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GAIN Report

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POLICY

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Vietnam

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MARD revises regulations on animal feed management

Report Categories:

Grain and Feed

Oilseeds and Products

FAIRS Subject Report

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Report Highlights:

The Ministry of Agriculture and Rural Development (MARD) published Circular 29/2015/TT-BNNPTNT on September 04, 2015, revising some articles of Circular 66/2011/TT-BNNPTNT dated October 10, 2011, implementing some articles of Government Decree 8/2010/ND-CP dated February 5, 2010 on the management of animal feed. Circular 29/2015 is the 2nd amendment to Circular 66/2011. Circular 29 entered into force on September 4, 2015. This report provides an analysis and an unofficial translation of Circular 29/2015.

Policy:

The Ministry of Agriculture and Rural Development (MARD) issued Circular 29/2015/TT-BNNPTNT on September 4, 2015, revising some articles of MARD's Circular 66/2011/TT-BNNPTNT dated October 10, 2011, implementing some articles of the Government Decree 8/2010/ND-CP dated February 5, 2010 on the management of animal feed. This is the second amendment to Circular 66/2011. The first amendment was Circular 50/2014/TT-BNNPTNT dated December 24, 2014. Circular 29/2015 entered into force on September 4, 2015.

Article 1 of Circular 29/2015 amends, adds to, and revokes a number of articles of Circular 50/2014/TT-BNNPTNT dated December 24, 2014. The main amendments to the Circular 50/2014 clarify the process that animal and aquaculture feed, including imported feed, must go through to be permitted for sale and circulation in Vietnam. The amendment removes language that sets a time limit for the review process for groups of dossiers submitted by the same organization or individual. The amendment means that feed registration dossiers are reviewed individually and the time limit for the review process applies to each dossier, individually. Additionally, Circular 50/2014 is amended to stipulate a 5 year time limit in which registered animal feed products can circulate in the Vietnamese market before the feed registration expires. Six (6) months before the expiry date of the time of circulation, organizations and individuals wishing to re-register the animal feed products permitted for circulation in Vietnam must do so at the Directorate of Fisheries (DFISH) or the Department of Livestock Production (DLP).

Circular 50/2014 is also amended in Point c, Clause 2 of Article 5 clarifying that the requirement for feed trial results on animals is applicable only to new animal feed products.

Point a, Clause 2 of Article 21a of the Circular 50/2014 is also amended, reducing the number of representative samples taken for analysis to at least one (1) safety criteria and one (1) quality criteria in the applicable published standards or in the corresponding national technical regulations.

Article 2 of Circular 29/2015 adds a new Chapter IVa to Circular 66/2011 regulating the advertisement of feed and feed products. DFISH and DLP or their sub-units at the Provincial or District-levels must approve advertising for animal and aquaculture feed before those advertisements can be made public. Circular 29/2015 promulgates two additional forms, as Appendices 27 and 28, to register feed advertising with government authorities.

Please refer to Circular 50/2014/TT-BNNPTNT (GAIN report [VM5048](#)), and to Circular 66/2011/TT-BNNPTNT (GAIN report [VM4039](#)), and to Circular 20/2014 (GAIN report [VM4045](#)) for more information. Should U.S. exporters have any questions regarding these Circulars, please email: aghanoi@fas.usda.gov.

Below is an unofficial translation of the Circular 29/2015/TT-BNNPTNT released on September 4, 2015.

No. 29/2015/TT-BNNPTNT

Hanoi, dated September 4, 2015

CIRCULAR

on amending and adding to some articles of Circular No. 66/2011/TT-BNNPTNT dated October 10, 2011, which makes detailed provisions for some articles of Decree No. 08/2010/ND-CP dated February 5, 2010 of the Government on management of animal feed

Pursuant to the Decree No. 08/2010/ND-CP dated February 5, 2010 of the Government on management of animal feed;

Pursuant to Decree 199/2013/ND-CP dated November 26, 2013 of the Government stipulating the functions, tasks, power and organizational structure of the Ministry of Agriculture and Rural Development;

Pursuant to Decree No. 181/2013/ND-CP dated November 14, 2013 of the Government making detailed provisions for implementation of some articles of the Law on advertisement;

At the proposal of the Director General of the Directorate of Fisheries and the Director of the Department of Livestock Production,

The Minister of Agriculture and Rural Development hereby promulgates Circular amending and adding to some articles of Circular No. 66/2011/TT-BNN dated October 10, 2011 making detailed provisions for a number of articles of Decree No. 08/2010/ND-CP dated February 5, 2010 of the Government on management of animal feed.

Article 1. To amend, add to, revoke a number of articles of Circular No. 66/2011/TT-BNN dated October 10, 2011 making detailed provisions for a number of articles of Decree No. 08/2010/ND-CP dated February 5, 2010 of the Government on management of animal feed as amended, added in Circular No. 50/2014/TT-BNNPTNT dated December 24, 2014 (hereinafter referred to as Circular No. 66/2011/TT-BNNPTNT), as follows:

1. Clause 1, Article 5 is amended and added as follows:

- “1. Animal feed permitted to be circulated¹ in Vietnam is the animal feed that the Directorate of Fisheries or the Department of Livestock Production accredits its eligibility for circulation in Vietnam after being approved by the Minister of Agriculture and Rural Development. The Directorate of Fisheries, Department of Livestock Production are responsible for monthly collating and announcing the List of animal feed permitted to be circulated in Vietnam and posted on the electronic information pages of the Directorate of Fisheries, Department of

¹ Translator note: It means being sold

Livestock Production and the Ministry of Agriculture and Rural Development in order to let relevant organizations and individuals access and implement [it].

Time of circulation of feed products in Vietnam is 05 years from the date of accreditation. 6 months before expiry of the time of circulation, organizations and individuals wishing [to register] may re-register the animal feed permitted for circulation in Vietnam at the Directorate of Fisheries or the Department of Livestock Production."

2. Point c, Clause 2 of Article 5 is amended and amended as follows:

"c) There is testing result on animals, which has been accredited by the Directorate of Fisheries or the Department of Livestock Production (only applicable to new animal feed)."

3. Revoke the phrase "Testing result for complete mixed feed" at the 4th bullet of Point a, Clause 3 of Article 5.

4. Point b, Clause 5, Article 5 is amended and amended as follows:

"b) Within time-limit of not exceeding 03 working days from the date of receipt of application dossiers for registration, the Directorate of Fisheries or the Department of Livestock Production is responsible for checking the composition of dossiers and shall notify in writing to the registering organization or individual of the composition of dossiers, which fail to meet the requirements, for addition and completion."

5. Point c, Clause 5, Article 5 is amended and amended as follows:

"c) Within time-limit of not exceeding 12 working days from the date of receipt of adequate valid application dossiers, the Directorate of Fisheries or the Department of Livestock Production is responsible for appraising the content of the application dossiers and shall issue a decision on accreditation of animal feed permitted to be circulated in Vietnam (according to form specified in Appendix 4A to this Circular) immediately after obtaining the approval of the Minister. In case of failing to issue a decision on accreditation, the Directorate of Fisheries or the Department of Livestock Production must reply in writing and clearly stating the reason."

6. Point d, Clause 2, Article 6 is amended and added as follows:

"d) Within time-limit of not exceeding 03 working days from the date of receipt of application dossiers for accreditation of the quality, the Directorate of Fisheries or the Department of Livestock Production is responsible for checking the composition of the dossiers and shall notify in writing the registering organizations and individuals of the composition of dossiers, which fail to meet the requirements, for addition and completion.

Within time-limit of not exceeding 12 working days from the date of receipt of adequate valid application dossiers, the Directorate of Fisheries or the Department of Livestock Production is responsible for appraising the content of the dossiers and shall issue a decision

on accreditation of animal feed permitted to be circulated in Vietnam (according to form specified in Appendix 4A to this Circular) immediately after obtaining the approval of the Minister. In case of failing to issue decision on accreditation, the Directorate of Fisheries or the Department of Livestock Production must reply in writing and clearly stating the reason."

7. Point a, Clause 2 of Article 21a is amended and added as follows:

"a) Form of checking: checking dossiers, visually checking and taking representation samples to analyze at least 1 safety target and 1 quality target in the applicable published standards or in the corresponding national technical regulations, ensuring the assessment of safety and quality of the products to be checked. Inspection agencies and designated organizations shall identify specific targets and are responsible for the checking results, assessment of quality and safety of animal feed."

8. Content "Methods of analysis" in Appendix 19 is amended as follows: "Specified in Clause 7 of Article 1 of this Circular."

Article 2 To add Chapter IVa of Circular No. 66/2011/TT-BNNPTNT as follows:

**"Chapter IVa
ADVERTISEMENT OF FEED**

Article 29a. Advertising content of animal feed

1. Advertising content of animal feed must conform to the applicable published standards and the corresponding national technical regulations (if any) and must contain the following content:
 - a) Name of animal feed;
 - b) Origin of raw materials in processing;
 - c) Name and address of organizations and individuals responsible for bringing product to the market.
2. Advertising content of animal feed must be certified by the competent agencies as specified in Article 29b of this Circular.

Article 29b. Competence to issue a Certificate of advertisement content of animal feed

1. The Directorate of Fisheries, the Department of Livestock Production shall issue Certificates of advertising content of animal feed for cases being advertised on the following medias:
 - a) The press, electronic information pages, electronic devices, terminals and other telecommunication devices, printed products, sound recordings, video recordings and other technical devices of the Central, released nationwide;

- b) Nationwide fairs, seminars, conferences, organization of events, exhibitions, cultural programs and sport
- 2. Sub-department of Fisheries, Sub-department of Livestock Production and [Sub-department of] Animal Health shall issue Certificates of advertising content on animal feed for cases being advertised on the following media:
 - a) The press, electronic information pages, electronic devices, terminals and other telecommunication devices, printed products, sound recordings, video recordings and other devices of localities;
 - b) Billboards, banners, signs, light boxes, display ad specialized advertising monitors;
 - c) Means of transportation;
 - d) Fair, seminars, conferences, organization of events, exhibitions, culture and sport programs of localities;
 - d) Persons conveying advertisement products, advertising objects;
 - e) Other advertising media in accordance with the law.

Article 29c. Dossiers, order and procedures for issuance of Certificates of advertising content of animal feed

- 1. Application dossiers are as followings:
 - a) The application for certification of advertising content of animal feed in accordance with the form stipulated in Appendix 27 issued together with this Circular;
 - b) Photocopies of documents accrediting that animal feed is permitted to be circulated in Vietnam (particularly for dossiers to be sent to the competent agencies of localities must be authenticated copy, in case that a photocopy is directly submitted and its original must be presented for comparison).
 - c) Product information published by manufacturers, including product name, name and address of manufacturer, name of raw materials, quality norms, usage, instruction manual.
 - d) Explanation of advertising content (advertising content, advertising media, advertising sites, advertising time).
- 2. Submission of application dossiers are as follows:
 - a) Organizations and individuals may submit directly or send by post office to competent State agencies in accordance with Article 29b of this Circular;
 - b) Quantity of dossiers: 01 set.

3. Appraising application dossiers and issuing Certification of advertising content of animal feed
 - a) Within time-limit of not exceeding 03 working days from the date of receipt of the application dossiers for registration, competent State agencies as stipulated in Article 29b of this Circular is responsible for checking the composition of application dossiers and shall notify in writing to the registering organizations and individuals of the composition of dossiers, which fail to meet the requirements, for addition and completion.
 - b) Within time-limit of not exceeding 10 working days from the date of receipt of adequate valid application dossiers, competent State agencies as stipulated in Article 29b of this Circular shall issue a certificate of advertising content of animal feed in accordance with the form specified in Appendix 28 issued together with this Circular. In case of failing to issue a certificate of advertising content, the competent state agencies shall have to reply in writing and clearly stating the reasons therefor.

Article 3. Implementation effectiveness

This Circular is of full force and effect from September 4, 2015.

Article 4. Responsibility for implementation

The Director of the Ministry's Office, the Director General of Directorate of Fisheries, Director of the Department of Livestock Production, Directors of Departments of Agriculture and Rural Development of centrally-run provinces and cities, heads of units of the Ministry and relevant organizations, individual shall be responsible for implementing this Circular./.

Recipients:

- The Government Office;
- Leaders of MARD;
- The ministries, ministerial-level agencies under the Government;
- The General Department of Customs;
- Department for Examination of Legal Documents (the Ministry of Justice);
- The units of the Ministry;
- People's committees of centrally-run provinces and cities;
- Departments of Agriculture and Rural Development of centrally-run provinces and cities;
- Government Gazette;
- Government Website;
- Website of MARD;
- Kept archives: Office, Directorate of Fisheries, Department of Livestock Production.

MINISTER

(Signed and stamped)

Cao Duc Phat

APPENDIX 27
FORM OF APPLICATION
FOR CERTIFICATION OF ADVERTISING CONTENT OF ANIMAL FEED
(promulgated in conjunction with Circular No. 29/2015/TT-BNNPTNT dated September 4, 2015 of the Ministry of Agriculture and Rural Development)

[Name of organization, individual] **SOCIALIST REPUBLIC OF VIETNAM**
Independence - Freedom - Happiness

..., dated

No.:

APPLICATION FOR CERTIFICATION
OF ADVERTISING CONTENT OF ANIMAL FEED

To: [Name of competent agency]

Name of organization, individual applying for certification of advertising content:

Address:

Telephone number: Fax:

E-mail:

Operation permit:

Full name and telephone number of person responsible for registering the application dossiers:

Respectfully propose(name of competent agency) to consider and certify the advertising content of the following animal feed:

No	Name of animal feed	Marking/Product number	Approval number	Name, address of manufacturer	Advertising medias
1.					
...					

We undertake to advertise the same content as certified and shall comply with the above-mentioned legal documents and other provisions of the law on advertisement. If advertising not in accordance with the certified content, we shall bear the responsibilities before the law.

Representative of organization, individual
(Signing, stamping)

APPENDIX 28

CERTIFICATE OF ADVERTISING CONTENT OF ANIMAL FEED

(promulgated in conjunction with Circular No. 29/2015/TT-BNNPTNT dated September 4, 2015 of the Ministry of Agriculture and Rural Development)

[Name of managing body]
[Name of competent agency certifying advertising content of animal feed]

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

..., dated 20...

CERTIFICATE OF ADVERTISING CONTENT OF ANIMAL FEED

No: /20.../XNQC-[abbreviated sign of competent agency])

(Name of competent agency)certifies:.....

Name of organization, individual applying for certification of advertising content:

Address:

Telephone number: Fax: E-mail:

having the advertising content of animal feed as stipulated in the following table, which conforms with the applicable regulations:

No	Name of animal feed	Marking/Product number	Approval number	Name, address of manufacturer	Advertising medias
1.					
...					

Organization, individual is responsible for advertising animal feed in accordance with the certified content./.

HEAD OF UNIT
(Signing, stamping)

1. Advertising content is attached to this Certificate.