro xitrat	Potassium Dihydrogen Citrate
93.	332ii	Trikali xitrat	Tripotassium Citrate
94.	333	Canxi xitrat	Calcium Citrates
95.	334	Axit tartic	Tartaric Acid (L (+)-)
96.	335i	Mononatri tartrat	Monosodium Tartrate
97.	335ii	Dinatri tactrat	Disodium Tartrate

98.	336i	Monokali tartrat	Monopotassium Tartrate
99.	336ii	Dikali tactrat	Dipotassium Tartrate
100.	337	Kali natri tartrat	Potassium Sodium Tartrate
101.	338	Axit orthophosphoric	Orthophosphoric Acid
102.	339i	Mononatri orthophosphat	Monosodium Orthophosphate
103.	339ii	Dinatri orthophosphat	Disodium Orthophosphate
104.	339iii	Trinatri orthophosphat	Trisodium Orthophosphate
105.	340 iii	Trikali orthophosphat	Tripotassium Orthophosphate
106.	340i	Monokali orthophosphat	Monopotassium Orthophosphate
107.	340ii	Dikali orthophosphat	Dipotassium Orthophosphate
108.	341i	Monocanxi orthophosphat	Monocalcium Orthophosphate
109.	341ii	Dicanxi orthophosphat	Dicalcium Orthophosphate
110.	341iii	Tricanxi orthophosphat	Tricalcium Orthophosphate
111.	343i	Monomagie orthophosphat	Monomagnesium orthophosphate
112.	343iii	Trimagie orthophosphat	Trimagnesium Orthophosphates
113.	352ii	Canxi malat	Calcium Malate
114.	355	Axit adipic	Adipic Acid
115.	356	Natri adipat (c ₂ c muèi)	Sodium Adipates
116.	357	Kali adipat (c ₂ c muèi)	Potassium Adipates
117.	365	Natri fumarat	Sodium Fumarates
118.	381	S ³ t amoni xitrat	Ferric Ammonium Citrate
119.	384	Isopropyl xitrat	Isopropyl Citrates
120.	385	Canxi dinatri etylen-diamin-tetra-axetat	Calcium Disodium Ethylene-Diamine-Tetra-Acetate
121.	386	Dinatri Etylen-Diamin-Tetra-axetat (EDTA)	Disodium Ethylene-Diamine-Tetra-Acetate
1	2	3	4
122.	387	Oxystearin	Oxystearin
123.	389	Dilauryl Thiodipropionat	Dilauryl Thiodipropionate
124.	400	Axit alginic	Alginic Acid
125.	401	Natri alginat	Sodium Alginate

126.	402	Kali alginat	Potassium Alginate
127.	403	Amoni alginat	Ammonium Alginate
128.	404	Canxi alginat	Calcium Alginate
129.	405	Propylen glycol alginat	Propylene Glycol Alginate
130.	406	Th'ch tr ³ / ₄ ng (Aga)	Agar
131.	407	Carrageenan vµ muèi Na, K, NH ₄ cña nã (bao gãm Furcellaran)	Carrageenan and its Na, K, NH ₄ salts (includes Furcellaran)
132.	410	G«m ®Ëu Carob	Carob Bean Gum
133.	412	G«m Gua	Guar Gum
134.	413	G«m Tragacanth	Tragacanth Gum
135.	414	G«m Arabic	Gum Arabic (Acacia Gum)
136.	415	G«m Xanthan	Xanthan Gum
137.	416	G«m Karaya	Karaya Gum
138.	417	G«m Tara	Tara Gum
139.	418	G«m Gellan	Gellan Gum
140.	420	Sorbitol vµ siro sorbitol	Sorbitol and Sorbitol Syrup
141.	421	Manitol	Mannitol
142.	422	Glycerol	Glycerol
143.	433	Polyoxyetylen (20) Sorbitan monooleat	Polyoxyethylene (20) Sorbitan Monooleate
144.	440	Pectin	Pectins
145.	442	Muèi Amoni cña axit phosphatidic	Ammonium Salts Of Phosphatidic Acid
146.	444	Sucroza axetat isobutyrat	Sucrose Acetate Isobutyrate
147.	445	Glycerol Esters cña nhùa c©y	Glycerol Esters Of Wood Resin
148.	450i	Dinatri diphosphat	Disodium Diphosphate
149.	450ii	Trinatri diphosphat	Trisodium Diphosphate
150.	450iii	Tetranatri diphosphat	Tetrasodium Diphosphate
151.	450iv	Dikali diphosphat	Dipotassium Diphosphate
152.	450v	Tetrakali diphosphat	Tetrapotassium Diphosphate
1	2	3	4

153.	450vi	Dicanxi diphosphat	Dicalcium Diphosphate
154.	450vii	Canxi dihydro diphosphat	Calcium Dihydrogen Diphosphate
155.	450viii	Dimagie diphosphat	Dimagnesium Diphosphate
156.	451i	Pentanatri triphosphat	Pentasodium Triphosphate
157.	451ii	Pentakali triphosphat	Pentapotassium Triphosphate
158.	452i	Natri polyphosphat	Sodium Polyphosphate
159.	452ii	Kali polyphosphat	Potassium Polyphosphate
160.	452iii	Natri canxi polyphosphat	Sodium Calcium Polyphosphate
161.	452iv	Canxi polyphosphat	Calcium Polyphosphates
162.	452v	Amoni polyphosphat	Ammonium Polyphosphates
163.	460i	Xenluloza vi tinh thÓ	Microcrystalline Cellulose
164.	461	Metyl xenluloza	Methyl Cellulose
165.	465	Metyl etyl xenluloza	Methyl Ethyl Cellulose
166.	466	Natri cacboxy metyl xenluloza	Sodium Carboxymethyl Cellulose
167.	470	Muèi cña axit myristic, palmitic vµ stearic (NH ₄ , Ca, K, Na)	Salts Of Myristic, Palmitic and Stearic Acids (Ca, Na, K, NH ₄)
168.	470	Muèi cña axit oleic (Ca, K, Na)	Salts of Oleic Acid (Ca, Na, K)
169.	471	Mono vµ diglycerit cña c,c axit bĐo	Mono- And Di-Glycerides Of Fatty Acids
170.	472b	Este cña glycerol vúi Axit lactic vµ c,c axit bĐo	Lactic And Fatty Acid Esters Of Glycerol
171.	472c	Este cña glycerol vúi Axit xitric vµ Axit bĐo	Citric And Fatty Acid Esters Of Glycerol
172.	472e	Este cña glycerol vúi Axit diacetyl tataric vµ Axit bĐo	Diacetyl tartaric And Fatty Acid Esters Of Glycerol
173.	472f	Hçn híp gi-a este cña glyxerol vúi Axit axetic vµ Axit bĐo vµ este cña glyxerol vúi Axit tactric vµ Axit bĐo	Mixed Tartaric, Axetic And Fatty Acid Esters Of Glycerol
174.	473	Este cña Sucroza vúi c,c axÝt bĐo	Sucrose Esters of Fatty acids
175.	474	Sucroglyxerit	Sucroglycerides
176.	475	Este cña polyglycerol vúi Axit bĐo	Polyglycerol Esters Of Fatty Acids
177.	480	Diocetyl natri sulfosuxinat	Diocetyl Sodium Sulphosuccinate
178.	483	Stearyl tartrat	Stearyl Tartrate

207.	541i	Natri nhα phosphat-axit	Sodium Aluminium Phosphate-acidic
208.	541ii	Natri nhα phosphat-bazα	Sodium Aluminium Phosphate-Basic
209.	551	Silicon dioxit vα @Đnh hαnh	Silicon Dioxide, Amorphous
210.	552	Canxi silicat	Calcium Silicate
211.	553i	Magie silicat	Magnesium Silicate
212.	553iii	Bét talc	Talc
213.	554	Natri nhα silicat	Sodium Aluminosilicate
1	2	3	4
214.	556	Canxi nhα silicat	Calcium Aluminium Silicate
215.	559	Nhα silicat	Aluminium Silicate
216.	575	Glucono Delta-Lacton	Glucono Delta-Lactone
217.	576	Natri gluconat	Sodium Gluconate
218.	577	Kali gluconat	Potassium Gluconate
219.	578	Canxi gluconat	Calcium Gluconate
220.	620	Axit glutamic (L(+)-)	Glutamic Acid (L (+)-)
221.	621	Mononatri glutamat	Monosodium Glutamate
222.	622	Monokali glutamat	Monopotassium Glutamate
223.	623	Canxi glutamat	Calcium Glutamate
224.	626	Axit guanylic	Guanylic Acid
225.	630	Axit inosinic	Inosinic Acid
226.	636	Maltol	Maltol
227.	637	Etyl maltol	Ethyl Maltol
228.	900a	Polydimetyl siloxan	Polydimethylsiloxane
229.	901	Sp ong (tr$\frac{3}{4}$ng vμ vμng)	Beeswax, White And Yellow
230.	902	Sp Candelilla	Candelilla Wax
231.	903	Sp Carnauba	Carnauba Wax
232.	904	Senlac	Shellac
233.	905a	DCu kho,ng (đ$đ$ng cho th$đ$nh ph$đ$nh)	Mineral Oil, Food Grade
234.	905ci	Sp vi tinh th$đ$	Microcrystalline Wax

235.	905cii	S _p dÇu	Paraffin Wax
236.	927a	Azodicacbonamit	Azodicarbonamide
237.	941	KhÝ nit ⁻	Nitrogen
238.	942	KhÝ nit ⁻ oxit	Nitrous oxide
239.	950	Acesulfam kali	Acesulfame Potassium
240.	951	Aspartam	Aspartame
241.	953	Isomalt	Isomalt
242.	954	Sacarin (vµ muèi Na, K, Ca cña nã)	Saccharin (And Na, K, Ca Salts)
243.	955	Sucraloza	Sucralose
244.	999	ChÊt chiÕt xuÊt tÕ Quillaia	Quillaia Extracts
1	2	3	4
245.	1100	Amylaza (c ₂ c lo ^h i)	Amylases
246.	1101i	Proteaza	Protease (<i>A. oryzae</i> var.)
247.	1101ii	Papain	Papain
248.	1101iii	Bromelain	Bromelain
249.	1102	Glucoza Oxidaza (<i>Aspergillus niger</i> var.)	Glucose Oxidase (<i>Aspergillus niger</i> var.)
250.	1105	Lysozym	Lysozyme
251.	1201	Polyvinylpyrolidon	Polyvinylpyrrolidone
252.	1400	Dextrin, tinh bét rang tr³ng, vµng	Dextrins, Roasted Starch White And Yellow
253.	1401	Tinh bét ®· ®-íc xõ lý b»ng axit	Acid-Treated Starch
254.	1402	Tinh bét ®· ®-íc xõ lý b»ng kiÒm	Alkaline Treated Starch
255.	1403	Tinh bét ®· khõ mµu	Bleached Starch
256.	1404	Tinh bét xõ lý oxi hãa	Oxidized Starch
257.	1405	Tinh bét, xõ lý b»ng enzym	Enzyme-Treated Starches
258.	1410	Monoamidon phosphat	Monostarch Phosphate
259.	1411	Diamidon glyxerol	Distarch Glycerol
260.	1412	Diamidon phosphat (este hãa vµi Natri trimetaphosphat hoÆc vµi Phospho Oxychlorua)	Distarch Phosphate Esterified With Sodium Trimetaphosphate; Esterified With Phosphorus Oxychloride

261.	1413	Diamidon phosphat	Phosphated Distarch Phosphate
262.	1414	Diamidon phosphat ®· axetyl ho,	Acetylated Distarch Phosphate
263.	1420	Amidon axetat (este ho, vñ Anhydrit axetic)	Starch acetate, Esterified with Axetic anhydride
264.	1421	Amidon axetat este ho, vñ Vinyl axetat	Starch acetate, Esterified with Vinyl Axetate
265.	1422	Diamidon adipat ®· axetyl ho,	Acetylated Distarch Adipat
266.	1423	Diamidon glyxerol ®· axetyl	Acetylated Distarch Glycerol
267.	1440	Amidon hy®roxypropyl	Hydroxypropyl Starch
268.	1442	Diamidon hydroxypropyl phosphat	Hydroxypropyl Distarch Phosphate
269.	1443	Diamidon hydroxypropyl glyxerol	Hydroxypropyl Distarch Glycerol
270.	1450	Amidon natri octenyl suxinat	Starch Sodium Octenyl Succinate
271.	1520	Propylen glycol	Propylene Glycol
272.	1521	Polyetylen glycol	Polyethylene Glycol
273.	CQ§	Gelatin thuc phEm	Gelatin Edible
274.	CQ§	Malt carbohydraza	Malt carbohydrase

The Ministry of Health defines food additives as substances which are not considered food or the main ingredients of food, and which have little nutritional value, and are added in food in limited amounts, and are harmless. Food additives are used in order to maintain the quality, shape, odor, alkalinity or acidity of food, or, to meet the technological requirements for the production, processing, packaging, transportation and preservation of food. Such contaminants as poisonous micro-fungus, heavy metals, herbal preserving agents, animal medicines, etc., are not considered food additives.

To use approved food additives in production, processing, treatment, preservation, packing and transportation of food must be in comply with “Regulations on Food Safety” stated in the Ministry of Health Decree No.4196/1999/QD-BYT dated December 1999.

Only food additives on the list can be produced, traded and imported to Vietnam and it also must be certified to meet food safety requirement by an authorized agencies.

To use approved food additives must:

- Not more than permitted maximum level
- Meet technical, hygiene requirements set for each food additive
- Not change the physical, chemical and nutritional contents and commercial value of the food
- Label food additives that are circulated in the market in accordance with the current regulation. For special food additive, there must be a guidance for use.

Annually, Vietnam Food Administration (VFA) reviews status of using food additives based on benefit of human health.

SECTION V: PESTICIDE AND OTHER CONTAMINANTS

In Vietnam, there are no regulations applied particularly to pesticide/contaminant residues in imported food products. They are regulated the same as those in domestic products. Such regulations have been issued for the sake of consumers to protect them from poisoning and other bad effects.

At present, the valid document relevant to this subject is the "List of Food products Hygienic Standards" under the Decision N^o 867 by the Ministry of Health dated 04th April, 1998 (see VM9019). Within this, pesticide residues and their maximum limits in specific food products are clearly defined. Pesticides and contaminants in food products that draw great concerns of competent agencies include: mycotoxin; micro-organisms; metals; veterinary drugs; plant protection chemicals. It is the National Committee of Food Security which belongs to the Ministry of Health that specialises in supervising the performance of such regulations.

Followings are the summary and description of some pesticide/contaminant legal regulations in the mentioned "List of Food products Hygienic Standards".

1. Micro-organism residue limits in food products (Ref: "List of Food products Hygienic Standards", Chapter II, Stage IV)

All food products are divided into 13 main categories: meat; fish and other seafood; eggs; milk; cereal, potato and bean; fruits and vegetables; mineral water and other bottled water; spices; sauces; specially-used foods; ice-creams and icy water; canned foods and oiled foods. The allowed residue of each kind of micro-organism per 1g or 1ml of food products varies up to each kind as well as each group of material. For instance, as to fresh meat, frozen meat or meat that has undergone thermo-chemically treated, the maximum residue of E.coli (*Escherichia coli*) is 10² per 1g/ml. In some special cases, take the vegetable category for example, the G.A.P is used to regulate the maximum residue of micro-organisms in food products.

2. Mycotoxin maximum residues in food products (Ref: "List of Food products Hygienic Standards", Chapter I - Limitations on Food Additives and Contaminants, Stage II, Part A.)

Order	Mycotoxin	Food products	Maximum residue (ppb)
1	Afratoxin or B1	Food	10
2	Afratoxin M1	Milk	0.5
3.	Other Mycotoxin	Food	35

3. Maximum veterinary drug residues in meat products (Ref: "List of Food products Hygienic Standards", Chapter I - Limitations on Food Additives and Contaminants, Stage II, Part F)

This section of the document lists the names of allowed drugs, the products that can contain such drugs, the ADI (Acceptable daily intake) as well as the maximum residues in detail. Through this part, five groups of drugs drawing great attention of researchers are: drugs against parasitical worms (Levamisol); aspirins (Cloramphenicol, Flumequin, Olaquinox, Spectinomycin, Sunfadimidin); drugs against primitive animals (Ronidazol); Glucocorticosteroid (Dexametazon); Trypanocit (Diminazon).

4. Plant protection chemical residues in food products (*Ref: "List of Food products Hygienic Standards", Chapter II, Stage II.*)

Plant protection chemical is defined as a finished product that derives from chemicals, plants, animals, micro-organisms in order to protect plant sources. All the food products that are bought and sold on the market must not contain more than the allowed amount of plant protection chemicals (mg/kg) as listed in this regulation.

5. Metal residues in food products (*Ref: "List of Food products Hygienic Standards", Chapter I, Stage II, Part E and as given in Appendix 4 of this Report*)

As stated above, maximum tolerance levels set for most approved pesticides are the same for both domestic food products and imported ones except the case that there is no regulation for a specific food product and CODEX standards are applied. Since Vietnam's law on imported food products has not been perfectly completed and the development level of the country, on the other hand, still ranks at the bottom compared with the average world development pace, it is quite beneficial, according to an officer of National Committee of Food Security, for exporters of other countries to access into Vietnamese food product market. The list of pesticide residues appears to be very positive and conform to the international regulations. In fact, most of food products that have obtained the exporter's country's quality certificates can easily enter Vietnamese market. Of course, the exporter's country must be a prestigious business partner with higher development and the exporter himself has no suspicious scheme.

All food products as well as pesticides that want to be imported into Vietnam must be inspected and registered before circulation. Every year, the Government, the Ministry of Science, Technology and Environment and the Ministry of Health co-ordinate to bring out an annual list of export/import goods that must be inspected in terms of quality. This list changes very little year by year. With new pesticides that have not been recognized in the domestic market, it is necessary for them to be fully registered at the Ministry of Health. Imported food products and pesticides that are not allowed consumed freely in the domestic market will not be granted registration certificate by the Ministry of Health. With contact to the Ministry of Health or the Municipal Committees of Food Security, foreign exporters can have detailed information on this question.

Pesticide Registration

In Vietnam, pesticides must be registered. Plant Protection Department (PPD) of the Ministry of Agricultural and Rural Development is the government body assigned to manage pesticides registration.

Before a pesticide can be traded or used, it must be registered at the PPD. The registration consists different steps. Firstly, the importer or trader has to get a permission for it's testing in the field.

The document dossier for the field-testing includes:

- Application form for field testing (form provided by the PPD)
- Notarized copy of property right to use the product or authorized letter for using the product or similar document
- Technical document in Vietnamese or English copied from original document and certified by authorized agency.
- A sample of the product's label.

It takes about 5 working days for the PPD to review the application. Fee charged for a permission on field testing of new pesticide ranges from VND 2 million to VN 2.8 million (\$125-\$170).

After having a permission for field testing, the register must work with an local agency to carry-out the test. It usually takes about 2 years for such kind of work. The cost for the field- testing depends case by case, but it estimated around VND 100 million (\$6,200).

Based on results of the field testing, the PPD will/ or not / grant the registering permission for use of the pesticide in Vietnam. The fee for issuing a registering permission is about VND 7.3 million (\$453). The registering permission is valid for 5 years. The registering permission should be extended at the cost of VND 2 million (\$125).

For more detail on pesticide registration, please contact:

Ministry of Agricultural and Rural Development
Plant Protection Department
Pesticide Division
No.49 Ho Dac Di Street
Hanoi- Vietnam
Tel: (844) 8518 194/fax: (844) 533 1562/email: p.qlt@fpt.vn
website: <http://www.ppd.gov.vn>

Annually the MARD issues a list of pesticides permitted for use, restricted for use and banned from use in Vietnam. The newest list of approved pesticides for use, restricted from use and banned from use in Vietnam is stated in the MARD's Decision No.23/2007/QD-BNN of March 8, 2007. The list can be down load from MARD' website: <http://www.mard.gov.vn> or <http://www.ppd.gov.vn>

However, it is available in Vietnamese only. Please contact Post for the list in detail.

SECTION VI : OTHER REGULATIONS AND REQUIREMENTS

(Product Registration, Testing, Certification, Special Documentation or Conformity Assessment Requirements)

All food products imported into Vietnam should meet the following additional requirements:

1. Food Standards Registration:

Ref: Decision No.42/2005/QDBYT of the Ministry of Health dated December 08, 2005 promulgating the regulation on announcing standards of foods.

Imported foodstuffs (as well as locally produced foodstuffs) must obtain a Food Standards Registration Certificate (RC) issued by Vietnam Food Administration (VFA) under Ministry of Health (MOH).

RC for imported foodstuff is issued by VFA to trader/importer of the foods upon receipt of his announcement of the food quality, safety and hygiene standards in compliance with binding provisions of Vietnamese law.

RC for imported foodstuff is valid for three (03) years.

Note: This registration requirement is not applied to meat (fresh, chilled and frozen) and non-traded foods (for personal use, gifts, Diplomatic and International Organizations, samples at fairs, trial studies).

Below are the details on the registration requirement:

1.a. For Food Products (in general):

Important documents required to present to the VFA/Division of Food Registration are as follows:

- Certificate of Analysis (CA): Product Specifications of the manufacturer or a Certificate of Analysis (CA) relating to principle quality and safety standards of the food issued the manufacturer or an independent testing agency of the country of origin. In case the CA is not available, a CA issued by competent testing agencies in Vietnam is accepted.
- Product label: Product label (or its photos) and draft contents of the Vietnamese label (with the trader company's stamp); labeled samples (if requested for testing).
- Notarized copy of one of the following certificates (if any): Good Manufacturing Practices (GMP); Hazard Analysis and Critical Control Points (HACCP); or an equivalent certificate.

Notice:

For radiation-treated food, GM food (or food with ingredients containing genetically modified or radiation-treated materials), besides the above required documents, a copy of the certificate of the country of origin approving such food to be circulated for human consumption within such country's territory and also the explanation of production chart of the product are requested.

1.b. For Food Additives:

In addition to above mentioned documents in 1.a., a Certificate of Free Sale (or Health Certificate) granted by the competent authority of the country of origin for such food additive is required.

Note:

CODEX standards is applied in case there is no Vietnamese reference.

1.c. For Special Foods (special foods mean a common term for a group of products of special natures or intended for use by special consumers, with a special usage or special effects on health. Special foods include nutritious products for infants; nutritious foods to be taken through catheters, genetically modified foods, radiation-treated foods, functional foods).

Besides the above required documents in 1.a, specific documents are required for specific products, including:

-For nutritious food products for infants: Certificate of Free Sale (or Health Certificate) granted by a competent state agency of the country of origin, certifying that such product is suitable for use in a certain age group and in certain targeted children.

-For medically nutritious food products: additional required document is Result of Clinical Tests on application of such food for medical purpose.

-For nutritious foods to be taken through catheters: additional document is Result of Clinical Tests on taking such food through catheters.

-For functional foods: additional document is Result of Clinical Tests (or reference documents) on application of such food to safely improve health of targetted users.

2) Entry Point Testing :

2.1. For foods (other than unprocessed food originated from animal, plants and marine):

Ref :

- Decision 818/QDBYT of the Ministry of Health dated 5/3/2007 on the list of harmonized-system-coded goods subject to compulsory State control examination on food safety.

- Decision 23/2007/BYT of the Ministry of Health dated 29/3/2007 regarding State testing examination to ensure quality, hygiene and safety of imported foods.

As requested by VFA, MOH (Decision 818/QDBYT of MOH) has listed the following food products from 12 food groups which are subject to compulsory State examination on food quality and safety:

- Preparations of Meat, of Fish (Chapter 15)
- Animal or Vegetable Fats and Oils (chapter 16)
- Dairy products (Chapter 04)
- Sugar and Sugar Confectionary (Chapter 17)
- Cocoa and Coca Preparations (Chapter 18)
- Preparations of Cereals, Flour, Starch or Milk, Pastrycooks products (Chapter 19)
- Coffee, Tea, Spices (Chapter 09)
- Preparations of Vegetables, Fruits, Nuts (Chapter 20)
- Miscellaneous Edible Preparations (Condiments – Chapter 21)
- Fruit Juices, Beverages, Spirits and Vinegar (Chapter 20 and 22)

- Functioning foods, Medical Foods (HS 1517.90; HS2106.90.92; 2106.90.95; 2106.90.99; 2202.10.10; 2202.10.90; 2205.10)
- Food Additives (20 food additive groups i.e. Acidity Regulators, Flavor Enhancers, Stabilizers, Preservatives, Anticaking and Antifoaming Agents, Emulsifiers, Antioxidants, Firming Agents, Colors, Artificial Sweeteners etc.)

Food quality and safety control examinations for goods using Harmonized System code (HS) are based on Vietnamese Standards (TCVN) and Technical Standards. In case there is no Vietnamese reference, CODEX standards is applied.

Below are State Control/Testing Agencies (SCA), associated with the Ministry of Health (MOH) and the Ministry of Science and Technology (MOST) who have been appointed to verify imported foods in compliance with food quality and safety regulations:

Northern Region	National Nutrition Institute (MOH) Technical Center Number 1 (MOST)
Central Region	Nha Trang Pasteur Institute (MOH) Technical Center Number 2 (MOST)
Highlands Region	Epidemiological and Hygiene Institute (MOH)
Southern Region	Public Health and Hygiene Institute (MOH) Technical Center Number 3 (MOST)

In Central region, for Danang, MOH has just appointed Danang Preserved Health Center to be the 3rd SCA (Decision 19/2007/QDBYT of MOH dated 8/3/2007).

In Southern Region, for Ho Chi Minh City, MOH has just appointed Vinacontrol as the third SCA for imported foods (Decision 22/2007/QDBYT of MOH dated 20/3/2007).

According to the Decision 23/2007/BYT of MOH, with a view to ensuring conformity to import quality standards, imported foods must be quality-tested by STAs. Testing criteria include product appearance and label, analysis of major chemicals, physicals and micro-biological, nutrition value, food additives. Without a Certificate from STAs certifying that imported foods are met with Vietnam quality and safety requirements, the foods can not be circulated in Vietnam.

Necessary documents to submit to STA include:

- RC
- Trade contract or L/C
- Bill of lading
- Invoice
- Packing list
- Certificate of Origin
- Result of Tests, CA (if any)

There are four application levels of quality testing:

- Strict testing: applied on high-risk foods and on foods that have got historical testing records of quality inconformity.
- Normal testing:
- Reduced testing: applied on foods from the same source having RC; GMP/HACCP certificate, and historical testing record of two-time approvals.
- Testing Exemption: applied on foods from the same source having historical testing records of 5-time approvals

For reduced and exempted testing, importers/traders must acquire acceptance letters from MOH.

In some specific situations, certificates of quality inspection by other countries or international agencies can be recognised as long as those organisations (countries and international agencies) are long-standing partners of Vietnam, within a economic-cooperating region which includes Vietnam or also signed an international Convention. Post will update the regulation on a separate report.

For unprocessed food originated from animal, plants and marine

Imports of unprocessed food originated from animal, plants and marine must be inspected for phyto-sanitary standards by competent quarantine agencies under Ministry of Agriculture and Rural Development (MARD). Phyto-sanitary Certificates (PC) are requested for Customs clearance.

For meat products, Department of Animal Health is the SCA to issue PC.

For vegetable and fruits, Plant Protection Department is the SCA to issue PC.

For marine, National Fishery & Vet Quality Assurance ??? (NAFIQAVET) is the SCA to issue the PC.

At the wholesale/retail distributionlevels, there are many City and Provincial Government agencies involving in monitoring quality and safety of food products including Department of Health / Health Centers of City/Provincial levels, market control forces under Department of Trade of City/Provincial, Police Forces.

3. Sample and mail order shipment policy

Ref. Cicular N^o 06 by General Department of Post and Telecommunication in coordination with General Department of Customs dated 11th December 1998 on “Customs Procedures of packages, parcels, import/export goods sent by mail or express service”.

The above mentioned document is the latest regulation in place of the one issued by the two General Departments in 1995. According to this, all the product samples shipped via express mail or parcel post are subject to import regulations (Point 3/Part I). Those product samples must not belong to the annual “List of goods forbidden from import/exportation” of Vietnam, the “List of goods forbidden from importation” of the receiver’s country as well as all international conventions on sending prohibition that Vietnam has signed.

Also within Point 2/Part I of the Circular, product sample importers are forced to carry out the following procedures:

- Customs procedures; test and supervision from customs offices;
- Pay taxes and fees;
- Fully perform all the valid regulations of other authorised bodies under law.

When there is any dispute over this matter, Part IV of the Circular can be used as reference. This part also defines that product samples without receivers will be returned to the export country and all the procedures concerning this are clearly regulated in the Inter-ministerial Circular N^o 227 by the Ministry of Finance and General Department of Post and Telecommunication dated 31st August 1992.

SECTION VII: OTHER SPECIFIC STANDARDS

Note:

At present, the Ministry of Science and Technology (MOST) has got overall responsibility for the quality and standards of goods including foods. However, the MOH is fully responsible for the safety and hygiene of foods, in other words, Vietnamese standards for food safety and hygiene are set by MOH. This system, in some cases, has created overlapped and confused regulations on foods.

Testing norms of import food products are based on the Vietnamese standard system (TCVN - set by Ministry of Science and Technology) and hygiene and safety standards set by Ministry of Health. These standards are possible risks to trade due to its complexity and its non-scientific status. However, up to now, food products that have beared non-scientific standards still can enter Vietnam's market easily. The Vietnamese standard of zero tolerance of salmonella on chicken meat is an example.

- i) Consumer Packaging or Municipal Waste Disposal (Already mentioned in Section III of this Report)
- ii) Weights and Measures

There is no specific regulation on weights and measures of imported food products. However, the metric system is regarded the main measurement in Vietnamese practice.

- iii) Vitamin-Enrichment requirements

Ref: Decision No.6289/2003/QD-BTY by Ministry of Health on "supplement of micro nutritional elements to food/food products" dated December 9, 2003

According to the regulation, micro nutritional elements supplemented to food/food products must be inspected by authorized agencies for quality and safety. It must not change colour, smell, physical condition and processing characteristics of food. It must also not change self- life of the food. Label of supplemented food/food products supplemented must contain a sentence indicating that it contains micro nutritional elements

Appendixes 1-6 are on specific regulations on such kind of food

Appendix 1

Regulation on supplement micro nutritional elements to children nursing food

(applied for food made from grain: rice, wheat, bean, soybean, milk powder for children more than 6 months)

MICRO NUTRITIONAL ELEMENT	Use level /100 Kcalo	
	MINIMUM	Maximum
1. Vitamin A (RE)	250 IU	500 IU
2. Vitamin D	40 IU	80 IU
3. Vitamin C	8 mg	40 mg
4. Vitamin B1	40 µg	200 µg
5. Vitamin B2	60 µg	300 µg
6. Axit folic	4 µg	20µg
7. Vitamin B12	0,15 µg	1,5 µg
8. Vitamin K	4 µg	40 µg
9. Calcium (Ca)	50mg	250mg
10. Iron (Fe)	0,5 mg	2,5 mg
11. Zin (Zn)	0,3 mg	2,0 mg

Appendix 2:

Supplemental of iron in fish source

Form of iron used: NaFeEDTA

Supplemental dosage:

- minimum: 30 mg iron/100ml fish source
- Maximum: 50 mg iron/100ml fish source
- *Standard of NaFeEDTA allowed:*

Scientific name: Sodium Iron (III) Ethylene Diamine Tetraacetate, trihydrate.

Chemical formula: $C_{10}H_{12}FeN_2NaO_8 \cdot 3H_2O$

Molecular weight: 421.09 (trihydrate).

Purity degree: JECFA standard.

Characteristics	usage level allowed
Composition	12,5 - 13,5%

Compostion of EDTA	65,5 - 70,5%
pH of liquid of 1 %	3,5 - 5,5
Percentage of dis-solve in water	Max. 0,1%
Axit Nitrilotriaxetic	<0,1%
Arsen (As)	Maximum 1mg/kg
Ch× (Pb)	Max. 1mg/kg

Appendix 3

Regulation on supplemental of micro ingredient elements in wheat flour

Supplemental elements	<i>supplemental level</i>
1- Iron (Fe)	60 mg/kg
2- Zin (Zn)	30 mg/kg
3- Thiamin (vitamin B1)	2,5 mg/kg
4- Riboflavin (vitamin B2)	4 mg/kg
5- Axit folic	2 mg/kg

Appendix 4

Regulation on supplement of vitamin A in vegetable oil

Form of vitamin A used: Vitamin A palmitate

Use level:

- Min: 50 IU/gam dÇu
- Max: 100 IU/gam dÇu

Storage condition:

- Vegetable oil supplemented with vitamin A must be stored in color boxes and avoid direct sunlight.

- Quantity of vitamin A can maintain of 50% after 6-9 months.

Appendix 5

Regulation on supplemental of vitamin A in sugar

form of vitamin A used: Vitamin A palmitate

Supplemental level:

- Min: 15µg/gam sugar
- Max: 30µg/gam sugar

Storage condition

- Sugar supplemented with vitamin A must be stored in sealed boxes and to avoid direct sunlight.

- Quantity of vitamin A can maintain of 50% after 6-9 months

Appendix- 6

Regulation on supplement of vitamin, mineral elements in children's nutrition food and wheat flour

Vitamin	<i>form of vitamin</i>	<i>Purity degree</i>
1. Vitamin A	Retinyl axetat Retinyl palmitat Retinyl propionat Beta-caroten	USP, BP, Ph.Eur, FCC USP, BP, Ph.Eur, FCC USP, BP, Ph.Eur, FCC FAO/WHO, FCC
2. Vitamin D	Ergocalciferol (Vitamin D2) Cholecalciferol (vitamin D3)	USP, BP, Ph.Eur, FCC USP, FCC
3. Vitamin C	Axit ascorbic Natri ascorbat Canxi ascorbat	USP, BP, Ph.Eur, FAO/WHO, FCC USP, FAO/WHO, FCC
4. Vitamin B1	Thiamin clorua hydroclorua Thiamin mononitrat	USP, BP, Ph.Eur, FCC USP, FCC
5. Vitamin B2	Riboflavin Riboflavin 5'-phosphat natri	USP, BP, Ph.Eur, FAO/WHO, FCC
6. Folic	Axit folic	USP, BP
7. Vitamin B12	Xyanocolbalamin Hydroxocobalamin	USP, BP, Ph.Eur NF, BP
8. Vitamin K	Phytylmenaquinone	USP, BP
9. Source calcium (Ca)	Canxi carbonat Canxi citrat Canxi lactat Canxi phosphat, tribasic	FCC, FAO/WHO FCC, FAO/WHO FCC, FAO/WHO FCC, FAO/WHO
10. Iron (Fe)	Ferrous fumarat Ferrous gluconat Ferrous lactat Ferrous sulfat	FCC FCC, FAO/WHO MI FCC
11. Source zin (Zn)	Zin axetat zin oxit zin sulfat	MI MI FFC

Note:

- USP= United State Pharmacopoeia
- NF= United States National Formulary
- BP= British Pharmacopoeia
- BPC= British Pharmaceutical Codex
- Ph. Eur= European Pharmacopoeia
- MI= Merck Index
- FAO/WHO= General Principles for the Use of Food Additives, Codex Alimentarius, Volume 1
- DAB= Deutsches Arzneibuch
- FCC= Food Chemicals Codex

Vitamin-enrichment requirements vary from each kind of food products. In general, vitamin proportion are defined so as to assure the nutrition of each food products.

The Recommended Nutrient Intakes RNI 2002 has detailed recommended intake levels of various kinds of vitamins /day by age groups. Some highlighted points are as follows:

Vitamine C (mg/day): 25, 45, 55 for children below one year-old, adults and pregnant women, respectively.

Vitamine B6 (mg/day): 0.1, 1.3-1.7, 1.9 for children below one year-old, adults and pregnant women, respectively.

iv) Novel Foods (Genetically Modified Organisms (GMOs))

Vietnam does not ban imports of GM foods. "GM" is required on the Vietnamese label of GM foods when circulation in Vietnam. However, it has yet been in practice because there is lack of implementing guideline provided by relevant authorities. For more detail, please see the most updated biotech report VM 7048.

v) Functioning foods

Circular 08/2004/TT-BYT of the MOH dated 23/08/2004 guiding state management of functioning foods. A food product has been modified and enriched by nutritious products i.e. vitamins, minerals and other active biological ingredients is considered a functioning food if meeting the following conditions:

- The manufacturer of the food has announced it as functioning food.
- The competent authority agency of the country of origin has approved for circulation within the country's territories.
- Result of Clinical Tests
- For food enriched by micro nutritious, in its label instruction on total daily intake of micro nutritious, at least one vitamin and one mineral has got its content three times higher than the RNI 2002.

vi) Marine Products

As mentioned in the entry-point testing, the Nafiqavet is responsible for sanitary standards of imported unprocessed marine products.

vii) Beverages Products:

Vietnamese standard - TCVN 7041 is the reference.

viii) Wine, Beer and Other Alcoholic Beverages

For wine, Vietnamese standard - TCVN 7045 is the reference.

For Liquor, TCVN 7044.

For white alcoholic drinks (vodka), TCVN 7043.

For beer, TCVN 7042.

- ix) Organic Foods and Health Foods
- x) Product Samples and Mail Order Shipments

The Government of Vietnam recently promulgated several Ordinances on agricultural related areas including the Ordinance on Plant Varieties (Pls see VM7012), the Ordinance on Animal Breeds (pls. see VM4032) and the Ordinance on Veterinary Medicine (pls. see VM 4051)

SECTION VIII: COPYRIGHT AND/OR TRADEMARKS**1. Trade marks and trade names protection**

Trademarks and trade names are protected under Vietnam Intellectual Property Law that has entered into force since July 01, 2006.

Actually, a trademark is protected if it meets the following conditions:

- i) To be visible sign in the form of letters, words, pictures including three dimensional figures or a combination I one or more colours.
- ii) To be capable to distinguishing goods and service of the mark owner from those of others.

A mark is considered as distinctiveness if it consists of one or several easy noticeable and memorable elements or of an easily noticeable and memorable combination formed by many elements.

A trade name is protected if it is capable of distinguishing the business entity bearing such trade name from other business entities acting in the same field and locality of business. Its distinctiveness is based on the following conditions:

- Consist of a proper name.
- Not to be identical with or confusingly similar to a trade name having been used earlier by another person in the same field.

- Not to be identical with or confusingly similar to a mark having been protected before the date it is used.

Rights to register a mark:

- An organization or individual shall have the right to register a mark used for goods or services that he produced or supplied.
- An organization or individual legally engaging in trade of a product produced by third party shall have the right to register the mark to be used for the product, provided for the producer neither uses such a mark for the product nor objects to such registration.
- An organization with the function to control and certify the quality, characters, origin or other relevant criteria of goods or services shall have the right to registration of a certification mark provided that such organization is not engaged in the production or trade of such goods or services.

Who have the right to file for the Protection Certificate?

- Organizations and individuals of Vietnam, foreign individuals permanently residing in Vietnam and foreign organizations and individuals having a production or trading establishment in Vietnam shall file application for registration of establishment of industrial property right either directly or through a lawful representative in Vietnam.

- Foreign individuals not permanently residing in Vietnam and foreign organizations and individuals not having a production or trading establishment in Vietnam shall file application for registration of establishment of industrial property right through a lawful representative in Vietnam.

Filing principle: First-to-file (earliest date of priority).

The protection titles may be granted to the application with earliest date of priority. The applicant for registration of a mark may claim priority on the basis of the first application for protection of the same subject matter.

Besides, industrial property protection (trademark protection) can also be regulated by Madrid Compromise.

The protection certificate granted by an authorised agency - the National Office of Intellectual Property under the control of the Ministry of Science, Technology is the only sign of national recognition and is valid throughout the state of Vietnam. In Hanoi, the NOIP is situated at 96+98 Nguyen Trai street. The protection certificate of trademarks is the Certificate of Trademark Registration which is valid within 10 years since the conformable application day and can be continuously renewed for many times of 10 years each.

The application for Protection Certificate of a trademark must satisfy the certain requirements, following are some main ones:

- A request, made in prescribed form.
- The application itself and all documents enclosed are written in Vietnamese.
- All documents are set up in portrait in A4 paper size (210*297mm) with margins of 20 mm at four sides.

- Documents, samples, information identifying the industrial property object claimed for protection.
- Documents evidencing the right to registration.
- Documents evidencing the priority right.
 - Receipts of fee and charge for this registration.

Requirements of trademark registration applications:

1. Documents, samples, information which specify the trademark claimed protection in the trademark application shall include:
 - a) Trademark samples and list of goods or services bearing the trademark;
 - b) Rules on using collective mark or Rules on using certification mark.
2. The trademark sample shall be described in order to make it clear as to the components of the trademark and the comprehensive meaning of the trademark (if any). If the trademark consisting of letters, words belonging to hieroglyphic languages, such words and letters shall be transliterated. A trademark consisting of signs in foreign languages shall be translated into Vietnamese.
3. Goods or services listed in an application for trademark registration shall be classified in accordance with the International Classification of Goods and Services under the Nice Agreement that published by the State administrative authority of industrial property .
4. The rule on using collective mark shall consist of the following main contents:
 - a) The legal entity who is the mark owner;
 - b) Conditions for using the mark;
 - c) Conditions to become a member of the legal entity owning the collective mark;
 - d) Sanctions applicable to acts infringing the rules on using the collective mark;
 - d') List of legal entities and individuals permitted to use the mark (if any).
5. The rules on using certification mark shall consist of the following main contents:
 - a) The legal entity, individual who is the mark owner;
 - b) Conditions for using the mark;
 - c) Characteristics of goods and services certified by the mark;
 - d) Methods to evaluate the above characteristics and supervise the use of the mark;
 - d') Expenses (if any) payable by the mark user for the certification and protection of the mark.

When applying for Protection Certificate, the applicant must pay a fee. The Department of Industrial Protection and other authorised agencies have the responsibility of collecting all the fees correctly, on time and contribute to the National Budget in conformity with the state regulations on fees and costs. Application fee of Protection Certificate is decided by the Ministry of Finance in co-ordination with the Ministry of Science, Technology therefore, this is suitable to the current conditions in Vietnam and international practice. In case fees have been already submitted but the relevant work has not been done yet due to mistakes of the Industrial Protection body, those fees must be returned to the applicants with their approval and certificate of returning.

Please contact Post for the Intellectual Property Law in detail. It's available in English.

SECTION IX: IMPORT PROCEDURES

Ref: Vietnam's Customs Decision No.874/QD-TCHQ on "Promulgation of Customs Procedures Applicable to Commercial Imported, Exported Goods) dated May 15, 2006". The decision provides full customs procedures for customs clearance of commercial imported/exported goods. The procedures consists of 5 fundamental steps, that are:

Step 1: Receive application file, primary examination, declaration registration, form decision and inspection level.

Works on this step include:

- To input import/export code of enterprises for checking condition of declaration/tax...
- if the enterprise does not qualify for registration of declaration, the Customs will send them "professional request to provide the reason for refusal of the registration
- if the enterprise is qualified for registration of declaration, the Customs will go further to primary examination of the custom application file.
- After all information are put in computers, it will be automatically processed and the form order and inspection level will be given.

(in Vietnam, they set three level (**Level 1:** to be exempted from detail inspection called green stream, **Level 2:** the application file shall be inspected in detail but actual inspection of good is exempted called yellow stream and **Level 3:** both application file and good to be actual inspected called Red stream.)

Step 2: Detail inspection on application file, price and tax

In this step, the application file is inspected in detail on taxable price, code, policy and tax regime.

Step 3: Actual inspection of goods

This step is about actual inspection of good. The inspection works include inspection of the status of packing, seal of goods, to inspect the good according to guidance stated in the form guideline, inspection level...

Step 4: Collection of customs fee, seal "customs procedures completed" and return of the declaration to declarer

In this step, customs officers will check tax payment, bank guarantee/guarantee of credit.. to collect customs fees and to seal “customs procedure completed” and return the customs declaration to the declarer, to record and monitor as well as hand over the application declaration to relevant divisions...

Step 5: Selection and response of application file

For this step, responsible customs officers will receive the application file from the customs fee collection division. To select and response the application file in according to a procedure of file selection and response....

Important certification required for imports of food products to Vietnam

- 1) Certificate of Standards of Food products by MOH/VFA. (Already mentioned in Section V of this Report).
- 2) Certificate of satisfaction of food hygiene and safety requirements by MOH.
- 3) Certificate certifying that the imported products meet with Vietnam quality requirements by SCA.

For unprocessed food originated from animal:

Meat - Export Certificate from FSIS is required.

Dairy products – HACCP (GMP) Certificate by AMS and Health Certificate by APHIS is required

For unprocessed food originated from marine:

Seafood – Export Certificate/Health Certificate from competent authority is required.

APPENDIX 1

Metal Residues allowed in food products mg/kg (pmm)

Order	Food Product's Name	Asen(As)	Pb	Cu	Sn	Zn	Hg	Cd	Sb
1	Milk and Dairy products	0.5	2.0	30	40	40	0.05	1	1
2	Meat and its products	1.0	2.0	20	40	40	0.05	1	1
3	Fish and its products	1.0	2.0	0.1	40	100	0.5	1	1
4	Cooking oil	0.1	0.1	30	40	40	0.05	1	1
5	Vegetables	1.0	2.0	10	40	40	0.05	1	1
6	Vegetables juices	0.1	0.5	150	40	5	0.05	1	15
7	Tea and its products	1.0	2.0	30	40	40	0.05	1	1
8	Coffee	1.0	2.0	70	40	40	0.05	1	1
9	Kakao	1.0	2.0	30	40	40	0.05	1	1
10	Spices	5.0	2.0	30	40	40	0.05	1	1
11	Sauces	1.0	2.0	5	40	40	0.05	1	1
12	Drinks	0.2	0.5	10	40	40	0.05	1	0.15
13	Water: need watering*	0.5	1.0	2	40	25	0.05	1	0.15
	Instant served	0.1	0.2	5	40	5	0.05	1	0.15
14	Children's food	0.1	0.5		40	40	0.05	1	1

15	Canned food				250			
----	-------------	--	--	--	-----	--	--	--

* The maximum limit before being watered.

The acceptable daily intake (ADI) is based on g/kg of body weight/week:

As: 15 Pb: 25 Cd:7 Hg: 3.3 (Mecyl of Hg)

APPENDIX II :

Key Government Contacts

Ministry of Agriculture and Rural Development (MARD)

2 Ngoc Ha Street, Hanoi, Vietnam

Tel: 844-845-9670; Fax: 844-845-4319

Email: leminhmard@fpt.vn

Contact: Mr. Le Van Minh, Director, International Cooperation Dept

Department of Ag & Rural Development

176 Hai Ba Trung, District 1

Ho Chi Minh City,

Vietnam

Tel: (848)829-7611/(848) 829-7623

Cell: 84-91392-3829

Fã: (848)829-4764

Contact: Mr. Nguyen Phuoc Thao, Director

Ministry of Agricultural and Rural Development (MARD) /

Plant Protection Department – HCMC Office

28 Mac Dinh Chi, Dist.1, HCMC

Tel: 848-829-4568; Fax: 848-829-3266

Email: kdtv2@hcmc.netnam.vn

Contact Mr. Nguyen The Phu, Deputy Director

Ministry of Agricultural and Rural Development (MARD) / HCMC

Plant Protection Department / Phytosanitary Sub- Dept Zone II.

28 Mac Dinh Chi, Dist.1, HCMC

Tel: 848-8238948 Fax: 848-829-3266

Email1: nguyenvan_nga53@yahoo.com

Email2: kdtvv2hcmc@vnn.vn

Contact Nguyen Van Nga, Director

Ministry of Agricultural and Rural Development (MARD)

Department of Animal Health

Phuong Mai-Dong Da

Hanoi-Vietnam

Tel: 844-8685460/fax: 844-8691311

Email: quanganh.dah@fpt.vn

Contact: Dr Bui Quang Anh, Director

Regional Animal Health Office No.6
521/1 Hoang Van Thu, Tan Binh District
Ho Chi Minh City, Vietnam
Tel: (84-8) 8444024
Cell: 0918032912
Fax: (84-8) 8444029
Email: rahchcmc@hcm.vnn.vn
Contact: Mr. Dong Manh Hoa, Director

Ministry of Health
Vietnam Food Administration
138A Giang Vo Street- Hanoi- Vietnam
tel: 844- 8465 300; fax: 844-8463 739
email: cucqltp@hn.vnn.vn
contact: Dr Tran Dang, director

Health Department/HCMC
59 Nguyen Thi Minh Khai St
District 1, Ho Chi Minh City, Vietnam
Tel: 84-8-930-9349
Fax: 84-8-930-9088
Contact: Dr. Le Truong Giang, Deputy Director

Institute of Hygiene and Public Health
159 Hung Phu, Dist.8, Ho Chi Minh City,
Vietnam
Tel: (84-8) 855-9719
Cell: 84.903 758 104
Fax: (84-8)856-3164
Email: vienvsytc@hcm.vnn.vn
Contact: Dr. Nguyen Xuan Mai, Deputy Director

Vietnam Directorate For Standards and Quality (STAMQ)

Address: 08 Hoang Quoc Viet, Cau Giay, Ha Noi

Tel: (84-4) 7911606; **Fax:** (84-4) 7911595

E-Mail: vptdc@tcvn.gov.vn

website: <http://www.tcvn.gov.vn>

QUATEST 1 (Quality Assurance and Testing Center 1)

No.8 Hoang Quoc Viet Street – Hanoi

tel: 844-8361399/fax: 844-8361199

E-mail: Quatest1@fpt.vn; Quatest1@vnn.vn

QUATEST 3 (Quality Assurance and Testing Center 3)

49 Pasteur, District 1,

Ho Chi Minh City, Vietnam

E-mail: qt-xuctien@quatest3.com.vn

or quatest3@hcm.vnn.vn

Phone: (84-8) 82 94 274

Fax: (84-8) 82 93 012

Website: <http://www.quatest3.com.vn/>

Vietnam National Fishery Quality and Veterinary Directorate

10 Nguyen Cong Hoan Street – Hanoi – Vietnam

tel: 844- 8354 966/fax: 844 – 8317221

email: nafiqaved@mofi.gov.vn

contact: Mr Nguyen Tu Cuong, director

NAFIQAVED (National Fishery Inspection)

30 Ham Nghi, Ben Nghe Ward

District 1, Ho Chi Minh City,

Vietnam

Tel: (84-8) 8210815

Fax: (84-8) 821 2613

Contact: Mr. Le Dinh Hung, Director

Hanoi People's Committee

Department of External Relations

81 Dinh Tien Hoang

Hanoi, Vietnam

Tel: 844-826-7570; Fax: 844-825-3584

Contact: Prof. Dr. Nguyen Quang Thu, Director

Email: ntm@hn.vnn.vn

Ho Chi Minh City People's Committee

Department of External Relations

6 Alexandre de Rhodes, District 1, Ho Chi Minh City

Tel: 848-822-4224; Fax: 848-825-1436

Contact: Mr. Le Quoc Hung, Director

Vietnam Chamber of Commerce and Industry (VCCI)

9 Dao Duy Anh Street

Hanoi, Vietnam

Tel: 844-574-2161; Fax: 844-574-2020

Contact: Mr. Nguyen Ngoc Thang, Deputy General Director, International Relations Department
(Cellphone: 84-913-024-244)
Email: vcci@fmail.vnn.vn

Chamber of Commerce and Industry of Vietnam (VCCI)
Trade Service Company, General Trading & Consultancy Department
79 Ba Trieu Street
Hanoi, Vietnam
Tel: 844-826-5667 Fax: 844-826-6649
Email: vcci_tsc@yahoo.com
Contact: Mr. Dao Duy Tien, General Manager

Chamber of Commerce and Industry of Vietnam (VCCI) / HCMC
171 Vo Thi Sau St, District 3, HCMC
Tel: (84-8)932-7301; Fax: (84-8)932-5472
Email: vcci-hcm@hcm.vnn.vn
Contact: Mr. Nguyen The Hung, Deputy Director General

Investment & Trade Promotion Center
51 Dinh Tien Hoang St, District 1,
Ho Chi Minh City, Vietnam
Tel: (84-8) 823-6738
Cell: 84-903-811-378
Fax: (84-8) 824-2391
Email: itpc@hcm.vnn.vn
<http://itpc.hochiminhcity.gov.vn/>
Contact: Mr. Truong Trong Nghia, Director

AMCHAM Hanoi

AmCham HCMC
76 Le Lai, District 1
Ho Chi Minh City, Vietnam
Tel: (84-8) 824-3562
Cell: (84) 90393-7293
Fax: (84-8) 824-3572
Email: herb.cochran@amchamvietnam.com
Contact: Mr. Herb Cochran, Executive Director

Vietnamese Websites:

NOTE: Most Vietnamese websites contain both English and Vietnamese documents.

Vietnamese Embassy in Washington <http://www.vietnamembassy-usa.org>

Ministry of Health	www.moh.gov.vn
Directorate for Standards & Quality	www.tcvn.gov.vn
Vietnamese Customs Agency	www.customs.gov.vn
Ministry of Foreign Affairs	www.mofa.gov.vn
Ministry of Finance	www.mof.gov.vn
Ministry of Fishery	www.fistenet.gov.vn
Ministry of Trade	www.mot.gov.vn
Ministry of Ag and Rural Development	www.mard.gov.vn
Agricultural Market	www.vitranet.com.vn/agr
Vietnam Fruit	www.vietcam.com
Contact Vietnam	www.contactvietnam.com
Local exporters list, commercial law	www.hcmctrade.gov.vn
Hanoi Dept. of Planning and Investment	www.sokhdthanoi.gov.vn
Info on Mekong River Delta	www.viic-mekong-delta.com
Info on Mekong River Delta's capital	www.cantho.gov.vn
Legal documents	www.vietlaw.gov.vn
Representative office up procedures	www.vietbig.com
Vietnam Trade	www.vietrade.gov.vn
HCMC airport	www.saigonairport.com
HCMC tourism	www.saigontourist.net
HCMC Tax Bureau	www.hcmtax.gov.vn

Trade Shows info:

http://www.vietnamtradefair.com/fair/hc_th12.htm

Government and Ministries:

Government and Cities' Websites

http://www.chinhphu.vn/portal/page?_pageid=33,1&_dad=portal&_schema=PORTAL

National Assembly

<http://www.na.gov.vn/>

Ho Chi Minh City

http://www.hochiminhcity.gov.vn/home/left/tin_tuc/tin_noi_bat/2005/06/22-06-2005.01

http://update.hochiminhcity.gov.vn/home/index_cityweb

Ba Ria Vung Tau

<http://www.baobariavungtau.com.vn/viet/phapluat/6629/>

Ministries:

Ministry of Industry

<http://www.moi.gov.vn/News/Detail.asp?Sub=4&id=11534>

Diplomatic Organization

<http://www.vietnamembassy-usa.org/>

Biotech Vietnam

<http://www.agbiotech.com.vn/en/?mnu=preview&key=349>.

<http://www.hcmbiotech.com.vn>

Vietnam Companies Info

<http://www.info.vn/?rcom=1&comid=5502&lang=en>

Vietnam Vegi and Flower info

<http://www.rauhoaquavn.vn/>

www.rauhoaquavietnam.vn

Yellow Pages

<http://www.yellowpages.com.vn>