

VIETNAM



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Guidelines for food safety rules further streamlining administrative procedures

On February 2, 2018, the government promulgated Decree No. 15/2018/ND-CP guiding some articles of the Law on Food Safety 2010 (Decree 15). Below are some notable contents of Decree 15.

Self-declaration of food products

Organisations and individuals producing and trading food (collectively, the producers and traders) are entitled to self-declare their products on mass media or their website or they can make a public announcement at their headquarters. The producers and traders can self-declare pre-packaged processed food, food additives, food processing aids, food containers and packaging materials directly contacting food, excluding the following products which must be registered with the competent authorities regarding the product declaration:

- health/dietary supplements, medically nutritious foods, foods for special dietary regimes;
- nutritional food for children aged below 36 months; and
- mixed food additives with new uses, food additives not on the list of those permitted to be used in food products or where the user is not an eligible user as regulated by the Ministry of Health.

Exemption from product self-declaration applies to manufactured and/or imported products and raw materials that are only used for production or processing of export products or internal production of the producers and traders and which are not sold in a domestic market.

Exemption from certificate on satisfaction of food safety conditions

The following establishments are not required to have a certificate that the establishment satisfies food safety conditions:

- small-scale primary food manufacturers;
- production and trading of food without a fixed address;
- small-scale primary food processors;
- small-scale food sellers;
- sellers of pre-packaged foods;
- production and trading of food utensils, food packaging materials and food containers;
- restaurants within hotels;
- communal kitchens which are not registered as a food business;
- street-food vendors;
- establishments which have been issued with one of the following certificates: Good Manufacturing Practices (GMP), Hazard Analysis and Critical Control Points (HACCP), International Organisation for Standardisation (ISO) 22000, International Featured Standard (IFS), British Retail Consortium (BRC), Food Safety System Certification (FSSC) 22000 or an equivalent certificate.

Food advertisement

Food products for which advertisement contents must be registered prior to conducting an advertisement include:

- health/dietary supplements, medically nutritious foods, and foods for special dietary uses;
- nutritious products for children under the age of 36 months which are not prohibited from advertising under the Law on Advertising 2012.

Exemption from State inspection of safety of imported foods

Except where there is a warning about food safety, the following imported foods are exempt from state inspection of safety:

- products for which a certificate of receipt of registration of product declaration has been issued;
- products for personal consumption or for a journey brought in by people entering Vietnam, or sent in advance or sent after the trip; and presents and donations within the limits of import duty exemption as stipulated by the law on taxation;
- products imported for use by individuals entitled to diplomatic privilege and immunity;
- products in transit or transshipment, temporarily imported, re-exported or sent to a bonded/customs warehouse;
- product as sample for testing or research purposes in a quantity compatible with such purposes and certified by the entity concerned;
- products as samples for fairs or exhibitions;
- manufactured and/or imported products and raw materials are only used for production or processing of export goods or internal production and are not sold domestically;
- products temporarily imported for sale at duty-free shops; and
- goods imported for urgent requirements at the direction of the government or the prime minister.

With the reform of administrative procedures under Decree 15, it supports producers and traders to take the initiative in production and business activities, save costs to focus on creating products that are suitable for the market, improve product quality and increase competitiveness.

Decree 15 took effect on February 2, 2018.