



18 March 2025

(25-1943)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION OF EMERGENCY MEASURES

1. Notifying Member: VIET NAM If applicable, name of local government involved:
2. Agency responsible: Viet Nam Food Administration, Ministry of Health
3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): All kinds of foodstuff
4. Regions or countries likely to be affected, to the extent relevant or practicable: <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
5. Title of the notified document: Draft Decree amending Decree No 15/2018/NĐ-CP dated 2 February 2018, of Government. Language(s): Vietnamese and English. Number of pages: 35 and 37 https://members.wto.org/crnattachments/2025/SPS/VNM/25_02158_00_x.pdf https://members.wto.org/crnattachments/2025/SPS/VNM/25_02158_00_e.pdf https://members.wto.org/crnattachments/2025/SPS/VNM/25_02158_01_x.pdf https://members.wto.org/crnattachments/2025/SPS/VNM/25_02158_02_x.pdf
6. Description of content: This draft amends some articles of Decree No 15/2018/NĐ-CP dated 2 February 2018 of the Government detailing the implementation of a number of articles of the Food Safety Law: I. Administrative procedure reform 1. Eliminating the regulation on translating and notarizing English legal documents after consular legalization and acceptance of electronic copies of legal documents; 2. Allowing the use of the Testing Result for health supplement of production facilities that meet Good Manufacturing Practices (GMP) without having to send samples for testing at designated testing laboratories or recognized testing laboratories; 3. Stipulating the number of times enterprises can submit additional request documents (maximum three times) and the time limit for enterprises to submit additional request documents (30 days) for the sequence of food groups that must register product declarations according to the recommendation of the Government Inspectorate; 4. Adding regulation on importing food donated by organizations and individuals for charity purposes, not for business purposes, in the direction of simplifying the process and procedures compared to the case of food business; 5. Supplementing regulations assigning ministries to develop unified management software from central to local levels to handle administrative procedures and manage food safety according to assigned management areas; 6. Adding regulation on product declaration registration for mixed food additives with new uses, food additives not on the list of additives permitted for use in food or not for the right users as prescribed by the Ministry of Health; 7. Reducing and simplifying some administrative procedures: – Simplifying procedures for registration of advertising confirmation, issuance of

- Certificate of food safety qualified facilities;
- Adding one procedure on exemption from periodic inspection and supervision of testing facilities;
- Simplifying requirements on registration dossiers for designating testing facilities currently regulated in Joint Circular 20/2013/TTLT-BYT-BCT-BNNPTNT stipulating conditions, procedures for designating food testing facilities for state management.

II. Strengthening decentralization and delegation of authority

Decentralizing granting Certificates of Free Sale for food products, except health supplement; Health Certificate and other relevant certificates for exported foods to local authorities.

III. Strengthening post-inspection

1. Regulations on only the manufacturing facility or product owner being allowed to be named in the declaration dossier. In case it is not the above two entities, the organization or individual responsible for bringing the product to the market must have a letter of authorization from the manufacturing facility or product owner;
2. Controlling changes to products after announcement: adding cases where re-announcement is required if there is a change in the organization or individual responsible for bringing the product to the market; manufacturing facility, origin; product name; ingredients; uses, subjects; dosage; concentration, content, volume of ingredients that create the product's uses, dosage form; quality and safety indicators;
3. Adding provisions on the withdrawal and suspension of the acceptance of the Certificate of registration of product declaration, Certificate of confirmation of food advertising content, withdrawal of the Certificate of food safety qualified facility, in which specific provisions are made on the cases of withdrawal and the authority to withdraw;
4. Organizations and individuals responsible for bringing products to market must keep records as prescribed in Point g, Clause 2, Article 7 and Point d, Clause 1, Article 19 of the Food Safety Law and in accordance with the provisions of Good Manufacturing Practice (GMP) for health protection foods, Hazard Analysis and Critical Control Points (HACCP) system, ISO 22000 Food Safety Management System, International Food Standards (IFS), Global Food Safety Standards (BRC), Food Safety System Certification (FSSC 22000) or equivalent if they apply and are certified for this system to serve inspection and examination work and present it when requested by competent inspection and examination agencies;
5. Requiring organizations and individuals to provide Standards including testing methods for safety indicators and quality indicators of the product in the registration dossier of the declaration so that the dossier receiving agency can provide them to public testing units to deploy sampling for monitoring on the market;
6. Adding regulations on Food Testing for State Management (including conditions for food testing facilities for State Management and verification testing facilities; registration dossier for designating testing facilities; procedures for designation and cases of recall.

IV. Implement the recommendations of Ministries, including the Government Inspectorate

1. Adding and clarify the concept of functional foods introduced to the market for the first time;
2. Amending and adding the concept of scientific evidence proving the product's uses.

V. Some other contents

1. Amending and adding the concept of dietary supplements to control the features and uses of this product;
2. Regarding self-declaration procedures for food products: clearly stipulate the responsibilities of the competent state management agency designated by the Provincial People's Committee to post the self-declaration dossier on the unit's electronic information page within seven days from the date of receiving the dossier; At the same time, the records must be reviewed within three months after the organization or individual self-declares (regarding product classification, uses, users, ingredients) to ensure that the product is declared correctly in nature and in accordance with regulations.

7.	Objective and rationale: <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.
8.	<p>Nature of the urgent problem(s) and reason for urgent action:</p> <p>This Decree aims to protect human health and safety.</p> <p>Decree No. 15/2018/NĐ-CP dated 2 February 2018 (replacing Decree No. 38/2012/NĐ-CP dated 25 April 2012) details regulations for the implementation of certain articles of the Law on Food Safety and has been in effect for six years. However, during the implementation of Decree No. 15/2018/NĐ-CP, several urgent issues have arisen that need to be reviewed, amended, and supplemented to ensure consistency with practical needs and food safety management requirements, especially in the context of ongoing administrative procedure reforms and the strengthening of post-inspection measures to improve food quality.</p> <p>At the meeting of the Central Inter-sectoral Steering Committee on Food Safety held on 9 January 2025, Deputy Prime Minister Le Thanh Long assigned the Ministry of Health to submit the amended Decree No. 15/2018/NĐ-CP within the first quarter of 2025. Given the urgency of this task, the Ministry of Health has reported to and sought the opinion of the Prime Minister, who approved the pressing and essential issues that need to be amended in Decree No. 15/2018/NĐ-CP, and agreed with the proposal to develop and promulgate the amended Decree following the simplified procedures as stipulated in the Law on Promulgation of Legal Documents. Details are present in Section 6.</p>
9.	<p>Is there a relevant international standard? If so, identify the standard:</p> <p><input type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</p> <p><input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</p> <p><input type="checkbox"/> International Plant Protection Convention (e.g. ISPM number):</p> <p><input checked="" type="checkbox"/> None</p> <p>Does this proposed regulation conform to the relevant international standard?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p>
10.	<p>Other relevant documents and language(s) in which these are available:</p> <ul style="list-style-type: none"> - Viet Nam's Law of Food Safety 55/2010/QH12 - Decree 15/2018/NĐ-CP dated 2 February 2018
11.	<p>Date of entry into force (dd/mm/yy)/period of application (as applicable):</p> <p>March 2025</p> <p><input type="checkbox"/> Trade facilitating measure</p>
12.	<p>Agency or authority designated to handle comments: <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p> <p>Viet Nam Food Administration Ministry of Health of Viet Nam Lane 135 Nui Truc Street, Ba Dinh Dist, Ha Noi, Viet Nam Fax: +(84 24) 3846 3739 E-mail: phapchehoinhap@gmail.com</p> <p>Viet Nam SPS Notification Authority and Enquiry Point No. 10 Nguyen Cong Hoan Street, Hanoi, Viet Nam</p>

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- 13. Text(s) available from: [] National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:**
<http://www.spsvietnam.gov.vn/en/notification-of-viet-nam>