

USDA Foreign Agricultural Service

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Global Agricultural Information Network

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## Vietnam

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### **Circular 18 Regulates Pesticide Sales and Distribution**

**Report Categories:**

Agricultural Situation

Policy and Program Announcements

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**Report Highlights:**

This report contains an unofficial translation of the Ministry of Agriculture and Rural Development's (MARD) Circular 18, which impacts the importation, registration, and sale of pesticides within Vietnam. Currently, the Government of Vietnam is planning on this rule going into effect on September 10, 2010. Post does not expect this measure to negatively impact U.S. agricultural exports to Vietnam. Rather, this measure provides details, guidelines and formats that agricultural chemical companies seeking to license and sell their products in the Vietnamese market must adhere to.

**General Information:**

**MINISTRY OF AGRICULTURE AND RURAL  
DEVELOPMENT**

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**SOCIALIST REPUBLIC OF  
VIETNAM**

**Independence – Freedom –  
Happiness**

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Circular 18

No. /2010/TT-BNNPTNT

*Hanoi, dated.....2010*

**Draft**

**CIRCULAR**

**Making provision on management of pesticides**

Pursuant to Decree No. 01/2008/ND-CP dated January 3, 2008 of the Government on stipulating the functions, tasks, power and organizational structure of the Ministry of Agriculture and Rural Development and Decree No. 75/2009/ND-CP dated September 10, 2009 of the Government on amending Article 3 of Decree No. 01/2008/ND-CP dated January 3, 2008 of the Government on stipulating the functions, tasks, power and organizational structure of the Ministry of Agriculture and Rural Development;

Pursuant to the Ordinance on protection and quarantine of plants dated July 25, 2001;

Pursuant to the Regulations on management of pesticides as promulgated in conjunction with Decree No. 58/2002/ND-CP dated June 3, 2002 of the Government;

Pursuant to Decree No. 104/2008/ND-CP dated November 9, 2009 of the Government on stipulating the List of dangerous goods which is transported by road means of transportation.

The Ministry of Agriculture and Rural Development hereby makes provisions on Management of pesticides, as follows:

## **Chapter I.**

### **GENERAL PROVISIONS**

#### **Article 1. Scope of application**

[This Circular] makes provisions on registration, production, processing, re-bottling, packing; export, import; trading; preservation, transportation; use; destruction; labels; packing; seminar, advertisement, field trial, testing quality and residue of pesticides in Vietnam.

#### **Article 2. Applicable entities**

These regulations shall be applicable to domestic and foreign organizations and individuals conducting activities relating to sectors as stipulated in Article 1 of this Circular.

## **Chapter II.**

### **REGISTRATION OF PESTICIDES**

#### **Article 3. General principles**

1. Each category of active ingredient or technical pesticides of a manufacturer shall only be registered in one trade name in order to prevent or fight pests or regulate the growth of plants.

If these pesticides are used for disinfecting warehouses, stations; preservation of agricultural and forestry products or elimination of pests with respect to construction works, dykes, another trade name may be registered.

2. Domestic and foreign organizations and individuals who are manufacturers of active ingredient or technical pesticides shall register in their own name or authorize another organization or individual to register in the name [of authorized party] a trade name for active ingredient or technical pesticide that they produce.

3. Organizations and individuals registering in their own name shall be entitled to rights to change the manufacturer at the request or may have the right to transfer registered name of their products in accordance with agreements. After transfer, entities already registering in their name and entities to which, the right of registering in the name has been transferred shall not be

permitted to use the active ingredient of the same category to register name of another product in their names. The change of manufacturer or transfer of name of registered products shall have to be accepted by the Plant Protection Department and the relevant legal procedures must be conducted.

4. All categories of pesticides, which are applied for registration, shall have to be subject to pesticide field trials to define bio-efficacy in Vietnam. Pesticides field trials to define bio-efficacy shall be implemented in accordance with provisions of Chapter XII of this Circular.

Pesticides with chemical origin which is applied for full registration and being given with trade name or combination shall have to be subject to narrow-area or wide-area field trials to define bio-efficacy.

Pesticides with biological origin which is applied for full registration and being given with trade name or combination; Pesticides which is applied for supplementary registration with respect to scope of application, dose, method of application, formulation and content of active ingredients shall have to be subject to wide-area field trials to define bio-efficacy.

5. Categories of pesticides with chemical origin, which are registered to be used for prevention and elimination of pests for the first time (except for herbicides used for fruit trees and tea); to regulate growth of every category of fruit trees from the fruit-setting stage, of tea, of every category of vegetable; for preservation of agricultural product after harvest, shall have to be subject to field trials to define pre-harvest intervals in Vietnam and shall be implemented in accordance with the provisions in Chapter XII of this Circular.

6. Categories of pesticides with chemical origin, which have acute toxicity of active ingredients in Class III or Class IV according to Clause 1, Section 7, Appendix 4 of this Circular, which have active ingredients not falling within organic chlorine group, have maximum pre-harvest intervals of 7 days in Vietnam and the results of pesticide field trials to define bio-efficacy satisfy the requirements in accordance with the law, they shall be permitted to be registered to be used for prevention and elimination of pests, regulation of growth of fruit trees, tea and vegetable or to be used for preservation of agricultural products after harvest.

7. Categories of pesticides registered separately to be used for prevention and elimination of the same pests, may be recommended to be mixed when being used, but [this mixture] shall not be given with a separate name when the Ministry of Agriculture and Rural Development

has not accepted.

#### **Article 4. Categories of pesticides subject to registration of use in Vietnam**

1. Pesticides contain active ingredients, the name of which has not been stated in the List of pesticides permitted to be used in Vietnam.

2. Pesticides contain active ingredients, the name of which has been stated in the List of pesticides permitted to be used, but they have another trade name.

3. Pesticides have trade name in the List [of pesticides] permitted to be used, but scope of application, dose, method of application, formulation and content of active ingredients or combination is supplemented or they are combined to become a new pesticide.

4. Pesticides being finished products, which have acute toxicity in class I or in class II, but these pesticides have active ingredients falling within toxicity class I according to Clause 1, Section 7, Appendix 4 of this Circular, and specially used for disinfecting warehouses, stations; preservation of forest products or elimination of pests for construction works, dykes and rat-killing drug.

#### **Article 5. Categories of pesticides not permitted to be registered for use in Vietnam**

1. Pesticides falling within the List of pesticides prohibited to be used; pesticides falling within the List of pesticides restricted to be used in Vietnam to eliminate pests on the fields.

2. Pesticides which have an active ingredient of pesticide invented by foreign organizations or individuals and has not been registered to be used in foreign countries.

3. Pesticides have their trade name coinciding with name of active ingredient or trade name of a registered pesticide.

4. Pesticides being finished products, which have acute toxicity in class I or in class II, but these pesticides have active ingredients falling within the toxicity class I according to Clause 1, Section 7, Appendix 4, except for pesticides stipulated in Clause 4, Article 4 of this Circular.

5. Pesticides falling within the List warned by the Food and Agriculture Organization and United Nations Environment Program; Pesticides stipulated in Appendix 3 of the Rotterdam Treaty.

6. Pesticides contain active ingredient being methyl bromide.

## **Article 6. Forms of registration**

### **1. Full registration**

Categories of pesticides subject to full application shall include the followings:

- Newly created in the country and recognized by the Plant Protection Department to be a category of pesticide.

- Already becoming product and goods in foreign countries, but brought into Vietnam to be used for the first time.

### **2. Supplementary registration**

Categories of pesticides subject to supplementary application shall include the followings:

- Having the same active ingredients as pesticides that other organizations and individuals have registered for 3 years from the date on which the Ministry of Agriculture and Rural Development's Decision on registration takes effect.

- Having trade name different from pesticides, which have the same active ingredient in the List of pesticides permitted to be used.

- Supplementing scope of application, dose, method of application, formulation and content of active ingredients.

- Combining two or more than two active ingredients to create a new product.

### **3. Renewal of registration**

- Renewal of registration shall be applicable to those falling within the List of pesticides permitted or restricted to be used in Vietnam when certificate on registration expires.

- Time-limit for submission of an application dossier for renewal of registration shall be within 3 months before the certificate on registration expires. Pesticides, the registration renewing procedure for which is not conducted on time, shall be excluded from the List of pesticides permitted or restricted to be used in Vietnam.

- Renewal of registration in respect to pesticides stipulated in Clauses 4 and 5, Article 5 of this Circular shall not be conducted at the time when the certificate on registration expires.

## **Article 7. Application dossier for registration of pesticides**

## 1. Application dossier for full registration

- Application for registration of pesticide (according to Appendix 1 promulgated in conjunction with this Circular);

- Proxy of manufacturer producing active ingredient or technical pesticides to apply for registration;

- Certificate (origin or legitimate copy) of manufacturer of active ingredients or technical pesticides issued by the competent body of the local country;

- Detailed technical documents in Vietnamese or English, which are copied, translated and affixed with seal of manufacturer of active ingredients or technical pesticides (according to Appendix 3 promulgated in conjunction with this Circular);

- Photocopied copy of registration of pesticide use in foreign country;

- Model label in accordance with the provisions of Chapter IX of this Circular;

- Results of pesticides field trials to define bio-efficacy and pre-harvest intervals in accordance with the law;

- Legitimate copies of certificate of protection of industrial property rights as issued by the National Office of Intellectual Property of Vietnam or legitimate copies of proxy, papers on documents on transfer of the product owner's right to use certificate of protection of ownership of products in Vietnam (if any) .

## 2. Application dossier for supplementary registration

### a) Giving trade name or name to combination

- Application for registration of pesticide (according to Appendix I of this Circular);

- Proxy of manufacturer of active ingredient or technical pesticide to be registered;

- Certificate (origin or legitimate copy) certifying the manufacturer of active ingredient or technical pesticide issued by the competent body of the local country;

- Detailed technical documents in Vietnamese or English, which are copied, translated and affixed with seal of manufacturer of active ingredient or technical pesticide (according to Appendix 3 promulgated in conjunction with this Circular);

- Model label in accordance with the provisions of Chapter IX of this Circular;

- Results of field trials to define bio-efficacy and pre-harvest intervals in accordance with the law;

- Legitimate copies of certificate of protection of industrial property rights as issued by the National Office of Intellectual Property of Vietnam or legitimate copies of proxy, papers on transfer of the product owner's right to use certificate of protection of ownership of such product in Vietnam (if any) .

b) Supplementing formulation and content of active ingredient.

- Application for registration of pesticide (in Appendix 1 promulgated in accordance with this Circular).

- Detailed technical documents on finished products in Vietnamese or English, which are copied, translated and affixed with seal of manufacturer of active ingredient or technical pesticide (according to Appendix 3 promulgated in conjunction with this Circular);

- Photocopied copy of written certificate on registration of pesticide;

- Model label stipulated in Chapter IX of this Circular;

- Results of pesticide field trials to define bio-efficacy and pre-harvest intervals in accordance with the law;

c) Supplementing scope of application, dose and method of application;

- Application for registration of pesticides (in Appendix 1 promulgated in accordance with this Circular).

- Photocopied copy of certificate on registration of pesticides;

- Model label in accordance with the provisions of Chapter IX of this Circular;

- Results of pesticides field trials to define bio-efficacy and pre-harvest intervals in accordance with the law;

3. Application dossier for renewal of registration

- Application for registration of pesticide (in Appendix 1 promulgated in accordance with this Circular).

- Origin certificate on registration of pesticides;

- Report on quantity or value of pesticides imported, manufactured, processed, re-bottled, packed, traded or used annually in Vietnam;

- Model label in accordance with the provisions of Chapter IX of this Circular;

#### 4. Application dossier for change of manufacturers

- Application (According to Appendix 2 promulgated in conjunction with this Circular);

- Proxy of manufacturer producing active ingredient or technical pesticide;

- Certificate (origin or legitimate copy) of manufacturer of active ingredient or technical pesticide issued by the competent body of the local country;

- Detailed technical documents in Vietnamese or English, which are copied, translated and affixed with seal of manufacturer of active ingredient or technical pesticide (according to Section II, Appendix 3 promulgated in conjunction with this Circular);

- Origin certificate on registration of pesticide;

- Model label in accordance with the provisions of Chapter IX of this Circular;

#### 5. Application dossier for change of trade name

After being registered, trade name of pesticide shall only be changed if there is the competent State body's written conclusion on intellectual property or the Court's written conclusion on breach of the regulations on labels of goods. The old trade name shall be revoked and shall not be used again.

The application dossier for change of trade name of pesticide to be submitted to the registry shall include the followings:

- Application (According to Appendix 2 promulgated in conjunction with this Circular);

- The competent State body's written documents on intellectual property or the Court's written documents on breach of the regulations on labels of goods.

- Origin certificate on registration of pesticide;

- Model label in accordance with the provisions of Chapter IX of this Circular;

#### 6. Application dossier for transfer of registered pesticides

- Application (According to Appendix 2 promulgated in conjunction with this Circular);
- Legitimate copy of contract on transfer or agreement on transfer of product;
- Origin certificate on registration of pesticide;
- Model label in accordance with the provisions of Chapter IX of this Circular;

### **Article 8. Standard substances**

Organizations and individuals making full registration of pesticide; giving trade name; combination thereof shall have to submit to the standard substance to the registry when being issued with a field trial permit.

Quantity of standard substance which must be submitted is 2g (two grams). The quality of standard substance shall have to be certified by the manufacturer and shall have a duration of use of two years or more.

### **Article 9. Registry and responsibilities of registry**

1. The Plant Protection Department is a pesticide registry in Vietnam.

2. Responsibilities of registry [shall be as follows]:

a) Receiving application dossier (dossier) and standard substance

b) Assessing, storing and keeping confidential for dossiers.

c) Answering the results of assessment and issuing field trial permit (according to Form stipulated in Appendix 12 promulgated in conjunction with the Circular) within 03 working days as from the date of receipt of full and valid dossier. In case where a field trial permit is not issued, organizations and individuals who make registration in their name shall have to be notified in writing.

d) Organizing meetings of Consulting Council to consider and approve pesticides, which are applied for full registration, obtaining opinions from members of the Consulting Council in respect to pesticides subject to supplementary registration and preparing dossier to present the Ministry of Agriculture and Rural Development to sign a Circular promulgating the List of pesticides permitted, restricted or prohibited to be used after the Consulting Council has considered and proposed the recognition thereof.

Answering in writing organizations and individuals, which have pesticide to be registered, but this pesticide is not accepted by the Consulting Council for the technical reasons.

e) Issuing certificates on registration of pesticide (according to Model stated in Appendix 13 promulgated in conjunction with this Circular) when the Ministry of Agriculture and Rural Development's Circular promulgating the List of pesticides permitted, restricted or prohibited to be used takes effect.

f) Re-issuing certificates on registration of pesticide.

g) Collecting fee on issuance of field trial permit and certificate on registration of pesticides in accordance with the law.

#### **Article 10. Duration of permits**

Duration of certificates on registration of pesticide and field trial permits shall be 5 years.

#### **Article 11. Registration fee**

Organizations and individuals registering pesticides shall have to pay registration fee in accordance with the law.

### **Chapter III**

#### **MANUFACTURING, RE-BOTTLING AND PACKING PESTICIDES**

##### **Article 12. General principles**

1. Pesticides falling within the List of pesticides permitted or restricted to be used in Vietnam and other pesticides imported for processing and being re-exported in accordance with contracts already signed the foreign party shall only be manufactured, processed, re-bottled and packed.

2. Organizations and individuals manufacturing, processing, re-bottling, packing pesticides shall have to satisfy fully the conditions stipulated in Article 7 of the Regulations on management of pesticides as promulgated in conjunction with Decree 58/2008/ND-CP dated June 3, 2008 of the Government on making detailed provisions and guiding the implementation of some articles of the Law on chemicals.

3. People directly managing the process of manufacture, processing, re-bottling, packing

of pesticides shall have to hold a certificate of practicing the profession which is issued by Plant Protection Sub-department of province or city under central authority.

4. People applying for certificates of practicing the profession of manufacturing, processing, re-bottling and packing pesticides shall have to satisfy the conditions stipulated in Article 8 of the Regulations on management of pesticides as mentioned above.

5. The procedure for issuance of certificates on practicing the profession of manufacturing, processing, re-bottling and packing pesticides shall be stipulated in Decision 97/2008/QĐ-BNN dated October 6, 2008 of the Minister of Agriculture and Rural Development.

### **Article 13. Registration of manufacturing, processing, re-bottling and packing pesticides**

1. The competent State body shall only issue certificates on registration of business in respect to activities of manufacturing, processing, re-bottling and packing pesticides when person directly managing these activities holds certificate on practicing profession issued by the State body managing pesticides in the locality.

2. Foreign organizations and individuals who: (i) satisfy the conditions stipulated in Articles 7 and 8 of the Regulations on management of pesticides promulgated in conjunction with Decree 58/2002/ND-CP dated June 3, 2002 of the Government; and (ii) have the demand of manufacturing, processing, re-bottling and packing pesticides in Vietnam shall have to send dossier to the Plant Protection Department (the Ministry of Agriculture and Rural Development), including the followings:

a) Proposal on manufacturing, processing, re-bottling and packing pesticides;

b) Legitimate copy of eco-technical feasibility study in respect to forms of operation (manufacturing, processing, re-bottling or packing); in respect to categories of pesticides to be manufactured, processed, re-bottled and packed; in respect to operating duration of the project;

c) Summarized curriculum vitae, legitimate copies of professional diplomas of people directly managing the manufacture, processing, re-bottling and packing of pesticides if these people are foreigners.

### **Article 14. Responsibilities of organizations and individuals manufacturing,**

## **processing, re-bottling and packing pesticides**

1. Periodically to report in writing the Plant Protection Department the status of manufacturing, processing, re-bottling and packing pesticides in 4<sup>th</sup> Quarter of every year.

2. Notifying in writing the Plant Protection Department when changing the location of factories, workshops, form of operation, categories of pesticides to be manufactured, processed, re-bottled and packed, including the discontinuance of manufacture, processing, re-bottling and packing.

3. Bearing responsibilities under the law if their activities of manufacturing, processing, re-bottling and packing pesticides cause adverse effect to human, domestic animals and the environment; bearing responsibilities for the quality of their products when these products are circulated and used.

### **Article 15. Responsibilities of Plant Protection Department**

1. Receiving dossiers on manufacturing, processing, re-bottling and packing pesticides from foreign organizations and individuals.

2. Replying in writing with respect to the approval of or refusing to approve dossiers of entities applying for manufacturing, processing, re-bottling and packing pesticides within 03 working days from the date on which full dossier is received in accordance with Clause 2, Article 13 of this Circular.

3. Receiving reports on manufacturing, processing, re-bottling and packing activities; notices on discontinuance of manufacturing, processing, re-bottling and packing pesticides by organizations and individuals and collating and reporting the Ministry of Agriculture and Rural Development.

4. Organizing annual and extraordinary inspection and examination of establishments manufacturing, processing, re-bottling and packing pesticides at request.

## **Chapter IV**

### **EXPORT, IMPORT OF PESTICIDES**

#### **Article 16. General principles**

1. Organizations and individuals holding a certificate on registration of pesticide and agricultural material business; and certificate of registration of the importing/exporting enterprise's code issued by the General Department of Taxation may be permitted to export and import of pesticides.

2. For categories of pesticides and pesticide materials falling within the List of pesticides permitted to be used in Vietnam promulgated by the Ministry of Agriculture and Rural Development, they shall only be subject to customs procedure when being imported.

3. For categories of pesticides and pesticide materials falling within the List of pesticides restricted to be used in Vietnam promulgated by the Ministry of Agriculture and Rural Development; pesticides not falling within the List of pesticides permitted to be used in Vietnam, which are imported for research, trials and use in foreign projects in Vietnam, for use in other particular cases or for re-export in accordance with contract signed with foreign party, [these pesticides] must be issued with an import permit by the Ministry of Agriculture and Rural Development or entity authorized by the Ministry of Agriculture and Rural Development. Pesticides falling within the List of pesticides restricted to be used shall only be issued with import license quarterly.

4. Prohibiting import of categories of pesticides and pesticide materials falling within the List of pesticides prohibited to be used in Vietnam promulgated by the Ministry of Agriculture and Rural Development. In case where standard substances of pesticides falling within the List of pesticides prohibited to be used are imported to be used for examination of residues and illegally-imported pesticides, an import license issued by the Ministry of Agriculture and Rural Development or entity authorized by the Ministry of Agriculture and Rural Development must be obtained.

5. Pesticides falling within the List [of pesticides] permitted or restricted to be used are imported in the form of finished products, they must have active ingredient content and formulation the same as the active ingredient content and formulation of registered pesticides being finished products; if in the form of materials (technical pesticides), they must have a minimum content of active ingredient equal to the active ingredient of materials falling within the List of pesticides permitted or restricted to be used in Vietnam.

6. If pesticides falling within the List of pesticides permitted or restricted to be used are

imported, certificate of origin must be obtained and technical criteria of pesticides already registered in Vietnam must be fully satisfied.

7. For pesticides entrusted to be imported, entities entrusted to import shall have to present letter of authorization of entity registering pesticides in its name in Vietnam.

8. At the end of 4<sup>th</sup> quarter of every year, organizations and individuals importing pesticides shall have to report in writing the pesticide import status to the Plant Protection Department.

9. Pesticide import license shall be applied in accordance with the form (in Appendix 7 promulgated in conjunction with this Circular), and shall be valid for the whole goods lot and the period stated therein.

#### **Article 17. Application dossier for issuance of import license for pesticide and pesticide materials.**

- Application for issuance of import license for pesticide and pesticide materials (according to Appendix 6 promulgated in conjunction with this Circular).

- Legitimate copy of certificate on registration of business with respect to pesticides or agricultural materials (only be submitted for the first time).

- Legitimate copy of code registration of export and import enterprise issued by the General Department of Taxation.

- In case where pesticides and pesticide materials are imported for re-export, a legitimate copy of export contract and a legitimate copy of import contract with foreign partners and a legitimate copy of the border-gate customs body's certificate on customs clearance of the goods lot after completion of re-export.

- In case where pesticides and pesticide materials without trade name and active ingredients falling within the List of pesticides permitted to be used are imported to be used for a foreign invested project in Vietnam, a legitimate copy of foreign investment permit issued by the competent body of Vietnam must be submitted (only submitted for the first time) .

#### **Article 18. Export and import of pesticides containing methyl bromide active ingredient**

1. Prohibiting import in and export of methyl bromide to any countries which do not

accede to the Montreal Protocol.

2. Organizations importing pesticides containing methyl bromide active ingredient shall have to obtain certificate on satisfaction of the conditions for practicing profession of fumigation and disinfection. Quantity of methyl bromide imported to be used for different purposes, shall have to be registered in details with the Plant Protection Department, such as: Quarantine and pre-shipment (QPS) and other purposes (non-QPS) for the next year before December 15 of the previous year.

3. The Plant Protection Department shall allocate methyl bromide to be imported in the year before January 30 of the next year on the basis of registration, scale and operation of organizations practicing profession of fumigation and disinfection and roadmap for gradual exclusion of methyl bromide that Vietnam enters into with the international parties.

4. Import license for methyl bromide (according to Appendix 8 promulgated in conjunction with this Circular); The effective duration of import license shall be 31<sup>st</sup> December of the year of issuance of the import license and shall not be extended in any case.

5. Organizations shall not be permitted to import methyl bromide if committing a breach in the following circumstances:

a) Not complying with the report regulations or not being honest in respect to status of import, use and sales of methyl bromide;

b) Using methyl bromide for purposes other than registered purposes or change the use purpose from quarantine and pre-shipment (QPS) to other purposes (non-QPS);

c) Conducting supplementary import for activities other than quarantine and pre-shipment (non-QPS) purpose.

6. Responsibilities of organizations exporting and importing pesticides containing methyl bromide active ingredient.

a) Only being permitted to use methyl bromide in accordance with registration with the Plant Protection Department and shall be subject to inspection and examination of the State management body in respect to use of methyl bromide;

b) Only permitted to sell pesticides containing methyl bromide active ingredient to organizations satisfying the conditions for practicing profession of fumigation and disinfection

in accordance with the law;

c) Annually, having to report the Plant Protection Department the status of fumigation and disinfection activities and sales of methyl bromide (according to Appendix 9 promulgated in conjunction with this Circular). Time-limit for submission of reports for first 6 months of the year and for the year shall be before 15<sup>th</sup> July and 15<sup>th</sup> January of the next year respectively.

d) Organizations and individuals exporting pesticides containing methyl bromide active ingredient shall have to satisfy not the above mentioned requirements, but also the provisions in Clause 1 Article 16 of this Circular.

## **Chapter V**

### **TRADING PESTICIDES**

#### **Article 19. General principles**

1. Organizations and individuals trading pesticides shall have to satisfy the conditions stipulated in Article 16 of the Regulations on management of pesticides promulgated in conjunction with Decree 58/2002/ND-CP dated June 3, 2002 and Article 7 of Decree 59/2006/ND-CP dated June 12, 2006 of the Government making detailed provisions for the Commercial Law in respect to goods and services prohibited and restricted to trade and subject to the business conditions.

2. Only pesticides falling within the List of pesticides permitted or restricted to be used, which is promulgated and annually supplemented by the Ministry of Agriculture and Rural Development, may be traded.

3. Only pesticides which are in the form of finished products, within its use expiry date, with clear origin and with label of goods in accordance with the provisions of Chapter IX of this Circular and the laws on label of goods may be traded.

4. People directly trading pesticides shall have to hold a certificate on practicing the profession issued by the Plant Protection Sub-department of province or city under central authority in accordance with the law.

#### **Article 20. Registration of trading pesticides**

1. The competent State body shall only issue registration of business for pesticide-trading

activities when persons trading pesticides hold a certificate on practicing profession issued by the Plant Protection Sub-departments of provinces or cities under central authority.

2. People who apply for a certificate on practicing profession of trading pesticides shall have to satisfy the conditions stipulated in Article 17 of the Regulations on management of pesticides promulgated in conjunction with Decree 58/2002/ND-CP dated June 3, 2002 of the Government.

3. The procedure for issuance of on practicing profession of trading pesticides is stipulated in Decision 97/2008/QD-BNN dated October 6, 2008 of the Minister of Agriculture and Rural Development.

### **Article 21. Locations where pesticides are traded**

Locations where pesticides are traded must be accepted by the authorities of ward or commune in writing; and must be far from residential areas, schools, hospitals, markets and water sources; shall have to be safety for human, domestic animals and the environment; shall not be under water in any cases; and shall be equipped with sufficient means for preventing and extinguishing fire and explosion and shall have to satisfy the requirements stipulated in Clause 2, Article 19 of the Regulations on management of pesticides promulgated in conjunction with Decree 58/2002/ND-CP dated June 3, 2002 of the Government.

## **Chapter VI**

### **TRANSPORTATION AND PRESERVATION OF PESTICIDES AND PESTICIDE MATERIALS**

#### **Article 22. General principles**

1. Transportation of pesticides and pesticide materials shall have to comply with Decree 104/2009/ND-CP dated November 9, 2009 of the Government stipulating the List of dangerous goods and transportation of dangerous goods by road motor vehicles, the law on order and safety of road communication, railways and inland waterway and relevant laws.

2. Transportation of pesticides and pesticide materials shall have to be implemented in accordance with roadmaps stipulated in the contracts and documents relating to transportation of pesticides between the owner of vehicles and owner of goods.

3. Transportation of pesticides and pesticide materials shall have to ensure safety for people and the environment. It is not permitted to stop vehicles in crowded places, near schools, hospitals, markets and living water sources.

4. Categories of pesticides and pesticide materials shall only be transported when they have been packed, labeled and issued with transportation permit in accordance with Article 24 of this Circular.

5. Categories of pesticides which may react to each other shall not be transported in the same means of transportation.

6. It is strictly prohibited to transport pesticides and pesticide materials on the same means of transportation that concurrently carry passengers, animals, food, food, inflammable and explosive substances and other goods (except for fertilizer).

### **Article 23, Transportation of pesticides and pesticide materials**

#### 1. Persons transporting pesticides and pesticide materials

a) Drivers of means of transportation and persons escorting goods shall have to clearly understand dangerousness of pesticides and pesticide materials such as: toxic, inflammable, explosive, corrosive, having to know to primarily settle incidents occurring during transportation of pesticides and pesticide materials and implementing the laws on transportation of dangerous goods.

b) Drivers of means of transportation of pesticides and pesticide materials shall not only be required to hold certificate on driving means of transportation in accordance with the State regulations, but only be required to have a certificate on training labor safety for transportation of pesticide and pesticide materials.

c) Persons escorting goods shall compulsorily have to be trained for labor safety for transportation of pesticides and pesticide materials.

#### 2. Packings, tanks or containers to contain pesticides and pesticide materials during transportation

a) Having to be made from tough, durable and non-hydrophilic;

b) Having to bear danger symbol of black skull and crossbones in a white background in

lopsided square. The size of the symbol displayed on a pesticide tank is 100 mm x 100 mm and on a pesticide container is 250 mm x 250 mm (Clause 1, Section II, Appendix 5 to this Circular).

c) Must display danger placards being orange rectangles with the United Nations' code (UN) in the middle. The size of danger placard is 300 mm x 500 mm (Clause 2, Section II, Appendix 5 to this Circular) and must be displayed below the danger symbol.

### 3. Means of transportation of pesticides and pesticide materials

a) Ordinary means of transportation that the competent body permits to carry goods may transport pesticides and pesticide materials.

b) Means of transportation carrying pesticides and pesticide materials shall have to satisfy the following conditions:

- Not using trailer vehicles to carry pesticides or pesticide materials;

- Having appropriate devices and equipment for preventing and extinguishing fire for pesticides and pesticide materials during transportation;

- Having roofs and covers to cover tightly and entirely goods compartment ensuring non-absorption of water during transportation.

c) Means of transportation carrying pesticides and pesticide materials shall be arranged finally on each ferry-boat if the ferry-boat station does not have specialized ferry-boat for dangerous goods.

d) Means of transportation carrying tanks of pesticides and pesticide materials shall have to be labeled with danger symbol for each category of goods currently being transported. Size of danger symbol to be labeled on means of transport is 500mmx500mm. The symbol must be displayed at both sides and the back of means of transportation.

### 4. Settlement of incidents

When meeting incidents due to collapse, breaking or traffic accidents during transportation of pesticides and pesticide materials, drivers, escorting persons and owners of goods shall have to settle incidents and concurrently notify the local authorities or the nearest competent State body to have measures for preventing and remedying consequence due to leakage of pesticides. Persons committing breach shall have to pay all expenses for remedy.

## **Article 24. Permit for transportation of pesticides and pesticides materials**

1. Organizations and individuals transporting a quantity of pesticides and pesticide materials of from 1.000kg/vehicle or more, they shall have to obtain permit for transportation of dangerous goods as issued by the competent body.

2. Departments of Agriculture and Rural Development of provinces and cities under central authority shall have competence to issue or authorize plant protection body of locality to issue permits for transportation of pesticides and pesticide materials. This permits shall be valid nationwide.

3. The duration of issued permits for transportation of pesticides and pesticide materials depends on each consignment of goods or each period, not exceeding 12 months as from date of issuance.

4. Model permit for transportation of pesticides and pesticide materials shall be stipulated in Appendix 11 promulgated in conjunction with this Circular.

## **Article 25. Procedure for issuance of permits for transportation of pesticides and pesticide materials**

1. Dossier [includes the followings]:

a) Application for issuance of a permit for transportation of pesticides and pesticide materials (according to Appendix 10 promulgated in conjunction with this Circular);

b) Photocopied copy of a certificate on training labor safety during transportation of pesticides and pesticide materials (when submitting, present the origin copy for comparison);

c) Legitimate copy of contracts on supplying or contracts on transportation of pesticides and pesticide materials;

d) Roadmap for transportation of goods, address and telephone numbers of owner of the goods.

2. Time-limit for issuance: 03 working days from the date on which full and valid dossier is submitted,

## **Article 26. Contents of training labor safety in transporting pesticides and pesticide materials**

Drivers of means of transportation, escorting persons and warehouse-keepers shall be trained and coached for the following contents:

1. Labor safety training contents are stipulated in Circular 37/2005/TT-BLDTBXH dated December 29, 2005 of the Ministry of Labor, War-invalids and Social Affairs providing guidelines for training labor safety and hygiene;
2. Documents relating to transportation and preservation of dangerous chemicals;
3. Particularities of pesticides;
4. Dangerous symbols, signs and notations of goods;
5. Measures for ensuring safety when transporting pesticides, pesticide materials (emergency aid, safety on the road, basic knowledge of use of protection devices);
6. Measures for preventing and settling incidents for each category of pesticides.

**Article 27. Responsibility for organization of training and issuance of training certificate**

1. The Plant Protection Department under the Ministry of Agriculture and Rural Development shall be responsible for preparation of training contents and programs for warehouse-keepers, goods escorting persons and drivers of means of transportation carrying pesticides.

2. Agriculture and Rural Development Departments of provinces or cities under central authority or authorize the local plant protection body to coordinate with training and vocational training establishments and enterprises to train in accordance with the contents and programs stipulated in Clause 1 of this Article and issue certificate on training.

3. Entities carrying out transportation of pesticides and pesticide materials shall have to ensure that drivers of means of transportation, goods escorting persons and pesticide warehouse-keepers are trained in accordance with the contents stipulated in Article 26 of this Circular. Annually, supplementary training and examination of knowledge shall be conducted.

**Article 28. Pesticide and pesticide material warehouses**

Pesticide and pesticide material warehouses shall have to satisfy the following requirements:

1. Places of pesticide and pesticide material warehouses outside industrial zones shall have to be accepted by the authorities of commune or ward level or higher;

2. Warehouses must be built firmly, with use of unflammable materials and free from flood, ensuring clearness and convenience for fire-extinguishing devices to operate.

3. Warehouses must be equipped with fire extinguishing, anti-toxicity, and first aid equipment and signboards showing the danger symbol, a black skull and crossbones in a white background in a lopsided square, of a size similar to the danger symbol displayed on vehicles or containers stipulated in Clause 1, Section II, Appendix 5 to this Circular;

4. Warehouses shall have to satisfy the laws on protection of the environment.

#### **Article 29. Preservation of pesticides**

1. The preservation of pesticides shall have to ensure safety for human, domestic animals and the surround environment.

2. Warehouse-keepers shall have to be trained for labor safety in preserving pesticides.

3. In case where pesticides are leaked or diffused to cause adverse harms to the environment and human ecology, owners of pesticides shall have to be responsible for remedying the consequences under guidelines and inspection of plant protection body, environment management body and nearest people's committee and shall bear all expenses on remedying the consequences.

### **Chapter VII**

#### **USE OF PESTICIDES**

##### **Article 30. General principles**

1. Only pesticides falling within the List of pesticides permitted or restricted to be used, which are promulgated by the Ministry of Agriculture and Rural Development, may be used.

2. It is strictly prohibited to use pesticides falling within the List of pesticides prohibited to be used in Vietnam; pesticides beyond the List of pesticides permitted to be used and beyond the List of pesticides restricted to be used; pesticides without clear origin; pesticides without label or with label recorded in only foreign language.

3. Using pesticides in accordance with guidelines recorded on the pesticide label.

4. Use of pesticides shall have to ensure the four right principle (right pesticide, right time, right dose, right concentration and right method) and shall have to comply with pre-harvest intervals as recorded on the label.

### **Article 31. Responsibility of pesticide users**

Users of pesticides shall have to bear responsibilities under the law for the following conducts:

- Using pesticides arbitrarily, not in accordance with the recommended techniques, not ensuring pre-harvest intervals, letting pesticide residue exceed the permitted level.
- Using pesticides prohibited or outside of the List, using pesticides without clear origin.
- Discarding pesticide packings, strewing pesticides, spilling pesticide water rashly that causes adverse effect to people's health, the ecology and the environment.

If use of pesticide causes material damages to other people, compensations for damages must be made.

### **Article 32. Responsibilities of pesticide management body and entities trading pesticides**

1. State bodies of provinces or cities under central authority, which manage protection and quarantine of plants, shall coordinate with functional sectors to inspect use of pesticides at production areas, especially areas for growing vegetable, tea fruit trees; discover and settle cases in which they deliberately commit breach of the general principles for use of pesticides stipulated in Article 30 of this Circular.

2. Authorities at the ward and commune level shall be responsible to manage trading and use of pesticides in the locality; coordinate with professional agencies in charge of plant protection and quarantine in disseminating and guiding use of pesticides efficiently and in dealing with breaches.

3. Domestic or foreign organizations or individuals that trade pesticides shall have to provide detailed and clear instructions to pesticide purchasers and, at the same time, bear responsible under the law for, and pay compensations for economic damages caused by,

incomplete, improper or inaccurate dissemination, advertisement and instructions on use of pesticides, confusing pesticide purchasers and users and causing harms to people's health, domestic animals and the environment as well as production activities.

## **Chapter VIII**

### **DESTRUCTION OF PESTICIDES AND PESTICIDE PACKINGS**

#### **Article 33. General principles**

Destruction of pesticides and pesticide packings shall have to satisfy the requirements stipulated in Article 22 of the Regulations on management of pesticides promulgated in conjunction with Decree 58/2002/ND-CP dated June 3, 2002 of the Government and the laws on destruction of hazardous waste.

#### **Article 34. Destruction**

1. Collection and destruction of pesticides and pesticide packings shall not scatter, disperse and increase hazardous waste in the environment; ensuring safety for people, domestic animals and the ecological environment.

2. The destruction of pesticides and pesticide packings shall be implemented in accordance with the laws on protection of the environment.

3. Organizations and individuals who have pesticides and pesticide packings subject to destruction shall bear all expenses on destruction. If pesticides and pesticide packings without owner in the locality are subject to destruction, people's committee of such province or city shall deduct expense from the budget for destruction in accordance with the law.

## **Chapter IX**

### **LABELS OF PESTICIDES**

#### **Article 35. General principles**

1. When being traded or used, all categories of pesticides must have their labels in Vietnamese, contents of labels must comply with the contents of model label accepted by the Plant Protection Department when considering and approving registration, comply with the

laws on labels of goods stipulated in Decree 89/2006/ND-CP dated August 30, 2006 of the Government on labels of goods and the Globally Harmonized System of Classification and Labeling of Goods.

2. Labels are printed with normal letter size, at least of size 8, legible and not able to fade and are not easily torn during the process of circulation, preservation, transportation and use.

3. Labels must be tightly stuck or printed on pesticide packings.

4. Color of label background must be different from the color indicating the toxicity level of the pesticides.

5. Name of an active ingredient or materials (technical pesticide) may be printed only in the section “ingredients.”

6. For pesticides packed in small packages, their labels are also printed with normal letter size, at least of size 8, and if not large enough for printing compulsory information, there must be an additional label enclosed with each pesticide package. If pesticide packages have an additional label, the main labels of packages must be printed with words "Đọc kỹ nhãn phụ kèm theo trước khi sử dụng thuốc" [Read the additional label enclosed herewith carefully before using pesticides].

Contents: trade names; names of organization and individuals responsible for pesticides; quantity; date of manufacture; use expiry date must be recorded on the main label.

7. All changes in contents of pesticide labels against model samples already approved upon consideration and approval of registration shall have to be approved by the Plant Protection Department.

### **Article 36. Contents to be recorded on labels of pesticides**

1. Pesticides being finished products

a) Information of product;

- Trade name;

- Formulation type are coded in accordance with the provisions of FAO's International formulation coding system in respect to pesticides being finished products.

- Names, ingredients and contents of active ingredients expressed in g/kg (for pesticides in

the form of solid, viscous liquid, gas sol or volatile liquid); in calculation unit of g/l (for other forms of liquid) or percentage of weight (% w/w);

- Solvent (if changing toxicity of pesticides): Name and content of solvent. Units and way of recording is the same as for active ingredients;

- Actual volume, calculation unit is L or ml (for pesticides in the form of liquid); net weight, calculation unit is kg or g (for pesticides in the form of powder or granules); number of pills, net weight, calculation unit is kg or g (for pesticides in the form of pills);

b) Information on safety

- Information on toxicity is compliant with the provisions in Sections 1 and 7, Appendix 4 promulgated in conjunction with this Circular;

- Image and color strips which indicate toxicity and toxicity class of pesticides;

- Safe methods when and after using and first aid measures when being poisoned.

c) Information on use

- Instructing use in accordance with the contents already registered;

- Images to instruct method of preservation, making up and use (if any);

- Pre-harvest intervals (day);

- Possibility to combine with other category of pesticides (if any).

d) Other information

- Registration number;

- Name of manufacturer, address of manufacture place;

- Names, addresses of processing and supplying establishments;

- Date of processing or re-bottling, packing; use expiry date (recording at the same position and may be abbreviated);

- Conditions for preservation.

2. Technical pesticides

a) Name of active ingredients;

- b) Name, ingredients, content of active ingredients: clearly recording calculation units of g/kg, g/l or percentage of weight (% w/w);
- c) Actual volume, net weight;
- d) Names and addresses of importers;
- dd) Name of manufacturer and address of manufacture place;
- e) Manufacture date; use expiry date (recording at the same position and may be abbreviated).

## **Chapter X**

### **PACKING OF PESTICIDES**

#### **Article 37. General principles**

Packing hazardous chemicals shall have to comply with Vietnamese standard TCVN 5507:91 and the following requirements:

1. Pesticides must be packed with good quality packings.

a) Quality of packings must be firm to resist ordinary shocks during transportation and transition of goods between vehicles and loading or unloading them to warehouse by manual method or power-driven equipment.

b) Structure of packings must be tight enough so that chemicals may not be lost during transportation or when being transported with impacts of shake, increase of temperature, humidity and pressure.

c) Outer surface of packing shall have to be clean and stuck with any hazardous chemicals.

The above-mentioned requirements shall be applicable to all categories of pesticide packing, including re-used and recycled packings.

2. Components of packings directly contact pesticides shall have to ensure the followings:

a) Not being affected or reduced in quality due to impact of pesticides packed inside;

b) Not having dangerous impacts, or impact as catalysis for or react with pesticides that it

packs;

c) Using inert lining layer which is appropriate to protect and isolate packings and pesticides packed inside.

3. When packing pesticides in the form of liquid, a necessary space is left in order to ensure the packings shall not be leaked or deformed due to increase of volume of packed liquid when increasing temperature during transportation.

4. For pesticides put in two-layer packing, the inner packing layer shall have to ensure that in ordinary transportation conditions, it is not torn nor holed, or [pesticides are] not leaked into outer packing layer;

5. Inter packing which are breakable or easily holed such as glass, glazed terra-cotta, porcelain or some kinds of plastics etc, materials and shock absorbing materials must insert between packing layers.

6. Pesticides shall not be put into packages with the same outer packing layer or in the same large transportation compartment, when these chemicals may react to each other and cause the followings:

a) Bursting into flames or emitting large amount of heat;

b) Emitting heat or bursting into flames to create asphixiant gas, oxidized substance or poisonous gas;

c) Creating highly corrosive substance;

d) Creating undurable substances.

7. Packings of volatile substances must be tight enough so that the liquid level is not reduced below the limit level during transportation.

8. Liquid must be put into package that the packings may resist to inside pressure arisen during transportation.

9. Packings of pesticides which are manufactured, recycled or re-used shall have to satisfy the technical requirements in accordance with the law.

10. Empty tanks and packings which used to contain pesticides shall have to be managed the same as packages with pesticides.

11. All packages which are used for packing pesticides in the form of liquid must be tested for leakage before being used.

12. Packings which are used for containing pesticides in the form of granules or powder must be tight enough or right lining layer is needed so that [pesticides] may not escape the packing.

## **Chapter XI**

### **SEMINARS ON AND ADVERTISEMENT OF PESTICIDES**

#### **Article 38. General principles**

1. It is only permitted to organize seminars on, or advertisements of pesticides falling within the List of [pesticides] permitted to be used; or to organize seminars on pesticides falling within the List [of pesticides] restricted from use with a view to providing instructions on proper and safe use. The contents of seminars on, and advertisements of pesticides must be consistent with the registered contents of these pesticides.

2. It is not permitted to advertise pesticides falling within the List [of pesticides] restricted from use or pesticides outside the List [of pesticides] permitted to be used in Vietnam.

3. All commercial seminars on pesticides organized by business entities must have a session to introduce “Safety in using pesticides”. The content of this session shall be guided by the Plant Protection Department.

#### **Article 39. Advertisement and seminars**

1. Advertisement of pesticides shall have to comply with the following provisions:

- The Advertisement Ordinance dated November 16, 2001; Clause 3, Article 35 of the Ordinance on plant protection and quarantine;

- Inter-circular 96/2004/TTLT/BVHTT-BNN&PTNT dated November 3, 2004 of the Ministry of Culture and Information and Ministry of Agriculture and Rural Development providing guidelines for advertisement of some goods in the agriculture and rural development sector;

- Inter-circular 06/2007/TTLT/BVHTT-BNN&PTNT dated January 28, 2007 of the

Ministry of Culture and Information and Ministry of Agriculture and Rural Development providing guidelines for issuance of permit for advertisement in accordance with the "one-door" inter-disciplinary mechanism;

2. The advertisement of pesticides conducted via mass media at central level shall have to be subject to written approval of pesticides advertising contents by the Plant Protection Department.

3. Seminars or customers' meetings, which present pesticides in the localities or adverse pesticides on mass media of the localities, shall have to obtain opinions of united contents in writing from by the local Plant Protection Sub-Departments. If an entity wishes to advertise on local mass media a pesticide that has been permitted to be advertised on central mass media, it shall send a copy of the Plant Protection Department's written approval on the content of the advertisement of that pesticide to the Plant Protection Sub-Department of the locality where the advertisement is to be displayed.

## **Chapter XII**

### **PESTICIDE FIELD TRIAL FOR PURPOSE OF REGISTRATION IN VIETNAM**

#### **Article 40. General principles**

1. Field trials shall only be conducted in Vietnam respect to pesticides not falling within the List of pesticides permitted or restricted to be used in Vietnam after a permit for field trial in Vietnam has been obtained.

2. Field trials to define bio-efficacy means the determination of pest-preventing and -fighting efficacy and assessment of pesticide's effect to plants, people, animals and the ecological environment in the cultivation conditions of main production regions in Vietnam.

3. Pesticides field trials to define pre-harvest intervals means determination of period from last time at which pesticide is used to the time at which products are harvested in the cultivation conditions of main production regions in Vietnam.

4. Pesticide field trials for registering the List of pesticides permitted to be used in Vietnam, includes the followings:

a) Field trial to define bio-efficacy;

b) Field trials to define pre-harvest intervals;

c) For pesticides that regulate the growth of plants, apart from bio-efficacy field trial, effect of pesticides to some criteria of quality of products shall also be assessed in accordance with the laws on field trials for pesticides regulating growth of plants.

#### **Article 41. Forms and scale of field trials**

a) Narrow-area field trial mean a trial conducted on a small scale. Field trial area shall be from 25 to 50 square meters/plot, on which field trial shall be repeated 3 or 4 times; one field trial must be conducted at least in two agricultural production regions (Northern and Southern Vietnam) with two locations in each region and during two different production crops. For plants or pests available or appearing in only one agricultural production region, field trials thereof shall only be conducted in different locations in such production region.

b) Wide-area field trial mean a trial carried out on a large scale in minimum area of 300 to 500 square meters/plot; and must be carried out at least in two agricultural production regions (Northern and Southern Vietnam) with one location in each region and during one production crops. For plants or pests available or appearing in only one agricultural production region, field trials thereof shall only be conducted in two locations in such production region.

c) For perennial trees and special trial objects (pest harmful to agricultural products in warehouse, pests and insects harmful to forest trees, cats harmful to plants, harmful cats in warehouses and residential areas), size of field trial plots shall have to comply with the specialized field trial procedure.

d) For plants or pest available in one production region, field trials shall be conducted in two locations in such production region.

#### **2. Field trials to determine pre-harvest intervals**

Pesticide field trials to determine pre-harvest intervals in respect to plants shall be conducted in two production regions (Northern and Southern Vietnam) during two production crops.

For plants, there is only one production crop per year, field trials shall be carried out in two locations during such production crop.

For plants available in only one agricultural the production region, the determination of

pre-harvest intervals shall be conducted in two locations during such two production crops. For plants, which are available in one agricultural product region and there is only one production crop per year, field trials shall be carried out in four locations in such production region.

**Article 42. Requirements in respect to organizations which conduct pesticide field trials**

1. Officials in prime charge have university or higher degree in plant protection or in biology and have been trained in pesticide field trial course and have been issued with a certificate.

2. Having contingent of officials currently engaged in plant protection work and having been trained in pesticide field trial course.

3. Having material and technical facilities required by the Plant Protection Department to be used for pesticide field trials.

4. Neither directly using their names nor being authorized to use their names in registering pesticide products in Vietnam.

**Article 43. Responsibilities of entities conducting pesticide field trials**

1. Registering to participate in network of pesticide field trials with the Plant Protection Department.

2. Fully and strictly implementing technical regulations, Vietnamese standards and field trial procedure.

3. Not being permitted to organize and guide going on sight-seeing tour of field, where pesticide field trial is conducted, without approval of the field trial management body of the Plant Protection Department.

4. Being responsible for truthfulness of field trial results under the law.

5. Model report on field trial results stipulated in Appendices 16 and 17 of this Circular.

**Article 44. Responsibilities of organizations and individuals who have pesticide products subject to field trial**

1. Complying with the Ordinance on plant protection and quarantine, the Regulations on management of pesticides promulgated in conjunction with Decree 58/2002/ND-CP dated June

3, 2002 and the State's relevant provisions.

2. Providing the Plant Protection Department with sufficient information on products subject to field trials in accordance with Articles 7 and 8 of this Circular, and at the same time bearing responsibilities for truthfulness of such information. In case where products subject to field trials cause damages to people, plants, animals and the environment since field trials are conducted in accordance with technical information of the products, organizations and individuals having the products shall have to be responsible for compensating for damages in accordance with the laws of Vietnam.

#### **Article 45. Responsibilities of Plant Protection Sub-department**

1. Managing pesticide field trial activities.
2. Designating eligible organizations to conduct pesticide field trials.
3. Training officials who conduct pesticide field trial work.
4. Organizing inspection and assessment of pesticide field trial results.
5. Using field trial results for the purpose of assessment and registration of pesticides and providing guidelines when pesticides have been permitted to be used in Vietnam.

#### **Article 46. Fee**

1. Expenses paid for taking samples and testing quality and pesticide residues in accordance with Articles 31, 37, 41 and 58 of the Law on quality of products and goods.
2. Organizations and individuals who need pesticide field trials shall have to pay fees in accordance with the law.

### **Chapter XIII**

#### **TESTING QUALITY AND RESIDUES OF PESTICIDES**

##### **Article 47, General principles**

1. Testing quality of pesticides means determination of content of active ingredients, formulation type, content of substances poisoning plants, people or causing pollution to the environment (if any), content of additive substances which increase safety of products for people, plants (if any); chemical and physical properties relating to bio-logical activity and

safety of pesticides during preservation and use.

2. Testing pesticide residues in agricultural and forest products, food and the environment (referred to as products) means determination of active ingredients and metabolized products of pesticides, the toxicity of which is kept in articles.

3. Pesticides subject to quality-testing shall include technical pesticides and imported pesticides being finished products; pesticides being finished products in warehouses and workshops, processing, re-bottling, packing and trading.

4. Imported pesticides and pesticide materials shall have to subject to taking sample and inspection of quality before being imported and shall implemented in accordance with Circular 77/2009/TT-BNNPTNT dated December 10, 2009 of the Ministry of Agriculture and Rural Development making provisions on State inspection of quality of imported pesticides.

5. State body managing plant protection and quarantine shall take samples and test quality of pesticides being finished products at establishments manufacturing, processing, re-bottling and packing [pesticides] periodically one time per year in respect to establishments issued with a GMP certificate (good manufacturing practise), ISO certificate (international standards organization) or equivalent quality controlling system and not more than two times per year in respect to the remaining establishments.

6. State inspection of quality of pesticides circulating in the market shall be conducted in accordance with the Law on quality of products and goods and Circular 16/2009/TT-BKHCHN dated June 2, 2009 providing guidelines for State inspection of quality of goods circulating in the market.

7. Testing quality and residues of pesticides shall be implemented at eligible organizations designated by the Ministry of Agriculture and Rural Development.

#### **Article 48. Bases for testing quality and residues of pesticides**

1. Taking samples for testing quality and residues of pesticides shall comply with the National Standards. Minutes on taking samples for testing quality and residues of pesticides (according to Appendices 14 and 15 of this Circular).

2. Testing quality and residues of pesticides shall have to comply with National Technical Regulations (QCVN), National Standards (TCVN); Local Standards (TC) issued by the Plant

Protection Department (if national technical regulations and national standards are not available). In cases where there is not above-mentioned bases, international and regional documents and documents of pesticide manufacturers shall be applied.

3. Samples for testing quality and residues of pesticides shall have to be preserved for a period of 3 months from the date of receipt of samples.

4. Results of testing quality and residues of pesticides shall have to be kept as archives for 3 years as from the date of promulgation.

#### **Article 49. Responsibilities of Plant Protection Department**

1. Managing pesticide quality and residue testing activities.

2. Assessing, appraising and presenting the Ministry of Agriculture and Rural Development for designating eligible organizations to test quality and residues of pesticides.

3. Training officials, who conduct testing quality and residues of pesticides.

#### **Article 50. Fees**

1. Expenses on taking samples and testing quality and residues of pesticides shall be implemented in accordance with Articles 31, 37, 41 and 58 of the Law on quality of products and goods.

2. Organizations and individuals who need testing quality and residues of pesticides shall pay fees in accordance with the law.

### **Chapter XIV**

#### **IMPLEMENTATION PROVISIONS**

#### **Article 51. Implementation responsibilities**

Units under the Ministry of Agriculture and Rural Development, Departments of Agriculture and Rural Development of provinces and cities under central authority and relevant organizations and individuals shall be responsible for implementation of this Circular.

In the course of implementation, organizations and individuals shall notify the Ministry of Agriculture and Rural Development (the Plant Protection Department) any arising problems and difficulties for timely amendment and supplementation.

## **Article 52. Effectiveness**

This Circular shall be of full force and effect after 45 days from the date of its signing.

Decision 89/2006/QD-BNN dated October 2, 2006 promulgating Regulations on management of pesticides, Decision 63/2007/QD-BNN dated July 2, 2007 amending and supplementing some articles of the Regulations on management of pesticides promulgated in conjunction with Decision 89/2006/QD-BNN dated October 2, 2006 and Decision 91/2008/QD-BNN dated September 9, 2008 promulgating model Permit on import of pesticides, Decision 50/2003/QD-BNN dated March 25, 2003 of the Minister of Agriculture and Rural Development promulgating the Regulations on testing quality and residues of pesticides and pesticides field trials for the purpose of registration in Vietnam and Decision 79/2003/QD-BNN dated August 8, 2003 of the Minister of Agriculture and Rural Development amending Clauses 2 and 3, Article 11 of the Regulations on testing quality and residues of pesticides and pesticides field trials for the purpose of registration in Vietnam promulgated in conjunction with Decision 50/2003/QD-BNN shall be revoked.

### **Recipients:**

- *The Government's Office;*
- *Ministries and ministerial-equivalent bodies;*
- *People's committees of provinces and cities under central authority;*
- *Department for Examination of Legal Documents (Ministry of Justice);*
- *Official gazette;*
- *Website of the Government;*
- *Kept as archives in office.*

ON BEHALF OF  
MINISTER  
DEPUTY MINISTER

BUI BA BONG

## **Appendix 1: Model Application for registration of pesticide**

*(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010 of Minister of Agriculture and Rural Development)*

**SOCIALIST REPUBLIC OF VIETNAM**

**Independence - Freedom - Happiness**

**APPLICATION FOR PESTICIDE REGISTRATION**

TRADE NAME: .....  
 COMMON NAME: ..... CHEMICAL FAMILY: .....  
 ACTIVE INGREDIENT CONTENT: ..... FORMULATION TYPE: .....  
 NAME OF MANUFACTURER/ BASIC PRODUCER : .....  
 ADDRESS WHERE MANUFACTURING: .....  
 NAME AND ADDRESS OF APPLICANT: .....  
 CONTACT ADDRESS IN VIETNAM ..... TEL: ..... FAX: .....  
 TYPE OF APPLICATION: : .....

|  |   |  |  |                                      |
|--|---|--|--|--------------------------------------|
| Full <input type="checkbox"/>          |   |  |  |                                      |
| Supplementary <input type="checkbox"/> | Trade name <input type="checkbox"/>           | Formulation <input type="checkbox"/>           | Content of a.i. <input type="checkbox"/> | Combination <input type="checkbox"/> |
|  | Scope of application <input type="checkbox"/> | Method of application <input type="checkbox"/> | Dose <input type="checkbox"/>            |                                      |
| Renewal <input type="checkbox"/>       | Registration No                               |  |  |                                      |

SCOPE OF APPLICATION:

| <i>Crop</i> | <i>Pest</i> |
|-------------|-------------|
|             |             |
|             |             |

ATTACHED DOCUMENTS AND SAMPLES

- 1.....
- 2.....
- 3.....

I declare that all the information contained in this application and accompanying documentation is true and correct

(at)....., (on).....  
 (Signature)

**Appendix 2: Model Application**

**for change of Registering entity/Trade name/ Manufacturers**

*(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010 of Minister of Agriculture and Rural Development*

**THE SOCIALIST REPUBLIC OF VIETNAM**

**Independence - Freedom - Happiness**

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**APPLICATION FOR CHANGE OF  
REGISTERING ENTITY/TRADE NAME/ MANUFACTURERS**

To: The Plant Protection Department

Name of registering entity: .....

Address: .....

Tel: .....; Fax:.....; Email:.....

Already issued with Certificate on registration of pesticides No. :.....dated..../.../.....

Trade name:.....

Name of active ingredients: .....

Manufacturer, address of manufacture place:.....

.....

**Contents to be changed:**

Registering entity

Name of new registering entity: .....

Address: .....

Tel: .....; Fax:.....; Email:.....

Trade name

New trade name:.....

Manufacturer

New manufacturer, address of manufacture place.....

.....

**Reasons for change:** .....

.....

Attached documents:

.....  
 .....  
 Respectfully proposing the Plant Protection Department to approve the change of contents and re-issue the above-mentioned Certificate on registration of pesticides.

....., (on) .....

**Head of unit**

Signed and affixed with seal

**Appendix 3: Technical documents  
 required to be submitted when registering pesticides**

*(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010 of Minister of  
 Agriculture and Rural Development)*

**TECHNICAL DOCUMENTS**

Name and address of applicant

Trade name

Formulation type

Active ingredient (a.i)

Manufacturer of active ingredient (technical pesticide)

| <b>I. Active ingredient</b>                           | <b>II. Formulation</b>  |
|---|---|
| <b>I.1. Product chemistry</b>                         | <b>II.1. Product chemistry</b>                                |
| I.1.1. Active ingredient                              | Trade name  |
| Common name   | Formulation type  |
| Chemical name (IUPAC)                                 | Composition: Content of active ingredient, solvent, additives |
| Structural formula                                    | Appearance, color, odor, physical state                       |
| Molecular formula                                     | Density   |
| Molecular mass  | Flammability  |
| Appearance, color, odor, physical state               | Explosiveness   |
| Boiling point, melting point, vapor pressure, density | Corrosiveness   |
| Solubility in water and organic solvents              | Compatibility with other pesticides                           |
| Viscosity (in liquid form)                            | Producing process (stating briefly)                           |
| Hydrolysis  | Specification (3)   |
| Phytolysis  | Storage and shelf life  |

|  |   |
|--|---|
| Half life (DT50)   | First aid                                   |
| I.1.2. Technical pesticide   | Analytical method (2)                       |
| Composition: including name and content of active ingredients, impurities and ratio of isomers | Storage and shelf life                      |
| Appearance, color, odor, state   | <b>II.2. Biological properties</b>          |
| Solubility in water and organic solvents   | Mode of action                              |
| Viscosity (in liquid form)   | Scope of application                        |
| Specification (3)  | Application method                          |
| Producing process (stating briefly)  | Efficacy data from other countries          |
| Analytical method (1)  | Safe in use                                 |
| <b>I.2. Toxicology</b>   | <b>II. 3. Toxicology</b>                    |
| Toxicity class WHO   | Toxicity class WHO                          |
| LD50 acute oral  | LD50 acute oral                             |
| LD50 acute dermal  | LD50 acute dermal                           |
| LC50 acute inhalation  | LC50 acute inhalation                       |
| Eye irritation   | Eye irritation                              |
| Skin irritation  | Skin irritation                             |
| Sensitization  | Sensitization                               |
| Carcinogenicity  | <b>II.4. Effect on non-target organisms</b> |
| Mutagenicity   | Effect on bird, bee, wild animals           |
| Teratogenicity   | Effect on fish, aquatics                    |
| Effect on reproduction   | Effect on natural enemies                   |
| <b>I.3. Residue and effect on human</b>  |   |
| Metabolise in animal and human body  |   |
| Metabolise and degradation in plant, soil  |   |
| Residue data from other countries  |   |
| Residue analytical method on crops   |   |
| Fat tissue accumulate  |   |
| Maximum residue limits (MRLs)  |   |
| Acceptable daily intake (ADI)  |   |
| Pre-harvest interval (PHI) (in the form of finished products)                                  |   |
| <b>I.4. Effect on environment</b>  |   |
| I.4.1. Environment fate  |   |
| Volatility   |   |
| Absorption in the soil   |   |
| Leaching   |   |
| Soil degradation   |   |
| Hydrolysis   |   |
| Phytolysis   |   |
| I.4.2. Effect on non-target organisms  |   |
| Effect on bird, bee, wild animals  |   |
| Effect on fish, aquatics   |   |

|                           |  |
|---------------------------|--|
| Effect on natural enemies |  |
|---------------------------|--|

(1) Analytical method for quality (technical pesticide and finished products): stating in details the analytical method in respect to content of active ingredient, toxic impurities, including: principles, devices, reagents, implementation steps, conditions of equipment, calculation of results, truthfulness and accuracy of the method

(2) Analytical method for quality for residues (in plants, soil and water): stating in details the analytical method for residues, including: principles, devices, reagents, implementation steps, conditions of equipment, calculation of results, limit of quantitation (LOQ), recovering coefficient (R) and accuracy (CV) of the method.

(3) Quality standards: stating quality criteria and levels may be achieved in respect to technical pesticide and pesticides being finished products.

#### **Appendix 4: Providing detailed guidelines for recording labels**

*(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010 of Minister of Agriculture and Rural Development)*

##### **1. Information on toxicity**

a) Information on toxicity is stipulated in Section I, Appendix 5 promulgated in conjunction with this Circular, as follows:

- Very toxic (toxicity class Ia, Ib) and image indicating toxicity level is black skull and crossbones in a white background in lopsided square;
- Highly toxic (toxicity class II) and image indicating toxicity level is a cross in lopsided square;
- Dangerous (toxicity class III) and image indicating toxicity level is a interrupted line in lopsided square;
- Careful (toxicity class IV) there is no image indicating toxicity level;

is placed above trade name of pesticide label.

b) Words "Bảo quản xa trẻ em" [**Keep out of reach of children**] must be placed below the information, beside and equal to image indicating toxicity level.

c) Apart from the above-mentioned information, on the label there may be image indicating physical properties of pesticides as stipulated in Section I, Appendix 5 promulgated in conjunction with this Circular, such as: corrosiveness, explosiveness, inflammability, easily oxidizing etc.

d) Images indicating toxicity levels and physical properties of pesticides are printed in colors stipulated in Section I, Appendix 5 promulgated in conjunction with this Circular and the minimum size of images must be  $0.64\text{cm}^2$  (0.8cm x 0.8cm)

##### **2. Use**

Category of pesticides must be clearly recorded (pesticides, disease treatment pesticides, herbicide etc), objects to be prevented, eliminated or protected in accordance with the registration.

For example: it is used for eliminating grass from plants on land; It is used for eliminate herb, which sprouts one time a year, with respect to paddy is directly sowed on land; It is used for eliminate Rice blast disease;

For pesticides falling within the List [of pesticides] restricted to be used that the Ministry of Agriculture and Rural Development promulgates, it must be clearly recorded that pesticide is restricted to be used.

For example: Furadan 3G pesticide restricted to be used.

### **3. Instruction on usage**

Plants and pests for which the pesticide is permitted to be used, time and usage ensures the most safety and efficiency.

Instruction on usage shall have to include the followings:

- All information necessary for preventing wrong or improper use. For example: it may not be used when it begins to rain; it is only used when plant has from 2 leaves to 5 leaves.
- Dose, concentration, time and method of application in respect to pest situation;
- Instruction on preparing pesticide and method of preparation, method of spraying, preservation, settlement of redundant pesticide and packing;
- Compatibility with other pesticides.

### **4. Pre-harvest intervals and warning**

Pre-harvest intervals and warning for each user must be clearly recorded, such as:

- The pesticide may not be used before harvesting (day/week);
- Dangerous (toxic) to domestic animal. Not letting domestic animals to go to area where pesticide is used (hour/day);
- Persons not equipped with safety items may not enter area where pesticide is used (hour/day);
- Ventilating areas where pesticide is used (hour/day before going in and working (warehouse, etc).

### **5. Paying attention to safety**

a) For pesticides

- Being poisoned if inhaling it;
- Being poisoned if drinking it;
- Being poisoned if it contacts skin;
- Causing an allergy to skin, eyes, respiration system.

b) When using

- Avoiding to inhale pesticides;
- Avoid to let skin, mouth, eye and nose contact pesticides;
- Not smoking, eating or drinking;
- Using safety items (trousers, glasses, hat, gloves, boots);
- Cleaning area contacting pesticides with much water.

c) After use

- Cleaning hands and feet with water or taking a bath;
- Cleaning safety items with water.

This information must be recorded clearly so that users easily read and understand.

### **6. Instruction on poisoning emergency aid**

Clearly recording first aid method when being poisoned by pesticides

- When pesticides stuck to skin or eyes, what to do;
- When inhaling pesticides, what to do;
- When drinking pesticides, what to do;
- If clothing are stuck with pesticides, what to do;
  - When or after using pesticides, if there is symptom of poisoning, what to do;
- How is the poisoning symptom;
- Detoxicating drugs (if any).

### **7. Color strip**

Color of strip shall be determined on the basis of toxicity classification of the World Health Organization.

- For toxic pesticide falling within toxicity class Ia, Ib: red strip;
- For toxic pesticide falling within toxicity class II: yellow strip;
- For toxic pesticide falling within toxicity class III: blue strip;
- For toxic pesticide falling within toxicity class IV: green strip;
- These strips are put in the bottom of labels and as long as the label, the height of these strips must be at least equal to 10% of the label's height;
- Color of strips must be durable, not blurred nor faded.

### **8. Other information**

- Use expiry date (year, sunk printed or printed in raised letters in the same position where dates of processing, re-bottling and packing)
  - Dates of processing, re-bottling and packing (it may be sunk printed or printed in raised letters in the bottom edge of pesticide packages or in main label of pesticide);
  - Registration number;

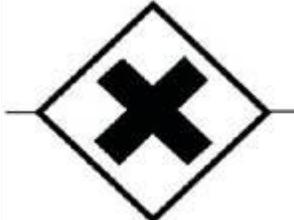
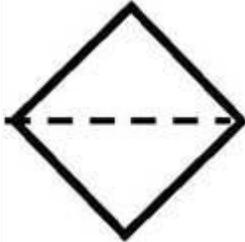
- KCS number [number of examination of product quality] (if any);
- Other information (if any) except for images of people, animal and plants not subject to prevention or elimination.

**Appendix 5: Images indicating toxicity levels and properties of pesticides**

*(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010 of Minister of Agriculture and Rural Development)*

**I. IMAGES INDICATING TOXICITY LEVELS AND PROPERTIES OF PESTICIDES**

**1. Images indicating toxicity levels of pesticides**

| Toxicity level        |  |   | Color strip |
|-----------------------|--|---|-------------|
| Toxicity class Ia, Ib | <b>Very toxic</b><br>    | Black image in a white background.                                      | Red         |
| Toxicity class II     | <b>Highly toxic</b><br> | Black image in a white background.                                      | Yellow      |
| Toxicity class III    | <b>Dangerous</b><br>    | Black image in a white background.                                      | Blue        |
| Toxicity class IV     | <b>Careful</b>   | There is no image, only words " <b>Cẩn thận</b> " [careful] is recorded | Green       |

|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|--|--|--|--|

## 2. Images indicating physical properties of pesticides

|                                |   |  |
|--------------------------------|---|--|
| <p><b>Corrosiveness</b></p>    |    | <p>Black image in a half yellow or orange background and white letters printed in a half black background.</p> |
| <p><b>Explosiveness</b></p>    |   | <p>Black image in a yellow or orange background.</p>   |
| <p><b>Very flammable</b></p>   |  | <p>Black image in a half white background and in a half red background.</p>                                    |
| <p><b>Easily flammable</b></p> |  | <p>Black image in a red background (in form of liquid).</p>  |

|                           |   |   |
|---------------------------|---|---|
|                           |  | Black image in a white background with red strips (in the form of solid). |
| <b>Oxidized substance</b> |  | Black image in a yellow or orange background                              |

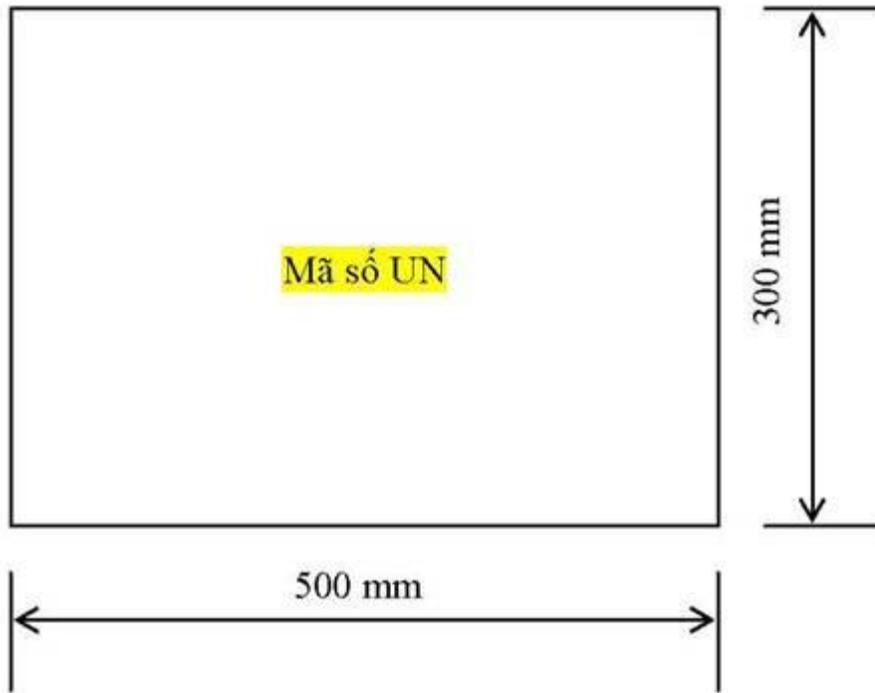
## II. SYMBOLS OF DANGEROUS GOODS

### 1. Danger symbols

|  |   |
|--|---|
|  |  |
| Bale of goods: 100mm x 100mm   | Container: 250mm x 250mm<br>Means of transportation: 500mm x 500mm                  |

### 2. Danger placards

**UN Code**



**Appendix 6: Model Application**

**for issuance of import license for pesticide and pesticide materials**

*(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010 of Minister of Agriculture and Rural Development)*

**THE SOCIALIST REPUBLIC OF VIETNAM**

**Independence - Freedom - Happiness**

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**APPLICATION FOR ISSUANCE  
OF IMPORT LICENSE FOR PESTICIDE AND PESTICIDE MATERIALS**

To: .....

Entity: .....

Address: .....

Tel: .....; Fax:.....; Email:.....

Business permit No. : .....

Export and import identifications: .....

Respectfully propose the Plant Protection Department to issue to us an import license for pesticide and pesticide materials with names and quantities as follows:

| Ordinal number | Quantity of pesticide permitted to be imported |          |                                   |          | Origin | Note |
|----------------|--|----------|-----------------------------------|----------|--------|------|
|                | Intermediate preparations (materials)          |          | Pesticide being finished products |          |        |      |
|                | Name of preparation                            | Quantity | Name of finished products         | Quantity |        |      |
|                |  |          |                                   |          |        |      |
|                |  |          |                                   |          |        |      |

Total (in words): .....

Import purpose: .....

Time of import:.....

Import location:.....

Time, location and user (with respect to pesticides restricted to be used):.....

Location, time, purpose, objects to be researched, experimented, tested and subject to field trial:

.....

We undertake that import pesticides are used in accordance with the above-mentioned purposes.

Attached documents: .....

....., dated .....

**Head of unit**

Signed and affixed with seal

**Appendix 7: Model Import license for pesticides**

*(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010 of Minister of Agriculture and Rural Development)*

MINISTRY OF AGRICULTURE AND RURAL  
DEVELOPMENT  
PLANT PROTECTION DEPARTMENT

**THE SOCIALIST REPUBLIC  
OF VIETNAM**  
**Independence - Freedom - Happiness**

No.: ..... /GP-BVTV-QLT

(Location), dated..... ..

### IMPORT LICENSE FOR PESTICIDES

Pursuant to Decision 17/QĐ-BNN-TCCB dated January 28, 2008 of the Minister of Agriculture and Rural Development making provisions on functions, tasks, power and organizational structure of the Plant Protection Department;

Pursuant to Decision No. .... /QĐ-BNN-TCCB dated ..... of the Minister of Agriculture and Rural Development on authorizing the Director of the Plant Protection Department to settle the work;

Pursuant demand for import of pesticides stated in Official letter No. ....dated.....of .....

The Director the Plant Protection Department permits ..... to import of pesticides.....(1) in the year.....with the following quantities:

| Ordinal number | Quantity of pesticide permitted to be imported |          |                                   |          | Origin | Note |
|----------------|--|----------|-----------------------------------|----------|--------|------|
|                | Intermediate preparations (materials)          |          | Pesticide being finished products |          |        |      |
|                | Name of preparation                            | Quantity | Name of finished products         | Quantity |        |      |
|                |  |          |                                   |          |        |      |
|                |  |          |                                   |          |        |      |

Total: .....

Purpose of import (2):

Import duration: from date of its signing to .....

Location of import:.....

Note:.....

**DIRECTOR**

*(Signed and affixed with seal)*

(1) Recording that [they are] in the List of pesticides restricted to be used in Vietnam or recording that [they are] beyond the List of pesticides permitted to be used in Vietnam.

(2) Not applying this content to pesticides falling within the List of pesticides restricted to be used in Vietnam.

**Appendix 8: Model Import license for methyl bromide**

(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010 of Minister of Agriculture and Rural Development)

MINISTRY OF AGRICULTURE AND RURAL  
DEVELOPMENT  
PLANT PROTECTION DEPARTMENT

**THE SOCIALIST REPUBLIC  
OF VIETNAM**  
**Independence - Freedom - Happiness**

No.: ..... /GP-BVTV

Hanoi, dated.....

**IMPORT LICENSE FOR METHYL BROMIDE**

Pursuant to Decision 17/QĐ-BNN-TCCB dated January 28, 2008 of the Minister of Agriculture and Rural Development making provisions on functions, tasks, power and organizational structure of the Plant Protection Department;

Pursuant to Decision No. 30/QĐ-BNN-TCCB dated January 5, 2007 of the Minister of Agriculture and Rural Development on authorizing the Director of the Plant Protection Department to settle the work;

Pursuant demand for import of Methyl Bromide stated in Official letter No. ....dated.....of .....

The Director the Plant Protection Department permits ..... to import of pesticide Methyl Bromide in the year.....with the following quantities:

| Ordinal number | Import quantity (Kg)    |          |                    |                        | Origin | Note |
|----------------|-------------------------|----------|--------------------|------------------------|--------|------|
|                | Category of preparation |          | Use purpose        |                        |        |      |
|                | Trade name              | Quantity | QPS <sup>(1)</sup> | Non-QPS <sup>(2)</sup> |        |      |
|                |                         |          |                    |                        |        |      |
|                |                         |          |                    |                        |        |      |

Total: .....(in words).....

Import duration: from date of its signing to December 31 (*year of issuance*).

Location for import: .....

***the above-mentioned amount of Methyl Bromide shall not be sold to organizations which do not hold Certificate on satisfaction of the condition for practicing profession of fumigation and disinfection in accordance with the law and shall have to be used in accordance with the import purpose as stipulated in this Permit.***

**DIRECTOR**

*(Signed and affixed with seal)*

**Notes:**

- (1) QPS- which is used for quarantine and export purposes such as disinfecting export goods, implementing the International Standard No. 15 on plant quarantine and or disinfecting import goods contaminated with objects subject to plant quarantine.
- (2) Non-QPS – which is used for purposes other than quarantine and export: to be used for disinfecting warehouses, soils, works.

**Appendix 9: Model Report on status of fumigation and disinfection activities and sales of methyl bromide.**

*(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010 of Minister of Agriculture and Rural Development)*

Disinfecting entity:.....

**To: The Plant Protection Department**

**REPORT ON STATUS OF IMPORT/USE OF METHYL BROMIDE**

(For first 6 months of 20.../or year of 20...)

**I. General status of import/use of methyl bromide.**

| Methyl Bromide at beginning of period (kg) | Methyl Bromide issued with import licence |          |              | Actually imported Methyl Bromide |              |
|--|---|----------|--------------|----------------------------------|--------------|
|  | Số GP                                     | QPS (kg) | non-QPS (kg) | QPS (kg)                         | non-QPS (kg) |
|  |   |          |              |                                  |              |
|  |   |          |              |                                  |              |
|  |   | Total    | Total        | Total                            | Total        |
|  |   |          |              |                                  |              |

| Methyl Bromide already used | Methyl Bromide already sold | Name of Methyl Bromide purchaser | Methyl Bromide at the end of period | Note |
|-----------------------------|-----------------------------|----------------------------------|-------------------------------------|------|
|                             |                             |                                  |                                     |      |

|             |                |             |  |             |  |
|-------------|----------------|-------------|--|-------------|--|
| <b>(kg)</b> |                | <b>(kg)</b> |  | <b>(kg)</b> |  |
| <b>QPS</b>  | <b>non-QPS</b> |             |  |             |  |
|             |                |             |  |             |  |
|             |                |             |  |             |  |
| Total       | Total          | Total       |  | Total       |  |

## II. Detailed use of methyl bromide

| Disinfection of exported agricultural products                |   |                                 | Implementation of International Standard No. 15 |                                 | Disinfection of import goods |                                 |                       |                                 |
|---|---|---------------------------------|---|---------------------------------|------------------------------|---------------------------------|-----------------------|---------------------------------|
| Kind of agricultural products                                 | Quantity of agricultural products (ton) | Quantity of Methyl Bromide (kg) | Volume (m3)                                     | Quantity of Methyl Bromide (kg) | Kind of goods                | Quantity of treated goods (ton) | Reasons for treatment | Quantity of Methyl Bromide (kg) |
|   |   |                                 |   |                                 |                              |                                 |                       |                                 |
|   | Total                                   | Total                           | Total   | Total                           |                              | Total                           |                       | Total                           |
|   |   | QPS(1)                          |   | QPS(2)                          |                              |                                 |                       | QPS(3)                          |
| <b>Total amount of Methyl Bromide used for QPS (QPS1+2+3)</b> |   |                                 |   |                                 |                              |                                 |                       |                                 |

| Crop soil treatment  |                                 | Other applications  |                        |                                 | Total                   |                                 |
|--|---------------------------------|---------------------|------------------------|---------------------------------|-------------------------|---------------------------------|
| Area (m2)  | Quantity of Methyl Bromide (kg) | Name of application | Treated quantity (ton) | Quantity of Methyl Bromide (kg) | Quantity of goods (ton) | Quantity of Methyl Bromide (kg) |
|  |                                 |                     |                        |                                 |                         |                                 |
| Total  | Total                           | Total               | Total                  | Total                           | Total                   | Total                           |
|  | Non-QPS(1)                      |                     |                        | Non-QPS(2)                      |                         |                                 |
| <b>Total amount of Methyl Bromide used for non-QPS (non-QPS 1+2)</b> |                                 |                     |                        |                                 |                         |                                 |

### Appendix 10: Model Application

#### for issuance of a permit for transportation of pesticides

*(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010 of Minister of Agriculture and Rural Development)*

**THE SOCIALIST REPUBLIC OF VIETNAM**

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**APPLICATION FOR ISSUANCE OF A PERMIT FOR TRANSPORTATION OF  
PESTICIDES AND PESTICIDE MATERIALS**

**To:**.....

Name of entity applying for a permit.....

Address:.....

Tel ..... Fax.....

Decision on establishment of enterprise No. ....dated.....

Business registration No. ....dated.....

Issued by.....

Bank account No. ....at bank.....

Full name of representative at law.....Position.....

Identity card/passport No. ....issued by..... dated.....

Permanent resident address.....

Respectively propose you to consider and issue "*a permit for transportation of pesticides*" for means of transportation ..... (clearly stating load of automobile, plate number, name of driver) to transport ... (clearly stating category, class of pesticides, weight of goods).

I undertake that this mean of transportation ensured to be safe to engage in traffic and implement fully the laws on transportation of pesticides.

....., *dated* .....

**Applicant**

*(Signed and affixed with seal)*

**Appendix 11: Model permit  
for transportation of pesticides and pesticide materials**

*(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010 of  
Minister of Agriculture and Rural Development)*

**DEPARTMENT OF AGRICULTURE AND  
RURAL DEVELOPMENT  
or PLANT PROTECTION  
SUB-DEPARTMENT**  
of province or city under central authority

**THE SOCIALIST REPUBLIC  
OF VIETNAM**  
**Independence - Freedom - Happiness**

**PERMIT FOR TRANSPORTATION  
OF PESTICIDES AND PESTICIDE MATERIALS**

1. Name of entity applying for a permit for transportation .....
2. Name of mean of transportation, number plate.....
3. Name of owner of mean of transportation.....
4. Name of driver of mean of transportation.....
5. Category, class of pesticide, goods weight.....
6. Roadmap from ..... to.....
7. Time to begin transporting.....
8. Effective duration of permit for transportation:.....

....., *dated*.....

**DIRECTOR**

*or* **HEAD OF SUB-DEPARTMENT**

*(Signed and affixed with seal)*

Recording in register No.:

Dated.....

**Appendix 12: Model permit for pesticide field trial**

*(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010  
of Minister of Agriculture and Rural Development)*

**THE SOCIALIST REPUBLIC OF VIETNAM**  
**Independence - Freedom – Happiness**  
-----

**PERMIT FOR PESTICIDE FIELD TRIAL**

Permit No : .....

Valid from: .....to.....

Applicant: .....

Address: .....

The following Pesticide is hereby granted the Permit for field trial in Socialist Republic of Vietnam.

Registration trial purpose: .....

Name and formulation type of Pesticide:.....

Common name:.....

Name of manufacturer/basic producer:.....

| Crop | Pest | Field trial type |
|------|------|------------------|
|      |      |                  |
|      |      |                  |
|      |      |                  |

Note: .....

*Hanoi, date*.....  
 DIRECTOR  
 OF PLANT PROTECTION DEPARTMENT

**Appendix 13: Model Certificate on registration of pesticides**  
*(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010  
 of Minister of Agriculture and Rural Development)*

**CERTIFICATE FOR PESTICIDE REGISTRATION**

REGISTRATION No: .....

VALID FROM: .....to .....

GRAND FOR: .....

THE FOLLOWING PESTICIDE IS HEREBY GRANTED THE CERTIFICATE FOR REGISTRATION IN THE S.R. VIET NAM.

TRADE NAME:..... Toxicity class.....

COMMON NAME: .....

CONTENT OF ACTIVE INGREDIENT: .....

TYPE OF FORMULATION: .....

TYPE OF PESTICIDE : .....

MANUFACTURED BY:.....

SCOPE AND METHOD OF APPLICATION :

| CROP | PEST | DOSE | METHOD OF APPLICATION | PHI (day |
|------|------|------|-----------------------|----------|
|      |      |      |                       |          |
|      |      |      |                       |          |
|      |      |      |                       |          |

NOTE: .....

Hanoi, date.....

GENERAL DIRECTOR  
OF PLANT PROTECTION DEPARTMENT

**Appendix 14 : Model Minutes on taking pesticide sample**

*(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010 of  
Minister of Agriculture and Rural Development)*

Entity

**THE SOCIALIST REPUBLIC OF VIETNAM**  
**Independence - Freedom - Happiness**

No:...../ -BB

**MINUTES ON TAKING PESTICIDE SAMPLE**

- Name of pesticide:.....
2. Owner of goods:.....
3. Name of establishment manufacturing, processing and packing:.....
4. Location of taking sample:.....
5. Particularities of pesticide lot:





4. Field trial plant:.....

5. Conditions of soil and cultivation regime:

**I. METHOD OF FIELD TRIAL**

- Field trial object:..... (scientific name)

2. Method of arrangement

3. Formulas for field trial

4. Method for pesticide treatment

5. Criteria and assessing method

a) Criteria

b) Assessing method

**IV. RESULTS OF FIELD TRIAL**

1. Results of and criteria for assessment of efficacy of pesticide (Figure table compliant with criteria of field trial).

2. Commenting effect of pesticide to plants in days after pesticide treatment.

**Notes for settlement of statistics**

**V. COMMENTS:**

- Commenting efficacy of field trial pesticide with field trial doses
- Commenting effect of pesticide to plants:

**CERTIFICATION OF BODY CONDUCTING FIELD TRIAL**

**IMPLEMENTING PERSON**

**Appendix 17: Model Report on field trial to define pre-harvest intervals**

*(Promulgated in conjunction with Circular /2010/TT-BNNPTNT dated .....2010 of Minister of Agriculture and Rural Development)*

**RESULTS OF FIELD TRIAL TO DEFINE PRE-HARVEST INTERVALS**

**PESTICIDE ..... IN RESPECT TO .....**

....., *dated*.....

**Field trial code:**

Name of body conducting field trial:

- Entity conducting field trial:.....
- Entity testing sample of field trial:.....

**I. Purposes of field trial**

Field trial is conducted to define pre-harvest interval of pesticide ..... in respect to .....in Vietnam's conditions.

**II. Conditions of field trial**

1. Pesticide subject to field trial:

- Trade name: .....
- Active ingredient: .....

2. Plants: .....

3. Pest: .....

4. Location of field trial: .....

5. Time for conducting field trial: .....

**III. Field trial method**

• **Method of conducting field trial**

1.1. Method of arrangement of field trial

1.2. Conditions of field trial

1.3. Method of taking sample for testing

**2. Method for testing field trial sample in laboratory**

- Testing method
- Active ingredient of pesticide
- Determined limit:       mg/kg
- Recovering co-efficient:        %

**3. Results of testing field trial sample**

Maximum residue limit (MRLs) of active ingredient:

- ..... is: .....mg/kg According to Standards.....
- ..... is: .....mg/kg According to Standards .....

**IV. Comments**

Results of field trial show that pre-harvest interval of pesticide ..... in respect to

plant..... is..... days.

**CERTIFICATION OF BODY CONDUCTING FIELD  
TRIAL**

**IMPLEMENTING  
PERSON**