

Part I. LEGAL DOCUMENTS

THE MINISTRIES

THE MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT

Circular No. 88/2011/TT-BNNPTNT of December 28, 2011, guiding the Government's Decree No. 12/2006/ND-CP of January 23, 2006, detailing the Commercial Law regarding international goods trading and goods agency, trading, processing and transit with foreign parties in the agriculture, forestry and fisheries sector

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

Pursuant to the Government's Decree No. 12/2006/ND-CP of January 23, 2006, detailing the Commercial Law regarding international goods trading and goods agency, trading, processing and transit with foreign parties;

The Ministry of Agriculture and Rural Development provides the export and import of goods subject to specialized management by the agriculture, forestry and fisheries sector as follows:

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Circular provides contents, order and procedures for the export and import of goods subject to specialized management by the agriculture, forestry and fisheries sector, including:

1. Export of timber and wood products from domestic natural forests; firewood and charcoal made from timber or firewood originated from wood from domestic natural forests.
2. Export and import of endangered, precious and rare wild animals and plants.
3. Export and import of plant varieties.
4. Export and import of animal breeds.
5. Export and import of live aquatic products.
6. Import of veterinary drugs and materials for the production of drugs, vaccines, biological preparations, microorganisms and chemicals used in animal health.
7. Import of materials and products for the treatment and improvement of the aquaculture environment.
8. Import of plant protection drugs and materials for the production of plant protection drugs and living organisms used for plant protection.
9. Import of animal feed.
10. Import of fertilizers and materials for fertilizer production.

11. Export and import of genetic resources of plants for scientific and technical research and exchange.

Article 2. Subjects of application

This Circular applies to organizations, individuals and traders (below referred to as traders) involved in the export and import of goods subject to specialized management by the agriculture, forestry and fisheries sector.

Article 3. Interpretation of terms

In this Circular, the terms below are construed as follows:

1. Round timber includes raw wood, rounded-off timber and heartwood with its smaller end's diameter of between 10 cm and under 20 cm and a length of 1 m or longer or with its smaller end's diameter of 30 cm or larger and a length of 30 cm or longer (including also raw wood with root, branches and leaves with the root end's diameter of between 10 cm and under 20 cm and a length of 1 m or longer or the root end's diameter of 20 cm or larger and a length of 30 cm or longer). Particularly for timber of endangered, precious and rare species, it can be of any sizes.

2. Sawn timber means sawn, cut, sliced or peeled timber with a thickness of over 6 millimeters (mm).

3. Finished woodwork (including art woodcraft and high-class woodwork) means products made from timber which have been completely assembled according to their use or which are detached parts of complete products and can be used according to their use right after

being assembled.

4. Endangered, precious and rare wild animals and plants means wild species of animals and plants governed by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and species of forest animals and plants on the list of endangered, precious and rare animals and plants promulgated together with the Government's Decree No. 32/2006/ND-CP of March 30, 2006, on management of endangered, precious and rare forest animals and plants (below referred to as Decree No. 32/2006/ND-CP).

5. Aquatic products:

a/ Live aquatic products means species of aquatic animals and plants which can grow and develop;

b/ Aquatic breeds means species of aquatic animals and plants, including their spawns, embryos, sperms, larvae, used for the production of breeds or used as breeders for commercial, ornamental or recreational raising;

c/ Live aquatic products as food means live aquatic animals and plants used as food for human;

d/ Risk assessment of imported live aquatic products as food means activities to identify potential adverse impacts on humans and the environment arising from activities relating to imported live aquatic products;

e/ Products for treatment and improvement of the aquaculture environment means substances or compounds originated from minerals, chemicals, animals, plants or

microorganisms and their preparations which are used to adjust the physic, chemical and biological properties of the aquaculture environment.

Article 4. Principles of implementation of regulations on animal and plant quarantine; food quality and safety inspection of animals, plants and goods originated from imported animals and plants

1. Prior to customs clearance, imports subject to quarantine of animals, seafood, animal products and aquatic products must comply with the Ministry of Agriculture and Rural Development's regulations promulgating the list of objects of quarantine of animals, seafood, animal products and aquatic products; the lists of animals; seafood; animal products; and aquatic products subject to quarantine; and processes and procedures for quarantine of animals, seafood, animal products and aquatic products, and veterinary hygiene inspection.

2. Prior to customs clearance, imports on the list of objects of plant quarantine must comply with the Ministry of Agriculture and Rural Development's regulations on announcement of the list of objects subject to plant quarantine of Vietnam; the list of objects of plant quarantine of Vietnam; and the list of objects subject to plant quarantine and epidemic risk analysis prior to import into Vietnam, and on procedures for inspection of objects and compilation of plant quarantine dossiers.

3. When being imported into Vietnam, goods subject to specialized management by the Ministry of Agriculture and Rural Development

must comply with the Ministry of Agriculture and Rural Development's current regulations on food quality and safety inspection.

4. For a border gate without an animal and plant quarantine agency, customs clearance for goods shall be carried out under the mechanism of pre-customs clearance registration and post-customs clearance inspection. The quarantine agency may conduct quarantine concurrently with customs inspection or after customs clearance of goods at the time and place stated in the written quarantine registration.

5. For goods subject to food quality and safety inspection, the mechanism of pre-customs clearance registration and post-customs clearance inspection applies.

6. After customs procedures are cleared, goods that fail to meet quarantine and food quality and safety requirements must be re-exported.

Article 5. Principles of import pending addition to the list of imports freed from licensing

1. For goods outside the list of imports freed from licensing, traders may import them without a permit according to their needs with unlimited quantity and value after their testing or risk assessment results are recognized in writing by specialized management agencies of the Ministry of Agriculture and Rural Development.

2. Specialized management agencies of the Ministry of Agriculture and Rural Development shall publish documents recognizing testing or

risk assessment results of goods and the list of those goods on their websites and the Ministry of Agriculture and Rural Development's website at <http://www.omard.gov.vn> and send them to customs agencies.

3. Based on testing or risk assessment results, the Ministry of Agriculture and Rural Development shall add goods to corresponding lists.

Article 6. General provisions on order and procedures for licensing exports and imports subject to specialized management by the agriculture, forestry and fisheries sector

1. Order and mode: A trader shall submit a dossier directly or by post to the Ministry of Agriculture and Rural Development's specialized management agency.

a/ This agency shall receive and consider the dossier and guide the trader in supplementing incomplete or improper contents immediately if receiving the dossier directly or within three (3) working days after receiving the dossier by post;

b/ If the dossier is complete as required, within five (5) working days, the agency shall grant an import or export permit or issue a written reply stating the reason for refusal of licensing.

2. Number of dossier: 1 set.

3. Dossier composition: To be provided in Articles 9, 12, 15, 19, 21, 24, 26, 28, 30, 34 and 36 of this Circular.

4. Mode of charge and fee payment and notification of licensing results:

a/ A trader shall pay charges and fees under current regulations directly at the dossier-receiving agency, through account transfer or by post.

b/ The dossier-receiving agency shall notify licensing results directly at the place of dossier receipt or by post at the trader's request.

5. Licensing agencies: To be provided in Articles 9, 12, 15, 19, 21, 24, 26, 28, 30, 34 and 36 of this Circular.

6. Permit validity: To be provided in Articles 15, 21, 24, 28 and 30 of this Circular.

7. When there are other regulations different from Clauses 1, 2, 3, 4, 5 and 6 of this Article, Chapter II of this Circular applies.

Chapter II

SPECIFIC PROVISIONS

Section 1

EXPORT OF TIMBER AND WOOD PRODUCTS; FIREWOOD AND CHARCOAL MADE FROM TIMBER OR FIREWOOD ORIGINATED FROM WOOD FROM DOMESTIC NATURAL FORESTS

Article 7. To prohibit the export of timber and wood products of domestic natural forests (except the cases specified in Article 8 of this Circular), including:

1. Round timber and sawn timber of different categories.

2. Products made from group-1A timber (other than timber being confiscated material evidence under current state regulations) under

Decree No. 32/2006/ND-CP; products made from timber provided in Appendix I to CITES.

Article 8. Conditional or licensed export

1. Products made from group-IA timber being confiscated material evidence under current state regulations or group-IIA timber under Decree No. 32/2006/ND-CP may be exported only as finished woodwork. Upon exportation, traders do not have to apply for a permit and shall declare goods quantity and categories to customs offices and take responsibility for the lawful origin of timber.

2. Export of products made from timber provided in Appendix II to CITES must be licensed by the Vietnam CITES Management Authority.

3. When exporting firewood and charcoal, traders do not have to apply for a permit and shall declare their quantity and categories to customs offices and take responsibility for their lawful origin.

Article 9. Dossier composition, agencies licensing the export of products made from timber provided in Appendix II to CITES

1. A dossier comprises:

a/ An application for an export permit, made according to a set form;

b/ A copy of the commercial contract between involved parties;

c/ Documents proving the lawful origin of specimens (copies enclosed with the originals for comparison, in case of direct dossier submission; or certified copies in case of dossier

submission by post);

d/ Copy of the business registration certificate or identity card/passport, for traders applying for a permit for the first time;

e/ Certified copies of invoices and documents proving timber being material evidence.

2. Licensing agency: Vietnam CITES Management Authority

Traders may submit dossiers to either of the following addresses:

a/ Vietnam CITES Management Authority:

- Address: Building A3, No. 2, Ngoc Ha, Ba Dinh district, Hanoi

- Tel: (04) 3733 5676; Fax: (04) 3734 6742

- Email: fpdvn@hn.vnn.vn;
cites_vn.kl@mard.gov.vn

- Website: www.tongcuclamnghiep.gov.vn

b/ Southern representative office of Vietnam CITES Management Authority:

- Address: Floor 7, Office Building, 146 Nguyen Cong Tru, District 1, Ho Chi Minh City

- Tel: (08) 3821 8206; Fax: (08) 3915 1120

- Email: citesphianam@gmail.com

Section 2

**EXPORT, IMPORT OF ENDANGERED,
PRECIOUS AND RARE WILD ANIMALS
AND PLANTS**

(Other than timber and wood products provided in Section 1, Chapter II of this Circular)

Article 10. Export of endangered, precious

and rare wild animals and plants

1. To prohibit the commercial export of endangered, precious and rare wild animals and plants exploited from natural forests (except the cases specified in Clause 3 of this Article), including:

a/ Endangered, precious and rare forest animals of groups IB and IIB, forest plants of group IA under Decree No. 32/2006/ND-CP.

b/ Wild animals and plants provided in Appendix I to CITES.

2. To prohibit the export of endangered, precious and rare wild aquatic species on the list of aquatic species banned from export under Appendix 1 to this Circular (*not printed herein*), except the case specified in Clause 4 of this Article.

3. Endangered, precious and rare wild animals and plants exploited from natural forests subject to export licensing include:

a/ Endangered, precious and rare wild animals and plants mentioned in Clauses 1 and 2 of this Article which are exported for diplomatic purposes, scientific research, exchange between wild life parks, exhibition, circus performance, or exchange or return of specimens between competent CITES Management Authorities of different countries:

b/ Commercial export:

- Endangered, precious and rare wild animals and plants of natural forests provided in Appendix II to CITES;

- Natural forest plants of group IIA under Decree No. 32/2006/ND-CP;

- Endangered, precious and rare wild animals and plants of groups I and II under Decree No. 32/2006/ND-CP; and under Appendices I and II to CITES which are raised or planted under the Government's Decree No. 82/2006/ND-CP of August 10, 2006, on management of export, import, re-export, introduction from the sea, transit, raising for breeding and growth and artificial propagation of endangered, precious and rare wild animals and plants.

4. Export of aquatic products under permits

Aquatic species on the list of aquatic species banned from export under Appendix 1 to this Circular may be exported only in case of implementing treaties which Vietnam has signed or acceded to.

Article 11. Import of endangered, precious and rare wild animals and plants

The import of endangered, precious and rare wild animals and plants provided in the CITES Appendices to must be licensed by the Vietnam CITES Management Authority.

Article 12. Dossier composition and agencies licensing the import of endangered, precious and rare wild animals and plants

1. A dossier comprises:

a/ An application for an import permit, made according to a set form;

b/ A copy of the commercial contract between involved parties.

In case of non-commercial export under Point a, Clause 3, Article 10 of this Circular: A

copy of the agreement on a scientific research cooperation program or the written certification of gift, donation or diplomatic purpose (for specimens for scientific research or diplomatic purpose) or the decision on participation in an exhibition or a circus performance (for specimens for exhibition or circus performance) of the managing ministry;

c/ A copy of the business registration certificate or establishment decision or identity card/passport, for traders applying for a permit for the first time (applicable to dossiers of export permit application);

d/ Documents proving the lawful origin of specimens under current regulations (copies enclosed with the originals for comparison, in case of direct dossier submission; or certified copies, in case of dossier submission by post) (applicable to dossiers of export permit application);

e/ A copy of the export or re-export permit granted by the CITES Management Authority of the country of exportation or re-exportation (applicable to dossiers of import permit application);

f/ In case imported specimens are live wild animals or plants (applicable to dossiers of import permit application), the following documents are additionally required:

- Written certification of eligibility for raising, keeping and care by a provincial-level forest or fisheries management agency, for aquatic species;

- Written certification that the import of specimens does not adversely affect the environment and the conservation of domestic

animal and plant species, for species imported to Vietnam for the first time, by one of the following Vietnam CITES science agencies:

- + Institute of Ecology and Biological Resources under Vietnam Academy of Science and Technology;

- + Forest Science Institute of Vietnam under the Ministry of Agriculture and Rural Development;

- + Research Institute for Marine Fisheries under the Ministry of Agriculture and Rural Development;

- + Center for Natural Resources and Environmental Studies under Hanoi National University.

2. Licensing agency: As provided in Clause 2, Article 9 of this Circular.

Section 3

EXPORT AND IMPORT OF PLANT VARIETIES

Article 13. Export of plant varieties

1. Traders may not export plant varieties on the list of precious and rare plant varieties banned from export under the Ministry of Agriculture and Rural Development's regulations.

2. Exporters of plant varieties on the list of genetic resources of precious and rare plants for international exchange in special cases and the list of genetic resources of precious and rare plants restricted from international exchange under the Ministry of Agriculture and Rural Development's regulations must obtain written

approval of the Minister of Agriculture and Rural Development.

3. Exporters of plant varieties outside the lists mentioned in Clauses 1 and 2 of this Article and the list of plant varieties licensed for production and business in Vietnam must be licensed by Vietnam Administration of Forestry (for forest plant varieties) or the Department of Crop Production (for agricultural plant varieties).

4. Traders may export without a permit plant varieties other than those provided in Clauses 1, 2 and 3 of this Article.

5. Dossiers, order and procedures for plant variety export comply with Articles 6 and 30 of this Circular.

Article 14. Import of plant varieties

1. Traders may import without a permit plant varieties on the list of plant varieties or forest plant varieties licensed for production and business in Vietnam.

2. Importers of plant varieties outside the list of plant varieties or forest plant varieties licensed for production and business in Vietnam must be licensed by Vietnam Administration of Forestry or the Department of Crop Production in the following cases:

a/ Importing plant varieties for testing and trial production:

b/ Importing plant varieties for international cooperation, as specimens for display at exhibitions or as gifts, or for implementation of investment programs and projects.

Article 15. Dossier composition, licensing agencies and validity of plant variety import permits

1. Dossier composition:

a/ Dossier of application for an agricultural plant variety import permit:

- An import application, made according to a set form;

- A technical declaration, made according to a set form;

- A photocopy of the decision on recognition of plant varieties licensed for trial production (for import of plant varieties for trial production);

- Written approval of the provincial-level Agriculture and Rural Development Department of the locality in which testing and trial production are conducted, for first-time import of the whole quantity of plant varieties under regulations for testing and trial production;

- Report on results of import, testing and trial production of the previous imports without a technical declaration, for import of plant varieties for testing and trial production of the second time onward;

- Copies enclosed with the originals for comparison, for direct dossier submission; or certified copies, for dossier submission by post, of the following documents:

+ Business registration certificate or investment license or decision on approval of the investment project issued by a competent authority or international cooperation document or invitation to an exhibition (depending on

import purposes).

For import of plant varieties for the implementation of investment programs and projects, the following documents are additionally required:

+ Written approval of the investment program or project accepted by the provincial-level People's Committee;

+ Written request of the provincial-level Agriculture and Rural Development Department of the locality in which the investment project is implemented, for import of varieties for project implementation, except sports ground projects.

b/ Dossier of application for a forest plant variety import permit:

- An application for import registration of forest plant varieties, made according to a set form;

- Records of plant varieties to be imported, made according to a set form;

- Related documents such as variety trading contract or document on grant or donation of plant varieties of partners.

2. Time limit for supplementing and finalizing incomplete dossiers: Three (3) months after first-time receipt of dossiers. Past this time limit, traders that fail to supplement and finalize their dossiers shall submit new dossiers.

3. Permit validity: A permit is valid for 1 (one) year from the date of its grant.

4. Licensing agencies:

a/ For agricultural plant varieties: The Department of Crop Production

- Place of dossier receipt and result notification: One-stop-shop section - the Office of the Department of Crop Production

- Website: www.cuctrongtrot.gov.vn

- Address: No. 2, Ngoc Ha - Ba Dinh - Hanoi

- Tel: 04.3823.4651 Fax: 04.3734.4967

- Email: vanphongctt@gmail.com

b/ For forest plant varieties: Vietnam Administration of Forestry

- Place of dossier receipt and result notification: The Office of Vietnam Administration of Forestry

- Address: No. 2, Ngoc Ha - Ba Dinh - Hanoi

- Tel: 04.3843.8792 Fax: 04.3843.8793

- Email: ln@mard.gov.vn

Section 4

EXPORT AND IMPORT OF ANIMAL BREEDS

Article 16. Export of animal breeds

1. Traders may export without a permit animal breeds outside the list of precious and rare animal breeds banned from export and the list of genetic resources of precious and rare animals subject to conservation promulgated by the Ministry of Agriculture and Rural Development.

2. The Minister of Agriculture and Rural Development shall decide on traders' exchange with foreign parties of precious and rare animal breeds on the list of precious and rare animal breeds banned from export and the list of genetic resources of precious and rare animals subject

to conservation for scientific research or other special purposes.

Article 17. Import of animal breeds

1. Traders may import without a permit animal breeds on the list of animal breeds licensed for production and business in Vietnam promulgated by the Ministry of Agriculture and Rural Development.

2. Importers of animal breeds outside the list of animal breeds licensed for production and business in Vietnam for research or testing or in other special cases must be licensed by the Department of Livestock Husbandry.

Article 18. Import of sperms and embryos

The import of sperms and embryos of animal breeds for the first time must be licensed for testing by the Department of Livestock Husbandry.

Article 19. Dossier composition, licensing agencies for export and import of animal breeds

1. Dossier composition:

a/ Dossier of export of animal breeds and genetic resources of precious and rare animals:

- Application for export registration of animal breeds or genetic resources of precious and rare animals, made according to a set form;
- Record of genetic resources of precious and rare animals for international exchange, made according to a set form;
- Photocopy of the research cooperation project or research contract relating to the export of genetic resources of precious and rare

animals.

b/ Dossier of import of animal breeds outside the list of animal breeds licensed for production and business in Vietnam:

- Application for testing of animal breeds, made according to a set form;
 - Record of the animal breed, clearly stating the name, grade, origin, quantity, techno-economic norms, technical caring and raising process of the breed and common diseases (if any) of that animal. This record must be certified by a competent authority of the country of exportation and be the original enclosed with a notarized Vietnamese translation;
 - Assay and testing contents (places and monitoring indicators);
 - Copy of the research cooperation project or research contract relating to the import of the animal breed outside the list of animal breeds licensed for production and business in Vietnam;
 - Copy enclosed with the original for comparison, in case of direct dossier submission; or certified copy, in case of dossier submission by post, of the business registration certificate or investment license, for first-time import registration.
- c/ Dossier of sperm or embryo import:
- Application for sperm or embryo import, made according to a set form;
 - Original file of technical indicators of the diluted environment for sperm conservation enclosed with a notarized Vietnamese translation;
 - Copy enclosed with the original for

comparison, in case of direct dossier submission; or certified copy, in case of dossier submission by post, of the business registration certificate or investment license, for first-time import registration.

2. Licensing agency: The Department of Livestock Husbandry

- Address: No. 2, Ngoc Ha, Ba Dinh, Hanoi
- Tel: 04.37345443 Fax: 04.37345444
- Email: cn@mard.gov.vn

Section 5

IMPORT OF VETERINARY DRUGS

Article 20. Import of veterinary drugs

1. The import of veterinary drugs is freed from licensing in the following cases:

- Veterinary drugs with certificates of circulation in Vietnam, except the import of vaccines, biological preparations and microorganisms which must be licensed by the Department of Animal Health;
- Veterinary drugs without certificates of circulation in Vietnam temporarily imported for re-export under contracts signed with foreign parties.

2. Import of veterinary drugs and materials for veterinary drug production without a certificate of circulation in Vietnam must be licensed by the Department of Animal Health, including the following cases:

a/ Materials for production of veterinary drug products with a certificate of circulation in Vietnam;

b/ For testing or assay for circulation registration;

c/ For diagnosis, prevention and treatment of diseases of precious and rare animals or animals imported for non-commercial purposes;

d/ As samples or specimens for display at exhibitions.

3. In urgent case of outbreak of an epidemic, the import of vaccines without a certificate of circulation in Vietnam for prevention and control of such epidemic shall be decided by the Minister of Agriculture and Rural Development.

Article 21. Dossier composition, licensing agency, validity of veterinary drug import permits

1. Dossier composition:

- Application for veterinary drug import registration, made according to a set form (for import of vaccines or microorganisms, the application is made according to another set form). The soft copy of this application shall be concurrently sent to the email: quanlythuoc@dah.gov.vn;

- Certificates of Good Manufacture Practice or ISO (for a number of popular chemicals);

- Certified copy of the certificate of free sale (CFS) in the country of exportation, for imported drugs;

- Product quality analysis notices of the manufacturer and a competent agency of the country of manufacture (for vaccines and biological preparations);

- Summary of product properties (for new drugs).

2. Licensing agency: The Department of Animal Health

- Section for dossier receipt and result notification: The Office of the Department of Animal Health

- Address: 15/78 Giai Phong, Phuong Mai, Dong Da, Hanoi

- Tel: +(844) 3869.5527/3869.6788

- Email: quanlythuoc@dah.gov.vn

3. Permit validity: A permit is valid for 1 (one) year from the date of its grant.

Section 6

IMPORT OF PLANT PROTECTION DRUGS, MATERIALS OF PLANT PROTECTION DRUGS AND LIVING ORGANISMS USED FOR PLANT PROTECTION

Article 22. Import of plant protection drugs and their materials

1. The import of plant protection drugs and materials of plant protection drugs on the list of plant protection drugs licensed for use in Vietnam promulgated by the Ministry of Agriculture and Rural Development (list of plant protection drugs) is freed from licensing.

2. The import of plant protection drugs and their materials must be licensed by the Department of Plant Protection in the following cases:

a/ Plant protection drugs and materials of plant protection drugs on the list of plant protection drugs restricted from use in Vietnam or outside the list of plant protection drugs

licensed for use in Vietnam promulgated by the Ministry of Agriculture and Rural Development;

b/ Standard substances of plant protection drugs outside the list of plant protection drugs licensed for use in Vietnam for the examination of plant protection drug residues and smuggled plant protection drugs.

Article 23. Import of living organisms used for plant protection

Traders may import living organisms used for plant protection only when obtaining a permit for imported plant quarantine granted by the Department of Plant Protection.

Article 24. Dossier composition, licensing agency; validity of import permits for plant protection drugs; materials of plant protection drugs and living organisms used for plant protection

1. Dossier composition:

a/ Dossier of application for an import permit for plant protection drugs or materials of plant protection drugs:

- Application for an import permit for plant protection drugs or materials of plant protection drugs, made according to a set form (for import of methyl bromide, the application is made according to another set form);

- Certified copy of the business registration certificate of plant protection drugs or agricultural supplies (submitted in the first time only);

- Notarized copy of the import or export contract or processing contract with the foreign party in case of import of plant protection drugs

or their materials for re-export (including temporary import for re-export, processing, bottling and packing for export);

- Certified copy of the certificate of eligibility for fumigation business, for import of drugs for fumigation;

- Certified copy the certificate of free sale (CFS) in the country of exportation, for import of plant protection drugs outside the list of plant protection drugs licensed for use in Vietnam.

b/ Dossier of application for an import permit for living organisms used for plant protection:

- Prior to importation:

- + Application for a permit for imported plant quarantine, made according to a set form;

- + Documents for epidemic risk analysis.

- Upon importation:

- + Permit for imported plant quarantine;

- + Plant quarantine registration, made according to a set form.

2. Settlement time limit:

a/ The time limit for licensing the import of living organisms used for plant protection is thirty (30) working days after receiving a complete dossier.

b/ The time limit for granting quarantine certificates of imported, transited or domestically transported plants is 24 hours.

3. Licensing agencies:

a/ The Department of Plant Protection shall license the import of plant protection drugs, materials of plant protection drugs and living organisms used for plant protection.

- Address: No. 149, Ho Duc Di, Dong Da - Hanoi

- Tel: 04.3533.0361 Fax: 04.3533.3056;

- Email: p.echc@fpt.vn

b/ Plant quarantine agencies at border gates shall grant quarantine certificates of imported, transited and domestically transported plants.

4. Permit validity:

An import permit for plant protection drugs or materials of plant protection drugs is valid for the whole goods batch and for the time indicated in that permit. A permit is valid for 1 (one) year after the date of its grant and is specified for each type of drug stated in the permit.

Section 7

IMPORT OF ANIMAL FEED

Article 25. Import of animal feed

1. The following animal feed may be imported without permits:

a/ Animal feed on the list of aquatic animal feed or the list of cattle and poultry feed permitted for sale in Vietnam issued by the Ministry of Agriculture and Rural Development;

b/ Animal feed for which national technical regulations or national standards have been promulgated. Particularly for aquatic animal feed, sectoral standards may apply.

2. The import of animal feed other than those specified in Clause 1 of this Article must be licensed by the Directorate of Fisheries (for aquatic animal feed) or the Department of

Livestock Husbandry (for cattle and poultry feed).

Article 26. Dossiers of application for animal feed import permits and licensing agencies

1. A dossier of application for a permit to import animal feed for testing comprises:

- A written registration for the import of a new animal feed for testing, made according to a set form;

- A scheme on testing the new animal feed, made according to a set form;

- A testing contract signed between the testing registrant and the testing unit which is named on the list recognized by the Ministry of Agriculture and Rural Development;

- A certified copy of the business registration certificate or investment license (to be produced for the first time only);

- The imported goods' certificate of free sale (CFS), issued by a competent state agency of the country of origin;

- The product's composition, quality, utilities and use instructions provided by the manufacturer;

- The result slip of testing major ingredients and safety and hygiene norms of the animal feed (for manufacturers possessing a GMP, HACCP or ISO or an equivalent certificate) or the original or a certified copy of the result slip of product quality analysis of an independent laboratory or a competent agency of the country of manufacture.

The above documents must be originals or

certified copies, enclosed with their Vietnamese translations appended with the importer's seal in the upper left corner. In case an original document is made at a foreign language other than English, its Vietnamese translation must be notarized.

2. Licensing agencies:

a/ The Directorate of Fisheries (for aquatic animal feed):

- Dossier-receiving place: "One-Stop-Shop" section - the Office of the Directorate of Fisheries.

- Address: No. 10, Nguyen Cong Hoan, Ba Dinh, Hanoi.

- Telephone: 04.3724.5370; Fax: 04.3724.5120.

b/ The Department of Livestock Husbandry (for cattle and poultry feed):

- Dossier-receiving place: "One-Stop-Shop" section - the Office of the Department of Livestock Husbandry.

- Address: No. 2, Ngoc Ha, Ba Dinh, Hanoi.

- Telephone: 04.3734.5443; Fax: 04.3734.5444

- Email: cn@mard.gov.vn.

Section 8

IMPORT OF FERTILIZERS

Article 27. Import of fertilizers

1. Traders that import fertilizers on the list of fertilizers permitted for production, trading and use in Vietnam promulgated by the Ministry of Agriculture and Rural Development are not

required to apply for permits.

2. Traders that import fertilizers outside the above-said list must be licensed by the Department of Crop Production in the following cases:

- a/ Importing new fertilizers for testing;
- b/ Importing fertilizers exclusively used for sports grounds;
- c/ Importing special-use fertilizers to serve production activities of foreign-invested companies;
- d/ Importing fertilizers for use as samples, display at fairs or exhibitions, use as gifts or for scientific research;
- e/ Importing fertilizers or other raw materials not yet named on the above-said list for production of fertilizers named on the above-said list or for production of fertilizers for export under contracts.

Article 28. Dossiers of application for fertilizer import permits, licensing agencies and permit validity

1. A dossier comprises:

- a/ A written registration for import of fertilizers, made according to a set form;
- b/ A technical declaration, made according to a set form;
- c/ The certificate of free sale (CFS) issued by a competent agency of the country or territory of exportation: A copy enclosed with its original for comparison, if the dossier is submitted directly, or a certified copy, if the dossier is submitted by post;

d/ A foreign-language document introducing the ingredients, compositions and contents of nutrients, utilities and use instructions of fertilizers and fertilizer transportation, preservation and use precautions, enclosed with its Vietnamese translation containing the signature and seal of the translator or importer.

2. Time limit for supplementing and finalizing an incomplete dossier: Three (3) months after the dossier is submitted for the first time. Past this time limit, traders that fail to complete dossiers shall submit new ones.

3. Licensing agency: The Department of Crop Production

- Dossier-receiving place: "One-Stop-Shop" section - the Office of the Department of Crop Production.

- Address: No. 2, Ngoc Ha, Ba Dinh, Hanoi.

- Telephone: 04.3823.4651; Fax: 04.3734.4967

- E-mail: vanphongcctt@gmail.com

4. Permit validity: A permit is valid for one (1) year from the date of its grant.

Section 9

EXPORT AND IMPORT OF PLANT GENETIC RESOURCES FOR SCIENTIFIC AND TECHNICAL RESEARCH AND EXCHANGE

Article 29. General provisions on export and import of plant genetic resources

1. Traders that export plant genetic resources on the list of precious and rare genetic resources

of plants allowed for international exchange in special cases or the list of precious and rare genetic resources of plants restricted from international exchange provided by the Ministry of Agriculture and Rural Development must obtain written approval of the Minister of Agriculture and Rural Development

2. Traders that import or export plant genetic resources outside the lists mentioned in Clause 1 of this Article, the list of precious and rare plant varieties banned from export and the list of plant varieties permitted for production and trading issued by the Ministry of Agriculture and Rural Development must be licensed by the Department of Crop Production.

Article 30. Dossiers of application for permits for import/export of plant genetic resources for scientific and technical research and exchange, licensing agencies and permit validity

1. A dossier comprises:

a/ A written registration for import/export of plant genetic resources, made according to a set form;

b/ Information on the plant genetic resources registered for import/export, made according to a set form;

c/ The research cooperation project or research contract or agreement with a foreign partner, for import/export of plant genetic resources for scientific and technical cooperation: A copy enclosed with its original for comparison, if the dossier is submitted directly, or a certified copy, if the dossier is submitted by post.

2. Settlement time limits:

a/ For the case specified in Clause 1, Article 29 of this Circular, the settlement time limit is ten (10) working days after receiving a complete dossier;

b/ For the case specified in Clause 2, Article 29 of this Circular, the settlement time limit is five (5) working days after receiving a complete dossier.

3. Time limit for supplementing and completing an invalid dossier: Three (3) months after the dossier is submitted for the first time. Past this time limit, traders that fail to complete dossiers shall submit new ones.

4. Permit validity: A permit is valid for one (1) year from the date of its grant.

5. Licensing agency: the Department of Crop Production.

- Dossier-receiving place: "One-Stop-Shop" section - the Office of the Department of Crop Production.

- Address: No. 2, Ngoc Ha, Ba Dinh, Hanoi.

- Telephone: 04.3823.4651; Fax: 04.3734.4967

- E-mail: vanphongett@gmail.com

- Website: www.cuctrongtrot.gov.vn.

Section 10

EXPORT AND IMPORT OF GOODS EXCLUSIVELY USED IN THE FISHERIES SECTOR

Article 31. Export of live aquatic products

1. Traders may export without a permit

aquatic products outside the list of aquatic species banned from export provided in Appendix 1 this Circular.

2. Aquatic products on the list of aquatic species subject to conditional export provided in Appendix 2 to this Circular (*not printed herein*) may be exported without a permit only when the conditions specified in this Appendix are fully met.

Article 32. Import of aquatic breeds

1. Import of aquatic breeds on the list of aquatic breeds permitted for production and trading

Traders may import without a permit aquatic breeds on the list of aquatic breeds permitted for production and trading issued by the Ministry of Agriculture and Rural Development or the former Ministry of Fisheries.

2. Import of aquatic breeds outside the list of aquatic breeds permitted for production and trading

Traders that import aquatic breeds outside the list specified in Clause 1 of this Article must be licensed by the Directorate of Fisheries in the following cases:

a/ Importing aquatic breeds for testing or research;

b/ Importing aquatic breeds for display at fairs or exhibitions;

c/ Importing aquatic breeds for re-export under contracts signed with foreign parties.

Article 33. Import of live aquatic products as food

1. Traders that import aquatic products on the list of live aquatic products permitted for import as food issued by the Ministry of Agriculture and Rural Development in Appendix 3 to this Circular (*not printed herein*) are not required to apply for a permit.

2. Traders that import aquatic products outside the list specified in Clause 1 of this Article must be licensed by the Directorate of Fisheries in the following cases:

a/ Importing aquatic products for risk assessment;

b/ Importing aquatic products for display at fairs or exhibitions;

c/ Importing aquatic products for re-export under contracts signed with foreign parties.

Article 34. Dossiers of application for permits for live aquatic product import and licensing agencies

1. A dossier comprises:

a/ For import of aquatic breeds for testing:

- An application for the import of goods exclusively used in the fisheries sector, made according to a set form;

- A certified copy of the business registration certificate or investment license;

- A photo or drawing of the aquatic species to be imported and its trade and scientific names;

- Written explanations about biological characteristics and economic effects of the aquatic species to be imported;

- A scheme on testing of the aquatic breeds,

made by the testing unit according to a set form.

b/ For import of aquatic breeds for research:

- An application for the import of goods exclusively used in the fisheries sector, made according to a set form;

- A certified copy of the business registration certificate or investment license;

- A photo or drawing of the aquatic species to be imported and its trade and scientific names;

- Written explanations about biological characteristics and economic effects of the aquatic species to be imported;

- A research scheme on the imported aquatic breed, made according to a set form and approved by a competent agency.

c/ For import of aquatic breeds or live aquatic products for display at fairs or exhibitions

- An application for the import of goods exclusively used in the fisheries sector, made according to a set form;

- A certified copy of the business registration certificate or investment license;

- A photo or drawing of the aquatic species to be imported and its trade and scientific names;

- Papers proving the participation in a fair or an exhibition in Vietnam;

- A plan to handle imported aquatic breeds or live aquatic products after the fair or exhibition.

d/ For import of aquatic breeds or live aquatic products for re-export under contracts signed with foreign parties

- An application for the import of goods exclusively used in the fisheries sector, made according to a set form;

- A certified copy of the business registration certificate or investment license;

- A photo or drawing of the aquatic species to be imported and its trade and scientific names;

- A scheme on testing of the aquatic breeds, made by the testing unit according to a set form;

- A notarized copy of the re-export contract signed with the foreign party;

- Written explanations about conditions for transportation and preservation of live aquatic products.

e/ For import of live aquatic products for risk assessment

- An application for the import of goods exclusively used in the fisheries sector, made according to a set form;

- A certified copy of the business registration certificate or investment license;

- A photo or drawing of the aquatic species to be imported and its trade and scientific names;

- Written explanations about biological characteristics and economic effects of the aquatic species to be imported;

- A risk assessment scheme;

- A certified copy of the certificate of origin.

If submitting the dossier directly, the applicant may submit copies of the documents specified in Clause 1 of this Article and shall produce their originals for comparison.

Vietnamese translations of foreign-language documents must be notarized.

2. Licensing agency: The Directorate of Fisheries

- Dossier-receiving place: "One-Stop-Shop" section - the Office of Directorate of Fisheries.

- Address: No. 10, Nguyen Cong Hoan, Ba Dinh, Hanoi.

- Telephone: 043.7245370; Fax: 043.7245120.

Article 35. Import of aquaculture environment treatment and improvement products

1. The following aquaculture environment treatment and improvement products may be imported without a permit:

a/ Aquaculture environment treatment and improvement products on the list of those permitted for sale in Vietnam issued by the Ministry of Agriculture and Rural Development or the former Ministry of Fisheries;

b/ Aquaculture environment treatment and improvement products on the list of those subject to conditions provided in Appendix 4 to this Circular (*not printed herein*), which meet all the conditions specified in this Appendix;

c/ Products imported for display at fairs or exhibitions.

2. Traders that import aquaculture environment treatment and improvement products outside the list of those permitted for sale in Vietnam must be licensed by the Directorate of Fisheries in the following cases:

- Importing these products for testing or

research;

- Importing these products for re-export or processing or packing for export under contracts signed with foreign parties.

Article 36. Dossiers of application for permits to import aquaculture environment treatment and improvement products and licensing agencies

1. A dossier comprises:

a/ For import for testing

- An application for the import of goods exclusively used in the fisheries sector, made according to a set form;

- A certified copy of the business registration certificate or investment license or license for establishment of a representative office of a foreign trader in Vietnam;

- A certified copy of the certificate of free sale (CFS) granted by a competent agency of the country of origin;

- A summary of characteristics, effects and safety of the product, made according to a set form;

- Product assay slips of the manufacturer and a competent agency of the country of manufacture or an independent laboratory;

- A scheme on the product testing, made according to a set form by a testing unit recognized by the Ministry of Agriculture and Rural Development;

- An inspection record made by a competent agency, concluding that the testing unit meets current requirements.

b/ For import for research

- An application for the import of goods exclusively used in the fisheries sector, made according to a set form;

- A certified copy of the certificate of free sale (CFS) granted by a competent agency of the country of origin;

- A summary of characteristics, effects and safety of the product, made according to a set form;

- **Product** assay slips of the manufacturer and a competent agency of the country of manufacture or an independent laboratory;

- A certified copy of the researcher's establishment decision or the business registration certificate;

- The approved research scheme.

c/ For import for production or processing for re-export under contracts signed with foreign parties

- An application for the import of goods exclusively used in the fisheries sector, made according to a set form;

- A certified copy of the business registration certificate or investment license or license for establishment of a representative office of a foreign trader in Vietnam;

- A certified copy of the certificate of free sale (CFS) granted by a competent agency of the country of origin;

- A summary of characteristics, effects and safety of the product, made according to a set form;

- Product assay slips of the manufacturer and

a competent agency of the country of manufacture or an independent laboratory;

- A re-export contract signed with the foreign party.

If submitting the dossier directly, the applicant may submit copies of the documents specified in Clause 1 of this Article and shall produce their originals for comparison. Vietnamese translations of foreign-language documents must be notarized.

2. Licensing agency: The Directorate of Fisheries

- Dossier-receiving place: "One-Stop-Shop" section - the Office of the Directorate of Fisheries.

- Address: No. 10, Nguyen Cong Hoan, Ba Dinh, Hanoi.

- Telephone: 043.7245370; Fax: 043.7245120.

Chapter III

IMPLEMENTATION PROVISIONS

Article 37. Effect

1. This Circular takes effect 45 days after its signing.

2. This Circular replaces the Minister of Agriculture and Rural Development's Circular No. 60/2009/TT-BNNPTNT of September 16, 2009, guiding the implementation of Decree No. 12/2006/ND-CP of January 23, 2006;

To annul Clause 7, Article 1 of the Minister of Agriculture and Rural Development's Circular No. 18/2011/TT-BNNPTNT of April 6, 2011, amending, supplementing and

annulling a number of provisions on administrative procedures in the plant protection and quarantine sector under Resolution No. 57/ NQ-CP of December 15, 2010;

To annul Clause 5, Article 1 of the Minister of Agriculture and Rural Development's Circular No. 20/2011/TT-BNNPTNT of April 6, 2011, amending, supplementing and annulling a number of provisions on administrative procedures in the animal health sector under Resolution No. 57/NQ-CP of December 15, 2010.

3. Any difficulties or problems arising in the course of implementation of this Circular should be reported to the Ministry of Agriculture and Rural Development for timely amendment and supplementation.-

Minister of
Agriculture and Rural Development
CAO DUC PHAT