



# Ministero della Salute

DIPARTIMENTO DELLA SANITA' PUBBLICA VETERINARIA, DELLA SICUREZZA  
ALIMENTARE E DEGLI ORGANI COLLEGIALI PER LA TUTELA DELLA SALUTE  
DIREZIONE GENERALE PER L'IGIENE E LA SICUREZZA DEGLI ALIMENTI E DELLA NUTRIZIONE  
Ufficio IX-EX DGSAN

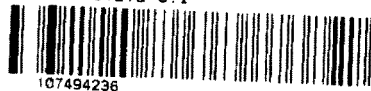
Assessorati Regionali alla Sanità  
e Provincia autonoma di Trento  
Assessorato all'agricoltura della Provincia autonoma di Bolzano  
Servizi Veterinari e Servizi SIAN  
LORO SEDI

e p.c.  
Associazioni di categoria  
LORO SEDI

Ministero della Salute  
DGSAN

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I.2.a c.1



**Oggetto:** esportazione di prodotti alimentari in Vietnam.

Si trasmette il decreto 38 attuativo della legge sulla sicurezza alimentare vietnamita del 2010, pervenuto in data 7 giugno 2012 dall'Ambasciata d'Italia a Hanoi, concernente la nuova regolamentazione vietnamita in materia di sicurezza alimentare che entrerà in vigore dall'11 giugno 2012.

In particolare viene richiesto che le ditte italiane interessate ad esportare prodotti alimentari in Vietnam debbano compilare nuovi modelli di Appendix – distinte per tipologia di prodotti destinati all'esportazione – fornendo alle Autorità vietnamite le informazioni richieste.

Si invitano gli Assessorati in indirizzo a voler dare la massima informazione della presente nota alle AA.SS.LL. e agli operatori del settore.

Si ringrazia per la collaborazione.

IL DIRETTORE GENERALE  
(Dr. Silvio Borrolo)

UFFICIO DEL VETERINARIO REGIONALE U.O. VETERINARIA	
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**GOVERNMENT**

**THE SOCIALIST REPUBLIC OF VIETNAM**

No: 38/2012/NĐ-CP

**Independence - Freedom - Happiness**

*Hanoi, April 25, 2012*

**DECREE DETAILING THE IMPLEMENTATION OF  
SOME ARTICLES OF THE FOOD SAFETY LAW**

**GOVERNMENT**

Pursuant to Government Organizing Law dated December 25, 2001;

Pursuant to the Law on Food Safety No.55/QH12/2010 dated June 17, 2010;

Pursuant to the Law on Standards and National Technical Standards dated June 29, 2006

Pursuant to the Law on Quality of Goods dated November, 11, 2007

At the proposal of the Minister of Health;

The Government issues the Decree regulating details on implementing some provisions (articles?) of the Food Safety Law.

**DECREES:**

**Chapter I**

**GENERAL PROVISIONS**

**Article 1. Scope of Application**

This Decree details the implementation of some provisions of the Law on Food Safety:

1. Declaration of Conformity to technical regulations or food safety regulations
2. Safety requirements for genetically modified foods.
3. Granting, withdrawing Food safety certificates for establishments that have eligible conditions to meet food safety requirements.
4. State inspection on food safety for imported and exported foods;
5. Labeling of food products
6. Delegation of responsibilities for state management of food safety to the relevant Ministries:
  - a) Responsibilities of state management of food safety, the Ministry of Health;
  - b) Responsibilities of state management of food safety, the Ministry of Agriculture and Rural Development;
  - c) Responsibilities of state management of food safety, the Ministry of Trade and Industry;
  - d) Responsibilities of state management of food safety of the People's Committees at

all levels.

e) Coordination between Ministries and sectors in the implementation of state management functions on food safety.

7. Food safety specialized Inspection

**Article 2. Scope of Application**

The decree is applied for the authorities, organizations, individuals in Vietnam; the individuals, or foreign organizations in Vietnam engaging in food production, trading; the organizations and individuals, who have activities related to food safety in Vietnam (hereinafter referred to as organizations and individuals).

**Chapter II**

**DECLARATION OF CONFORMITY TO TECHNICAL REGULATIONS and TO  
FOOD SAFETY REGULATIONS**

**Article 3. Declaration of Conformity to Technical Regulations/ Food Safety Regulations**

1. Pre-packaged - processed foods; food additives; processing aids; utensils, packaging materials or containers in direct contact with food (hereinafter referred to as products), that have had technical regulations, shall be declared of conformity to technical regulations and the declaration submitted to competent authority before circulated to the market.

2. Products, for that technical regulations are not available, shall be declared of conformity to food safety regulations and - the declaration submitted to competent authority before circulated to the market until related national technical standards are issued and adopted.

**Article 4. Receiving the declaration of conformity to technical regulations, or food safety regulations.**

1. Ministry of Health shall have responsible for receiving the declaration of conformity to technical regulations or food safety regulations of organizations, individuals producing and trading products, including: functional foods; food additives; food processing aids; pre-packaged and processed imported food products, utensils, packaging materials or containers in direct contact with food.

2. Provincial Department of Health shall have responsible for receiving the declaration of conformity to technical regulations or food safety regulations for products that are domestically produced and traded by organizations, individuals located in the localities.

3. Within 7 working days from the date of receiving proper dossier, the competent agency shall grant the Receipt of Declaration of Conformity to technical regulation as regulated in Appendix 01a of this Decree; in case of refusal, the competent state agency shall reply in writing specifying clearly the reasons for such refusal.

4. Within 15 working days from the date of receiving proper dossier, the competent agency has to grant the Certificate of Conformity to food safety regulation as regulated in Appendix 01b of this Decree; in case of refusal, the competent state agency shall reply in writing specifying clearly the reasons for such refusal.

5. Within 30 working days from the date of receiving proper dossier, the competent agency has to grant the Certificate of Conformity to food safety regulation for functional food, fortified food as regulated in Appendix 01b of this Decree; in case of refusal, the competent state agency shall reply in writing specifying clearly the reasons for such refusal.

6. Receiving or certifying agencies shall have responsible for public announcement the list of products that already granted the Certificate of Conformity to technical regulation or Certificate of Conformity to food safety regulation in their website and other mass media when requested.

Every month, provincial Health Department shall have responsible for reporting to Ministry of Health the results of receiving dossiers applied for conformity registration.

**Article 5. A dossier for declaration of conformity for products for that technical regulations are available.**

1. Declaration of conformity based on results certified by a designated certifying organization (third party), a dossier shall include:

a) Declaration of conformity to technical regulation as regulated in Appendix 02 of this Decree;

b) Product Specification as regulated in Appendix 03a or 03c of this Decree (cross-sealed by a third party);

c) Certificate of conformity to technical regulation granted by third party (legitimate copy or the notarized copy together with the original for reference);

d) A certificate of HACCP or ISO 22000 or equivalent where the organizations or individuals producing the products have a quality control system certified for conformity to HACCP or ISO 22000 or equivalent (legitimate copy or the notarized copy together with the original for reference).

2. Declaration of conformity based on results of self conformity assessment by organizations, individuals producing and trading food (first party), a dossier shall include:

a) Declaration of conformity to technical regulation as regulated in Appendix 02 of this Decree;

b) Product Specification as regulated in Appendix 3a or Appendix 3c of this Decree (cross-sealed by a third party);

c) Testing results within 12 months, including criteria's regulated by relevant technical regulations, granted by the following agencies: a testing lab designated by a state competent agency or by recognized independent lab (origin or notarized copy) or a foreign testing lab of origin country that is recognized by Viet Nam competent authority. (an original or a notarized or a consular legalized copy).

d) Quality control Plan developed and applied as regulated in Appendix 04 of this Decree (certified by first party);

d) Periodically monitoring Plan (certified by first party);

e) Report of Conformity Assessment (certified by first party);

g) A certificate of HACCP or ISO 22000 or equivalent where the organizations or individuals producing the products have a quality control system certified for conformity to HACCP or ISO 22000 or equivalent (a notarized copy or copy together with the original for reference).

**Article 6. A dossier of declaration of conformity to food safety regulations for products not having technical regulations.**

1. For imported products (except for functional foods, micronutrient fortified foods), a dossier shall include:

a) Declaration of conformity to food safety regulation as regulated in Appendix 02 of this Decree;

b) Product Specification as regulated in Appendix 03a or Appendix 03c of this Decree;

c) Testing results for key quality and food safety criteria's within 12 months by a testing lab designated by a state competent agency; or by a recognize independent lab (original or notarized copy); or by a testing lab of origin country recognized by Viet Nam competent authority (original or notarized copy or consular legalized copy);

d) Periodically monitoring Plan (certified by organization or individual);

d) Sample of product label as circulated in the origin country and supplementary label in Vietnamese (certified by organization or individual).

e) Sample of finished products only for the products that first time imported into Viet Nam for reference when dossier submitted;

g) Business registration certificate with food trading sector or certification for having legal person status for food importing individuals and organizations (- copies certified by organization or individual);

h) Certificate of satisfaction of food safety conditions (if subject to a certificate of satisfaction of food safety conditions under the law) (copies certified by with organization or individual);

i) A certificate of HACCP or ISO 22000 or equivalent where the organizations or individuals producing the products having a quality control system certified for conformity to HACCP or ISO 22000 or equivalent ( the notarized copy or copy together with the original for reference).

2. For domestically produced products (except for functional foods and micronutrient fortified foods), a dossier shall include:

a) Declaration of conformity to food safety regulation as regulated in Appendix 02 of this Decree;

b) Product Specification as regulated in Appendix 03a or Appendix 03c of this Decree;

c) Testing results within 12 months, for key quality and food safety criteria's, by a testing lab designated by a state competent agency; or independent lab recognized by Vietnam (an original or a notarized copy );

d) Quality control Plan developed and applied as regulated in Appendix 04 of this Decree (certified by organization or individual);

đ) Periodically monitoring Plan (certified by organization or individual);

e) Sample of label (certified by organization or individual);

g) Business registration certificate with food trading sector or certification for having legal person status for individuals and organizations (copies certified by organization or individual);

h) Certificate of satisfaction of food safety conditions (if subject to a certificate of satisfaction of food safety conditions under the law) (copies certified by organization or individual);

i) A certificate of HACCP or ISO 22000 or equivalent where the organizations or individuals producing the products have a quality control system certified for conformity to HACCP or ISO 22000 or equivalent ( the notarized copy or copy together with the original for reference).

3. For imported functional foods, micronutrient fortified foods, a dossier shall include:

a) Declaration of conformity to food safety regulation as regulated in Appendix 02 of this Decree;

b) Product Specification as regulated in Appendix 3a or Appendix 3c of this Decree (with cross seal by organization or individual);

c) Free Sale Certificate or Health Certificate or equivalent certificate granted by competent authorities of origin country indicating that the product is safe for human consumption and in compliance with legislation of food safety (an original: or a notarized copy; or a consular legalized copy);

d) Testing results within 12 months, including key quality criteria's, food safety criteria's, by a testing lab designated by a state competent agency; or by an recognized independent lab; or by a testing lab of origin country that recognized by Viet Nam competent authority, (an original; a notarized copy; or a consular legalized copy);

đ) Periodically monitoring Plan (certified by organization or individual);

e) Product label as circulated in the origin country and supplementary label in Vietnamese (certified by organization or individual).

g) Sample of finished products for reference when the dossier submitted;

h) Business registration certificate with food trading sector or certification for having legal person status for food importing individuals and organizations (copies certified by organization or individual);

i) Certificate of satisfaction of food safety conditions (if subject to a certificate of satisfaction of food safety conditions under the law) (copies certified by organization or individual);

k) A certificate of HACCP or ISO 22000 or equivalent where the organizations or individuals producing the products have a quality control system certified for conformity to HACCP or ISO 22000 or equivalent (the notarized copy; or copy together with the original for reference);

l) Information, scientific documents supporting the effects of each ingredient contributing to the declared functions of product (copy certified by organization or individual).

4. For domestically produced functional foods and micronutrient fortified foods, a dossier shall include:

a) Declaration of conformity to food safety regulation as regulated in Appendix 02 of this Decree;

b) Product Specification as regulated in Appendix 03a or Appendix 03c of this Decree (cross seal by organization, individual);

c) Testing results within 12 months, consist of key quality criteria and safety criteria, by a testing lab designated by a state competent agency, or recognized independent lab (an original or a notarized copy);

d) Sample of product label (certified by organization or individual);

d) Sample of finished products for reference when the dossier submitted;

e) Business registration certificate with food trading sector or certification for having legal person status for individuals and organizations (copies certified by organization or individual);

g) Certificate of satisfaction of food safety conditions (if subject to a certificate of satisfaction of food safety conditions under the law) (copies certified by organization or individual);

h) A certificate of HACCP or ISO 22000 or equivalent where the organizations or individuals producing the products have a quality control system certified for conformity to HACCP or ISO 22000 or equivalent ( the notarized copy; or copy together with the original for reference);

i) Information, scientific documents supporting the effects of each ingredient contributing to the declared functions of product (certified by organization or individual);

k) Reports on efficiency trial of declared functions for the products circulated in the market for the first time (notarized copy or copy with the original for reference);

l) Quality control Plan developed and applied as regulated in Appendix 04 of this Decree (certified by organization or individual);

m) Periodically monitoring Plan (certified by organization or individual).

**Article 7. Submission of a dossier for declaration of conformity to technical regulation or food safety regulations**

1. A dossier should be prepared as follow:

a) General legal documents, should be made in 1 booklet. the book shall include:

- Business registration certificate with food trading sector or certification for having legal ~~person~~ status for individuals and organizations (notarized copies with seal of organization or individual);

- Certificate of satisfaction of food safety conditions (if subject to a certificate of satisfaction of food safety conditions under the law) (copies certified by organization or individual);

- A certificate of HACCP or ISO 22000 or equivalent where the organizations or individuals producing the products subject to a quality control system certified for conformity to HACCP or ISO 22000 or equivalent (a notarized copy; or copy together with the original for reference);

b) Dossier of conformity declaration or in compliance to food safety regulation should be made into 2 booklets, including documents listed in Article 5 and 6 of the Decree, except documents listed in item a. Clause 1 of this Article.

2. Organization, individual shall directly submit the dossier to competent agencies of Ministry of Health and Provincial Department of Health or by mail.

3. For a food producing/trading organization, individual, that do conformity declaration for the second product or more, is required to submit one set of general legal documents only.

**Article 8. Re-Granting the Certificate of Conformity to Technical Regulations or Certificate of Conformity to food safety regulations**

1. In case, there is no change in food production or process that have impact on quality criteria and food safety levels allowed to compare with the declared criteria, the organization, individual have periodically re-register for the Declaration of Conformity to Technical Regulation or Conformity to Food Safety regulations:

-a) 05 years for food product produced by establishment having one of the advanced quality control systems certificates: HACCP, ISO 22000 or equivalent;

b) 03 years for food producing/trading establishment does not have the above mentioned certificates.

2. Re-registration for conformity declaration to technical regulations or conformity to food safety regulation shall be done at the same competent agency from where the Certificate for conformity to technical regulation or conformity to food safety regulation issued for the same product.

3. A dossier for re-register shall include:

a) Application form for re-granting the Certificate of conformity to technical regulation/Certificate of conformity to food safety regulations regulated in Appendix 05 of this Decree (certified by organization, individual);

b) Copy of the recent (or latest) Certificate of conformity to technical regulation/Certificate of conformity to food safety regulations (copy);

c) Periodically test results by recognized testing labs or designated testing labs (notarized copy; or copy together with original for reference):

- Once per year for the establishment having certificate of advanced quality management: GMP, HACCP, ISO 22000 or equivalent;

- 2 times per year for others that don't have the above mentioned certificates.

d) A certificate of HACCP or ISO 22000 or equivalent where the organizations or individuals producing the products subject to quality control system certified for conformity to HACCP or ISO 22000 or equivalent (the notarized copy; or copy together with the original for reference).

4. Within 7 working days from the date of receiving dossier, competent agencies shall have responsible for re-granting the Certificate of conformity to technical regulation/Certificate of conformity to food safety regulations; in case of refusal, the competent state agency shall reply in writing specifying clearly the reasons for such refusal.

5. In case of there is not any change in food production; process that should have impact on quality of product or declared level of food safety, food producing organization/individual shall have responsible for re-register to the competent agencies as regulated in Article 4,5 and 6 of this Decree.

#### **Article 9. Mark of conformity to technical regulations for products**

Products specified in clause 1, Article 3 of this Decree will receive the Mark of Conformity to technical regulations in accordance with the Law on Standards and National Technical Standards after the overseeing state competent agency announces their conformity declaration.

The use of conformity mark shall be in compliance with Point C, Item 1 of Article 49 of the Law on Standards and National Technical Standards, and Article 15 of the Government Decree No. 127/2007/ND-CP stipulating in details on implementation of some Articles of the Law on Standards and National Technical Standards.

### **Chapter III**

#### **SAFETY REQUIREMENTS FOR GENETICALLY MODIFIED FOODS**

##### **Article 10. Ensuring of Safety of Genetically Modified Organism (GMO) Foods and Products Containing GMO Components**

1. Regulation on conditions to grant a Certificate of Eligibility to Use as Food for GMOs and GM products; orders, procedure of granting the certificate, recall of the certificate of Eligibility to Use as Food for GMOs, the List of GMOs certified for Food Use, must be

done in compliance with Item 1, Chapter IV of the Government Decree No. 69/2010/ND-CP dated June 21, 2010 on Bio-Safety of GMOs, GM products, and genetic samples.

2. The Minister of Agriculture and Rural Development has the responsibility for granting, recalling the Certificate of Eligibility to Use as Food for GMOs; for development and announcing the List of GMOs that are certified for Food Use; for forming and approving and- the functions, duties and operations of the Bio-Safety Committee on approval of GMOs and GMO products-eligible to use as foods.

**Article 11. Labeling of goods containing genetically modified organisms and products made of genetically modified organisms used as foods**

1. Organizations and individuals, which sell food products containing more than 5% GMOs in each component in the market, in addition to complying with the provisions of the Good Labeling regulation, have to provide GM related information on the food label.

2. MARD is responsible for taking lead and coordinating with Ministry of Science and Technology (MOST) in providing detailed guidelines on the labeling of foods containing GMOs, GM products.

**Chapter IV**

**GRANTING AND WITHDRAWING OF CERTIFICATION OF ESTABLISHMENTS HAVING ELIGIBLE CONDITIONS FOR FOOD SAFETY**

**Article 12. Granting the food safety certificate to establishments meeting Conditions for Food Safety**

1. Granting food safety certificate is applied to each producing/trading establishment: each independent manufacturer in one location (hereafter called as establishment), except the following:

- a) Small scale production of food at the beginning stage;
- b) a) Small scale food retailer;
- c) b) Street food vendors;
- d) e) Establishments selling packaged food that does not require special storage conditions as prescribed.

2. Ministers of Health; Agriculture and Rural Development; Industry and Trade within the scope of their state respective duties and managements, are responsible to provide detailed regulation on authorization of granting, withdrawing the certificates for establishments meeting eligible conditions for food safety as stipulated in Article 62, 63, 64 of the Food Safety Law and this Decree, and regulation on methods to manage of types of establishments listed in Item a, b, c and d of Clause 1 of this Article.

**Article 13. Withdrawing the Certificate of Establishments meeting Conditions for Food Safety**

Food Producing and/or Trading Establishments are requested withdrawing their Certificate of Establishments Meeting Conditions for Food Safety in the following cases:

- a) No operation of activities as registered;
- b) Having approval from competent state agency for changing the business type at the existing facility.
- c) The violating establishment is punished under the laws on settlement of administrative violations regarding the food safety.

## **Chapter V**

### **STATE INSPECTION OF**

#### **FOOD SAFETY FOR IMPORTED AND EXPORTED FOODS**

**Article 14.** Inspection on imported foods

1. Imports of all kinds of foods, food ingredients, food additives, processing aids, packaging materials, and food containers, into Vietnam are subjects to inspection by competent state agencies assigned by line-ministries, except the import cases prescribed in Clause 2 of this Article.
2. The following import cases shall be exempted from state inspection on food safety:
  - a) Foods in certain quantity passed through immigration for personal consumption within the limit of duty free paid;
  - b) Foods in diplomatic bags, consular bags;
  - c) Transited food and re-exported foods;
  - d) Foods kept in bonded warehouses;
  - d) Foods served as samples or for testing or research purposes.
  - e) Foods served as samples for displaying at fairs and exhibitions.
3. Ministry of Health is responsible for inspection and informing the results of the imported shipment containing many kinds of foods which are under the management of more than two ministries.

Ministry of Agriculture and Rural Development is responsible to inspection and inform the results of inspection of imported shipment containing many kinds of foods, including raw and fresh foods, which are under management of more than two ministries.

**Article 15. State Inspection of Food Safety in Exporting Country**

1. In case of assessment for mutual recognition, the competent government authorities of Vietnam will develop an in-site inspection plan, notify, and coordinate with the competent authorities of the exporting country to inspect the food safety control system of the exporting country, and of the food producers/traders exporting to Vietnam, in accordance to the international treaties of which Vietnam is a member:
  - a) The competent government authorities of the exporting country submit registration files to relevant ministries;

- b) Within 30 working days from the date of receiving proper registration files including a list of food producers/traders from the competent agency of the exporting country, the competent agencies of relevant ministries must review the files and inform the competent agencies of the exporting country the results and inspection plan if needed.
2. The competent agency of the export country will send a set of registering dossier to the competent agency of Vietnam: Ministry of Health, Ministry of Agriculture and Rural Development, Ministry of Industry and Trade. A dossier shall include:
    - a) A list of food producers/traders registered for exporting to Vietnam in the form issued in Appendix 6 of this Decree. :
    - b) Information on the system of food safety management and the food safety control capacity of competent agency of exporting country in the form stated ~~issued~~ in Appendix 07 attached hereto;
    - c) Brief information on the conditions to ensure food safety of food producers/traders in the form issued in Appendix 08 attached hereto.

**Article 16. State inspection for food safety of exported food**

1. Minister of Health, Minister of Agriculture and Rural Development, Minister of Industry and Trade stipulates the functions of state inspection on food safety for exported food within its management as stipulated in Article 62, 63, 64 of the Food Safety Law.
2. Ministry of Agriculture and Rural Development is responsible for the state inspection on food safety for exported shipment containing many kinds of foods which are under management of more than two ministries.

**CHAPTER VI**

**FOOD LABELING**

**Article 17. Recording shelf-life on food labels**

1. It is mandatory that the "Expiry Date" or "Use by Date" be shown on labels of food products which are supplement foods, health protecting foods, medical nutrient foods, fortified foods and perishable foods that are likely to be damaged by microorganisms. For other food products, food labeling can use "Best Use Before Date" appropriately.
2. For food items labeled with the "Expiry Date" or "End of Use Date," are not allowed to sell in the market after the expired date.
3. Food items labeled with "Best Use Before Date" labeling are still allowed to be sold in the market if producers can prove the safety of the food to the competent government authorities and it should be labeled clearly as one of these two sentence: "Expiry Date" or "End of Use Date". Only the food producer can extend shelf life of the product, and the maximum time length of the extended shelf-life is strictly equal to the original shelf-life.

**Article 21. Mandatory content on the label**

1. Pre-packaged foods must be labeled in accordance with regulations of food labeling. Depending on each kind of re-packaged food, in addition to regulations stipulated in Clause 1 of this Article, the mandatory content of the label must meet some of stipulations as following:
  - a. The information on the label should be true, honest, accurate, apparent, should not be misleading to the consumers;
  - b. Labels of functional foods and micro-nutrition fortified foods must have the following contents: nutrient content; active ingredients to biology; explanation of the use for health; applicable users of the product, dosage and administration, precautions (if any);
  - c. Labels of medical nutrient foods, foods modified with Vitamins, minerals, micronutrients that are not recommended for the general public including nutritional formula for pregnant women, nutritional formula for infants younger than 36 months, and foods for syringe feeding, should be declared with the responsive levels to nutritional demand, dosage for each applicable user group and in accordance to instructions from physicians.
  - d. For functional foods, micro-nutrition fortified foods, food additives, and some genetically modified (GM) foods (that are subject to labeling requirement on GM foods), the label should be clearly declared the composition and content in food;
  - d) When selecting any composition of the product to be labeled as the product's name, that composition must be clearly printed next to the name of the product;
  - e. The name of products should be printed with the biggest and clearest font and it should be at least 3 times bigger than the font of others on the label.
  - f. The content of the translated label must be the same as the content of origin one.
  - g. 3) Ministry of Health is taking lead and coordinating with Ministry of Agricultural and Rural Development and Ministry of Industry and Trade to provide detail guideline on food labeling,

## **Chapter VII**

### **ASSIGNMENT OF STATE MANAGEMENT RESPONSIBILITIES OF FOOD SAFETY**

#### **Article 19. Principles of State Management -of Food Safety**

1. On the basis of the provisions of the Food Safety Law and to ensure compliance with the current legislations.
2. On the basis of state unified management of food safety.
3. State management of food safety is ensured throughout the entire production and trading process.
4. Closely coordinating among ministries, agencies.

5. To ensure the "one-gate" principle that each specific product, a producer/trader is subject to the management of only one specific government authority of food safety.
6. It must be scientific, comprehensive, and feasible.
7. Decentralization of state management between the central Government and the local Government at all levels in state management of food safety.
8. During the management process, if any issue arises and it is difficult to distinguish the responsibility among ministries to solve the problem, Ministry of Health takes lead, coordinates with Ministry of Agriculture and Rural Development, Ministry of Industry and Trade to develop the Inter-Ministerial Circular for providing guidance in detail.

**Article 20. Responsibilities for State Management of Food Safety of the Ministry of Health**

1. Ministry of Health is responsible for implementing state unified management of food safety to Government.
2. Within the scope of duties and functions, Ministry of Health is responsible for:
  - a) Implementing the State general management of food safety provisions stated in Clause 1 of Article 62 of the Food Safety Law;
  - b) Based on supervision and collection of information from reports of other ministries in-line, periodically, extraordinarily provides the Government with reports on food safety management;
  - c) Appraising, developing plan and roadmap for developing, reviewing National Technical Regulations for all kinds of foods, food additives, processing aids, utensils, packaging materials, food containers in accordance to the management requirements and appropriate to the social-economic development in each period;
  - d) Presiding over, developing National Technical Regulations for the products within its management as stipulated in Article 62 of Food Safety Law; issuing National Technical Regulations on safety criteria and safety levels for all food products, food additives, processing aids, packaging materials, food containers;
  - d) Indicating competent organizations to certify the conformity to technical regulations for food products, food additives, processing aids, packaging materials, food containers for that National Technical Regulations are issued based on the consultation of line ministries when necessary;
  - e) Managing food safety during production, primary processing, processing, storage, transport, exports, imports, and trading with regard to food additives, processing aids, bottled water, natural mineral water, functional foods, food fortified with micro nutrients, utensils, packaging materials and food containers;
  - g) Stipulating in detail the management of functional food, food additives and food fortified with micro nutrients;
  - h) Organizing and granting the Certificate of conformity to technical regulations; Certificates of conformity to food safety regulations; Certificate of conformity to

content of food advertisement for pre-packaged and processed food, food additives, food processing aids, utensils, food packaging materials and food containers;

i) Organizing and decentralizing the grant of certificate of meeting adequate food safety conditions for organizations, individuals engaging in producing, trading with food within its assignment as stipulated at Item e, Clause 2 of this Article;

k) Granting health certificates for foods; food additives; food processing aids, utensils; food packaging materials, food containers, upon requests from organization or individual;

l) Regulating conditions for testing facilities, indicating competent agencies to do testing of foods for the purpose of State management within its management; indicating testing agencies to do testing for arbitrations and final testing result statements when there are discrepancies between testing results from its testing bodies and from testing bodies outside of MOH;

m) Management of food safety for collective kitchens, resorts, hotels, restaurants, food catering services.

n) Indicating competent agencies to do state food safety inspection of imported food products within its management as stipulated at Item e, Clause 2 of this Article and Clause 3, Article 14 of this Decree;

**Article 21. Responsibilities for State Management of Food Safety, the Ministry of Agriculture and Rural Development**

1— Coordinating in development of national technical regulations for food products

2 Food safety management for the primary production of agricultural-forestry-fishery products and salt including cultivation, husbandry, harvesting, fishing, exploitation of agriculture, forestry, aquaculture, and salt production.

3 Food safety management during production, collection, slaughtering, preliminary processing, processing, storage, transport, exports, imports, and trading with regard to grains; meat and meat products; fish and fish products; vegetables, tubers, fruits, and and vegetable products; egg and egg products; fresh raw milk; honey and honey products; genetically modified foods; salt; spices; sugar; coffee; cacao; pepper; cashew nuts and other agricultural food products; and food packaging materials and food container under its management.

4 Organizing issuance of Certification on content of advertisement for food products under its management. Presiding, coordinating with Ministry of Health to approve contents of advertisement for food declaring effectiveness to health.

5 Organizing and decentralizing the grant of certificate of meeting adequate food safety conditions for organizations, individuals engaging in producing, trading with food within its assignment as stipulated at Clause 2, 3 and 7 of this Article;

6 Drafting and promulgating regulations on conditions for food safety assurance for establishments engaging in producing, primary processing, processing, and trading with food products within its assignment as stipulated at Clause 3 of this Article, based on the

general regulations by Ministry of Health regarding conditions of food safety assurance for food producers/traders.

- 7 Food safety management for wholesale and auction markets of agri- products
- 8 Stipulating the conditions for testing agency; indicating testing agencies and testing agencies for verification; declaring the testing results of foods within its management.
- 9 Indicating competent agency for state inspection of imported products within its management as stipulated at Clause 3, Article 14 of this Decree;

**Article 22. Responsibilities for State Management of Food Safety, the Ministry of Industry and Trade**

- 1.—Coordinating in development of national technical regulations for food products.
2. Food safety management during production, processing, storage, transporting, exports, imports, and trade of wines, beers, soft drinks, processed milk, vegetable oil, processed flour and starch, confectionary, packages and containers within its management.
3. Organizing issuance of Certification on content of advertisement for food products under its management. Presiding, coordinating with Ministry of Health to approve contents of advertisement for food declaring effectiveness to health.
4. Organizing and decentralizing the grant of certificate of meeting adequate food safety conditions for organizations, individuals engaging in producing, trading with products within its assignment as stipulated at Clause 2, 4 of this Article;
5. Food safety management for markets, supermarkets, stores under storage and distribution systems of food.
6. Conducting examination to prevent fake foods and commercial frauds for all kinds of food, food additives, processing aids, utensils, packaging materials, food containers.
7. Stipulating the conditions for testing agency; indicating testing agencies and testing agencies for verification; declaring the testing results of foods within its management.
8. Indicating competent agency for state inspection of imported food products within its management as stipulated at Clause 2 of this Article;
9. Indicating competent state food safety inspection agencies for products within its management as stipulated at Clause 2 of this Article;

**Article 23. Responsibilities for State Management of Food Safety of People's Committees of different levels**

1. Provincial and Municipal People's Committees under central management shall perform state management of food safety within their territories, and to be responsible for food safety within their territories to Government.
  - a. Organizing and directing Inter-sector Steering Committee on food safety at provincial and municipal level.

b. Directing the implementation of the provisions of the Government, the ministries and agencies on food safety management

2. Issuing local technical regulations on food safety for local special food products.

3. The Departments of Health are responsible to Provincial, Municipal People's committees for implementing state management of food safety at localities; to be the standing contact point for Inter-sector steering committee on food safety at local.

a. To be the contact point for receiving reports from local authorities; summarizing the reports and send food safety situation reports to the Provincial, Municipal People's Committees, the Ministry of Health;

b. Annually organizing inspections to have actual findings of food safety status in the area; to be the contact point for the food contamination surveillance in the area;

c. Inspecting and examining products and the establishments engaging in producing and trading with food additives, processing aids, bottled water, natural mineral water, functional food, food fortified with micro nutrients in the area as decentralized by Ministry of Health; food catering services and street-food vendors.

d. Presiding over and coordinating with professional Departments to do unscheduled inspection and examination for chain of the production and trading of the foods that are under the management of other ministries upon directed by Provincial, Municipal People's Committees and Chairman of Inter-sector Standing Committee on food safety at local, Ministry of Health; When detecting foods, food additives, processing aids, utensils, packaging materials, food containers circulated in market that are risks impacting on consumer's health seriously; when there is discrepancy of the inspection results from professional Department; upon the request of professional Department.

d. Organizing and receiving the registered application for conformity to technical regulations or conformity to food safety regulations; certifying advertisement contents of foods as assigned at Clause 2, Article 4 of this Decree; Granting certificate of adequate conditions on food safety for food establishments engaging in types of products as decentralized by Ministry of Health.

e. Being responsible for food safety management in the area; controlling the food safety conditions assurance of small-scale food establishments, street-food vendors, food catering services, the food safety assurance in markets in the area and other subjects as decentralized.

4. Provincial Department of Agricultural and Rural Development are responsible for:

a) Inspecting and examining products and establishments engaging in producing and trading with foods as decentralized by Ministry of Agriculture and Rural Development.

b) Granting certificate of adequate conditions on food safety for food establishments engaging in types of products as decentralized by Ministry of Agriculture and Rural Development.

- c) Organizing issuance of Certificate of content for food advertisement as decentralized by the MARD.
  - d) Submitting periodical and extraordinary reports to Standing Steering Committee (Provincial Department of Health Service) for its overall reports to Provincial, Municipal People's Committee, Ministry of Health, and the line-ministries.
5. The Provincial/City Departments of Trade and Industry are responsible for:
- a) Inspecting and examining products and establishments engaging in producing and trading with foods as decentralized by Ministry of Industry and Trade.
  - b) Granting certificate of adequate conditions on food safety for food establishments engaging in types of products as decentralized by Ministry of Industry and Trade.
  - c) Organizing issuance of Certificate for content of food advertisement as decentralized by MOIT
  - d) Implementing inspections against fake products, trade frauds for all kinds of foods, food additives, processing aids, utensils, packaging materials, food containers;
  - e) Submitting periodical and extraordinary reports to Standing Steering Committee Provincial/City Department of Health Service) for its overall reports to Provincial, Municipal People's Committee, Ministry of Health, the line-ministries.
6. District People's Committees are responsible to Provincial, Municipal People's Committee for food safety within their territories.
- a) Organizing and directing Inter-sector steering committees of food safety at district levels.
  - b) Directing implementation of food safety regulations of government, ministries, agencies and Provincial, Municipal People's Committee.
  - c) Managing the trading with street-food vendors, restaurants, hotels in the district as decentralized.
7. Commune People's committees are responsible to District People's Committee for food safety within their territories.
- a) Organizing and directing Inter-sector steering committees of food safety at Commune levels.
  - b) Directing implementation of food safety regulations of government, ministries, agencies and People's Committee at higher level.
  - c) Being responsible to District People's Committee for the trading with street-food vendors, restaurants, hotels in the commune as decentralized.

**Article 24. Collaboration among the line-ministries in the state management of food safety**

The line-ministries within their state management of food safety are responsible for coordinating with the Ministry of Health in implementing the state managing activities ensuring state unified management of food safety effectively.

1. The Ministry of Health, Ministry of Agriculture and Rural Development, Ministry of Trade and Industry will implement programs to monitor, to prevent, and to stop food safety incidents in accordance with Article 52 of the Food Safety Law.
2. When food poisoning occurs, the Ministry of Health shall be responsible for organizing emergency treatment timely for food poisoned people. The line ministry shall be responsible for provide files and information relating to suspended foods within its management; coordinating with Ministry of Health to investigate causes of food poisonous case, food supply traceability and handle the causative foods

## **Chapter VIII**

### **PROFESSIONAL FOOD SAFETY INSPECTION**

#### **Article 25. Competent state agencies assigned to implement food safety inspection**

Food safety inspection shall be the specialized inspection conducted by the sectors of Health, Agriculture and Rural Development, Industry and Trade. The assignment of the competent authorities to conduct specialized food safety inspection as stipulated by the Government's regulations assigning competent authorities for conducting the specialized inspection tasks.

#### **Article 26. Coordination among the line-ministries; agencies, and other state forces in food safety inspection**

1. The Ministries of Health, Agriculture and Rural Development, Trade and Industry are responsible for food safety inspection during the process of production, processing, storage, transportation, exports, imports and trade with foods within the assigned management, in accordance with Articles 62, 63, 64, 65, and 67 of the Food Safety Law.
2. The Ministry of Health and the standing body of the inter-sector steering committee shall take the lead and coordinate with in-line ministries and related forces to organize and carry out inter-sector inspection.
3. Ministry of Health will carry out unscheduled inspections of the entire production process, imports, and trade with foods, which are under the management of other ministries in the following cases:
  - a) Under the direction of the Prime Minister or Chairman of Inter-ministerial Steering Committee on food safety.
  - b) Upon detecting violations in production or use of foods, food additives, processing aids, utensils, packaging materials, or food containers, which are likely to cause seriously impact on consumers' health.
  - c) When there is discrepancy of the inspection results from the line-ministries, related industries.

d) At the request of the line-ministries, related sectors.

## **Chapter VIII**

### **EXECUTIVE PROVISIONS**

#### **Article 30. Effectiveness**

This Decree takes effect from June 11, 2012...

#### **Article 31. Responsibility for Implementation**

The Ministers, Heads of ministerial-level agencies, Heads of Governmental agencies, Chairman of Provincial and Municipal People's Committee and other relevant organizations and individuals shall be responsible for implementing this decree.

**ON BEHALF OF THE GOVERNMENT**

**Prime Minister**

**Nguyen Tan Dung**

#### **Recipients:**

- Secretariat of Communist Party's Central Committee
- Prime Minister, the Deputy Prime Ministers;
- The Ministries, Ministerial-level Agencies, Government Agencies;
- Office of the Central Steering Committee on the prevention of corruption;
- People's Committees of provinces and cities directly under the Central Government;
- Central Office and Party Committees;
- Office of the President;
- People's Council and Committees of Congress;
- Supreme People's Court;
- Institute of the Supreme People's Procuracy;
- State Auditor;
- Financial Supervision Commission Country;
- Bank for Social Policy;
- Development Bank of Vietnam;
- Fatherland Front of Vietnam;
- Central offices of associations;
- Office: Chairman, Deputy Chairmen, Portal, departments, units. Gazette;
- Archive: Office. KGVX (5b).

### Appendixes

(Promulgating with the Decree No.38/2012/ND-CP dated April 25, 2012 of the Government)

Appendix 01a	Receipt of Declaration of Conformity to Technical Regulation
Appendix 01b	Certificate of Conformity to Technical Regulation
Appendix 02	Declaration of Conformity to Technical Regulation
Appendix 03a	Product Specification
Appendix 03b	Product Specification for Functional and Fortified Food,
Appendix 04	Quality Monitoring Plan
Appendix 05	Application for Re-Granting Certificate of Conformity
Appendix 06	List of food producers/traders registered for export to Vietnam
Appendix 007	Information on food safety management and monitoring capacity of competent agency of exporting country
Appendix 08	Brief information on conditions ensuring food safety of food producing/trading establishment

"Name of Governing Body "  
"Name of Certification Agency »

**THE SOCIALIST REPUBLIC OF VIET NAM**  
**Independence- Freedom – Happiness**

No: ..... /Code of Certification Agency--TNCB

..... Dated ..... Month ..... Year .....

**RECEIPT OF DECLARATION OF  
COMFORMITY TO TECHNICAL REGULATION**

..... (Name of Receiving Agency) ..... receiving the Declaration of Conformity to technical regulation of .....(name of organization/individual)

At: .....

To product:.....

.....  
(manufactured/imported by ..... (name of manufacturer/origin country) conform to Technical Regulation No.....

.....  
This Receipt of Acknowledgment only noted the commitment of organization/individual. it is not a certificate of conformity to technical regulation for the specific product. Organization, individual shall be fully responsible for the conformity of the declared products

Every .... (3 5 years or 5 3 years). Organization, Individual shall apply to the Re-Declaration of Conformity to Technical Regulation.

Officer – in –charge of Receiving Agency

*(Signed and Sealed)*

CC:

- Organization, Individual,;

- Archive.

"Name of Governing Body "

Appendix 01b  
THE SOCIALIST REPUBLIC OF VIET NAM

"Name of Certification Agency »

Independence- Freedom – Happiness

No: ...../Code of Certification Agency--  
XNCB

....., Dated .... Month ..... Year .....

**CERTIFICATE OF CONFORMITY TO FOOD SAFETY REGULATION**

..... (Name of Certification Agency) ..... certify that the Declaration of conformity to food safety regulation of .....(name of organization/individual)

At: .....

To product:.....

.....

(manufactured/imported by ..... (name of manufacturer/origin country) conform to Food Safety Regulation

No.....

.....

Organization, Individual shall be responsible for periodical inspection and testing as described by the law and be responsible for the conformity of the declared products.

Every .... (3 5 years or 5 3 years), Organization, Individual shall apply to the Re-Statement of Conformity to Food Safety Regulation

Officer – in –charge of Certification Agency

*(Signed and Sealed)*

CC:

- Organization, Individual;;

-- Archive.

**THE SOCIALIST REPUBLIC OF VIET NAM**  
**Independence- Freedom – Happiness**

**DECLARATION OF CONFORMITY TO TECHNICAL REGULATION/FOOD SAFETY  
REGULATION**

No: .....

Name of organization/Individual.....

Address:.....

Tel:.....Fax:.....

E-mail.....

**DECLARE :**

Product: .....

Origin: Name and address; telephone, fax; email of manufacturer (for imported product, it should be written name of origin country)

Conform to Technical Regulation/ Food Safety Regulation (No, Code, Name)

Mode of Conformity Assessment:

We would like to commit of applying the periodical inspection and testing as described by the law and be responsible for the conformity of the declared products.

..... date..... month....year....

Representative of Organization/Individual  
*(Signed and Sealed)*

**PRODUCT SPECIFICATION**

Appendix 03a

<b>NAME OF GOVERNING BODY</b>	Name of product group	<b>No: .....</b>
Name of organisation/individual	Name of product	

**1. Technical requirements:**

1.1. Organoleptic properties:

- Physical state (liquid, solid...)
- Color: (describe the possible colors of product from date of finished to the date of expired)
- Odor: (odor of product)
- Other typical state (if needed)

1.2. Essential quality criteria (technical requirement of manufacturer):

Example:

No	Criteria	Unit	Declared limit
1	Humidity		
2	Protein		
	....		

\* Explanation:

- Humidity or free water content for dried, solid or mixed products; pH for liquid or viscous liquid.
- Essential quality criteria, nutrition value (stable and easy monitored criteria)
- Solid content per net weight for dried or liquid product (mixed).
- Ashy value for mixed products with different components in different state.
- Criteria for disintegration of high lipid content product (eg: NH<sub>3</sub> content for meat product; Kreiss reaction for fat and oil...)

1.3. Microorganism criteria (according to technical regulation/food safety regulation):

Example:

No	Criteria	Unit	Maximum limit
1	Total plate count	CFU/g or ml	

2	<i>E. Coli</i>	CFU/g or ml	
	....		

\* Explanation:

- Maximum limits declared by manufacture must be within allowed limits during whole product's life and they are not allowed to exceed the hygienic regulation for food or food group that are compulsory (technical regulation) to apply in accordance with technical /food safety regulations.

1.4. Heavy metals (according to technical regulation/food safety regulation):

Example:

No	Criteria	Unit	Maximum limit
1	Arsenic	ppm	
2	Lead	ppm	
	...		

1.5. Content of contaminated chemicals (pesticide, other chemical).

\* Explanation: clearly noted that it was conformed to technical regulation/food safety regulation for specific food or food group.

2. Ingredients:

\* Explanation: list of all ingredients and food additives used in food processing in value decreased order. If the key ingredient is used as the name of the product, the percentage of the ingredient should be noted except if the ingredient already printed on the label.

3. Expiry date (best before date) (clearly noted the location of that date in the retailed package).

4. Instruction for use and Storage: instruction for cooking, using, target group, storage condition and precaution if needed.

5. Package material and packaging.

6. Processing line (with detailed explanation of processing line): noted in Annex of product specification.

7. How to distinguish the real and fake products (if available).

8. Labeling content: shall be conformed to food labeling regulations.

9. Origin and organization/ individual in charge of product

\* Explanation: origin place where the product is packed and labeled/

- For imported products:

+ Origin: name of manufacturer and origin country.

+ Name and address of organization/ individual in charge of declaration, importation or exclusive distribution.

- For domestic products:

+ Name and address of organization, individual in charge of declaration, manufacture or exclusive distribution.

....., date.....*month*.....*year*.....

**Representative of Organization/Individual**

(Signed and Sealed)

\_\_\_\_\_  
**PRODUCT SPECIFICATION**  
**FUNCTIONAL FOOD AND FORTIFIED FOOD**

<b>NAME OF GOVERNING BODY</b>	Name of product group	No: .....
Name of organisation/individual	Name of product	

**2. Technical requirements:**

## 1.1. Organoleptic properties:

- Physical state (liquid, solid....)
- Color: (describe the possible colors of product from date of finished to the date of expired)
- Odor: (odor of product)
- Other typical state (if needed)

## 1.2. Essential quality criteria (technical requirement of manufacturer):

Example:

No	Criteria	Unit	Declared limit
1	Vitamin A		
2	Vitamin B		
	....		

\* Explanation:

- Humidity or free water content for dried, solid or mixed products; pH for liquid or viscous liquid.

- Value of active substances that contributes to the function of product (vitamin, mineral, herbal, nutrient....).

## 1.3. Microorganism criteria (according to technical regulation/food safety regulation):

Example:

No	Criteria	Unit	Maximum limit

1	Total plate count	CFU/g or ml	
2	<i>E. Coli</i>	CFU/g or ml	
	....		

\* Explanation:

- Maximum limits are the limits that may remained during the circulating period of product and they are not allowed to exceed the hygienic regulation for food or food group that are compulsory (technical regulation) or in specific standard, standard of specific country or organization.

1.4. Heavy metals (according to technical regulation/food safety regulation):

Example:

No	Criteria	Unit	Maximum limit
1	Arsenic	ppm	
2	Lead	ppm	
	...		

1.5. Content of contaminated chemicals (pesticide, other chemical).

\* Explanation: clearly noted that it was conformed to technical regulation/food safety regulation for specific food or food group.

2. Ingredients:

\* Explanation: list of all ingredients and food additives used in food processing in value decreased order. If the key ingredient is used as the name of the product, the percentage of the ingredient should be note, except if the ingredient already printed next to the name of the product.

- List of ingredients used for food production in value decreasing order

- For special ingredient, must provide with justification for its origin, sources, technology, its documents to demonstrate its function

- For precious/rare ingredient originated from animals strictly protected, must declare, approve its origin and right to use (for example: tighter/white horse bone...)

3. Expiry date (best before date) (clearly noted the location on the label of the retailed package).

-4. Instruction and Storage: (fully listed in order: effective mechanism; target users; instruction for use; dosage for use; precaution if necessary and instruction for storage)

- Effective mechanism shall be put in Annex of product specification

Scientifically, clearly explanation of effective mechanism (based on unified use, dosage for

use; key ingredients, type of product; processing technology for pathological functions affected by the product). Recommendations, precaution and advertisement beyond of product's use must be clearly explained.

Products supplemented with micro-nutrition used for children below 2 years old must have explanation on nutrition formula that can replace explanation on effecting mechanism.

Product effectiveness: must focus and generally not all effects of all ingredients of the product. Always have a sentence: "Note: this product is not medical and cannot substitute for medical care products" right after the part of effectiveness declaration. Other recommendations might be requested of if necessary to protect consumer's health and to protect trade mark.

5. Package material and packaging.

6. Processing line (with detailed explanation of processing line): put it in the Annex of product specification

7. How to distinguish the real and fake products (if available).

8. Labeling content: shall be conforming to food labeling regulations.

9. Origin and organization/ individual in charge of product

\* Explanation:

- For imported products:

+ Origin: name of manufacturer and origin country.

+ Name and address of organization/ individual in charge of declaration, importation or exclusive distribution.

- For domestic products:

+ Name and address of organization, individual in charge of declaration, manufacture or exclusive distribution.

....., date.....*month*.....*year*.....

**Representative of Organization/Individual**

(Signed and Sealed)

**PRODUCT SPECIFICATION  
PACKAGES, FOOD CONTACT CONTAINERS**

<b>NAME OF GOVERNING BODY</b>	Name of product group	<b>No: .....</b>
Name of organisation/individual	Name of product	

**3. Technical requirements:**

## 1.1. Organoleptic properties:

- Physical state:
- Color:
- Odor:
- Other typical state

## 1.2. Migration limits

Example:

No	Criteria	Unit	Declared limit
1	Dried sediment		
2	Migration limits		
....			

## 1.3. Microorganism criteria (according to technical regulation/food safety regulation):

Example:

No	Criteria	Unit	Maximum limit
1	Total plate count	CFU/g or ml	
2	<i>E. Coli</i>	CFU/g or ml	
....			

## 2. Ingredients:

\* Explanation: list of all ingredients and food additives used in food processing in value decreased order.

## 3. Instruction for use

## 4. Package material and packaging

## 5. Processing line (with detailed explanation of processing line).

## 6. How to distinguish the real and fake products (if available).

## 7. Labeling content (or label of product that already circulated in the market)

## 8. Origin and organization/ individual in charge of product

\* Explanation:

- For imported products:

+ Origin: name of manufacturer and origin country.

+ Name and address of organization/ individual in charge of declaration, importation or exclusive distribution.

- For domestic products:

+ Name and address of organization, individual in charge of declaration, manufacture or exclusive distribution.

....., date.....*month*.....*year*.....**Representative of Organization/Individual**

(Signed and Sealed)

"Name of organization,  
Individual"

**SOCIALIST REPUBLIC OF VIET NAM**

**Independence-Freedom - Happiness**

No: .....

Dated, .....

**APPLICATION FORM FOR RE-GRANTING**

**THE RECEIPT OF CERTIFICATE OF CONFORMITY TO TECHNICAL  
REGULATION /CERTIFICATE OF CONFORMITY TO FOOD SAFETY REGULATIONS**

**To : (Name of Receiving agency or Certification agency)**

... "Name of organization, individual " ..... is granted Receipt of Acknowledgement of conformity to technical regulation/Certificate of conformity to food safety regulations No..... dated .....by ... " Name of Receiving agency or Certification agency" ...

We would like to apply this form with the aim of being re-granted the Certificate of conformity to technical regulation or Certification of the conformity to food safety regulations.

The dossier includes:

1. The application form for re-granting Certificate of conformity to technical regulation/Certificate of conformity to food safety regulations.
2. The result of periodical tests of products.
3. Certificate of HACCP or ISO 22000 or equivalent, in case organization or individual producing products has applied with quality control system that is recognized to meet HACCP or ISO 22000 or equivalent
4. The previous Certificate of conformity to food safety regulations/ Certificate of conformity to technical regulation.

We are seeking your kind assistance to re-grant the Certificate of conformity to food safety regulations or Receipt of Acknowledgement of conformity to technical regulation.

We commit to assure the conformity as declared.

.....dated .....

Representative of organization or individual

*(Signed and sealed)*

## THE LIST OF FOOD PRODUCERS/TRADERS REGISTERING TO EXPORT TO VIET NAM

No	Name of food producers/traders	Code	Address	Products registered to export to Viet Nam	Notes

.....,dated.

**Food safety competent authority of the exporting country**

*(Signed and sealed )*

**INFORMATION ON THE MANAGEMENT SYSTEM AND FOOD SAFETY CONTROL CAPACITY  
OF THE COMPETENT AGENCY OF EXPORTING COUNTRY**

1. Organizational and management system:

.....  
.....

2. Officers in- charge (Number of staff, qualifications, training courses in technical issues.....):

.....  
.....

3. Legal documents, standards, food safety control and certification procedures:

.....  
.....

4. The inspection, monitoring system for residues, microorganisms, ... of food producers/traders:

.....  
.....

5. Food safety inspection and monitoring program:

.....dated .....

**Food safety authority of the exporting country**

*(Signed and sealed)*

**BRIEF INFORMATION ON THE FOOD SAFETY  
ASSURANCE CONDITIONS AT FOOD PRODUCERS/TRADERS**

1. Name of food producers/traders:
2. Address:
3. Name of product:
4. Describing the production processes:
5. Quality control system applied:

.....dated....

**Certifying of food safety competent authority of the exporting  
country**

(Signed and sealed )

Appendix 04

QUALITY CONTROL PLAN

Name of organization, individual:

Address:

QUALITY CONTROL PLAN

Product:.....

Quality control plan							
Specific production process	Controlled criteria	Technical regulations	Frequency of collecting samples/ samples size	Testing/inspection equipments	Testing/in spection methods	Report form	Notes
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

.....dated .....

Representative of organization or individual

*(Signed and sealed)*