



## VIETNAM



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## Labelling goods circulated in the Vietnamese market

Since its promulgation in 2006, Decree No. 89/2006/ND-CP on labelling products is based on legal documents that, so far, have been invalidated and replaced by higher level legal documents (presently, the Law on Consumer Rights Protection, dated October 30, 2010, and the Law on Products and Goods Quality, dated November 21, 2007).

In addition to these changes, the application of Decree 89 for more than 10 years has uncovered certain limitations and inadequacies that have caused state authorities difficulty in applying it for state management tasks. It has also posed problems for enterprises in implementation of legal provisions.

In consideration of this, the government issued Decree No. 43/2017/ND-CP on Goods Labelling on April 14, 2017, which supersedes Decree 89 from the effective date of June 1, 2017.

Decree 43 does not govern, among other goods, temporarily imported goods for re-exporting or for displaying in commercial fairs/exhibitions; certain fuels and construction materials; illegally imported goods to be confiscated and then auctioned; certain fresh foods and processed foods sold to consumers without commercial packings; second-hand goods; and goods for export only.

As provided in Decree 43, product labels should be attached to the goods or commercial goods packaging at the point where people can easily find all mandatory information for a goods label without

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disassembly of the parts of such goods. Goods manufacturers can determine the reasonable size of a goods label as well as the text size to make it easily read by people with normal vision. In addition, the colour of the text shall be in contrast with the label background colour and the contents of goods label shall be in Vietnamese, except for in certain prescribed cases, such as international or scientific names of drugs for human use, and the name and address of the manufacturer. In cases where a label of goods circulated domestically comprises contents in both Vietnamese and a foreign language, the contents in the foreign language shall correspond with Vietnamese ones and in the text font size which shall not be bigger than the size of the same in Vietnamese.

The mandatory information of a goods label comprises (i) name of goods; (ii) name and address of the entity responsible for the goods; (iii) the origin of the goods; and certain other information subject to the particular kind of goods as provided in Annex I of Decree 43, wherein the name of goods shall be in the biggest text font size in

comparison with other information in the label. If labels of imported goods do not comply sufficiently with such mandatory information in Vietnamese, relevant auxiliary labels shall be added, in which Vietnamese contents shall correspond with ones in the original labels, and the lacking information shall be added. Such auxiliary labels shall be attached to the goods/commercial goods packaging in a manner so that the auxiliary label does not overlap the contents of the original label. Please note that auxiliary labels are required for exported goods that are returned or cannot be exported, and in addition, a bold line of “**Được sản xuất tại Việt Nam**” (“Made in Vietnam”) must be presented in such auxiliary labels.

In addition to the mandatory information, a goods label may comprise other information, such as barcode and certification seals. Such information shall be true and accurate, as well as comply with regulations and laws. All goods labels shall not include signs, images, information relating to sovereignty disputes or other sensitive information.

In connection with Decree 89, Decree 43 provides transition provisions for the implementation thereof. In particular, for goods with labels that comply with Decree 89, and to be manufactured, imported or circulated on the market before the effective date of Decree 43, such goods shall be allowed to be continuously circulated until the expiry date thereof as presented on their goods labels; and for goods labels, stamps which have been printed before the effective date of Decree 43, enterprises shall have the right to continuously use such labels, stamps for a period of two years from the effective date.