

THE GOVERNMENT

THE SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

No. 17/2020/ND-CP

Hanoi, February 05, 2020

DECREE

**AMENDMENTS TO SOME ARTICLES OF DECREES RELATED TO NECESSARY
BUSINESS CONDITIONS IN FIELDS UNDER THE MANAGEMENT OF THE MINISTRY
OF INDUSTRY AND TRADE**

Pursuant to the Law on Government Organization dated June 19, 2015;

Pursuant to the Law on Commerce dated June 14, 2005;

Pursuant to the Law on Chemicals dated November 21, 2007;

Pursuant to the Law on Food Safety dated June 17, 2010;

*Pursuant to the Law on Electricity dated December 03, 2004 and Law on amendments to some
Articles of the Law on Electricity dated November 20, 2012;*

*Pursuant to the Law on Prevention and Control of Harmful Effects of Tobacco dated June 18,
2012;*

*Pursuant to the Law on Investment dated November 26, 2014 and Law on Law on amendments
to Article 6 and Appendix 4 on the list of conditional business lines stipulated in the Law on
Investment dated November 22, 2016;;*

*Pursuant to the Law on Prevention and Control of Harmful Effects of Alcoholic Beverages dated
June 14, 2019;*

At the request of the Minister of Industry and Trade;

*The Government hereby promulgates a Decree on amendments to some Articles of Decrees
related to necessary business conditions in fields under the management of the Ministry of
Industry and Trade.*

Chapter I

**MANUFACTURING, ASSEMBLY AND IMPORT OF MOTOR VEHICLES AND
PROVISION OF MOTOR VEHICLE WARRANTY AND MAINTENANCE SERVICES**

Article 1. Amendments to some Articles of the Government's Decree No. 116/2017/ND-CP dated October 17, 2017 on requirements for manufacturing, assembly and import of motor vehicles and provision of motor vehicle warranty and maintenance services

1. The seventh dash in Point b Clause 2 of Article 2 is amended as follows:

“- Special motor vehicles, special motor vehicles for the transport of persons, special motor vehicles for the transport of goods and other types of motor vehicles for the transport of goods defined in TCVN 6211: Road vehicles - Types - Terms and definitions; and TCVN 7271: Road vehicles - Motor vehicles - Classifications in Purpose of Use.”

2. Point a Clause 2 of Article 6 is amended as follows:

“a) Imported brand-new motor vehicles

- Quality of imported brand-new motor vehicles shall be managed using the following method:

+ Regarding imported motor vehicles manufactured by a country applying the type approval method, the quality management authority shall carry out type assessment according to the results of safety and environmental protection inspection and testing of representative samples and results of Conformity of Production assessment;

+ Regarding imported motor vehicles manufactured by a country applying the self-certification method, the quality management authority shall carry out type assessment according to the results of safety and environmental protection inspection and testing of representative samples and by testing samples collected from market.

- The maximum frequency of type assessment is 36 months.”

3. Clause 3 of Article 6 is amended as follows:

“3. The Ministry of Transport shall elaborate and provide guidelines for carrying out safety and environmental protection inspections for domestically manufactured/assembled motor vehicles and imported motor vehicles in accordance with regulations of the Law on Quality of Products and Goods and this Decree.”

4. Clause 4 is added to Article 6 as follows:

“4. During the manufacturing and assembly of motor vehicles, motor vehicle manufacturing and assembling enterprises shall comply with regulations of law on environmental protection, occupational safety and health and fire fighting and prevention.”

5. Point dd is added to Clause 1 of Article 19 as follows:

“dd) Enterprises importing and temporarily importing motor vehicles have navigation software/equipment containing maps that violate sovereignty, unity and territorial integrity of the Socialist Republic of Vietnam.”

6. Point i is added to Clause 2 of Article 19 as follows:

“i) Enterprises importing and temporarily importing motor vehicles have navigation software/equipment containing maps that violate sovereignty, unity and territorial integrity of the Socialist Republic of Vietnam.”

7. Point d Clause 2 of Article 22 is amended as follows:

“d) A copy of the document proving the motor vehicle repair shop has satisfied the requirements specified in Clauses 1, 5 and 7 Article 21 of this Decree.”

8. Clause 8 is added to Article 27 as follows:

“8. During the warranty and maintenance, motor vehicle repair shops shall comply with regulations of law on environmental protection, occupational safety and health and fire fighting and prevention.”

9. The Form No. 05 in the Appendix enclosed with the Decree No. 116/2017/ND-CP is replaced with the Form No. 15 in the Appendix III hereof.

Article 2. Repeal of some Articles and Clauses of the Government’s Decree No. 116/2017/ND-CP dated October 17, 2017 on requirements for manufacturing, assembly and import of motor vehicles and provision of motor vehicle warranty and maintenance services

1. Clause 11 of Article 3 is repealed.
2. Clauses 2, 3, 4 and 5 of Article 7 are repealed.
3. Points e and h Clause 2 of Article 8 are repealed.
4. Clauses 8, 9 and 10 of Article 21 are repealed.

Chapter II

ELECTRICITY

Article 3. Amendments to some Articles and Clauses of the Government’s Decree No. 137/2013/ND-CP dated October 21, 2013 on elaboration of some Articles of the Law on Electricity and Law on amendments to some Articles of the Law on Electricity and Government’s Decree No. 08/2018/ND-CP dated January 15, 2018 on amendments to

certain Decrees related to business conditions under state management of the Ministry of Industry and Trade

1. Amendments to Point b Clause 3 Article 6 of the Decree No. 08/2018/ND-CP and Clause 2 Article 30 of the Decree No. 137/2013/ND-CP

a) Point b Clause 3 Article 6 of the Decree No. 08/2018/ND-CP is amended as follows:

“b) Clause 1 of Article 30 is amended as follows:

1. Have equipment, power lines and substations that are built or installed in accordance with approved technical designs; that have undergone testing or commissioning which shows that the results are satisfactory.”

b) Clause 2 Article 30 of the Decree No. 137/2013/ND-CP is amended as follows:

“2. The technical manager must obtain at least a bachelor’s degree in electrical engineering technology and have at least 05 years’ experience in electricity transmission.

The operating personnel must be trained in electrical engineering and electrical safety and obtain a certificate of operation.”

2. Point b Clause 4 Article 6 of the Decree No. 08/2018/ND-CP is amended as follows:

“b) Clauses 1 and 2 of Article 31 are amended as follows:

1. Have equipment, power lines and substations that are built or installed in accordance with approved technical designs; that have undergone testing and commissioning which shows that the results are satisfactory.”

2. The technical manager must obtain at least a bachelor’s degree in electrical engineering technology and have at least 03 years’ experience in electricity transmission.

The operating personnel must be trained in electrical engineering and electrical safety and obtain a certificate of operation.”

3. Clause 31a is added after Article 31 of the Decree No. 137/2013/ND-CP as follows:

“Article 31a. Requirements for fire fighting and prevention during the process of carrying out electricity activities

The power generation, transmission and distribution shall comply with regulations of the law on fire fighting and prevention.”

4. Clause 5 Article 6 of the Decree No. 08/2018/ND-CP is amended as follows:

“5. Article 32 is amended as follows:

Upon registration of its electricity wholesaling, the electricity wholesaler established in accordance with the law shall satisfy the following conditions:

The electricity wholesaler has at least a bachelor’s degree in electrical engineering technology, technology, economics or finance and at least 5 years’ experience of working in the field of electricity sale and purchase.

The electricity wholesaler satisfying the conditions for electricity wholesaling is entitled to import and/or export electricity”.

5. Point b Clause 6 Article 6 of the Decree No. 08/2018/ND-CP is amended as follows:

“b) Clause 1 of Article 33 is amended as follows:

1. The electricity retailer must have at least a Level 4 of VQF Diploma in electrical engineering, technology, economics or finance and at least 03 years’ experience of working in the field of electricity sale and purchase.”

6. Clause 7 Article 6 of the Decree No. 08/2018/ND-CP is amended as follows:

“7. Article 38 is amended as follows:

Article 38. Electrical consulting services

1. Conditions for provision of electrical consulting services shall only apply to work items directly related to electricity, other work items shall apply the conditions prescribed by the law on construction.

2. Electrical consulting services include electrical work design consulting and electrical work construction supervision consulting.

3. Electrical works include:

a) Power plants: hydropower, wind power, solar power and thermal power (coal, gas, oil, biomass, solid waste);

b) Power lines and substations.

4. A table showing capacity of electrical works applied to electrical consulting services:

	Hydropower, wind power and solar power plant	Thermal power plant	Power line and substation
Class 1	Not limited	Not limited	Not limited

Class 2	Up to 300 MW	Up to 300 MW	Up to 220 kV
Class 3	Up to 100 MW		Up to 110 kV
Class 4	Up to 30 MW		Up to 35 kV

7. Title of Article 39 of the Decree No. 08/2018/ND-CP is amended as follows:

“Article 39. Conditions for issuing licenses for provision of hydropower plant design consulting service”

8. Clause 8 Article 6 of the Decree No. 08/2018/ND-CP is amended as follows:

“8. Some contents of Article 39 are amended as follows:

a) Upon registration of its hydropower plant design consulting service, the provider established in accordance with the law shall satisfy the following conditions:

b) Clauses 3 and 6 of Article 39 are amended as follows:

3. The consultant holding the president title must have at least a bachelor's degree in electrical engineering or hydropower engineering or irrigation; must have at least 05 years' experience in provision of consulting services; has acted as the president in charge of at least 01 project or participated in designing at least 02 projects on hydropower plants of equivalent class; must obtain the construction practicing certificate in the field of design of hydropower plants of equivalent class.

6. Other consultants must have at least a bachelor's degree in geodesy, geology, construction, irrigation, hydropower engineering, electrical engineering, electric power system, electrical equipment or automation; must have at least 05 years' experience in provision of consulting services; have participated in designing at least 01 project on the hydropower plant of equivalent class; must have the construction practicing certificate in the field of design of the hydropower plant of equivalent class.”

9. Clause 39a is added after Article 39 of the Decree No. 137/2013/ND-CP as follows:

“Article 39a. Conditions for issuing licenses for provision of wind power and solar power plant design consulting services

Upon registration of its wind power plant/solar power plant design consulting service, the provider established in accordance with the law shall satisfy the following conditions:

1. The consultant holding the president title must have at least a bachelor's degree in electrical engineering or renewable energy; must have at least 05 years' experience in provision of consulting services; has acted as the president in charge of at least 01 project or participated in designing at least 02 projects on wind power plants/solar power plants of equivalent class; must

obtain the construction practicing certificate in the field of design of wind power plants/solar power plants of equivalent class.

2. Other consultants must have at least a bachelor's degree in geodesy, geology, construction, renewable energy, electrical engineering - construction, electrical engineering, electric power system, electrical equipment or automation; must have at least 05 years' experience in provision of consulting services; have participated in designing at least project on the wind power plant/solar power plant of equivalent class; must have the construction practicing certificate in the field of design of the wind power plant/solar power plant of equivalent class.”

10. Title of Article 40 of the Decree No. 137/2013/ND-CP is amended as follows:

“Article 40. Conditions for issuing licenses for provision of thermal power plant design consulting service”

11. Clause 9 Article 6 of the Decree No. 08/2018/ND-CP is amended as follows:

“9. Some contents of Article 40 are amended as follows:

a) Upon registration of its thermal power plant design consulting service, the provider established in accordance with the law shall satisfy the following conditions:

b) Clauses 3 and 6 of Article 40 are amended as follows:

3. The consultant holding the president title must have at least a bachelor's degree in electrical engineering or thermal power engineering; must have at least 05 years' experience in provision of consulting services; has acted as the president in charge of at least 01 project or participated in designing at least 02 projects on thermal power plants of equivalent class; must obtain the construction practicing certificate in the field of design of thermal power plants of equivalent class.

6. Other consultants must have at least a bachelor's degree in geodesy, geology, construction, electrical engineering, thermal power engineering, electrical equipment or automation; must have at least 05 years' experience in provision of consulting services; have participated in designing at least 01 project on the thermal power plant of equivalent class; must have the construction practicing certificate in the field of design of the thermal power plant of equivalent class.”

12. Title of Article 41 of the Decree No. 137/2013/ND-CP is amended as follows:

“Article 41. Conditions for issuing licenses for provision of power line and substation design consulting services”

13. Clause 10 Article 6 of the Decree No. 08/2018/ND-CP is amended as follows:

“10. Some contents of Article 41 are amended as follows:

a) Upon registration of its power line and substation design consulting service, the provider established in accordance with the law shall satisfy the following conditions:

b) Clauses 3 and 6 of Article 41 are amended as follows:

3. The consultant holding the president title must have at least a bachelor's degree in electrical engineering; must have at least 05 years' experience in provision of consulting services; has acted as the president in charge of at least 01 project or participated in designing at least 02 projects on power lines and substations of equivalent class; must obtain the construction practicing certificate in the field of design of power lines and substations of equivalent class.

6. Other consultants must have at least a bachelor's degree in geodesy, geology, construction, electrical engineering, thermal power engineering, electrical equipment or automation; must have at least 05 years' experience in provision of consulting services; have participated in designing at least 01 project on the power line and substation of equivalent class; must have the construction practicing certificate in the field of design of the power line and substation of equivalent class.”

14. Title of Article 42 of the Decree No. 137/2013/ND-CP is amended as follows:

“Article 42. Conditions for issuing licenses for provision of hydropower plant construction supervision consulting services”

15. Clause 11 Article 6 of the Decree No. 08/2018/ND-CP is amended as follows:

“11. Some contents of Article 42 are amended as follows:

a) Upon registration of its hydropower plant construction supervision consulting service, the provider established in accordance with the law shall satisfy the following conditions:

b) Clauses 3 and 6 of Article 42 are amended as follows:

3. The consultant holding the chief supervisor title must have at least a bachelor's degree in electrical engineering or hydropower engineering or irrigation; must have at least 05 years' experience in provision of consulting services; has acted as the chief supervisor of at least 01 project or participated in supervising construction of at least 02 projects on hydropower plants of equivalent class; must obtain the construction practicing certificate in the field of construction supervision of hydropower plants of equivalent class.

6. Other consultants must have at least a bachelor's degree in construction, irrigation, hydropower engineering, electrical engineering, electric power system, electrical equipment or automation; must have at least 05 years' experience in provision of consulting services; have participated in supervising construction of at least 01 project on the hydropower plant of equivalent class; must have the construction practicing certificate in the field of construction supervision of the hydropower plant of equivalent class.”

16. Clause 42a is added after Article 42 of the Decree No. 137/2013/ND-CP as follows:

“Article 42a. Conditions for issuing licenses for provision of wind power and solar power plant construction supervision consulting services

Upon registration of its wind power plant/solar power plant construction supervision consulting service, the provider established in accordance with the law shall satisfy the following conditions:

1. The consultant holding the chief supervisor title must have at least a bachelor's degree in electrical engineering or renewable energy; must have at least 05 years' experience in provision of consulting services; has acted as the chief supervisor of at least 01 project or participated in supervising construction of at least 02 projects on wind power plants/solar power plants of equivalent class; must obtain the construction practicing certificate in the field of construction supervision of wind power plants/solar power plants of equivalent class.
2. Other consultants must have at least a bachelor's degree in construction, renewable energy, electrical engineering, electric power system, electrical equipment or automation; must have at least 05 years' experience in provision of consulting services; have participated in supervising construction of at least 01 project on the wind power plant/solar power plant of equivalent class; must have the construction practicing certificate in the field of construction supervision of the wind power plant/solar power plant of equivalent class.”

17. Point b Clause 12 Article 6 of the Decree No. 08/2018/ND-CP is amended as follows:

“b) Clauses 3 and 6 of Article 43 are amended as follows:

3. The consultant holding the chief supervisor title must have at least a bachelor's degree in electrical engineering or thermal power engineering; must have at least 05 years' experience in provision of consulting services; has acted as the chief supervisor of at least 01 project or participated in supervising construction of at least 02 projects on thermal power plants of equivalent class; must obtain the construction practicing certificate in the field of construction supervision of thermal power plants of equivalent class.
6. Other consultants must have at least a bachelor's degree in construction, electrical engineering, thermal power engineering, electrical equipment or automation; must have at least 05 years' experience in provision of consulting services; have participated in supervising construction of at least 01 project on the thermal power plant of equivalent class; must have the construction practicing certificate in the field of design of the thermal power plant of equivalent class.”

18. Point b Clause 13 Article 6 of the Decree No. 08/2018/ND-CP is amended as follows:

“b) Clauses 3 and 6 of Article 44 are amended as follows:

3. The consultant holding the chief supervisor title must have at least a bachelor's degree in electrical engineering; must have at least 05 years' experience in provision of consulting services; has acted as the chief supervisor of at least 01 project or participated in supervising

construction of at least 02 projects on power lines and substations of equivalent class; must obtain the construction practicing certificate in the field of construction supervision of power lines and substations of equivalent class.

6. Other consultants must have at least a bachelor's degree in construction, electrical engineering, electric power system, electrical equipment or automation; must have at least 05 years' experience in provision of consulting services; have participated in supervising construction of at least 01 project on the power line and substation of equivalent class; must have the construction practicing certificate in the field of construction supervision of the power line and substation of equivalent class.”

19. Article 45 of the Decree No. 137/2013/ND-CP is amended as follows:

“Article 45. The power to issue and amend the electricity operating license

1. The power to issue the electricity operating license

a) The Ministry of Industry and Trade shall issue the electricity operating license intended for electricity transmission and generation by large-scale power plants on the list of large-scale power plants of critical importance in respect of society, economy, national defense and security approved by the Prime Minister;

b) The Electricity Regulatory Authority shall issue the electricity operating license intended for electricity distribution, electricity wholesaling, electricity retail, electrical consulting services and electricity generation by power plants with a capacity of at least 03 MW other than those specified in Point a of this Clause;

c) People's Committees of provinces shall issue the electricity operating license to organizations and individuals involved in electricity activities on a small scale within their provinces under the guidance of the Ministry of Industry and Trade.

2. The electricity operating license shall be amended in the following cases:

a) The amendment is requested by the license holder as one of the contents of the electricity operating license is changed;

b) If socio - economic benefits and public benefits require protection, the issuing authority is entitled to amend the electricity operating license intended for electricity transmission and distribution. The amendment must be within the capacity of the license holder.

c) If the issued license is found having mistakes, the issuing authority shall amend it.”

Article 4. Repeal of some Articles and Clauses of the Decree No. 137/2013/ND-CP

1. Clauses 4 and 6 of Article 29 are repealed.

2. Clause 5 of Article 39 is repealed.
3. Clause 5 of Article 40 is repealed.
4. Clause 5 of Article 41 is repealed.
5. Clause 5 of Article 42 is repealed.
6. Clause 5 of Article 43 is repealed.
7. Clause 5 of Article 44 is repealed.

Chapter III

CHEMICALS

Article 5. Amendments to Article 13 of the Government's Decree No. 08/2018/ND-CP dated January 15, 2018 on amendments to certain Decrees related to business conditions under state management of the Ministry of Industry and Trade

“Article 13. Amendments to Point d Clause 1 Article 17 of the Government's Decree No. 38/2014/ND-CP dated May 06, 2014 on management of chemicals controlled by the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction

d) Documents satisfying the conditions mentioned in Points h and i Clause 1 Article 15 of this Decree.”

Article 6. Amendments to some Articles and Clauses of the Government's Decree No. 38/2014/ND-CP dated May 06, 2014 on management of chemicals controlled by the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and Government's Decree No. 77/2016/ND-CP dated July 01, 2016 on amendments to some regulations on business conditions in international trade in goods, chemicals, industrial explosives, fertilizers, gas business and food business under the state management of Ministry of Industry and Trade

1. Point a Clause 1 Article 15 of the Decree No. 38/2014/ND-CP is amended as follows:

“a) Be an enterprise that is established in accordance with the law;”

2. Clause 1 Article 16 of the Decree No. 38/2014/ND-CP is amended as follows:

“1. A producer of Schedule 2 and Schedule 3 chemicals must:

a) be established in accordance with the law;”

b) satisfy the personnel requirements mentioned in Points h and i Clause 1 Article 15 of this Decree.”

3. Clause 18a is added after Article 18 of the Decree No. 38/2014/ND-CP as follows:

“Article 18a. General requirements for production of Schedule 1, Schedule 2 and Schedule 3 chemicals, DOC chemicals and DOC-PSF chemicals

1. Have a chemical emission and waste treatment system in conformity with regulations of the law on environment and applicable national technical regulations on industrial emissions, hazardous waste threshold and solid wastes.

2. Have appropriate vehicles for the transport of chemicals from the production facility to places of delivery. In case vehicles are not available, it is required to contract a facility licensed to transport chemicals.

3. Comply with regulations of the law on environmental protection, occupational safety and health and fire fighting and prevention.”

4. Clause 1 Article 19 of the Decree No. 38/2014/ND-CP is amended as follows:

“1. Importers and exporters must:

a) be established in accordance with the law;”

b) do business with organizations or individuals of member states of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction.”

5. Point b Clause 2 Article 19 of the Decree No. 38/2014/ND-CP is amended as follows:

“b) A copy of the Enterprise registration certificate or Investment certificate or Business registration certificate.”

6. Point c is added to Clause 3 Article 19 of the Decree No. 38/2014/ND-CP as follows:

“c) The Prime Minister shall issue licenses to export/import Schedule 1 chemicals; the Ministry of Industry and Trade shall issue licenses to export/import Schedule 2 and Schedule 3 chemicals.”

7. Clause 1 Article 20 of the Decree No. 38/2014/ND-CP is amended as follows:

“1. A producer of DOC chemicals and DOC-PSF chemicals must:

a) be established in accordance with the law;”

b) satisfy the personnel requirements mentioned in Points h and i Clause 1 Article 15 of this Decree.”

Article 7. Repeal of some Articles and Clauses of the Government’s Decree No. 38/2014/ND-CP dated May 06, 2014 on management of chemicals controlled by the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and Government’s Decree No. 77/2016/ND-CP dated July 01, 2016 on amendments to some regulations on business conditions in international trade in goods, chemicals, industrial explosives, fertilizers, gas business and food business under the state management of Ministry of Industry and Trade

1. Some Articles and Clauses of the Decree No. 38/2014/ND-CP are repealed as follows:

a) Points b, e and g Clause 1 of Article 15 are repealed;

b) Points c Clause 1 of Article 17 is repealed.

2. Point dd Clause 1 Article 15 of the Decree No. 38/2014/ND-CP amended by Article 9 of the Decree No. 77/2016/ND-CP is repealed.

Article 8. Amendments to some Articles and Clauses of the Government’s Decree No. 113/2017/ND-CP dated October 09, 2017 on guidelines for implementation of some Articles of the Law on Chemicals

1. Clause 11 is added to Article 1 as follows:

“11. The following products are not chemicals covered by this Decree:

a) Pharmaceuticals; germicidal and insecticidal preparations; cosmetics;

b) Feeds; veterinary drugs; agrochemicals; organic fertilizers, biofertilizers, chemical fertilizers that are mixed fertilizers, organic mineral fertilizers, bio-mineral fertilizers; products used for preservation and processing of agricultural products, forestry products, fishery products and foods;

c) Radioactive substances; building materials; paints, printing ink; household adhesives and cleaning products;

d) Gasoline, oil; condensate and naphta used for gasoline and oil processing.”

2. Clause 1 of Article 3 is amended as follows:

“1. “chemical production” means an act of producing chemicals through chemical reactions or biochemical or physiochemical processes such as extraction, concentration, dilution and mixture and other physiochemical processes without the unintentional release of chemicals.”

3. Point a Clause 1 of Article 9 is amended as follows:

“a) The applicant is an entity established in accordance with the law.”

4. Point a Clause 2 of Article 9 is amended as follows:

“a) The applicant is an entity established in accordance with the law;”

Article 9. Amendments to some Articles and Clauses of the Government’s Decree No. 113/2017/ND-CP dated October 09, 2017 on guidelines for implementation of some Articles of the Law on Chemicals

1. Point c Clause 1 and Points c and dd Clause 2 of Article 9 are repealed.

2. Point b Clause 1 and Point c Clause 2 of Article 11 are repealed.

3. Some chemicals on the List of industrial conditional chemicals in the Appendix I enclosed with the Government’s Decree No. 116/2017/ND-CP dated October 17, 2017 are removed as follows:

No.	Vietnamese name	English name	HS Code ⁽¹⁾	CAS Number	Chemical formula
19.	1-Amino-3-metyl benzen	1-Amino-3-methylbenzene	29214300	108-44-1	C ₇ H ₉ N
20.	1-Amino-4-metyl benzen	1-Amino-4-methylbenzene	29214300	106-49-0	C ₇ H ₉ N
90.	Beri nitrat	Beryllium nitrate	28342990	13597-99-4	Be(NO ₃) ₂
93.	1,1'-Biphenyl, hexabrom-	1,1'-Biphenyl, hexabromo-	29039900	36355-01-8	C ₁₂ H ₄ Br ₆
123.	Butyl toluen (p-tert-Butyltoluen)	Butyl toluene (p-tert-Butyltoluene)	29029090	98-51-1	C ₁₁ H ₁₆
159.	Clo diflo metan (R-22)	Chlorodifluoromethane (R-22)	29037100	75-45-6	CHF ₂ Cl
175.	2-Clo phenol	2-Chlorophenol	29081900	95-57-8	C ₆ H ₅ OCl
178.	3-Clo toluidin	3-chloro-p-toluidine	29214300	95-74-9	C ₇ H ₈ NCl
179.	4-Clo toluidin	4-Chloro-o-toluidine	29214300	95-69-2	C ₇ H ₈ NCl
180.	5-Clo toluidin	5-Chloro-o-toluidine	29214300	95-79-4	C ₇ H ₈ NCl
181.	1-Clo-2,2,2-trifloetan	1-Chloro-2,2,2-trifluoroethane	29037900	75-88-7	C ₂ H ₂ F ₃ Cl
191.	Demeton-s (O,O-	Demeton-s (O,O-	29309090	126-75-0	C ₈ H ₁₉ O ₃ S ₂ P

	Diethyl S-2- ethylthio ethyl photphorothioat)	Diethyl S-2- ethylthioethyl phosphorothioate)			
201.	Dibenz(a,h) anthracen	Dibenz(a,h) anthracene	29029090	53-70-3	C ₂₂ H ₁₄
216.	2,6-Dichlor-4- nitroanilin	2,6-Dichlor-4- nitroanilin	29214200	99-30-9	C ₆ H ₄ Cl ₂ N ₂ O ₂
247.	Diisobutyl amin	Diisobutylamine	29211900	110-96-3	C ₈ H ₁₉ N
265.	Dimetyl thiophotphoryl clo	Dimethyl thiophosphoryl chloride	29209090	2524-03-0	C ₂ H ₆ O ₂ ClSP
289.	2,3-Epoxy-1- propanol	2,3-Epoxy-1-propanol	29109000	556-52-5	C ₃ H ₆ O ₂
291.	Ethalfluralin	ethafluralin	29049000	55283-68-6	C ₁₃ H ₁₄ F ₃ N ₃ O ₄
296.	Etyl cacbany	Ethyl carbamate	29241900	51-79-6	C ₃ H ₇ O ₂ N
324.	Etyl benzen	Ethylbenzene	29026000	100-41-4	C ₈ H ₁₀
351.	Hexahydro-1-metyl phthalic anhydrit	Hexahydro-1- methylphthalic anhydride	29172000	48122-14-1	C ₉ H ₁₂ O ₃
352.	Hexahydro-3- metyl phthalic anhydrit	Hexahydro-3-methyl phthalic anhydride	29172000	57110-29-9	C ₉ H ₁₂ O ₃
354.	Hexahydrometyl phthalic anhydrit	Hexahydromethyl phthalc anhydride	29172000	25550-51-0	C ₉ H ₁₂ O ₃
443.	Magie photphua	Magnesium phosphide	28480000	12057-74-8	Mg ₃ P ₂
490.	Metyl pentadien	Methyl pentadiene	29012990	926-56-7	C ₆ H ₁₀
550.	Nicotin salicylat	Nicotine salicylate	29399990	29790-52-1	C ₇ H ₆ O ₃
558.	Nitrofen	Nitrofen	29093000	1836-75-5	C ₁₂ H ₇ O ₃ NCl ₂
563.	2-Nitrotoluen	2-Nitrotoluene	29042090	88-72-2	C ₇ H ₇ O ₂ N
564.	3-Nitrotoluen	3-Nitrotoluene	29042090	99-08-1	C ₇ H ₇ O ₂ N
565.	4-Nitrotoluen	4-Nitrotoluene	29042090	99-99-0	C ₇ H ₇ O ₂ N
588.	Oxy diflorua	Oxygen difluoride	28129000	7783-41-7	F ₂ O
592.	Pentaboran	Pentaborane	28500000	19624-22-7	B ₅ H ₉
605.	Phenyl clo fomat	Phenyl chloroformate	29159090	1885-14-9	C ₇ H ₅ N ₂ Cl
606.	Phenyl isoxyanat	Phenyl isocyanate	29291090	103-71-9	C ₇ H ₅ ON
611.	Phenyl triclo silan	Phenyltrichlorosilane	29319090	98-13-5	C ₆ H ₅ Cl ₃ Si

662.	Tali	Thallium	81125200	7440-28-0	TI
666.	Dipentene	Dipentene	29021900	68956-56-9	C ₁₀ H ₁₆
688.	Thiabendazol	Thiabendazole	29341000	148-79-8	C ₁₀ H ₇ N ₃ S
690.	Thiodicarb	Thiodicarb	29309090	59669-26-0	C ₁₀ H ₁₈ N ₄ O ₄ S ₃
706.	Tributyl amin	Tributylamine	29211900	102-82-9	C ₁₂ H ₂₇ N
707.	Triclo axetyl clorua	Trichloroacetyl chloride	29159090	76-02-8	C ₂ Cl ₄ O
716.	2,2,2-triclo-1,1-bis(4-clophenyl) ethanol	2,2,2-trichloro-1,1-bis(4- chlorophenyl) ethanol	29062900	115-32-2	C ₁₄ H ₉ Cl ₅ O
717.	Tricresyl photphat	Tricresyl phosphate	29199000	1330-78-5	C ₂₁ H ₂₁ O ₄ P
743.	Vinyl benzen (Styren)	Vinyl benzene (Styrene)	29025000	100-42-5	C ₈ H ₈
744.	Vinyl brom	Vinyl bromide	29033990	593-60-2	C ₂ H ₃ Br

Chapter IV

FOOD BUSINESS

Article 10. Amendments to some Articles and Clauses of the Government's Decree No. 77/2016/ND-CP dated July 01, 2016 on amendments to some regulations on business conditions in international trade in goods, chemicals, industrial explosives, fertilizers, gas business and food business under the state management of Ministry of Industry and Trade and Government's Decree No. 08/2018/ND-CP dated January 15, 2018 on amendments to certain Decrees related to business conditions under state management of the Ministry of Industry and Trade

1. Article 24 of the Decree No. 77/2016/ND-CP is amended as follows:

“Article 24. General requirements to be satisfied by food production and trading establishments

1. Food production and trading establishments that are required to have certificates of food safety must:

satisfy food safety conditions in conformity with each type of food production or business as prescribed in Sections 2, 3, 4, 5, 6, 7 Chapter VI of this Decree.

2. Food production and trading establishments that are not required to have Certificates of food safety must:

a) satisfy food safety conditions in conformity with each type of food production or business as prescribed by the Law on Food Safety;

b) The entities specified in Points a, b, c, d, dd, e, g, h and i Clause 1 of Article 12 of the Government's Decree No. 15/2018/ND-CP dated February 02, 2018 on elaboration of some Articles of the Law on Food Safety must:

send their commitments to competent authorities appointed by provincial People's Committees to manage food safety within provinces.

c) The entity specified in Point k Clause 1 of Article 12 of the Government's Decree No. 15/2018/ND-CP dated February 02, 2018 on elaboration of some Articles of the Law on Food Safety must:

send a copy of the Certificate (confirmed by the food production and trading establishments) according to Point k Clause 1 Article 12 of the Decree No. 15/2018/ND-CP to competent authorities appointed by provincial People's Committees to manage food safety within provinces.”

2. Some Points and Clauses of Article 26 of the Decree No. 77/2016/ND-CP are amended as follows:

a) Point c Clause 2 of Article 26 is amended as follows:

“c) The following areas shall be designed to be situated separately: raw materials storage, finished products storage; preliminary processing, processing and packaging areas; restrooms; protective clothing change rooms and relevant auxiliary areas. Raw materials, finished foods, packing materials and waste must be separately placed. Regarding the production establishments, products preserved in the finished product storage must be separately arranged by batches and signs reading formation about product name, batches, date of production and production shifts must be put up.”

b) Point dd Clause 2 of Article 26 is amended as follows:

“dd) The waste collection and treatment area must be outside the food manufacturing area and have sufficient waste and garbage containers. Such containers must be tightly covered and regularly cleaned.”

c) Point c, d and dd Clause 3 of Article 26 are amended as follows:

“c) Walls and ceilings must be flat, impervious to water, not be cracked and adhered by dirty substances, and facilitate cleaning;

d) Floors must be flat, smooth, non-slip and well-drained without pooled or standing water;

dd) Front door and windows must not be penetrated by pests or domestic animals.”

d) Clause 9 of Article 26 is amended as follows:

“9. Restrooms, protective-clothing change rooms

a) Restrooms must be constructed far away from the food production area; the restroom door is not opened towards the food production area; it is required to ensure that the air flow from the restrooms is not directed towards the food production area; a sign that reads “Rửa tay sau khi đi vệ sinh” (“Wash your hands after using the restroom” must be put up at a noticeable place in the restroom;

b) The air ventilation of the restroom must not be directed towards the food production area;

c) A room should be in place to change the protective clothing before.”

dd) Clauses 11, 12 and 13 are added Article 26 as follows:

“11. The food production, processing, packaging, transport, preservation and trading should be kept clean.

12. There must be places for preserving samples and keeping dossiers of preserved samples. Establishments shall comply with regulations on sample preservation and destruction applicable to each type of sample.

13. There must be a separate space for keeping substandard products pending disposal.”

3. Clause 1 Article 27 of the Decree No. 77/2016/ND-CP amended by Clause 1 Article 17 of the Decree No. 08/2018/ND-CP is amended as follows:

“1. Equipment and implements in direct contact with foods must be manufactured in such a manner as to satisfy production technology requirements; ensure safety and avoid food contamination.”

4. Some Points and Clauses of Article 27 of the Decree No. 77/2016/ND-CP are amended as follows:

a) Point a Clause 2 of Article 27 is amended as follows:

“a) provide sufficient equipment for washing and sterilization prior to food production.”

b) Point b Clause 3 of Article 27 is amended as follows:

“b) Equipment and implements must be made of materials that are non-toxic, do not allow migration of toxic substances and cause strange smell or food changes.”

5. Clauses 1 and 2 Article 28 of the Decree No. 77/2016/ND-CP are amended as follows:

“1. Persons who directly participate in the food production must be trained in food safety and their participation in training courses must be confirmed by the owner of the production establishment

2. Persons who directly participate in the food production must satisfy health conditions; do not contract cholera, dysentery, typhoid, hepatitis A, bacterial skin infection, tuberculosis and acute diarrhoea.”

6. Clauses 4 and 5 Article 29 of the Decree No. 77/2016/ND-CP are amended as follows:

“4. Raw materials and food products must be packed and preserved at 10 cm, 30 cm and 50 cm or more from the floor, the wall and the ceiling respectively; they must be stacked in the warehouse at the stacking height recommended by the food producer.

5. There should be equipment for adjusting temperature, humidity, air ventilation and elements affecting the food safety; appropriate specialized equipment for monitoring and controlling mode of preservation of each type of foods/ materials at the request of producers.”

7. Clauses 7 and 8 Article 30 of the Decree No. 77/2016/ND-CP are amended as follows:

“7. Floors must be flat, smooth, non-slip and well-drained without pooled or standing water.

8. Walls and ceilings must be flat and impervious to water, not be cracked and adhered by dirty substances, and facilitate cleaning.”

8. Clause 1 Article 31 of the Decree No. 77/2016/ND-CP is amended as follows:

“1. Equipment serving the food trading and storage must be conformable with requirements applied to each type of foods and those of the food producer.”

9. Clause 1 Article 32 of the Decree No. 77/2016/ND-CP is amended as follows:

“1. Persons directly selling foods must satisfy the conditions set forth in Clauses 1 and 2 Article 28 of this Decree”.

10. Clause 1 Article 33 of the Decree No. 77/2016/ND-CP is amended as follows:

“1. The food safety condition applied upon food preservation is specified in Clause 4 Article 29 of this Decree.”

11. Point a Clause 8 Article 34 of the Decree No. 77/2016/ND-CP is amended as follows:

“a) Raw milk warehouses:

Milk purchasing stations must have chilling system, equipment, implements and chemicals to test the quality of raw milk, and must keep samples of purchased milk; raw milk tanks must have

a heat-resistant layer and inner layer made of migration-resistant materials and be maintained at a temperature of 4°C-6°C; the raw milk storage period, from the start of milking to the processing, must not exceed 48 hours; the tanks should be cleaned to ensure food safety before use.”

12. Clause 10 is added to Article 35 of the Decree No. 77/2016/ND-CP as follows:

“10. Regulations laid down in Article 27 of the Decree No. 77/2016/ND-CP shall be complied with.”

13. Some Points and Clauses of Article 36 of the Decree No. 77/2016/ND-CP are amended as follows:

a) Point d Clause 3 of Article 36 is amended as follows:

“d) The area where fermentation tanks are located:

- In case yeast is produced in the production area, the workshop where the yeast propagation is carried out must be sterile and equipped with a disinfection system, and the equipment therein shall be placed under constant control to ensure yeast quality;

- In case the yeast is produced outside the production area, equipment should be in place to ensure yeast safety and avoid bacterial contamination during the process of yeast delivery and receipt.”

b) Point a Clause 7 of Article 36 is amended as follows:

“a) Solid wastes:

Brewing grains shall be cleanly collected once every 48 hours to avoid cross-contamination during the production process;”

14. Clause 8 Article 37 of the Decree No. 77/2016/ND-CP is amended as follows:

“8. Filling equipment must be covered to prevent harmful elements during the operation thereof and a procedure must be in place to clean and disinfect such equipment.”

15. Clause 6 Article 38 of the Decree No. 77/2016/ND-CP is amended as follows:

“6. Solid wastes:

Waste oil, after pressing and extraction, must be collected into a separate area with an area appropriate to the design capacity of the production line and cleaned every 48 hours for avoidance of cross-contamination during the production process.”

16. Point b Clause 9 Article 38 of the Decree No. 77/2016/ND-CP is amended as follows:

“b) Filtration of vegetable oil

The filling process must be observed by equipment or human to ensure quantity, quality and food safety.”

17. Clause 4 Article 39 of the Decree No. 77/2016/ND-CP is amended as follows:

“4. Filling equipment must be covered to prevent harmful elements during the operation thereof and a procedure must be in place to clean and disinfect such equipment.”

Article 11. Repeal of some Articles and Clauses of the Government’s Decree No. 77/2016/ND-CP dated July 01, 2016 on amendments to some regulations on business conditions in international trade in goods, chemicals, industrial explosives, fertilizers, gas business and food business under the state management of Ministry of Industry and Trade

1. Points a and b Clause 1, Point d Clause 2, Point a Clause 5, Point a Clause 6, Clause 7 and Point a Clause 8 of Article 26 are repealed.

2. Point b Clause 2, Point c Clause 3 and Point a Clause 4 of Article 27 are repealed.

3. Clause 3 of Article 28 is repealed.

4. Clauses 1 and 2 of Article 30 are repealed.

5. Clause 2 of Article 32 is repealed.

6. Point dd Clause 5, Point c Clause 8, Points b and d Clause 9, Clauses 10 and 11 of Article 34 are repealed.

7. Clauses 2, 3, 5 and 8 of Article 35 are repealed.

8. Point b Clause 3, Point dd Clause 5, Points a and b Clause 8, Points a and b Clause 9 of Article 36 are repealed.

9. Points a and b Clause 4, Clause 5, Clause 7 and Clause 10 of Article 37 are repealed.

10. Points b and dd Clause 4, Point c Clause 7, Point a Clause 8, Point c Clauses 9 and 11 of Article 38 are repealed.

11. Clauses 3, 5 and 7 of Article 39 are repealed.

Article 12. Article 24a is added after Article 24 of the Decree No. 77/2016/ND-CP as follows:

“Article 24a. Application for issuance of the certificate of food safety

1. An application for issuance of a new certificate includes:

- a) An application form, which is made using the Form No.01a in the Appendix enclosed with this Decree;
- b) A copy of the Enterprise registration certificate or Investment certificate or Business registration certificate;
- c) A description of infrastructure, equipment and implements meeting food safety requirements, which is made using the Form No. 02a (if the applicant is a food producer) or Form No. 02b (if the applicant is a food seller) or both Forms (if the applicant is a food production and trading establishment) in the Appendix I enclosed with this Decree;
- d) A list of physically fit persons, which is certified by the applicant's owner or certificates of fitness of the applicant's owner and persons directly participating in the food production and trading, which are issued by the health facility at district level or higher;
- dd) Certificates of training in food safety of persons who directly participate in the food production and trading, which are confirmed by the applicant's owner.

2. Application for re-issuance of the certificate

a) In case of applying for re-issuance of the certificate due to loss or damage, the application includes:

An application form, which is made using the Form No.01b in the Appendix enclosed with this Decree.

b) In case of applying for re-issuance of the certificate due to change of the production and/or business location; change or addition of the production procedure or merchandise; or expiry of the certificate, the application includes:

- An application form, which is made using the Form No.01b in the Appendix enclosed with this Decree;

- The documents specified in Clause 1 Article 12 of this Decree.

c) In case of applying for re-issuance of the certificate due to change of the name of the applicant without change of its owner, address, location, production procedure and merchandise, the application includes:

- An application form, which is made using the Form No. 01b in the Appendix I enclosed with this Decree;

- A copy of the issued certificate of food safety (which is confirmed by the applicant's owner);

- Documentary evidence for change of the applicant's name.

d) In case of applying for re-issuance of the certificate due to change of the applicant's owner without change of its name, address, location, production procedure and merchandise, the application includes:

- An application form, which is made using the Form No. 01b in the Appendix I enclosed with this Decree;

- A copy of the issued certificate of food safety (which is confirmed by the applicant's owner);

- A copy of the list of physically fit persons, which is certified by the applicant's owner or copies of certificates of fitness of the applicant's owner and persons directly participating in the food production and trading, which are issued by a health facility at district level or higher (which is confirmed by the applicant's owner)."

3. The applicant for issuance of the certificate of food safety shall submit the application to the competent authority, whether in person, by post or online."

Article 13. Article 24b is added after Article 24a of the Decree No. 77/2016/ND-CP as follows:

"Article 24b. Procedures for issuance of the certificate of food safety

The competent authority shall receive and inspect the legitimacy of the application, carry out a site inspection and issue the certificate of food safety. Procedures for issuance of the certificate of food safety:

1. In case of issuance of a new certificate of food safety

a) Receive and inspect the legitimacy of the application

Within 05 working days from the receipt of the application, the competent authority shall inspect its legitimacy; if it is not satisfactory, the competent authority must request the applicant in writing to supplement it. If the application fails to supplement or insufficiently supplement the application within 30 working days from the date on which a written request is made, the application will be invalidated.

b) Establish an inspectorate

Within 15 working days from the date on which the received application is inspected and certified satisfactory, the competent authority shall organize a site inspection. If an inferior authority is authorized to carry out the site inspection, a written authorization is required. After the inspection is done, the inferior authority must send an inspection record to the superior authority to form the basis for issuing the certificate of food safety.

The inspectorate shall be established by the issuing authority or the authority authorized to carry out the site inspection. An inspectorate is comprised of 03 – 05 members, at least 02 of whom are specialized in foods or food safety (obtain academic qualifications in foods or food safety) or in food safety management. The inspectorate is entitled to invite independent experts who acquire appropriate professional qualifications. The chief of the inspectorate shall take responsibility for results of site inspection.

c) Carry out the site inspection

- Inspect the consistency of the documents included in the application for issuance of the certificate of food safety submitted to the competent authority with their originals kept by the applicant;
- Assess the satisfaction of food safety conditions by the applicant.

d) Give the site inspection result

- The inspection result which is “Passed”, “Partially passed” or “Failed” must be specified in the inspection record made according to the Form No. 03a if the applicant is a food manufacturer or the Form No. 03b if the applicant is a food seller or both Forms if the applicant is a food manufacturing and trading establishment.

The certificate of food safety is issued to a general food trading establishment when at least a group of food products is given “Passed” result. Groups of food products given “Passed” result shall be specified in the certificate of food safety issued to this establishment.

- If “Failed” or “Partially passed” result is given, reasons shall be included in the inspection record. If the “Partially passed” result is given, rectification must be completed within 60 days from the date on which the inspection record is obtained. After the rectification has been done at the request of the inspectorate, the applicant shall submit a rectification report made according to the Form No. 04 in the Appendix I enclosed with this Decree and pay inspection fees to the competent authority so as to carry out the site inspection again in accordance with regulations laid down in Point c of this Clause.

The re-inspection must be carried out within 10 working days from the date on which the rectification report is received. If the applicant fails to submit the rectification report, the submitted application for the certificate of food safety and the inspection record which includes “Partially passed” result shall be invalidated.

If the re-inspection result is “Failed” or the rectification report is not sent by the prescribed rectification deadline, the competent authority shall request local the local authority in writing to supervise and request the applicant not to operate until it obtains the certificate of food safety.

- The site inspection record shall be made into 02 equally authentic copies, among which one is kept by the inspectorate and the other is kept by the applicant.

dd) Issue the certificate of food safety

Within 05 working days from the date on which the “Passed” result is given, the competent authority shall issue the certificate of food safety made according to the Form No. 05a (if the applicant is a food producer) or Form No. 05b (if the applicant is a food seller) or Form No. 5c (if the applicant is a food production and trading establishment) in the Appendix I enclosed with this Decree.

2. In case of applying for re-issuance of the certificate due to loss or damage

Within 03 working days from the receipt of the satisfactory application, based on retained documents, the competent authority that issued the certificate of food safety to the applicant shall consider re-issuing the certificate of food safety. In case of rejection of the application form, explanation shall be provided in writing.

3. In case of applying for re-issuance of the certificate due to change of the production and/or business location; change or addition of the production procedure or merchandise and expiry of the certificate.

Procedures for issuance of the certificate of food safety are specified in Clause 1 of this Article.

4. In case of change of the applicant’s name without change of its owner, address, location, production procedure and merchandise.

Within 03 working days from the receipt of the satisfactory application, based on retained documents, the competent authority that issued the certificate of food safety to the applicant shall consider re-issuing the certificate of food safety. In case of rejection of the application form, explanation shall be provided in writing.

5. In case of change of the applicant’s owner without change of its name, address, location, production procedure and merchandise.

Within 03 working days from the receipt of the satisfactory application, based on retained documents, the competent authority that issued the certificate of food safety to the applicant shall consider re-issuing the certificate of food safety. In case of rejection of the application form, explanation shall be provided in writing.

6. If there has been an increase in the number of food trading establishments of a chain of food trading establishments, adjustment to the certificate of food safety shall be made in accordance with Clause 1 of this Article. If there has been a decrease in the number of food trading establishments of a chain of food trading establishments, adjustment to the certificate of food safety shall be made in accordance with Clause 4 of this Article.

7. The site inspection of establishments that manufacture and sell food products prescribed in Clause 8 and Clause 10 Article 36 of the Government’s Decree No. 15/2018/ND-CP dated

February 02, 2018 shall be carried out in accordance with regulations on respective business lines and sectors.”

Chapter V

MINERAL TRADING

Article 14. Amendments to Article 1 of the Government’s Decree No. 77/2016/ND-CP dated July 01, 2016 on amendments to some regulations on business conditions in international trade in goods, chemicals, industrial explosives, fertilizers, gas business and food business under the state management of Ministry of Industry and Trade

“Article 1. Addition of Clause 11 to Article 9 of the Government’s Decree No. 187/2013/ND-CP dated November 20, 2013 on guidelines for implementation of the Commercial Law regarding international goods sale and purchase and goods sale, purchase, processing, agency and transit activities with foreign countries

11. 11. A mineral trader must:

- a) be a trader in accordance with the Commercial Law;
- b) trade minerals of illegal origin.

Minerals of legal origin shall:

- be extracted or obtained from secondary mining from mines, mining spots and landfills within the effective period of the mining license and secondary mining license issued by the competent authority;
- be imported according to the customs declaration of imports certified by the checkpoint customs;
- be confiscated and liquidated by the competent authority.

c) Regarding exported minerals, in addition to complying with Points a and b of this Clause, the minerals must be on the list of types and satisfy standards and quality requirements laid down by the Ministry of Industry and Trade. Regarding exported minerals that contain at least 0.05% of thorium and uranium by weight, it is required to obtain the license to export radioactive materials granted by the Ministry of Science and Technology in accordance with regulations of the Law on Atomic Energy.

d) If a trader wishes to re-export imported materials that are held in inventory since they are not sold out domestically or transport them abroad for the purposes of analysis, research, testing of processing technologies and other cases:

- The trader shall submit an application form for export, which specifies purpose and necessity of re-export/transport, information about origin of minerals, sale contract, technology, processing (if any), cooperation, research and testing of processing technologies and measures for handling minerals after research and testing.

- According to the application form and policy specific to each type of mineral for each period, the Ministry of Industry and Trade shall take charge and cooperate with the Ministry of Natural Resources and Environment and People's Committee of the province where minerals to be extracted and processed are available in carrying out review and site inspection and submitting a report thereon to the Prime Minister for consideration.

dd) The mineral trader shall comply with regulations of the law on environmental protection, occupational safety and health and fire fighting and prevention.”

Chapter VI

GAS BUSINESS

Article 15. Amendments to some Articles of the Government's Decree No. 87/2018/ND-CP dated June 15, 2018 on gas business

1. Clause 2 of Article 6 is amended as follows:

“2. Gas importers and exporters using gas pipelines must not only meet all requirements prescribed in Points a, b and c in Clause 1 of this Article but also own gas pipelines and gas distribution stations which comply with all safety regulations specified in Chapter IV of this Decree.”

2. Point b Clause 1 of Article 8 is amended as follows:

“b) own gas tanks or enter into a tank lease agreement or own LPG bottles or enter into an LPG bottle lease agreement;”

3. Clause 2 of Article 8 is amended as follows:

“2. Gas traders using gas pipelines must not only meet all requirements prescribed in Points a, b and c in Clause 1 of this Article but also own gas pipelines and gas distribution stations which comply with all safety regulations specified in Chapter IV of this Decree.”

4. Clauses 5 and 7 of Article 38 are amended as follows:

“5. LPG traders only having LPG bottles or entering into an LPG lease agreement are required to submit the following additional documents apart from the documents prescribed in Clause 2 of this Article:

a) A copy of the unexpired Certificate of Verification for LPG bottles;

b) A copy of Certificate of Conformity for LPG bottles.

7. In addition to the documents mentioned in Clauses 2 and 3 of this Article, LNG traders must provide additional documents proving that they own a LNG distribution station which comply with all safety regulations specified in Chapter IV of this Decree or a LNG filling station for vehicles that has been issued with an unexpired certificate.”

5. Clause 4 is added to Article 60 as follows:

“4. Regarding traders that distribute gas and traders that are general agents and agents issued with an unexpired Certificate of Eligibility as prescribed in the Government’s Decree No. 19/2016/ND-CP dated March 22, 2016 on gas business shall exercise the rights and obligations mentioned in Article 22 of this Decree.”

Chapter VII

SPIRIT TRADING

Article 16. Amendments to some Articles of the Government’s Decree No. 105/2017/ND-CP dated September 14, 2017 on spirit trading

1. Article 4 is amended as follows:

“Article 4. Rules for spirit management

1. Trade in spirits is included in the list of conditional business lines. Spirit traders shall comply with regulations of the Law on Prevention and Control of Harmful Effects of Alcoholic Beverages and this Decree.

2. Traders that produce spirits on industrial scale, traders that produce spirits for business purpose using traditional methods for business purpose, distributors, wholesalers and retailers of spirits having at least 5.5% alcohol by volume (ABV) are required to obtain a license; traders that trade in spirits having at least 5.5% ABV for on-premises consumption and traders that trade in spirits having less than 5.5% ABV are required to register their sale with the Office of Economics or district-level Office of Economics and Infrastructure; households and individuals that produce spirits having at least 5.5% ABV using traditional methods and sell them to holders of the spirit production license for re-preparation are required to register their production with People’s Committees of communes where the production facilities are located.

3. During the distribution, wholesaling and retail of spirits, traders shall comply with regulations of the law on environmental protection, food safety and fire fighting and prevention.

During the sale of spirits for on-premises consumption, traders shall comply with regulations on fire fighting and prevention and environmental protection.”

2. Article 5 is amended as follows:

“Article 5. Food quality and safety

Every spirit trader shall declare spirit products, except for the case in which households and individuals produce spirits using traditional methods and sell them to holders of the spirit production license for re-preparation purpose. Procedures for product declaration shall comply with regulations of the law on food safety and applicable relevant legislative documents.”

3. The phrase “sản xuất rượu thủ công để bán cho doanh nghiệp có Giấy phép sản xuất rượu công nghiệp để chế biến lại” (“home production of spirits for selling them to holders of the license for mass production of spirits for re-preparation”) mentioned in Clause 1 Article 6, Article 10, Article 17, Clauses 2 and 3 Article 32 of the Decree No. 105/2017/ND-CP is replaced with the phrase “sản xuất rượu thủ công bán cho cơ sở có Giấy phép sản xuất rượu để chế biến lại” (“home production of spirits for selling them to holders of the spirit production license for re-preparation”).”

4. Title of Chapter II is amended as follows:

“Chapter II

TRADE IN SPIRITS HAVING AT LEAST 5.5% ABV”

5. Clause 4 of Article 11 is amended as follows:

“4. There should be spirit distribution systems within at least 02 provinces or central-affiliated cities (including the administrative divisions where the spirit distributors’ headquarters is located); at least a spirit trader within each province or central-affiliated city. If the spirit distributor establishes a branch or business location besides its headquarters for the purpose of spirit sale, it is not required to ask for confirmation from the spirit wholesaler.”

6. Clause 4 of Article 12 is amended as follows:

“4. There should be a spirit wholesaling system within a province or central-affiliated city where the wholesaler’s headquarters is located with at least 01 spirit retailer. If the spirit wholesaler establishes a branch or business location besides its headquarters for the purpose of spirit sale, it is not required to ask for confirmation from the spirit retailer.”

7. Clause 2 of Article 14 is amended as follows:

“2. The trader that sells spirits for on-premises consumption is entitled to lawfully use its fixed business location with a clear address and must register its sale of spirits for on-premises consumption with the Office of Economics or Office of Economics and Infrastructure of the district where the seller’s business location is available.”

8. Clause 1 of Article 15 is amended as follows:

“1. Be entitled to sell spirits that they produce (directly or through their associate companies or affiliated branches) to traders having the license for spirit distribution/wholesaling/retailing or the license for sale of spirits for on-premises consumption and to spirit exporters.”

9. Clause 5 is added to Article 16 as follows:

“5. Be entitled to purchase spirits of households and individuals that produce spirits using traditional methods for re-preparation purpose.”

10. Point b Clause 1 of Article 18 is amended as follows:

“b) Post legitimate copies of licenses granted by the competent authority at their premises and only purchase and/or sell spirits according to the licenses, except for the case in which the trader sells spirits for on-premises consumption.”

11. Point d Clause 2 of Article 18 is amended as follows:

“d) Directly retail spirits at traders’ licensed business locations within provinces or central-affiliated cities.”

12. Point d Clause 3 of Article 18 is amended as follows:

“d) Directly retail spirits at traders' licensed business locations within provinces or central-affiliated cities.”

13. Clause 5 of Article 18 is amended as follows:

“5. Rights and obligations of traders that trade in on-premises spirits for on-premises consumption:

a) Purchase spirits from domestic spirit producers, spirit distributors, spirit wholesalers and spirit retailers;

b) Sell spirits directly to purchasers for consumption at traders’ business locations.”

14. Clause 3 of Article 19 is amended as follows:

“3. A copy of the Spirit Declaration or the Certificate of submission of Declaration of Conformity or the Certificate of Declaration of conformity with the food safety regulations (if the spirit is not regulated by a technical regulation); a copy of the Certificate of food safety or one of the following certificates: Good Manufacturing Practice (GMP), Hazard Analysis and Critical Control Point (HACCP), Food Safety Management Systems (ISO 22000), International Food Standards (EFS), BRC Global Food Standards (BRC) or Food Safety System (FSSC 22000)”

15. Clause 3 of Article 20 is amended as follows:

“3. A copy of the Spirit Declaration or the Certificate of submission of Declaration of Conformity or the Certificate of Declaration of conformity with the food safety regulations (if the spirit is not regulated by a technical regulation); a copy of the Certificate of food safety, except for small scale food trading establishments prescribed by the Law on Food Safety.”

16. Clause 5 of Article 21 is amended as follows:

“5. Document concerning the spirit distribution system includes one of the two following types:

- a) A copy of the agreement in principle, confirmation letter or commitment to participating in the spirit distribution system enclosed with a copy of the spirit wholesaling license of the wholesaler expected to participate in the spirit distribution system;
- b) A copy of the distributor’s Certificate of registration of operation of the branch or Certificate of registration of the business location for spirit trading purpose.”

17. Clause 5 of Article 22 is amended as follows:

“5. Document concerning the spirit wholesaling system includes one of the two following types:

- a) A copy of the agreement in principle, confirmation letter or commitment to participating in the spirit wholesaling system enclosed with a copy of the spirit retail license of the retailer expected to participate in the spirit wholesaling system;
- b) A copy of the retailer’s Certificate of registration of operation of the branch or Certificate of registration of the business location for spirit trading purpose.”

18. Point c Clause 1 of Article 25 is amended as follows:

“c) Offices of Economis or Offices of Economics and Infrastructure affiliated to People’s Committees of districts shall issue licenses for home production of spirits for business purpose and licenses for spirit retail within their districts;”

19. Point c Clause 2 of Article 25 is amended as follows:

“c) In case of issuing the license for home production of spirits for business purpose or license for spirit retail:

Within 10 working days from the receipt of the satisfactory application, the competent authority shall consider and appraise it, and issue the license to the applicant. In case of rejection of the application form, explanation shall be provided in writing.

If the application is insufficient, the licensing authority shall request the applicant in writing to supplement it within 03 working days.”

20. Point b Clause 2 of Article 28 is amended as follows:

“b) The effective period of the license for home production of spirits for business purpose and license for spirit distribution/wholesaling/retail is 05 years.”

21. Clause 5 of Article 29 is amended as follows:

“5. Regarding the spirit retail license:

The license shall be made into multiple copies: 02 kept by the licensing authority; 01 sent to the trader issued with the license; 01 sent to the provincial Department of Industry and Trade; 01 sent to the Market Surveillance Agency; 01 sent to the spirit producer or another spirit trader mentioned in the license.”

22. Point b Clause 3 of Article 30 is amended as follows:

“b) comply with regulations of the law on food safety.”

23. Chapter IIa is added to Chapter II as follows:

“Chapter IIa

TRADE IN SPIRITS HAVING LESS THAN 5.5% ABV

Article 31a. Conditions for production of spirits having less than 5.5% ABV

1. Be an enterprise, cooperative, cooperative union or household business that is established in accordance with the law.
2. Comply with regulations of the law on food safety.
3. Register its production with the Office of Economics or Office of Economics and Infrastructure affiliated to the People’s Committee of the district where the trader’s production facility is located using the Form No. 14 Section II in the Appendix hereof. In case of change of the registered contents, it is required to register additional contents.

Article 31b. Conditions for import of spirits having less than 5.5% ABV

1. Satisfy the conditions set forth in Clauses 1 and 2 Article 31a of this Decree.
2. Only import spirits into Vietnam through international border checkpoints;
3. Register its import with the Office of Economics or Office of Economics and Infrastructure affiliated to the People’s Committee of the district where the importer’s headquarters is located before doing business using the Form No. 14 Section II in the Appendix hereof. In case of change of the registered contents, it is required to register additional contents.

Article 31c. Conditions for sale of spirits having less than 5.5% ABV

1. Satisfy the conditions set forth in Clauses 1 and 2 Article 31a of this Decree.
2. Register its sale with the Office of Economics or Office of Economics and Infrastructure affiliated to the People's Committee of the district where the seller is located before doing business using the Form No. 14 Section II in the Appendix hereof. In case of change of the registered contents, it is required to register additional contents.

Article 31d. Rights and obligations of traders that trade in spirits having less than 5.5% ABV

1. Be entitled to import, purchase and sell spirits of legal origin.
2. Ensure spirits are used within their shelf life required by the producer.
3. Assume responsibilities according to the Law on Prevention and Control of Harmful Effects of Alcoholic Beverages and other regulations of law. It is not required to label spirits according to regulations of the Decree No. 105/2017/ND-CP.”

24. Clauses 1, 3 and 4 of Article 32 are amended as follows:

“1. Regarding spirits having at least 5.5% ABV, before January 20, traders that produce spirits on industrial scale, traders that produce spirits for business purpose using traditional methods for business purpose, spirit distributors, wholesalers and retailers shall submit reports on their spirit production and trading in the previous year to the licensing authority using the Forms No. 08 and No. 09 Section II in the Appendix hereof.

3. Regarding spirits having at least 5.5% ABV, before February 15, Offices of Economics or Offices of Economics and Infrastructure affiliated to district-level People's Committees shall submit a report on home production of spirits for business purpose, home production of spirits for selling them to holders of the spirit production license for re-preparation purpose and spirit retail within their districts to provincial Departments of Industry and Trade using the Form No. 11 Section II in the Appendix hereof.

4. Regarding spirits having at least 5.5% ABV, before February 28, every provincial Department of Industry and Trade shall submit a report on the production, distribution, retail and wholesaling of spirits in the previous year within its province to the Ministry of Industry and Trade using the Form No. 12 Section II in the Appendix hereof.”

25. The Forms No. 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11 and 12 in the Appendix enclosed with the Decree No. 105/2017/ND-CP are replaced with the Forms No. 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11 and 12 in the Appendix II hereof.

26. The Form No. 13 Registration of sale of spirits for on-premises consumption is added in the Section II of the Appendix hereof.

Article 17. Some Articles and Clauses of the Government's Decree No. 105/2017/ND-CP dated September 14, 2017 on spirit trading

1. Clause 1 of Article 3 is repealed.
2. Article 7 is repealed.
3. Clauses 2, 3 and 6 of Article 11 are repealed.
4. Clauses 2, 3 and 6 of Article 12 are repealed.
5. Clauses 4 and 5 of Article 13 are repealed.
6. Clause 4 of Article 14 is repealed.
7. Clauses 3, 4 and 7 of Article 21 are repealed.
8. Clauses 3, 4 and 7 of Article 22 are repealed.
9. Clauses 5 and 6 of Article 23 are repealed.
10. Article 24 is repealed.

Chapter VIII

TOBACCO TRADING

Article 18. Amendments to some Articles and Clauses of the Government's Decree No. 67/2013/ND-CP dated June 27, 2013 on guidelines for the Law on Prevention and Control of Harmful Effects of Tobacco regarding tobacco trading

1. Clauses 7 and 8 are added to Article 4 as follows:

“7. During the trading and processing of tobacco ingredients and tobacco product trading, enterprises shall comply with regulations of law on standards, technical regulations, environmental protection and fire prevention and fighting.

8. During the tobacco cultivation, it is required to comply with regulations of the law on environmental protection.”

2. Clause 2 of Article 12 is amended as follows:

“2. There should be specialized and synchronous machinery and equipment for threshing tobacco or producing fine-cut tobacco, reconstituted tobacco and other substitute ingredients used for tobacco production.”

3. Clause 4 of Article 13 is amended as follows:

“4. A list of specialized and synchronous machinery and equipment used for tobacco ingredient processing.”

Article 19. Repeal of some Articles and Clauses of the Government’s Decree No. 67/2013/ND-CP dated June 27, 2013 on guidelines for the Law on Prevention and Control of Harmful Effects of Tobacco regarding tobacco trading

1. Clause 4 of Article 7 is repealed.
2. Clause 5 of Article 9 is repealed.
3. Clauses 3, 4 and 5 of Article 12 are repealed.
4. Clauses 8 and 9 of Article 13 are repealed.
5. Clauses 4, 5 and 6 of Article 17 are repealed.
6. Clauses 8 and 9 of Article 18 are repealed.
7. Clause 4 of Article 20 is repealed.
8. Point h Clause 1 and Point h Clause 2 of Article 26 are repealed.

Chapter IX

IMPLEMENTATION

Article 20. Transitional clauses

Entry into effect of Clause 2 Article 1 of this Decree:

1. Satisfactory results of safety and environmental protection inspection and testing for motor vehicles already imported into Vietnam which are carried out according to regulations of the Decree No. 116/2017/ND-CP shall continue to be used as the basis for type assessment. The inspection of satisfaction of conditions for quality assurance by motor vehicle producers shall be carried out within 06 months from the effective date of this Decree.
2. The Ministry of Transport shall elaborate this Article.

Article 21. Effect and implementation

1. This Decree comes into force from March 22, 2020, except for the regulations laid down in Clauses 2 and 3 of this Article.

2. Regulations on manufacturing, assembly and import of motor vehicles and provision of motor vehicle warranty and maintenance services specified in this Decree come into force from the date of its signature.

3. Regulations on spirit trading specified in this Decree come into force from the date of its signature.

4. The phrase “danh nghĩa Quốc gia Việt Nam” (“the name of Vietnam”) in Point dd Clause 6 and content “Việc tổ chức tham gia hội chợ, triển lãm thương mại tại nước ngoài với danh nghĩa Quốc gia Việt Nam phải đạt được tiêu chuẩn theo quy định của Bộ Công Thương” (“The organization of participation in overseas trade fairs and exhibitions under the name of Vietnam must meet standards as regulated by the Ministry of Trade and Industry”) in Clause 12 Article 29; the phrase “Văn bản thỏa thuận/Hợp đồng gửi kèm” (“Enclosed with the agreement”) specified at ordinal number 11 in the Form No. 01 and ordinal number 9 in the Form No. 02 and the phrase “việc sử dụng danh nghĩa Quốc gia Việt Nam” (“Use of the word “Vietnam””) at ordinal number 1 in the Form No. 10 of the Appendix enclosed with the Government’s Decree No. 81/2018/ND-CP dated May 22, 2018 are repealed.

5. Ministers, heads of ministerial agencies, heads of Governmental agencies, Presidents of People's Committees of provinces and central-affiliated cities are responsible for providing guidelines and implementing this Decree./.

**ON BEHALF OF THE GOVERNMENT
THE PRIME MINISTER**

Nguyen Xuan Phuc

APPENDIX

(Enclosed with the Government’s Decree No. 17/2020/ND-CP dated February 05, 2020)

I. FOOD SAFETY	
Form No. 01a	Application for issuance of certificate of food safety
Form No. 01b	Application for re-issuance of certificate of food safety
Form No. 02a	Description of infrastructure, equipment and tools meeting food safety conditions (for manufacturing establishments)
Form No. 02b	Description of infrastructure, equipment and tools meeting food safety conditions

	(for trading establishments)
Form No. 03a	Food safety inspection record (for manufacturing establishments)
Form No. 03b	Food safety inspection record (for trading establishments)
Form No. 04	Rectification report
Form No. 05a	Certificate of food safety (for manufacturing establishments)
Form No. 05b	Certificate of food safety (for trading establishments)
Form No. 05c	Certificate of food safety (for manufacturing and trading establishments)
II. SPIRIT TRADING	
Form No. 01	Application for issuance of license
Form No. 02	Application for amendment/addition to license
Form No. 03	Application for re-issuance of license
Form No. 04	Registration of home production of spirits for selling them to spirit production license holders for re-preparation
Form No. 05	License
Form No. 06	License (amended/added for ... time)
Form No. 07	License (re-issued for ... time)
Form No. 08	Report on spirit production in ...
Form No. 09	Report on spirit distribution/wholesaling/retail in ...
Form No. 10	Report on home production of spirits for selling them to spirit production license holders in commune in...
Form No. 11	Report on spirit production and trading in urban district/rural district/city in...
Form No. 12	Report on spirit production and trading in province in...
Form No. 13	Registration of sale of spirits for on-premises consumption
Form No. 14	Registration of trading of spirits having less than 5.5% alcohol by volume
III. MANUFACTURING, ASSEMBLY AND IMPORT OF MOTOR VEHICLES AND PROVISION OF MOTOR VEHICLE WARRANTY AND MAINTENANCE SERVICES	
Form No. 15	Application for motor vehicle import license

Form No. 01a

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

[place name], [date]....

APPLICATION FOR ISSUANCE OF CERTIFICATE OF FOOD SAFETY

To: (Name of the issuing authority).....

Manufacturing/trading establishment (legal business name):

Address:

Tel:..... Fax:

Business line (name of the product):

Hereby applies for issuance of the certificate of food safety to:

- Manufacturing establishment ☐

- Trading establishment^{1,2} ☐

- Manufacturing and trading establishment ☐

- Chain of food trading establishments ☐

(name of the establishment)

.....

We undertake to ensure food safety at the abovementioned establishment and take total responsibility for any violation against the law regulations of law.

With sincere thanks./.

Attached documents:

**REPRESENTATIVE OF THE
ESTABLISHMENT**
(signature and seal)

(1): For the chain of food trading establishments, attach a list of trading establishments.

(2): List of product groups

LIST OF TRADING ESTABLISHMENTS IN THE CHAIN

(Enclosed with the application for chain of food trading establishments)

No.	Name of trading establishment	Address	Certificate validity	Note
1				
2				
3				

LIST OF PRODUCT GROUPS

(Enclosed with the application for chain of food trading establishments and general food trading establishments)

No.	Name of product group	Group of products for trading to be covered by the certificate of food safety
I	Group of products under management of the Ministry of Health	
1	Bottled water	
2	Natural mineral water	
3	Functional food	
4	Micronutrients and micronutrient-rich food	
5	Food additives	
6	Food flavorings	
7	Food processing aids	
8	Ice (Ready-to-use ice and ice used for food processing)	
9	Other products not included in the list of the Ministry of Industry and Trade and Ministry of Agriculture and Rural Development	
II	Group of products under management of the Ministry of Agriculture and Rural Development	
1	Cereals	
2	Meat and meat products	
3	Fish and fish products (including amphibians)	
4	Vegetables and vegetable products	

5	Eggs and egg products	
6	Raw milk	
7	Honey and honey products	
8	Genetically modified food	
9	Salt	
10	Spices	
11	Sugar	
12	Tea	
13	Coffee	
14	Cocoa	
15	Peppers	
16	Cashews	
17	Other agricultural products	
18	Ice used for food preservation and processing under the management of the Ministry of Agriculture and Rural Development	
III	Groups under management of the Ministry of Industry and Trade	
1	Beer	
2	Spirits, alcohol and alcoholic drinks	
3	Beverages	
4	Processed milk	
5	Vegetable oil	
6	Powder and starch	
7	Confectionary	

Form No. 01b

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

[place name], [date]

APPLICATON FOR RE-ISSUANCE OF CERTIFICATE OF FOOD SAFETY

To: (Name of the issuing authority)

Name of the applicant..... hereby applies for re-issuance of the certificate of food safety as follows:

The issued certificate No.date of issue

Reason for re-issuance (specify the case specified in Clause 2 Article 12 of this Decree):
.....

Thank you for your consideration./.

**REPRESENTATIVE OF THE
APPLICANT**
(signature and seal)

Form No. 02a

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

**DESCRIPTION OF INFRASTRUCTURE, EQUIPMENT AND TOOLS MEETING
FOOD SAFETY CONDITIONS (FOR MANUFACTURING ESTABLISHMENTS)**

I. GENERAL INFORMATION

- Representative of the establishment:

.....

- Office address:

- Manufacturing establishment address:

.....

- Warehouse address (if different from the 2 above addresses):

.....

- Tel:..... Fax

- Items manufactured:

- Design capacity:
- Total number of employees:
- Total number of employees directly involved in manufacturing:
.....
- Total number of employees certified to have/trained in knowledge about food safety:
.....
- Total number of employees having undergone periodic health checkup as prescribed:
.....

II. CURRENT CONDITION OF INFRASTRUCTURE, EQUIPMENT AND TOOLS

1. Infrastructure

- Area of manufacturing premises m²
- Plant layout:
- Factory structure:
- Water for manufacturing meeting quality standards:
- Factory hygiene system:

2. Manufacturing equipment and tools

No.	Equipment name	Quantity	Operating condition of equipment and tools			Note
			Good	Average	Poor	
I	Current equipment and tools					
1	Manufacturing equipment and tools					
2	Product packaging tools					
3	Equipment for product transport					
4	Food preservation equipment					
5	Disinfecting and pasteurizing equipment					
6	Cleaning equipment, tools					
7	Monitoring equipment					
8	Hand cleaners and sanitizers					

9	Sample storage and preservation tools					
10	Equipment for harmful insect and animal prevention and control					
11	Clothing when in direct contact with raw materials and food					
II Equipment and tools to be added						
1						
2						
3						

III. GENERAL ASSESSMENT

Whether the current infrastructure and equipment satisfies the food safety requirements for food manufacturing as prescribed.

If the food safety requirements are not met as prescribed, the establishment shall undertake to supplement and complete the equipment (mentioned in Section II in the above Table); specify the deadline.

UNDERTAKINGS BY THE ESTABLISHMENT:

1. Undertake that the information mentioned in the description is true and correct in all details and take total responsibility for the registered information.
2. Strictly comply with regulations on food safety as prescribed./.

[place name], [date]....
REPRESENTATIVE OF THE
ESTABLISHMENT
(signature and seal)

Form No. 02b

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

**DESCRIPTION
OF INFRASTRUCTURE, EQUIPMENT AND TOOLS MEETING FOOD SAFETY
CONDITIONS (FOR TRADING ESTABLISHMENTS)**

I. GENERAL INFORMATION

- Representative of the establishment:
.....
- Office address:
- Trading establishment address:
- Tel:..... Fax
.....
- Type of product for trading:.....
- Total number of employees:
- Total number of employees directly involved in manufacturing:
.....
- Total number of employees with certified knowledge/trained in knowledge about food safety:
.....
- Total number of employees having undergone periodic health checkup as prescribed:
.....
- Fundamental standard on food safety assurance (for the chain of food trading establishments):
.....

II. CURRENT CONDITION OF INFRASTRUCTURE, EQUIPMENT AND TOOLS

1. Infrastructure

- Area of manufacturing premises..... m²
- Plant layout:
- Water for trading meeting quality standards:
- Hygiene and personal hygiene system:

2. Trading equipment and tools

No.	Equipment name	Quantity	Operating condition of equipment			Note
			Good	Average	Poor	
I	Current trading equipment and tools					
1	Equipment and tools for product preservation					
2	Equipment and tools for product display					
3	Equipment and tools for product transport					
4	Hand cleaners and sanitizers					
5	Cleaning equipment, tools					
6	Personal protective equipment					
7	Equipment for harmful insect and animal prevention and control					
8	Monitoring equipment					
II	Equipment to be added					
1						
2						
3						

III. GENERAL ASSESSMENT

Whether the current infrastructure and equipment satisfies the food safety requirements for food trading as prescribed.

If the food safety requirements are not met as prescribed, the establishment shall undertake to supplement and complete the equipment (mentioned in Section II in the above Table); specify the deadline.

Undertakings by the establishment:

1. Undertake that the information mentioned in the description is true and correct in all details and take total responsibility for the registered information.
2. Strictly comply with regulations on food safety as prescribed./.

[place name], [date] ...

**REPRESENTATIVE OF THE
ESTABLISHMENT**
(signature and seal)

Form No. 03a

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

[place name], [date]

**RECORD ON FOOD SAFETY INSPECTION OF FOOD MANUFACTURING
ESTABLISHMENT**

Pursuant to the Law on Food Safety dated June 17, 2010;

Pursuant to the Government's Decree No. 15/2018/ND-CP dated February 02, 2018 on elaboration of some Articles of the Law on Food Safety;

Pursuant to the Circular No. 43/2018/TT-BCT dated November 15, 2018 of the Ministry of Industry and Trade stipulating food safety management by the Ministry of Industry and Trade.

For the furtherance of the Decision No. ... dated

The inspectorate including:

1	Chief
2	Member
3	Member
4	Member
5	Secretary

has checked the legality of documents, carried out an inspection at the establishment and evaluated the implementation of the regulations on manufacturing establishments meeting food safety conditions at:

- The establishment:
.....
- Representative of the establishment:
.....
- Establishment owner:
.....
- Office address:
- Manufacturing establishment address:
.....
- Warehouse address (if different from the 2 above addresses):
.....
- Tel: Fax
- Items manufactured:
- Design capacity:
- Product quality self-declaration document No.
.....
- Premises area:
.....
- Total number of employees:..... Including: Those directly involved.....
Those indirectly involved.....

I. FOOD SAFETY INSPECTION

No.	Entry	Inspection level (A/B)	Evaluation		Note
			Passed	Failed	
I. Location and infrastructure					
1	Location	B			
2	Environment	B			
3	Design, layout and structure of the factory				
	- Material warehouse	A			
	- Package warehouse	A			

	- Product warehouse	A			
	- Manufacturing area	A			
	- Packaging area	A			
	- Hand wash area	A			
	- Protective clothing changeroom	B			
	- Toilet	B			
4	Source of water for manufacturing and cleaning	A			
5	Lighting system	B			
6	Wastewater collection and treatment system	B			
7	Wastewater drainage system	B			
II. Equipment and tools					
1	Manufacturing equipment and tools	A			
2	Product packaging equipment and tools	A			
3	Equipment for product transport	A			
4	Cleaning equipment, tools	B			
5	Monitoring equipment	B			
6	Hand cleaners and sanitizers	A			
7	Sample storage and preservation tools	A			
8	Equipment for harmful insect and animal prevention and control	A			
III. Human					
1	Certificate of training in knowledge about food safety	A			
2	Certificate of fitness	A			

II. COMMENTS AND RECOMMENDATIONS

1. Comments

a) Location and infrastructure:

.....

.....

.....
b) Equipment and tools:

.....
.....
.....

c) Human:

.....
.....
.....

2. Recommendations:

.....
.....
.....

3. Conclusion:

(The establishment will be given the “Passed” result if 100% of the level A criteria and $\geq 60\%$ of the level B criteria pass the inspection; the establishment will be given the “Partially passed” result if 100% of the level A criteria and from 40% to $< 60\%$ of the level B criteria pass the inspection; the establishment will be given the “Failed” result if only 1 level A criterion or $\geq 60\%$ of the level B criteria fail the inspection).

Inspection result:

Passed ☐

Failed ☐

The inspection ends at: hour..... minute, on [date]..... and the inspection record is made into 02 copies having the same legal effect.

REPRESENTATIVE OF THE

INSPECTORATE’S CHIEF

ESTABLISHMENT
(signature and full name)

(signature and full name)

Form No. 03b

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

[place name], [date]

RECORD ON FOOD SAFETY INSPECTION OF FOOD TRADING ESTABLISHMENT

Pursuant to the Law on Food Safety dated June 17, 2010;

Pursuant to the Government's Decree No. 15/2018/ND-CP dated February 02, 2018 on elaboration of some Articles of the Law on Food Safety;

Pursuant to the Circular No. 43/2018/TT-BCT dated November 15, 2018 of the Ministry of Industry and Trade stipulating food safety management by the Ministry of Industry and Trade.

For the furtherance of the Decision No. ... dated

The inspectorate including:

1Chief
2Member
3Member
4Member
5Secretary

has checked the legality of documents, carried out an inspection at the establishment and evaluated the implementation of the regulations on manufacturing establishments meeting food safety conditions at:

- The establishment:
.....
- Representative of the establishment:
.....
- Establishment owner:
.....
- Office address:
- Trading establishment address:
- Tel: Fax
- Items traded:
- Goods quality self-declaration document No. (if any)
.....
- Premises area: Warehouse area:
- Total number of employees:..... Including: Those directly involved.....
Those indirectly involved.....

I. FOOD SAFETY INSPECTION

No.	Entry	Inspection level (A/B)	Evaluation		Note
			Passed	Failed	
I. Location and infrastructure					
1	Location	B			
2	Environment	B			
3	Design, layout and structure of areas within the establishment	A			
4	- Product warehouse	A			
	- Product display area	A			
	- Hand wash area	A			
	- Protective clothing changeroom	B			
	- Toilet	B			
5	Origin of products for trading	A			

6	Water for tool cleaning for simply packaged products and unpackaged products	A			
7	Ice storage system (if used)	B			
8	Wastewater collection and treatment system	B			
9	Wastewater drainage system	B			
II. Equipment and tools					
1	Equipment and tools for product preservation	A			
2	Equipment and tools for product display	A			
3	Equipment and tools for product transport	A			
4	Hand cleaners and sanitizers	B			
5	Cleaning equipment, tools (if used)	B			
6	Personal protective equipment (if used)	B			
7	Equipment for harmful insect and animal prevention and control	B			
8	Monitoring equipment	B			
III. Human					
1	Certificate of training in knowledge about food safety	A			
2	Certificate of fitness	A			

II. INSPECTION BY GROUP OF PRODUCTS

No.	Name of product group	Evaluation			Note
		Passed	Partially passed	Failed	
I	Groups under management of the Ministry of Health				
1	Bottled water, natural mineral water, ice (Ready-to-use ice and ice used for food processing)				
2	Functional food				
3	Micronutrient-rich food				
4	Food additives, flavorings and food processing aids				
5	Other products not included in the list of the Ministry of Industry and Trade and Ministry of Agriculture and Rural Development				

II	Group of products under management of the Ministry of Agriculture and Rural Development				
1	Cereals				
2	Meat and meat products				
3	Fish and fish products (including amphibians)				
4	Vegetables and vegetable products				
5	Eggs and egg products				
6	Raw milk				
7	Honey and honey products				
8	Genetically modified food				
9	Salt				
10	Spices				
11	Sugar				
12	Tea				
13	Coffee				
14	Cocoa				
15	Peppers				
16	Cashews				
17	Other agricultural products				
18	Ice used for food preservation and processing in fields under the management of the Ministry of Agriculture and Rural Development				
III	Group of products under management of the Ministry of Industry and Trade				
1	Beer				
2	Spirits, alcohol and alcoholic drinks				
3	Beverages				
4	Processed milk				
5	Vegetable oil				
6	Powder and starch				
7	Confectionary				

III. COMMENTS AND RECOMMENDATIONS

1. Comments (specify the reason for “Failed” or “Partially passed”)

a) Location and infrastructure:

.....

.....

b) Equipment and tools:

.....

.....

c) Human:

.....

.....

2. Recommendations:

.....

.....

3. Conclusion: (The establishment will be given the “Passed” result if 100% of the level A criteria and $\geq 60\%$ of the level B criteria pass the inspection; the establishment will be given the “Partially passed” result if 100% of the level A criteria and from 40% to $< 60\%$ of the level B criteria pass the inspection; the establishment will be given the “Failed” result if only 1 level A criterion or $\geq 60\%$ of the level B criteria fail the inspection).

Inspection result:

Passed ☐

Failed ☐

Partially passed ☐

The inspection ends at: hour..... minute, on [date]..... and the inspection record is made into 02 copies having the same legal effect.

REPRESENTATIVE OF THE

INSPECTORATE’S CHIEF

ESTABLISHMENT
(signature and full name)

(signature and full name)

Form No. 04

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

[place name], [date]

RECTIFICATION REPORT

To: (Name of the issuing authority)

I. GENERAL INFORMATION

1. Name of the establishment:

.....

2. Establishment address:

.....

3. Tel:..... Fax:..... Email:.....

II. SYNOPSIS OF RECTIFICATION RESULTS

No.	Error specified in the inspection conclusion dated No.	Reason	Remedial measure	Result
1				
2				
3				

The inspecting authority is kindly requested to carry out an inspection and implement procedures for issuance of the certificate of food safety./.

**REPRESENTATIVE OF THE
ESTABLISHMENT**

(signature and seal)

Form No. 05a

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

CERTIFICATE OF FOOD SAFETY

**MINISTRY OF INDUSTRY AND TRADE/DEPARTMENT OF INDUSTRY AND
TRADE OF PROVINCE (CITY)**

Certifies that

The establishment:

.....

Type of production: ⁽¹⁾

.....

Establishment owner:

.....

Manufacturing address:

.....

Tel:..... Fax

HAS BEEN FOUND TO CONFORM TO FOOD SAFETY REGULATIONS

[place name], [date]
MINISTER/DIRECTOR
(signature, seal)

Reg. No. /GCNATTP-BCT/SCT
Valid until(day)....(month) 20...(year)

(1): specify name of the product manufactured

Form No. 05b

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

CERTIFICATE OF FOOD SAFETY

**MINISTRY OF INDUSTRY AND TRADE/DEPARTMENT OF INDUSTRY AND
TRADE OF PROVINCE (CITY)**

Certifies that

The establishment:

.....

Type of business: ⁽¹⁾

.....

Establishment owner:

.....

Business location:

.....

Tel:..... Fax

HAS BEEN FOUND TO CONFORM TO FOOD SAFETY REGULATIONS
(for the trading establishments in the chain⁽²⁾ and product group⁽³⁾ in the attached list)

[place name], [date]....
MINISTER/DIRECTOR
(signature, seal)

Reg. No. /GCNATTP-BCT/SCT

Valid until(day).....(month) 20...(year)

(1): specify name of the group of products traded

(2): Specify the list of trading establishments in the chain is given the “Passed” result according to the inspection record in Form No. 03b.

(3): Specify the group of products given the “Passed” result according to the inspection record in Form No. 03b.

LIST OF TRADING ESTABLISHMENTS IN THE CHAIN

(Enclosed with the certificate of food safety No. /GCNATTP-BCT/SCT dated....)

No.	Name of trading establishment	Address	Certificate validity	Note
1				
2				
3				

LIST OF PRODUCT GROUPS

(Enclosed with the certificate of food safety No. /GCNATTP-BCT/SCT dated....)

No.	Name of product group	Note
I	Group of products under management of the Ministry of Health	
1		
2		
3		
II	Group of products under management of the Ministry of Agriculture and Rural Development	
1		
2		
3		
III	Group of products under management of the Ministry of Industry and Trade	
1		

2		
3		

Form No. 05c

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

CERTIFICATE OF FOOD SAFETY

**MINISTRY OF INDUSTRY AND TRADE/DEPARTMENT OF INDUSTRY AND
 TRADE OF PROVINCE (CITY)**

Certifies that

The establishment:

.....

Type of production/business: ⁽¹⁾

.....

Establishment owner:

.....

Manufacturing/business address:

.....

Tel:..... Fax

HAS BEEN FOUND TO CONFORM TO FOOD SAFETY REGULATIONS
(Group of products for trading in the attached list⁽²⁾)

[place name], [date]
MINISTER/DIRECTOR
(signature, seal)

Reg. No. /GCNATTP-BCT/SCT

Valid until(day).....(month) 20...(year)

(1): specify names of products manufactured, group of food products for trading

(2): Specify the group of products given the “Passed” result according to the inspection record in Form No. 03b

Form No. 01

NAME OF TRADER

THE SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

No. /

.....[place], [date]

APPLICATION FOR ISSUANCE OF LICENSE

.....⁽¹⁾

To:⁽²⁾

Name of trader:

.....

Tel:..... Tel:..... Fax:

Production/business location:

.....

Tel:..... Fax:

Enterprise registration certificate (or equivalent document)/ Certificate of registration of cooperative/cooperative union/Certificate of registration of household business No. issued by..... on.....

Hereby kindly requests⁽²⁾..... to consider issuing the License
.....⁽¹⁾..... as follows:

(Depending on each type of spirit production, the trader shall carry out one of the following activities):

Produce spirits as follows:

The following types of spirits permitted to be produced:

.....⁽³⁾.....

Production capacity:

.....⁽⁴⁾.....

Organize distribution of spirits as follows:

Purchase types of spirits from the following foreign spirit producers, spirit distributors and spirit suppliers:⁽⁵⁾.....

Organize a spirit distribution system in the following provinces/central-affiliated cities:

.....

Retail spirits at the following locations:

Sell wholesale spirits as follows:

Purchase types of spirits from the following domestic spirit producers, spirit distributors and spirit wholesalers:

.....⁽⁵⁾.....
...

.....

Organize a spirit wholesaling system in the following provinces/cities:

.....

.....

Retail spirits at the following locations:

.....

Organize retail of spirits as follows:

Purchase types of spirits from the following domestic spirit producers, spirit distributors and spirit wholesalers:

.....⁽⁵⁾.....
...

.....

.

Retail spirits at the following locations:

.....

.....⁽⁶⁾..... hereby undertakes to comply with the regulations set out in the Government's Decree No. 105/2017/ND-CP dated September 14, 2017 on spirit trading and Government's Decree No./2020/ND-CP dated ..., 2020 on amendments to some Articles of Decrees related to necessary business conditions in fields under the management of the Ministry of Industry and Trade, and relevant regulations of law. We shall take the full legal responsibility under the law for any fraudulent information./.

LEGAL REPRESENTATIVE
(Signature, full name, seal (if any))

Note:

- (1): Type of license: License for mass production of spirits/home production of spirits for purposes of spirit trading/distribution/wholesaling/retail
- (2): Licensing authority: Ministry of Industry and Trade/Department of Industry and Trade/Office Of Economics or Office of Economics and Infrastructure.
- (3): Specify each type of spirit such as wine, vodka, fruit wine, etc.
- (4): Specify the design capacity; in the case of home production of spirits, specify the expected production (liter/year).
- (5): Specify the name and address.
- (6): Name of the applicant.

Form No. 02

NAME OF TRADER

THE SOCIALIST REPUBLIC OF VIETNAM

Independence - Freedom - Happiness

No. /

.....[place], [date]

APPLICATION FOR AMENDMENT/ADDITION TO LICENSE ... (1)...

To:⁽²⁾.....

Name of trader:

Head office address:..... Tel:..... Fax:

Production/business location:

.....

Tel:..... Fax

Enterprise registration certificate (or equivalent document)/ Certificate of registration of cooperative/cooperative union/Certificate of registration of household business No. issued by..... on.....;

The issued License.....⁽¹⁾..... No. issued by on ...

The amended/re-issued License (if any)⁽¹⁾..... No.issued by..... on

.....⁽³⁾..... hereby kindly requests⁽²⁾.....to consider making an amendment (or addition) to the License⁽¹⁾..... as follows:

1. Amendment:

Old information:

.....

New information:⁽⁴⁾

.....

2. Addition:⁽⁴⁾.....

.....⁽³⁾..... undertakes that the abovementioned amendment/addition is true and correct and the regulations set out in the Government's Decree No. 105/2017/ND-CP dated September 14, 2017 on spirit trading and Government's Decree No./2020/ND-CP dated ..., 2020 on amendments to some Articles of Decrees related to necessary business conditions in fields under the management of the Ministry of Industry and Trade, and relevant regulations of law are strictly complied with. We shall take the full legal responsibility under the law for any fraudulent information./.

LEGAL REPRESENTATIVE
(Signature, full name, seal (if any))

Note:

(1): Type of license: License for mass production of spirits/home production of spirits for purposes of spirit trading/distribution/wholesaling/retail.

(2): Licensing authority: Ministry of Industry and Trade/Department of Industry and Trade/Office Of Economics or Office of Economics and Infrastructure.

(3): Name of the applicant.

(4): The amendment or addition to be made.

Form No. 03

NAME OF TRADER

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

No. /

.....[place], [date]

APPLICATION FOR RE-ISSUANCE OF LICENSE(1).....

(In case the license is lost or damaged)

To:⁽²⁾.....

Name of trader:

.....

Head office address:..... Tel:..... Fax:

Production/business location:..... Tel:..... Fax:

Enterprise registration certificate (or equivalent document)/ Certificate of registration of cooperative/cooperative union/Certificate of registration of household business No. issued by..... on.....;

The issued License⁽¹⁾..... No. issued by on ...

The amended/re-issued License (if any)⁽¹⁾..... No.issued by..... on

Hereby kindly requests⁽²⁾..... to consider re-issuing the License⁽¹⁾..... for the following reason:⁽⁴⁾..

.....(3)..... undertakes that the abovementioned reason is true and correct and the regulations set out in the Government's Decree No. 105/2017/ND-CP dated September 14, 2017 on spirit trading and Government's Decree No./2020/ND-CP dated ..., 2020 on amendments to some Articles of Decrees related to necessary business conditions in fields under the management of the Ministry of Industry and Trade, and relevant regulations of law are strictly complied with. We shall take the full legal responsibility under the law for any fraudulent information./.

LEGAL REPRESENTATIVE
(Signature, full name, seal (if any))

Note:

(1): Type of license: License for mass production of spirits/home production of spirits for purposes of spirit trading/distribution/wholesaling/retail.

(2): Licensing authority: Ministry of Industry and Trade/Department of Industry and Trade/Office Of Economics or Office of Economics and Infrastructure.

(3): Name of the applicant.

(4): Reason for re-issuance.

Form No. 04

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

**REGISTRATION OF HOME PRODUCTION OF SPIRITS FOR SELLING THEM TO
SPIRIT PRODUCTION LICENSE HOLDERS FOR RE-PREPARATION**

To: People's Committee of commune

Name of the organization/individual:

.....

Address:..... Tel:

.....

The sales contract No. dated (day)..... (month) (year) with the enterprise producing spirits on industrial scale:⁽¹⁾.....

Hereby registers home production of spirits to sell them to holders of license for mass production of spirits as follows:

- Type of spirit:

.....⁽²⁾.....

- Production capacity:⁽³⁾.....

.....⁽⁴⁾..... undertakes to strictly comply with the regulations set out in the Government's Decree No. 105/2017/ND-CP dated September 14, 2017 on spirit trading and Government's Decree No./2020/ND-CP dated ..., 2020 on amendments to some Articles of Decrees related to necessary business conditions in fields under the management of the Ministry of Industry and Trade, and relevant regulations of law. We shall take the full legal responsibility under the law for any fraudulent information./.

**MANUFACTURER ESTABLISHMENT
OWNER**

(Signature, full name, seal (if any))

Note:

(1): Name of the enterprise purchasing spirits produced using traditional methods for re-preparation.

(2): Specify the type of spirit registered for production.

(3): Specify the expected production (liter/year).

(4): Name of the organization/individual registering home production of spirits.

Form No. 05

**NAME OF LICENSING
AUTHORITY**

No. /

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

Hanoi,[date]

LICENSE⁽¹⁾.....

**MINISTER OF INDUSTRY AND TRADE/DIRECTOR OF DEPARTMENT OF
INDUSTRY AND TRADE/HEAD OF OFFICE OF ECONOMICS (ECONOMICS AND
INFRASTRUCTURE)**

Pursuant to

.....⁽²⁾.....

Pursuant to the Government's Decree No./2017/ND-CP dated, 2017 on spirit trading;

Pursuant to the Government's Decree No./2020/ND-CP dated ..., 2020 on amendments to some Articles of Decrees related to necessary business conditions in fields under the management of the Ministry of Industry and Trade;

In consideration of the Application form for issuance of the License⁽¹⁾..... No. ... dated ... of...(3)....

At the request of⁽⁴⁾.....

HEREBY DECIDES:

Article 1. The License

.....⁽¹⁾..... is issued

Permitting:⁽³⁾.....

Head office address:..... Phone number:..... Fax:
.....

Production/business location (if any):..... Phone number: Fax:
.....

Enterprise registration certificate (or equivalent document)/Certificate of registration of cooperative/cooperative union/Certificate of registration of household business No. issued by.....on....

(Depending on the type of license, the license holder is permitted to carry out one of the following activities):

To produce spirits as follows:

The following types of spirits permitted to be produced:

.....⁽⁵⁾.....

Production capacity:
.....⁽⁶⁾

To organize distribution of spirits as follows:

Purchase types of spirits from the following foreign spirit producers, spirit distributors and spirit suppliers:⁽⁷⁾

Organize a spirit distribution system in the following provinces/central-affiliated cities:

.....

Retail spirits at the following locations:

.....

To sell wholesale spirits as follows:

Purchase types of spirits from the following domestic spirit producers, spirit distributors and spirit wholesalers:⁽⁷⁾

.....

Organize a spirit wholesaling system in the following provinces/cities:

.....

Retail spirits at the following locations:

.....

To organize retail of spirits as follows:

Purchase types of spirits from the following spirit producers, spirit distributors and spirit wholesalers:⁽⁷⁾

Retail spirits at the following locations:

.....

Article 2. Responsibility for implementation

.....⁽³⁾..... is required to comply with the regulations set out in the Government's Decree No. 105/2017/ND-CP dated September 14, 2017 on spirit trading and Government's Decree No./2020/ND-CP dated ..., 2020 on amendments to some Articles of Decrees related to necessary business conditions in fields under the management of the Ministry of Industry and Trade, and relevant regulations of law.

Article 3. Validity

This License is valid until (*specify the date*)/.

(*Title, signature, full name and seal*)

Note:

(1): Type of license: License for mass production of spirits/home production of spirits for purposes of spirit trading/distribution/wholesaling/retail.

(2): Name of the document providing for functions, tasks and powers of the licensing authority.

(3): Name of the license holder.

(4): Name of the applicant.

(5): Specify each type of spirit such as wine, vodka, fruit wine, etc.

(6): Specify the design capacity; in the case of home production of spirits, specify the expected production (liter/year).

(7): Specify the name and address.

Form No. 06

**NAME OF LICENSING
AUTHORITY**

No. /

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

Hanoi,[*date*]

LICENSE(1).....

(*amended/added for the ... time*)

**MINISTER OF INDUSTRY AND TRADE/DIRECTOR OF DEPARTMENT OF
INDUSTRY AND TRADE/HEAD OF OFFICE OF ECONOMICS (ECONOMICS AND
INFRASTRUCTURE)**

Pursuant to(2).....

Pursuant to the Government's Decree No. /2017/ND-CP dated, 2017 on spirit trading;

Pursuant to the Government's Decree No. /2020/ND-CP dated ..., 2020 on amendments to some Articles of Decrees related to necessary business conditions in fields under the management of the Ministry of Industry and Trade;

Pursuant to the License⁽¹⁾..... No. issued by on ...

In consideration of the Application form for amendment/addition to the License⁽¹⁾..... No. dated of.....⁽³⁾.....;

At the request of
.....⁽⁴⁾.....,

HEREBY DECIDES:

Article 1. The License No.⁽¹⁾..... No. is amended/added as follows:
.....⁽⁵⁾.....

Article 2. This License constitutes an integral part of the License⁽¹⁾..... No. issued by
..... on

Article 3. Responsibility for implementation

.....⁽³⁾..... is required to comply with the regulations set out in the Government's Decree No. 105/2017/ND-CP dated September 14, 2017 on spirit trading and Government's Decree No. /2020/ND-CP dated ..., 2020 on amendments to some Articles of Decrees related to necessary business conditions in fields under the management of the Ministry of Industry and Trade, and relevant regulations of law./.

(Title, signature, full name and seal)

Note:

⁽¹⁾: Type of license: License for mass production of spirits/home production of spirits for purposes of spirit trading/distribution/wholesaling

⁽²⁾: Name of the document providing for functions, tasks and powers of the licensing authority.

⁽³⁾: Name of the license holder.

⁽⁴⁾: Name of the applicant.

⁽⁵⁾: Specify the amendment/addition to be made.

Form No. 07

**NAME OF LICENSING
AUTHORITY**

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

No. /

Hanoi, [date]

**LICENSE⁽¹⁾.....
(Re-issued for the ... time)**

**MINISTER OF INDUSTRY AND TRADE/DIRECTOR OF DEPARTMENT OF
INDUSTRY AND TRADE/HEAD OF OFFICE OF ECONOMICS (ECONOMICS AND
INFRASTRUCTURE)**

Pursuant to

.....⁽²⁾.....;

Pursuant to the Government's Decree No. /2017/ND-CP dated, 2017 on
spirit trading;

Pursuant to the Government's Decree No. /2020/ND-CP dated ..., 2020 on amendments to
some Articles of Decrees related to necessary business conditions in fields under the
management of the Ministry of Industry and Trade;

Pursuant to the License⁽¹⁾..... No. issued by on ...

In consideration of the Application for re-issuance of the License⁽¹⁾..... No.
dated of.....⁽³⁾.....;

At the request of⁽⁴⁾.....,

HEREBY DECIDES:

Article 1. The License

.....⁽¹⁾..... is issued

Permitting:

.....⁽³⁾.....

Head office address:..... Tel:..... Fax:.....

Production/business location (if any):..... Tel:..... Fax:

Enterprise registration certificate (or equivalent document)/ Certificate of registration of cooperative/cooperative union/Certificate of registration of household business No. issued by..... on.....

(Depending on the type of license, the license holder is permitted to carry out one of the following activities):

To produce spirits as follows:

The following types of spirits permitted to be produced:

.....⁽⁵⁾.....

Production capacity:

.....⁽⁶⁾.....

To organize distribution of spirits as follows:

Purchase types of spirits from the following foreign spirit producers, spirit distributors and spirit suppliers:⁽⁷⁾.....

Organize a spirit distribution system in the following provinces/central-affiliated cities:.....

Retail spirits at the following locations:

To sell wholesale spirits as follows:

Purchase types of spirits from the following domestic spirit producers, spirit distributors and spirit wholesalers:⁽⁷⁾.....

Organize a spirit wholesaling system in the following provinces/cities:

.....

Retail spirits at the following locations:

To organize retail of spirits as follows:

Purchase types of spirits from the following domestic spirit producers, spirit distributors and spirit wholesalers:⁽⁷⁾.....

Retail spirits at the following locations:

Article 2. Responsibility for implementation

.....⁽³⁾..... is required to comply with the regulations set out in the Government's Decree No. 105/2017/ND-CP dated September 14, 2017 on spirit trading and Government's Decree No./2020/ND-CP dated ..., 2020 on amendments to some Articles of Decrees related to necessary business conditions in fields under the management of the Ministry of Industry and Trade, and relevant regulations of law.

Article 3. Validity

This License is valid until (*specify the date*)/.

(*Title, signature, full name and seal*)

Note:

⁽¹⁾: Type of license: License for mass production of spirits/home production of spirits for purposes of spirit trading/distribution/wholesaling/retail.

⁽²⁾: Name of the document providing for functions, tasks and powers of the licensing authority.

⁽³⁾: Name of the applicant.

⁽⁴⁾: Name of the applicant.

⁽⁵⁾: Specify each type of spirit such as wine, vodka, fruit wine, etc.

⁽⁶⁾: Specify the design capacity; in the case of home production of spirits, specify the expected production (liter/year).

⁽⁷⁾: Specify the name and address.

Form No. 08

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

..... [*place*], [*date*]

REPORT ON SPIRIT PRODUCTION IN

To:

1. Name of trader:

2. Head office address:..... Tel:..... Fax:

3. Spirit production license No. issued by..... on Amended or re-issued spirit production license No. issued byon

No.	PRODUCTION STATUS					
	Type of spirit	Design capacity (liter/year)	Production (liter)	Compared to last year (%)	Expected production in the next year (liter)	Capital for expansion (thousand dong)
1						
2						
....						
TOTAL						

No.	CONSUMPTION STATUS				
	Type of spirit	Consumption (liter)	Compared to last year (%)	Expected consumption in the next year (liter)	Note
1					
2					
...					
TOTAL					

PREPARED BY
(Signature and full name)

LEGAL REPRESENTATIVE
(Signature, full name, seal (if any))

Form No. 09

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

..... [place],[date]

REPORT ON SPIRIT DISTRIBUTION/WHOLESALING/RETAIL IN

To:

Name of trader:

Head office address:

Tel:..... Fax:

License for spirit distribution/wholesaling/retail No. issued by.....
on.....

License for spirit distribution/wholesaling/retail No. issued by.....
on.....

(Depending on the form of spirit distribution/wholesaling/retail, the trader shall select one of the following corresponding tables to provide information)

I. SPIRIT DISTRIBUTION/WHOLESALING

1. Purchase

No.	Supplier's name	Supplier's head office address	Spirit name	Origin	Alcohol by volume	Quantity purchased (liter)	Total amount (thousand dong)
1							
2							
...							
TOTAL							

2. Sale

No.	Customer's name	Customer's head office address	Spirit name	Origin	Alcohol by volume	Quantity sold (liter)	Total amount (thousand dong)
1							
2							

....							
TOTAL							

II. SPIRIT RETAIL

No.	Supplier's name	Supplier's head office address	Spirit name	Alcohol by volume	Purchased in the year		Sold in the year	
					Quantity (liter)	Total value (thousand dong)	Quantity (liter)	Total value (thousand dong)
1								
2								
...								
TOTAL								

PREPARED BY
(Signature and full name)

LEGAL REPRESENTATIVE
(Signature, full name, seal (if any))

Form No. 10

**PEOPLE'S COMMITTEE
OF
.....COMMUNE**

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

No. /

.....[place], [date]

REPORT ON HOME PRODUCTION OF SPIRITS FOR SELLING THEM TO SPIRIT PRODUCTION LICENSE HOLDERS IN COMMUNE IN...

To: The Office of Economics/Economics and Infrastructure of

No.	Name of organization/individual producing spirits using traditional methods	Address	Telephone	Type of spirit to be produced	Quantity of spirit registered for production (liter)	Name of enterprise purchasing spirits for re-preparation
-----	---	---------	-----------	-------------------------------	--	--

1						
2						
....						
TOTAL						

PREPARED BY
(Signature and full name)

**CHAIRMAN/CHAIRWOMAN OF
COMMUNAL PEOPLE'S
COMMITTEE**
(Signature, full name and seal)

Form No. 11

**OFFICE OF
ECONOMICS/ECONOMICS
AND INFRASTRUCTURE
OF**

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

No. /

.....[place], [date]

**REPORT ON SPIRIT PRODUCTION AND TRADING IN URBAN DISTRICT/RURAL
DISTRICT/CITY IN.....**

To: Department of Industry and Trade.....

1. Home production of spirits for selling them to spirit production license holders for re-preparation

No.	Name of organization/individual producing spirits using traditional methods	Address	Telephone	Type of spirit registered for production	Quantity of spirit registered for production (liter)	Name of establishment purchasing sprits for re-preparation
1						
2						
...						
TOTAL						

2. Mass production of spirits for business purpose

No.	Trader's name	Head office address	Telephone	Production license No.	Date of issue	Type of spirit	Production (liter)	Consumption (liter)
1								
2								
....								
TOTAL								

3. Spirit retail

No.	Trader's name	Head office address	Telephone	License No.	Date of issue	Purchased in the year		Sold in the year	
						Quantity (liter)	Total value (thousand dong)	Quantity (liter)	Total value (thousand dong)
1									
2									
....									
TOTAL									

PREPARED BY
(Signature and full name)

HEAD OF OFFICE
(Signature, full name and seal)

Form No. 12

**DEPARTMENT OF
INDUSTRY AND TRADE OF
..... (PROVINCE/CITY)**

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

No. /

.....[place], [date]

REPORT ON SPIRIT PRODUCTION AND TRADING IN PROVINCE IN.....

To: The Ministry of Industry and Trade.

1. Home production of spirits

No.	Type of production	Total number of establishments having license or registering production	Total production of spirits (liter)
1	Home production of spirits for sale to holders of license for mass production of spirits		
2	Home production of spirits for business purpose		

2. Mass production of spirits

No.	Trader's name	Head office address	Telephone	License No.	Date of issue	Type of spirit	Design capacity (liter/year)	Production (liter)	Consumption (liter)	Capital for expansion (thousand dong)
1										
2										
...										
TOTAL										

3. Spirit wholesaling

No.	Trader's name	Head office address	Telephone	License No.	Date of issue	Purchased in the year		Sold in the year	
						Quantity (liter)	Total value (thousand dong)	Quantity (liter)	Total value (thousand dong)
1									
2									
...									
TOTAL									

4. Spirit retail

No.	Trader's	Head	Telephone	License	Date	Purchased in the	Sold in the year
-----	----------	------	-----------	---------	------	------------------	------------------

	name	office address		No.	of issue	year			
						Quantity (liter)	Total value (thousand dong)	Quantity (liter)	Total value (thousand dong)
1									
2									
....									
TOTAL									

PREPARED BY
(Signature and full name)

DIRECTOR
(Signature, full name and seal)

Form No. 13

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

..... [place],[date]

REGISTRATION OF SALE OF SPIRITS FOR ON-PREMISES CONSUMPTION

To: The Office of Economics/Economics and Infrastructure of

Name of trader:

Address:..... Tel:

Enterprise registration certificate (or equivalent document)/ Certificate of registration of cooperative/cooperative union/Certificate of registration of household business No. issued by..... on.....

Hereby registers sale of spirits for on-premises consumption as follows:

Address at which spirits are sold:

(1)

.....⁽²⁾..... undertakes to comply with the regulations set out in the Government's Decree No. 105/2017/ND-CP dated September 14, 2017 on spirit trading and Government's Decree No./2020/ND-CP dated ..., 2020 on amendments to some Articles of Decrees related to necessary business conditions in fields under the management of the Ministry of Industry and Trade, and relevant regulations of law. We shall take the full legal responsibility under the law for any fraudulent information./.

LEGAL REPRESENTATIVE
(Signature, full name, seal (if any))

Note:

⁽¹⁾: Trader's address at which spirits are sold

⁽²⁾: Name of trader registering sale of spirits for on-premises consumption.

Form No. 14

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

..... *[place]*, *[date]*

**REGISTRATION OF TRADING OF SPIRITS HAVING LESS THAN 5.5% ALCOHOL
BY VOLUME**

To: The Office of Economics/Economics and Infrastructure of

Name of trader:

.....

Address:..... Tel:

.....

Enterprise registration certificate (or equivalent document)/ Certificate of registration of cooperative/cooperative union/Certificate of registration of household business No.
issued by..... on.....

(Depending on each type of spirit trading, the trader shall carry out one or the following activities):

Register production of spirits having less than 5.5% alcohol by volume as follows:

- Type of spirit:
.....⁽¹⁾.....

- Production capacity:
.....⁽²⁾.....

Register import of spirits having less than 5.5% alcohol by volume as follows:

- Type of spirit:
.....⁽¹⁾.....

- Origin:⁽³⁾:
.....

Register sale of spirits having less than 5.5% alcohol by volume as follows:

- Type of spirit:
.....⁽¹⁾.....

- Address at which spirits are
sold:.....⁽⁴⁾.....

.....⁽⁵⁾..... undertakes to comply with the regulations set out in the Government's Decree No. 105/2017/ND-CP dated September 14, 2017 on spirit trading and Government's Decree No./2020/ND-CP dated ..., 2020 on amendments to some Articles of Decrees related to necessary business conditions in fields under the management of the Ministry of Industry and Trade, and relevant regulations of law. We shall take the full legal responsibility under the law for any fraudulent information./.

LEGAL REPRESENTATIVE
(Signature, full name, seal (if any))

Note:

⁽¹⁾: Specify the type of spirit registered for production/import/sale.

⁽²⁾: Specify the expected production (liter/year).

⁽³⁾: Producer/importer.

⁽⁴⁾: Trader's address at which spirits are sold.

⁽⁵⁾: Trader's name.

Form No. 15

NAME OF ENTERPRISE

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

No.

.....[place], [date]

APPLICATION FOR ISSUANCE OF MOTOR VEHICLE IMPORT LICENSE

To: The Ministry of Industry and Trade.

Name of enterprise:

.....

Head office address:

.....

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

Contact person:..... Title:..... Tel:

Enterprise registration certificate (or equivalent document) No. issued by..... on ...

Pursuant to the Government's Decree No. /2017/ND-CP dated , 2017 on manufacturing, assembly and import of motor vehicles and provision of motor vehicle warranty and maintenance services;

1. The Ministry of Industry and Trade is kindly requested to consider issuing motor vehicle import license to the following types of motor vehicles:

Type	Brand	Brand new	Used	Note
1. Passenger car				
2. Bus				
3. Commercial vehicle				

2. Enclosed

documents:.....

(Name of enterprise) hereby undertakes to comply with the regulations set out in the Government's Decree No. 116/2017/ND-CP dated October 17, 2017 on manufacturing, assembly and import of motor vehicles and provision of motor vehicle warranty and maintenance services, and other relevant legal documents, and take the full legal responsibility.

We undertake that our products imported according to the motor vehicle import license (if issued by the Ministry of Industry and Trade) from the manufacturer..... at the address will not include any navigation software or equipment in which maps violate the sovereignty, unity and territorial integrity of the Socialist Republic of Vietnam.

We fully understand and agree that the violation against the above commitment, regardless of subjective or objective reasons, may lead to the suspension or revocation of the motor vehicle import license issued by the Ministry of Industry and Trade to our company.”./.

ENTERPRISE'S LEGAL REPRESENTATIVE

(Signature, full name, seal (if any))