

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT POLICY.

Voluntary - Public

Date: 8/27/2019

GAIN Report Number: VM9038

Vietnam

Post: Hanoi

Vietnam Revised Regulations on Quarantine of Livestock Products

Report Categories:

Sanitary/Phytosanitary/Food Safety

Approved By:

Benjamin Petlock

Prepared By:

Nga Bui and Sarah Gilleski

Report Highlights:

On February 10, 2019, the Vietnamese Ministry of Agriculture and Rural Development's (MARD) Circular 35/2018 took effect, amending and supplementing previous MARD circulars on the quarantine and inspection of terrestrial animals and terrestrial animal products, and on animal and aquaculture feed management. Industry and the border agencies have noted some implementation concerns with Circular 35. This report includes an unofficial translation of Circular 35/2018.

Summary:

On December 25, 2018, MARD issued Circular 35/2018 amending and supplementing a number of articles of Circular 25/2016/TT-BNNPTNT, dated June 30, 2016, regulating the quarantine of terrestrial animals and terrestrial animal products and Circular 20/2017/TT-BNNPTNT from November 10, 2017, guiding the implementation of the Government of Vietnam (GVN)'s Decree 39/2017/ND-CP from April 4, 2017, on animal and aquaculture feed management. The draft of this Circular was not notified to the WTO. Please refer to [GAIN Report VM6065](#) for Circular 25/2016 and [GAIN Report VM7066](#) on Circular 20/2017. Circular 35/2018 took effect on February 10, 2019.

Circular 35/2018 takes a risk-based management approach to quarantine and quality inspection, classifying terrestrial animal products into high-risk items and low-risk items with a revised sampling and testing scheme for each group.

Classification of low-risk and high-risk products

Circular 35/2018 defines low-risk and high-risk terrestrial animal products as follows:

- High-risk animal products are animal products in fresh, chilled, frozen, and preliminarily processed forms; animal feed and aquaculture feed subject to inspection for contamination of products of ruminant species (DNA).
- Low-risk animal products are animal products that have been processed by industrial or manual methods for immediate use.

These classifications result in a revision of the sampling frequency for testing (Article 1 Item 14 of Circular 35/2018). Sampling is applicable to the total number of imported consignments of goods from January 1 to December 31 in the same year.

- High-risk animal products shall be subject to samples taken from each lot and testing for prescribed indicators.
- Low-risk products shall be subject to the following sampling frequency:
 - For every five consignments of goods, one random consignment of goods shall be sampled for inspection and testing;
 - if one violation is detected, three consecutive consignments of goods shall be sampled for inspection and testing;
 - if inspection results of the three consecutive times meet the requirements, the frequency is that for every five consignments of goods, one random consignment of goods shall be sampled for inspection and testing.
 - For consignments not subject to sample testing, within one working day, the border animal quarantine authority shall only check the dossier and grant an import quarantine certificate if the dossier meets the requirements.
- Circular 35/2018 provides a list of testing indicators for each group of terrestrial animal products used for food and the basis for the assessment (Article 1c Item 14). Testing results shall be assessed

based on current Vietnamese technical regulations and standards and current international regulations.

- For consignments subject to sampling and testing, Circular 35/2018 provides for the number of samples to be taken as follows:
 - If the consignment has one item of goods, three samples shall be taken;
 - If the consignment has two or more items of goods, five samples shall be taken.

As stipulated in Article 14, the animal quarantine agency at the border-gate shall take samples at border-gates, inspect the actual status of goods and issue a transport certificate to the goods owner for transportation of the goods to the warehouse at the request of the goods owner (the warehouse must meet the veterinary hygiene requirements). The goods owner will be responsible for transporting and preserving goods while pending quarantine. For animal products that cannot be sampled at the border-gate the quarantine agency shall take samples for quarantine at the warehouse. Frozen animal products must be kept at the border-gate until satisfactory inspection results are obtained. Post notes that this provision has created some difficulties for industry in cases where chilled and frozen goods are loaded into one consignment. Fresh products cannot be transported to a warehouse until the frozen product is inspected.

Quarantine of terrestrial animal products imported as samples

Circular 35/2018 eliminates the requirement for an export health certificate and the need to take samples for inspection (Article 1 Item 5) for terrestrial animal products weighing less than 50 kilograms that will be used as samples.

Quarantine and quality inspection of imported animal feed and aquaculture feed originating from animals

Imported animal feed and aquaculture feed originating from animals, which are subject to specialized inspection prior to customs clearance, shall be subject to quarantine and concurrent quality inspection. According to Article 6 of Circular 35/2018, before importing, the goods owner must send one set of registration documents to the Department of Animal Health (DAH) which includes, the registration form for quarantine and quality inspection. The animal quarantine agency shall conduct quarantine, inspect, and certify the quality in accordance with Decree No. 39/2017/ND-CP. For imports of formulated animal feed and aquaculture feed of both animal and plant origins, the DAH will coordinate with the Plant Protection Department on the implementation of quarantine and quality inspection.

Quarantine of terrestrial animal products imported as raw materials for export processing

Article 16 of Circular 35 details the quarantine inspection procedures, which include checking the quarantine dossiers, inspecting goods, sampling and the frequency of sampling, the number of samples taken for inspection and the handling of inspection results. In cases where consignments are only subject to checking quarantine dossiers, the quarantine certificate and the status of the goods; if the goods fail to meet the veterinary hygiene requirements, samples shall be taken for testing for veterinary hygiene indicators. DAH will provide guidance on the adjustment and addition of the testing indicators based on the animal disease situation of the exporting country and the risk factors that need to be

controlled (Article 16, item 6).

Quarantine of on-the-spot imported and exported animal products

For animal products, which have completed the import quarantine procedures and have not been processed or repacked, products that are exported or imported on-the-spot shall not be quarantined.

Circular 35 also revises clauses 1, 3, and 4 of Part II under Appendix I of Circular 25/2016 regarding the list of terrestrial animals and terrestrial animal products subject and exempted from quarantine.

Circular 35 revises Clause 2 of Part II under Appendix XII of Circular 25/2016. Accordingly, each consignment of imported feed ingredients of animal origins that are used in feed manufacturing shall be sampled and tested for *Salmonella* spp and *E.coli* indicators based on the current Vietnamese technical regulations and standards and international regulations on polluting microorganisms. With regards to finished feed containing animal products, for every five consignments of goods, one consignment of goods shall be sampled and tested for *Salmonella* spp and *E. coli* indicators.

Inspection of ruminant species' DNA is conducted for animal feed and aquaculture feed ingredients and finished feed containing animal products from countries at risk of BSE disease or upon request. These products shall be kept at the border-gate until satisfactory inspection results are obtained.

Circular 35/2018 also amends and supplements Circular 20/2017/TT-BNNPTNT dated November 10, 2017 guiding the implementation of GVN's Decree 39/2017/ND-CP from April 4, 2017, on animal and aquaculture feed management. Accordingly, DAH is responsible for organizing and implementing inspections, handling the administrative procedures related to the quality inspection in accordance with the provisions of Decree No. 39/2017/ND-CP. This responsibility was previously assumed by two departments at MARD; the Directorate of Fisheries (for aquaculture feed) and the Department of Livestock Production (for animal feed).

MARD has drafted a Circular guiding animal feed management, which will replace existing Circulars on animal feed, including Circular 20/2017. The draft Circular is available for public comments on MARD's website <https://www.mard.gov.vn/VanBanLayYKien/Pages/lay-y-kien-du-thao-to-trinh-du-thao-thong-tu-huong-dan-quan-ly-thuc-an-.aspx> and is scheduled to enter into force on January 1, 2020. Post will publish a report on the new Circular guiding animal feed management under the Livestock Production Law when it is officially issued.

Post notes some implementation concerns that the industry and the border agencies have had with regard to Circular 35, which has resulted in DAH writing a March 2019 letter requesting the General Department of Vietnam Customs to instruct border customs authorities to timely resolve those issues to avoid disruption to trade.¹ Post continues to monitor the implementation of this Circular. Should U.S. exporters have any questions, please email: aghanoi@fas.usda.gov

Attached is an unofficial translation of Circular 35/2018/TT-BNNPTNT.

¹ [DAH's official letter No.358/TY-KD](#) dated March 08, 2019 to the General Department of Vietnam Customs regarding quarantine and food safety inspection of consignments of animal and aquatic animal products imported as food for human consumption.

--
**MINISTRY OF AGRICULTURE AND RURAL
DEVELOPMENT**

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

No. 35/2018/TT-BNNPTNT

Hanoi, December 25, 2018

CIRCULAR 35/2018

Amending and supplementing a number of articles of Circular No. 25/2016/TT-BNNPTNT June 30, 2016 and Circular No. 20/2017/TT-BNNPTNT of November 10, 2017 of the Minister of Agriculture and Rural Development.

Pursuant to the Government's Decree No. 15/2017/ND-CP dated February 17, 2017 defining the functions, tasks, powers and organizational structure of the Ministry of Agriculture and Rural Development;

Pursuant to Law No. 79/2015/QH13 dated June 19, 2015 on Animal Health;

Pursuant to the Government's Decree No. 39/2017/ND-CP dated April 4, 2017 on management of animal feed and aquaculture feed;

At the proposal of the Director of the Department of Animal Health,

Minister of Agriculture and Rural Development promulgate [this] Circular to amend and supplement a number of articles of Circular No. 25/2016/TT-BNNPTNT dated June 30, 2016 and Circular No. 20/2017/TT-BNNPTNT dated November 10, 2017 of the Minister of Agriculture and Rural Development.

Article 1. To amend and supplement a number of articles of Circular No. 25/2016/TT-BNNPTNT dated June 30, 2016 of the Minister of Agriculture and Rural Development providing for quarantine of terrestrial animals and animal products

1. To supplement Clause 1a, Clause 2a of Article 1, as follows:

1a. This Circular guides the implementation of the quarantine of animals and the quality inspection of animal feed and aquaculture feed originating from imported animals before customs clearance in respect to consignments of goods subject to both quarantine of animals and State inspection of quality.

2a. This Circular applies to organizations and individuals involved in animal quarantine activities and the State inspection of quality of animal feed and aquaculture feed originating from imported animals before customs clearance in respect to consignments of goods subject to both quarantine of animal products and State inspection of quality.

2. To supplement Clause 3, Clause 4, Clause 5 and Clause 6 of Article 2, as follows:
 3. *Export and import items* means animal products of the same category, with the same name, goods label, goods production establishment and packaging materials.
 4. *Consignments of imported and exported animal products* mean all animal products of an imported or exported shipment (with the same number of bill of lading). Consignment may have only one item or multiple items.
 5. *High-risk animal products* mean animal products in fresh, chilled, frozen and preliminarily-processed forms; animal feed and aquaculture feed must be inspected for contamination with products of ruminant species (ADN).
 6. *Low-risk animal products* mean animal products that have been processed by industrial or manual method for immediate use. ”

3. To supplement Clause 3 to Article 7, as follows:

3. The goods owner must be responsible for quarantine of exported goods, may not be required to submit to the customs office² Certificate of quarantine in respect to the exported consignments of goods for customs clearance of goods. "

4. To amend and supplement Clauses 1, 2 and 3, Article 8, as follows:

1. Before importing animals, the goods owner send 01 set of dossiers of quarantine registration to the Department of Animal Health in one of the following forms: via the national one-stop Portal or public utility postal service or by mail, fax and then send the originals of the dossiers or send it directly.

The dossiers of quarantine registration shall comply with the provisions of Clause 1, Article 45 of the Law on Animal Health. A written request is made according to Form 19, Appendix V to this Circular.

2. The Department of Animal Health shall comply with the provisions of Clause 2, Article 46 of the Law of Animal Health; send written consent and quarantine instructions to the goods owner and the animal quarantine agency at border-gate via e-mail (in cases where the goods owner registers for quarantine through public utility postal service or email or fax or send it directly) or send it via the national one-stop Portal (in case the good owner registers quarantine on the national one-stop Portal).

3. Declaration of quarantine

- a) After the Department of Animal Health has issued written consent and quarantine instructions, before the goods arrives at the import border-gate, the goods owner sends 01 set of dossiers of quarantine declaration to the animal quarantine agency at border-gate according to one of the forms: via the national one-stop Portal or by the public utility postal service or by e-

² also means "customs body" (according to the translator)

mail or fax then send the originals of dossiers or send it directly;

b) Dossiers of quarantine declaration shall comply with the provisions of Clause 2, Article 45 of the Law on Animal Health. Quarantine declaration is according to Form 3 Appendix V to this Circular. "

5. To amend and supplement Clause 1 and Point a, Clause 3, Article 9, as follows:

1. Before importing animal products, the goods owner sends 01 set of dossiers of quarantine registration to the Department of Animal Health in one of the following forms: through the national one-stop Portal or the public utility postal service or send by email or fax and then send the originals of dossiers or send it directly.

Dossiers of quarantine registration shall comply with the provisions of Clause 1, Article 8 of this Circular.

3. Content of quarantine

a) To comply with the provisions of Clause 2, Article 47 of the Law on Animal Health. In case the consignment of goods is imported to be used as sample and weighs less than 50 kg, [the consignment of goods] shall be exempted from certificate of quarantine from the exporting country and exempted from taking samples for inspection;"

6. To supplement Article 9a, as follows:

Article 9a. Quarantine and concurrently inspect the quality of animal feed and aquaculture feed originating from imported animals imported before the customs clearance

1. Imported animal feed and aquaculture feed originating from animals, which are in the list of import goods subject to specialized inspection before customs clearance and being under the management of the Ministry of Agriculture and Rural Development, shall be subject to quarantine and concurrently inspection of quality.

2. Before importing, the goods owner send 01 set of documents of registration to the Department of Animal Health in one of the following forms: via the national one-stop Portal or public utility postal service or by email, fax and then send the originals or send it directly, the documents, include:

a) The quarantine registration and the inspection and certification of quality of animal feed and aquaculture feed originating from imported animals (Form 20a issued together with this Circular);

b) Documents prescribed in Point b, Clause 1, Article 45 of the Law on Animal Health;

c) Documents specified in Clause 1, Article 19 of Decree No. 39/2017/ND-CP dated April 4, 2017 of the Government on management of animal feed and aquaculture feed (hereinafter referred to as Decree No. 39/2017/ND-CP) in respect to imported animal feed and aquaculture feed or documents specified in Clause 3, Article 19 of Decree No. 39/2017/ND-CP for animal

feed and aquaculture feed, which are recalled or returned.

3. The Department of Animal Health shall comply with the provisions of Clause 2, Article 46 of the Law on Animal Health and the provisions of Point b, Clause 4, Article 19 of Decree No. 39/2017/ND-CP; shall send written consent and instructions on quarantine, inspection of quality of animal feed and aquaculture feed to the goods owner and the animal quarantine agency at border-gate via e-mail (in cases where the goods owner registers via the public utility postal service, or email, fax or send it directly) or send via the national one-stop Portal (in case the goods owner registers on the national one-stop Portal).

4. The animal quarantine agency at border-gate shall conduct quarantine according to the provisions of Clause 3, Article 9 of this Circular; shall inspect and certify the quality of animal feed and aquaculture feed originating from imported animals in accordance with Decree No. 39/2017/ND-CP. In case the quarantine indicator coincides with the quality inspection indicator, the animal quarantine agency at border-gate shall organize testing of such indicator. In cases when the goods owner declares quarantine with the animal quarantine agency at border-gate, the goods owner has not had the original of Certificate of quarantine from the exporting country, the goods owner shall supplement [the original of Certificate of quarantine] during the period of quarantine and inspection of quality of animal feed and aquaculture feed.

5. The animal quarantine agency at border-gate shall send the Certificate of Quarantine and quality certificate directly to the goods owner or send them via the national one-stop Portal (for the goods owner registering on the national one-stop portal).

6. For animal feed and aquaculture feed that is in the form of mixing and processing and of both imported animal origin and plant origin, the Department of Animal Health shall organize the implementation of quarantine and State inspection of quality [of the feed] and shall notify the Department of Plant Protection for coordinating the inspection.

7. To supplement Article 9b, as follows:

Article 9b. Quarantine of animal products exported and imported on the spot

1. Animal products, which have completed the procedure for import quarantine and have not been processed or repacked shall not be subject to quarantine when being exported or imported on the spot.

2. Animal products of domestic origin, which are sold to export-processing enterprises, shall have to carry out only quarantine for transporting out of the province-level area according to regulations, without having to conduct quarantine of export and import on the spot.

8. To amend and supplement Clause 1, Clause 2 and Clause 3 of Article 14, as follows:

1. Before temporarily importing for re-export, temporarily exporting for re-import, transportation from one border-gate to another border-gate, or being in transit in Vietnam territory in respect to animals and animal products, the goods owner shall send 01 set of dossiers of quarantine registration to the Department of Animal Health according to one of the forms: via

the national one-stop Portal or by the public utility postal service or by email or fax, then send the originals of the dossiers or send it directly.

The dossiers of quarantine registration shall comply with the provisions of Clause 1, Article 48 of the Law on Animal Health. Written request for quarantine instructions is [formulated] according to Form 17, Appendix V to this Circular.

2. The Department of Animal Health shall comply with the provisions of Clause 2, Article 49 of the Law of Animal Health; shall send written consent and quarantine instructions to the goods owner and the animal quarantine agency at border-gate via e-mail (in cases where the goods owner registers for quarantine through the public utility postal service or email or fax or send it directly) or send via the national one-stop Portal (in case the goods owner registers quarantine via the national one stop Portal).

3. Declaration of quarantine

a) To comply with the provisions in Point a, Clause 3, Article 8 of this Circular;

b) Dossiers of quarantine declaration shall comply with the provisions of Clause 2, Article 48 of the Law on Animal Health. Quarantine declaration is [formulated] according to Form 3 Appendix V to this Circular. "

9. To amend and supplement Clauses 1, 2, 3 and 6, Article 15, as follows:

1. Before taking animals and animal products into or out of the bonded warehouse, the goods owner shall send 01 set of dossiers of quarantine registration to the Department of Animal Health in one of the following forms: through the national one-stop Portal, the public utility postal service or send by email or fax then send the original of the dossiers or send it directly.

Dossiers of quarantine registration shall comply with the provisions of Clause 1, Article 48 of the Law on Animal Health. Written request for quarantine instructions shall be [formulated] according to Form 18, Appendix V to this Circular.

2. The Department of Animal Health shall comply with the provisions of Clause 2, Article 49 of the Law on Animal Health; send written consent and quarantine instructions to the goods owner and the animal quarantine agency at border-gate via e-mail (in cases where the goods owner registers for quarantine through the public utility postal service or email or fax or send it directly) or on the national one-stop Portal (in case the goods owner registers quarantine via the national one-stop Portal).

3. Declaration of quarantine

a) To comply with the provisions in Point a, Clause 3, Article 8 of this Circular;

b) Dossiers of quarantine declaration shall comply with the provisions of Clause 2, Article 48 of the Law on Animal Health. Quarantine declaration shall be [formulated] according to Form 3, Appendix V to this Circular.

6. The animal quarantine agency at border-gate shall conduct quarantine of goods taken out of the bonded warehouse, as follows:

a) According to the provisions of Article 9 of this Circular in respect to domestically-consumed animal products, [according to] Article 11 of this Circular in respect to animal products used as raw materials for processing of exported food;

b) To comply with the provisions of Article 50 of the Law on Animal Health in respect to animal products deposited in the bonded warehouse for re-export and Certificate of quarantine shall be issued according to Form 16b, Appendix V to this Circular;

c) In cases where consignment of goods is taken out of the bonded warehouse partially, the animal quarantine agency at border-gate shall subtract the quantity of goods in the original Certificate of quarantine from the exporting country and keep copy of them in the quarantine dossiers. The original Certificate of quarantine from the exporting country shall be collected by the animal quarantine agency border-gate and kept in the dossiers of the consignment's goods lastly taken out [of the bonded warehouse] (in case of import for domestic consumption, used as raw material for production of export [goods]) or return it to the goods owner (in case of re-export). "

10. To amend Clause 1, Clause 3 and Clause 4, Part II of Appendix I, as follows:

1. Meat, meat products, viscera and by-products of animals are derived from terrestrial animals.

3. Milk and milk products.

4. Eggs and egg products of terrestrial animals.

11. To revoke Clause 16, Part II of Appendix I.

12. To amend Part II, Appendix II, as follows:

1. Animals and animal products for export and import are carried out in accordance with the diplomatic regulations.

2. Products for research and production of vaccines and biological products: Serums of horses, cows and sheep; medicinal products: medicinal products such as scolopendra subspinipes (centipede), cicada shell, scorpio (scorpion), colla asini (donkey hide glue), dried deer blood, dried deer antler; silk-worm cocoons; deeply processed products for processing finished garments; pieces of leather, fur/feather pieces, feathers ”.

13. To amend and supplement Appendix V, as follows:

a) To amend and supplement Form 1, Form 2, Form 3, Form 8, Form 9, Form 14a, Form 14b, Model 15a, as follows: replace the phrase " Identity card number"and phrase "number of card number "with the phrase "number of identity card /number of passport /number of personal identification ";

b) To amend Point b, Clause 15 and name of Form 15b into: "Certificate of import quarantine of animal products";

c) To supplement clause 20a of Appendix V, as follows:

20a. Certificate of quarantine registration and inspection and certification of quality of animal feed and aquaculture feed originating from imported animals;

d) To revoke Point c, Clause 15.

14. To amend and supplement Clause 1, Part II of Appendix XII, as follows:

1. Animal products used as food:

a) For high-risk animal products:

Taking samples of each consignment of goods for inspection and testing of indicators as prescribed in Point c, Clause 1, Part II of Appendix XII to this Circular.

The animal quarantine agency at border-gate shall take samples at border-gates, inspect the actual status of goods and issue transport certificate (Form 14b) to the goods owner for transportation of the goods to warehouse at the request of the goods owner (warehouse must meet the veterinary hygiene requirements); The goods owner must be responsible for transporting and preserving goods while pending for quarantine. Where the goods is animal products which cannot be sampled at border-gate, the quarantine agency at border-gate shall take samples for quarantine at preservation warehouse.

Particularly for frozen animal products, it must be kept at border-gate area until satisfactory inspection results are obtained.

b) For low-risk animal products:

To take samples for inspection and testing of indicators as prescribed at Point c, Clause 1, Part II of Appendix XII to this Circular.

Frequency of sampling is as follows: For every 05 consignments of goods, 01 random consignment of goods shall be sampled for inspection and testing; if 01 violation is detected, 03 consecutive consignments of goods shall be sampled for inspection and testing; if inspection results of the 03 consecutive times meet the requirements, the frequency is that for every 05 consignments of goods, 01 random consignment of goods shall be sampled for inspection and testing.

The taking samples for quarantine and the inspection of the actual status of goods shall be carried out at the border-gate or warehouses of the goods owner meeting the requirements (if so requested by the goods owner); The goods owner must be responsible for transporting and preserving goods while pending for quarantine.

In case consignments of goods are not be required to be sampled for inspection, within 01 working day, the animal quarantine agency at border-gate shall inspect the dossiers only. If the

requirements are met, Certificate of quarantine shall be issued. The goods owner shall be responsible for imported goods.

c) Harmful microorganisms, organoleptic, physical and chemical

In cases where the goods lot is not subject to inspection, within 1 working day, the border gate animal quarantine agency shall only check the dossier. If it meets the requirements, the import quarantine certificate shall be granted. Shippers are responsible for imported goods.

d) Harmful, sensory and physiological microorganisms:

Category of product		Inspection indicator	Basis for assessment
I. High-risk group	Meat, viscera, by-products and frozen/ chilled/ preliminarily-processed meat products	<i>Salmonella spp</i>	Regulations, standards and technical regulations of Vietnam, the current international regulations
		<i>E. coli</i>	
		<i>Enterobacteriaceae</i>	
		<i>Organoleptic, physical and chemical</i>	
	Fresh milk as raw material	<i>Total aerobic bacteria</i>	
		<i>Staphylococcus aureus</i>	
	Fresh poultry eggs	<i>Enterobacteriaceae</i>	
<i>Salmonella spp</i>			
II. Low-risk group	Meat, products processed from meat	<i>Cl. Botulinum</i>	Regulations, standards and technical regulations of Vietnam, the current international regulations
		<i>Salmonella spp</i>	
		<i>E. coli</i>	
		<i>Organoleptic, physical and chemical</i>	
	Eggs and processed egg products	<i>Salmonella spp</i>	
		<i>Enterobacteriaceae</i>	
	Milk and processed milk products	<i>Salmonella spp</i>	
		<i>Enterobacteriaceae</i>	
		<i>Listeria monocytogenes</i>	

The sampling by frequency is applied on the total number of imported consignments of goods from January 1 to December 31 in the same 01 (one) year.

e) Consignments of goods must be sampled for inspection: if the consignment has 01 (one) item, 03 samples shall be taken; If the consignment of goods has more than 2 items, 05 samples

shall be taken.”

15. To amend and supplement Clause 2, Part II, Appendix XII, as follows:

2. Food, raw materials for production of animal feed and aquaculture feed originating from imported animals:

a) For raw materials for production of animal feed and aquaculture feed originating from [imported] animals, each consignment of goods must be sampled for inspection of *Salmonella spp*, *E. coli* indicators according to the regulations, standards and technical regulations of Vietnam, the current international regulations on polluting microorganisms;

b) For finished food containing animal products, for every 05 consignments of goods, 01 consignment of goods shall be sampled for inspection of *Salmonella spp* and *E. coli* indicators according to the regulations, standards and technical regulations of Vietnam, the current international regulations on polluting microorganisms;

c) To inspect AND of ruminant species for animal feed and aquaculture feed materials, finished-product feed containing animal products from countries at risk of mad cow disease upon request for expertise;

d) The animal quarantine agency at border-gate shall receive the dossiers and conduct the inspection of quality of animal feed and aquaculture feed according to the provisions of Articles 16, 18 and 20 of Decree No. 39/2017/ND -CP;

Where the goods owner selects other designated entity to inspect the quality of animal feed and aquaculture feed, the designated entity shall send to the animal quarantine agency at border-gate the results of quality inspection of animal feed and aquaculture feed; the quarantined indicators may no longer be subject to quality inspection;

e) For animal products not subject to DNA inspection of ruminant species, in cases where the goods owner requests to take goods to preservation warehouse (preservation warehouse of the goods owner must ensure to meet the veterinary hygiene requirements), the animal quarantine agency at border-gate shall take samples at border-gate, shall inspect the actual status of goods and shall issue transport certificate (Form 14b) to the goods owner for transportation of the goods to the warehouse or samples may be taken at the preservation warehouse; the goods owner must be responsible for the transportation and preservation of goods and must not put goods into consumption when the consignment of goods have not had satisfactory inspection results;

f) For animal feed and aquaculture feed materials, finished feed containing animal products, DNA of ruminant species, must be kept at border-gate area until satisfactory inspection results are obtained. "

16. To supplement Part IV Appendix XII, as follows:

IV. The quarantine content for terrestrial animal products imported as raw materials for processing of export goods are as follows:

1. To inspect dossiers of quarantine, content of Certificate of quarantine issued by the competent veterinary agency of exporting country for the consignments of goods.
2. To inspect the status of goods.
3. Take samples to check the pathogen indicators, as follows:
 - a) For chicken meat, duck meat, goose meat, goose meat and edible post-slaughtered by-products of chickens, ducks and geese: Sampling for testing highly pathogenic avian influenza (H5-, H7- strains);
 - b) For pork and edible post-slaughtered products of pigs: Sampling of pathogens: spirochetes, Trichinella, African Swine Fever (for countries and territories having epidemics);
 - c) For buffaloes, cows, goats, sheep and edible post-slaughtered by-products of buffaloes, cows, goats and sheep: Sampling to check for pathogenic agents of spirochetes.
4. Frequency of sampling and number of samples taken for inspection: For every 06 consignments of goods, 01 consignment of goods shall be sampled for inspection.
5. In cases where consignments of goods subject to only inspection of quarantine dossiers, content of Certificate of Quarantine and actual status of the goods: If the actual status of goods is detected to fail to meet the veterinary hygiene requirements, samples shall be taken for inspection of veterinary hygiene indicators.
6. Handling inspection results: To comply with the provisions of the current law.

Based on the animal disease situation of the exporting country, the risk factors that need to be controlled, the Department of Animal Health will guide the adjustment and supplementation of the inspection indicators.

17. Change the phrase "Regional Agency of Animal Health" into the phrase "Regional Sub-Department of Animal Health" stipulated in this Circular.

Article 2. To amend and supplement Circular No. 20/2017/TT-BNNPTNT dated November 10, 2017 of the Minister of Agriculture and Rural Development guiding the implementation of Decree No. 39/2017/ND-CP

1. To supplement Clause 2b and Clause 3b of Article 9, as follows:

2b. For imported animal feed and aquaculture feed originating from animals, the administrative procedures for animal quarantine and state inspection of the quality of imported animal feed and aquaculture feed must be conducted simultaneously:

When the quality inspection results do not meet the requirements, the organization designated to conduct the inspection shall report to the Department of Animal Health on the inspection results, and at the same time notify the establishment whose products are inspected in writing by post, fax or email.

Within 07 working days from the date of receipt the notice, if the establishments, that have animal feed and aquaculture feed products as already inspected, make no complaints about the inspection results, the Department of Animal Health shall handle the violation according to the regulations.

3b. Handling complaints about inspection results for imported animal feed and aquaculture feed must be conducted simultaneously with the administrative procedures for quarantine of animals and State inspection of the quality of imported animal feed and aquaculture feed:

In case of disagreement with the quality inspection results, the inspected establishments have the right to propose in writing to the Department of Animal Health to conduct the inspection and re-analysis of quality again.

The Department of Animal Health organizes a re-testing or re-sampling (when necessary) to send to another laboratory designated for inspection. This test result is the basis for final handling and conclusions.

In case the test indicators that have proposal but only one laboratory is designated, the Department of Animal Health may send the test samples to foreign laboratories approved by the international accreditation organization or regional accreditation organization or [foreign laboratories] designated or acknowledged by the Ministry of Agriculture and Rural Development."

2. To supplement Clause 5 of Article 11, as follows:

5. The Department of Animal Health is responsible for organizing and implementing the State inspection and receiving and handling the administrative procedures related to the inspection of quality of imported animal feed and aquaculture feed originating from animals subject to quarantine of animals before the customs clearance in accordance with the provisions of Decree No. 39/2017/ND-CP."

Article 3. Implementation effectiveness

1. This Circular takes effect from February 10, 2019.
2. In case the software applied on the national one-stop Portal has not been connected when this Circular takes effect, the goods owner shall send the dossiers to the Department of Animal Health via the public utility service or e-mail, fax then send the originals of the dossiers or send it directly and receive the result via email.

Article 4. Transitional provisions

1. Dossiers of registration for inspection of quality of imported animal feed and aquaculture feed originating from imported animals subject to animal quarantine shall be submitted to the Directorate of Fisheries and the Department of Livestock Production before the effective date of this Circular. The Directorate of Fisheries and the Department of Livestock Production shall continue to carry out quality inspection.

2. In cases where the Directorate of Fisheries has issued written consent on the application of exemption from inspection for definite term and reduced inspection for definite term, the Department of Livestock Production will continue to apply such inspection regime until the expiry date of the written consent.
3. The application dossiers for application of exemption from inspection for definite term and reduced inspection for definite term that have been submitted to the Directorate of Fisheries or the Department of Livestock Production before the effective date of this Circular, the Directorate of Fisheries and the Department of Livestock Production shall continue to implement it in accordance with the law.
4. During the absence of national technical regulations on animal feed and aquaculture feed, the bases on which the quality of animal feed and aquaculture feed originating from imported animals is inspected, shall be the applied announced standards.

The Directorate of Fisheries and the Department of Livestock Production are responsible for developing and promulgating the national technical regulations on animal feed and aquaculture feed in accordance with the law and must be effective from January 1, 2020.

Article 5. Implementation responsibilities

1. The Director of the Department of Animal Health, the Director of the Directorate of Fisheries, the Director of Department of Livestock Production and Heads of related units and organizations and individuals shall be responsible for implementing this Circular.
2. In the course of implementation, if any difficulties or problems arise, agencies, organizations and individuals are requested to report them to the Ministry of Agriculture and Rural Development for consideration, amendment and supplementation.

Recipients:

- Government office;
- Leaders of Ministry of Agriculture and Rural Development;
- Government Official Gazette, Government Website;
- People's Committees of provinces and centrally-run cities;
- Units under the MARD;
- Department of Legal Document Examination - the Ministry of Justice;
- Departments of Agriculture and Rural Development of provinces and centrally-run cities;

**ON BEHALF OF
MINISTER**

DEPUTY MINISTER

Phung Duc Tien

- Units under the Department of Animal Health;
- Sub-departments has the function of veterinary management of provincial level;
- Kept archives: Office, Animal health.

APPENDIX:

QUARANTINE REGISTRATION AND INSPECTION AND CERTIFICATION OF QUALITY OF ANIMAL FEED AND AQUACULTURE FEED ORIGINATING FROM IMPORTED ANIMALS

(Promulgated together with Circular No. 35/2018/TT-BNNPTNT dated December 25, 2018 of the Minister of Agriculture and Rural Development)

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Form 20a

REGISTRATION AND INSPECTION AND CERTIFICATION OF QUALITY OF ANIMAL FEED AND AQUACULTURE FEED ORIGINATING FROM IMPORTED ANIMALS

No: <i>(For registering organizations and individuals to check and write)</i>	No: <i>(For the inspection agency to write)</i>
---	---

To:

1. Seller: <i>(firm, country)</i>
2. Address, Phone, Fax:
3. Port of departure:
4. Buyer:

Number of ID/number of Passport / number of personal identification, date of issue and place of issue:	
5. Address, Phone, Fax:	
6. Port of Destination:	
7. Importing date:	
DESCRIPTION OF GOODS	
8. Name of goods: Scientific name <i>(if any)</i> :	
9. Quantity, Volume: Quantity and type of packaging: Net weight: Gross weight:	
10. 10. Origin of goods:	
11. Purpose of use:	
12. Registration number:	
13. Written approval of imported animal quarantine <i>(if any)</i> :	
14. Manufacturer ³ <i>(firm, country of manufacture)</i> :	
15. Location of storage:	
16. Date for sampling:	
17. Location for sampling:	
18. Contact person:	
19. Contract: Number	date
20. Invoice: Number	date
21. Packing list; Number	date
FOR INSPECTION AGENCY	
22. Analytical parameters required:	
23. Quality inspection regime: <i>(Number of documents certifying exempted /reduced quality inspection)</i>	
24. Date of testing:	
25. Entity implementing the inspection:	
This registration is used for customs clearance in term of imported goods. Consigner is required to	

³ this word also means "establishment" in this document (according to the translator)

submit to the inspection body⁴, afterward, all related document of the imported goods

We undertake: To ensure the status of imported goods, bring them to the right place, at the right time and only put goods into circulation / use after being issued with certificate of quarantine by the agency and quality Certificate

..... date:

Representative of organization and individuals

(Sign and seal)

Certification of quarantine and quality inspection agency

Agree to take goods to the location: to carry out quarantine procedures and take samples for quality inspection at hour, day month year

After having a transport Certificate or an Certificate of animal quarantine, the consignments of goods may be taken to preservation warehouse (except for goods that must be inspected for ADN of ruminant species) while pending for the results of state inspection of quantity of imported animal feed and aquaculture feed according to the customs law (for common inspection and tight inspection)

Consignments of goods are only permitted for customs clearance after having Certificate of quarantine and Certificate of quality of imported animal feed and aquaculture feed (for reduced inspection for a definite term, regular and tight inspection regime).

....., day monthyear....

Representative of inspection agency

(Sign, seal, specify full name)

Certification of customs office

(In case the consignments of goods are not permitted to be imported)

The consignments of goods are not permitted to be imported into Vietnam for reasons:

.....

....., day ... month year.....

Border gate customs

⁴ this phrase also means "inspection agency" in this document (according to the translator)

(Sign, seal, specify full name)