

**MINISTRY OF
AGRICULTURE AND
RURAL DEVELOPMENT**

No. 1399/QD-BNN-TCCB

THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Hanoi, April 13, 2017

DECISION

**DEFINING FUNCTIONS, TASKS, POWERS AND ORGANIZATIONAL
STRUCTURE OF THE DEPARTMENT OF ANIMAL HEALTH**

THE MINISTER OF AGRICULTURE AND RURAL DEVELOPMENT

Pursuant to the Government's Decree No. 123/2016/ND-CP dated September 01, 2016 defining functions, tasks, powers and organizational structures of Ministries and ministerial agencies;

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

At the request of the Director of the Department of Personnel and Organization,

HEREBY DECIDES:

Article 1. Position and functions

1. The Department of Animal Health is an organization that is affiliated to the Ministry of Agriculture and Rural Development, and meant to assist the Minister of Agriculture and Rural Development in performing state management and organizing implementation of law on veterinary hygiene, safety of animal source foods and animal products under the management of the Ministry as assigned and authorized by the Minister.
2. The Department of Animal Health has a separate legal status, seal, account and budget as prescribed by law.
3. The Department of Animal Health is located in Hanoi city.

Article 2. Tasks and powers

1. Submit the following documents to the Minister of Agriculture and Rural Development:

a) The drafts of laws, resolutions of the National Assembly; ordinances and resolutions of the Standing Committee of National Assembly; Government's decrees; specialized legislative documents according to annual law-making programs and plans of the Government and of the Ministry, as well as resolutions, policies, projects and schemes assigned by the Minister;

b) Annual, medium-term and long-term development strategies, planning or plans, programs, works and projects of national significance in fields under the management of the Department of Animal Health (hereinafter referred to as "the Department") as assigned by the Minister of Agriculture and Rural Development (hereinafter referred to as "the Director").

2. Propose the promulgation of decisions, directors and national technical regulations, procedures and technical – economic norms; establish national standards in management of fields under the management of the Department as assigned by the Minister or as prescribed by law; provide guidelines and inspect the adherence thereto after obtaining the approval of the competent authority.

3. Direct, provide guidelines, inspect, assess and submit a consolidated report on the adherence to the approved policies, strategies, planning and plans for the fields under the management of the Department; direct and organize the dissemination of information and laws on the fields under the management of the Department.

4. Promulgate documents used for specific application and documents providing professional guidelines with respect to the fields under its management. Notify administrative divisions and units of the detailed plan for execution of the programs, schemes and projects under the management of the Ministry after the Ministry grants approval for the comprehensive planning for the fields under the management of the Department.

5. Regarding prevention and control of terrestrial animal diseases:

a) Propose the promulgation of the list of animal diseases subject to outbreak declaration, list of diseases transmissible between animals and humans, list of animal diseases banned from slaughter/treatment; regulations on prevention and control of animal diseases; regulations on animal disease-free zones/establishments; national programs and plans for prevention and control of dangerous animal diseases and diseases transmissible between animals and humans;

b) Request the Minister to decide to declare animal diseases and introduce compulsory prophylactic measures and measures for handling infected and dead animals and animal products carrying pathogens, declare the end of diseases as prescribed by law, inspect, expedite and supervise Presidents of People's Committees of districts and People's Committees of provinces in regard to their declaration about diseases;

c) Provide guidelines, inspect, supervise and organize the prevention and control of animal diseases; environmental remediation after stamping out diseases; investigation, supervision and analysis of disease risks and disease forecasting; creation of disease database and epidemiological maps; provision of guidelines for treatment of some dangerous diseases; control and elimination of dangerous infectious animal diseases and diseases transmissible between animals and humans; submission of consolidated reports on national programs and plans for prevention and control of animal diseases;

d) Provide guidelines, inspect and organize the diagnosis, testing and identification of causes and pathogens of animal diseases;

dd) Provide guidelines, inspect, supervise, assess and certify animal disease-free zones/establishments as prescribed; announce the list of animal disease-free zones/establishments;

e) Forecast status of diseases transmissible between animals and humans; request competent authorities to adopt measures for prevention and control of diseases transmissible between animals and humans and provide guidelines for the adoption thereof.

g) Carry out surveillance of animal diseases at animal-raising establishments on a periodic basis within its power as prescribed by law;

h) Submit consolidated periodic and ad hoc reports on animal disease status to the Minister as prescribed;

i) Perform the task of notifying and reporting animal diseases to international organizations and relevant countries; participate in regional and international programs for animal disease prevention and control under the direction of the Ministry and as prescribed by law.

6. Regarding aquatic animal disease prevention and control:

a) Take charge and cooperate with the Directorate of Fisheries in requesting the Minister to promulgate the list of diseases subject to outbreak declaration; regulations on animal disease-free zones/establishments; national programs and plans for prevention, control and surveillance of some dangerous diseases;

b) Direct, provide guidelines and inspect the disease prevention and control; creation of disease database and epidemiological maps; disease diagnosis, testing and treatment; disease surveillance, forecast and warning; investigation and analysis of disease risks; control and elimination of dangerous infectious diseases; assessment of fulfillment of and recognition of conditions for declaration about the end of diseases in accordance with regulations of law;

c) Provide guidelines, inspect, supervise, assess and certify animal disease-free zones/establishments as prescribed; announce the list of animal disease-free zones/establishments;

d) Formulate and promulgate documents providing guidelines for disease prevention and control;

dd) Submit consolidated periodic and ad hoc reports on disease status and adherence to national programs and plans for disease prevention and control in accordance with regulations of law;

e) Perform the task of notifying and reporting animal diseases to international organizations and relevant countries; participate in regional and international programs for disease prevention and control under the direction of the Ministry and as prescribed by law.

7. Regarding animal quarantine (except the quarantine of aquatic animals and aquatic animal products exported for food):

a) Request the Minister to promulgate the list of subjects of quarantine of animals and animal products; list of animals and animal products subject to quarantine; list of animals and animal products eligible for exemption from quarantine; list of animals and animal products subject to risk analysis before being imported into Vietnam;

b) Request the Minister to decide on contents and applications for quarantine of animals and animal products upon transport, import, export, temporary import for re-export, temporary export for re-import and transit of animals/animal products through Vietnam's territory, entry of animals/animal products into bonded warehouses and hand-carried animals/animal products. Provide guidelines, carry out inspection and organize the implementation after the promulgation by the Ministry;

c) Request the Minister to decide on the suspension of export/import; ban on export/import of animals/animal products that fail to satisfy requirements as prescribed by law;

d) Request the Minister to promulgate regulations on animal quarantine uniforms, insignias and cards and specimen of application for quarantine of animals and animal products; management, issuance and revocation of animal quarantine cards and insignias. Provide guidelines, carry out inspection and organize the implementation after the promulgation by the Ministry;

dd) Provide guidelines, inspect and supervise the quarantine of domestically transported animals and animal products as prescribed by law;

e) Quarantine animals and animal products that are upon import, export, temporary import for re-export, temporary export for re-import, recall or return, transit of

animals/animal products through Vietnam's territory, entry of animals/animal products into bonded warehouses; manage pathology specimens carried into Vietnam and sent abroad as prescribed by law.

8. Regarding animal slaughter control and veterinary hygiene inspection:

a) Request the Minister to promulgate the list of animals subject to slaughter control; list of entities subject to veterinary hygiene inspection; list of subjects of veterinary hygiene inspection;

b) Request the Minister to promulgate national technical regulations on veterinary hygiene requirements for entities subject to veterinary hygiene inspection; establishments providing testing, diagnosis and surgery for animals; slaughterhouses, animal and animal product processing establishments;

c) Request the Minister to promulgate procedures for animal slaughter control; veterinary hygiene inspection procedures and documents; samples of stamps of slaughter control and stamps of veterinary hygiene; regulations on the handling of animals/animal products that fail to satisfy veterinary hygiene requirements;

d) Provide guidelines, inspect, supervise and organize the animal slaughter control and veterinary hygiene inspection as prescribed by law.

dd) Provide guidelines and inspect the implementation of measures for handling animals/animal products that fail to satisfy veterinary hygiene requirements as prescribed by law.

9. Management of veterinary drugs (except biological preparations used for environmental remediation and treatment for livestock production and aquaculture):

a) Request the Minister to promulgate national technical regulations on veterinary drugs; list of veterinary drugs licensed for free sale in Vietnam; list of veterinary drugs banned in Vietnam; regulations on labeling and documents about the testing, production, trading, import and free sale of veterinary drugs as prescribed by law;

b) Request the Minister to prescribe applications for import of veterinary drugs/veterinary drug ingredients; testing and inspection of quality of veterinary drugs; management, sharing and transfer of microorganism strains and vaccines used for production of vaccines for veterinary use;

c) Request the Minister to decide to use veterinary drugs that have not been licensed for free sale in Vietnam in case of emergency for prompt prevention and control of animal diseases;

d) Request the Minister to decide on the quantity and types of veterinary drugs, materials and chemicals from the national reserves; manage and use veterinary drugs, materials and chemicals from the national reserves as prescribed by law;

dd) Provide guidelines for applying for permission for free sale, import, export, temporary import for re-export, temporary export for re-import and transit of veterinary drugs through Vietnam's territory, entry of veterinary drugs into bonded warehouses; production, processing, portioning and packaging of veterinary drugs;

e) Provide guidelines, inspect and supervise veterinary drug testing;

g) Organize the inspection of veterinary drugs and fulfillment of conditions for production, sale and import of veterinary drugs; inspect and supervise the import, export, temporary import for re-export, temporary export for re-import and transit of veterinary drugs through Vietnam's territory, and entry of veterinary drugs into bonded warehouses; period in registration and accuracy; production, processing, portioning, sale and use of veterinary drugs; handling and recall of veterinary drugs in accordance with regulations of law;

h) Inspect the use of antibiotics added to animal feeds and aqua feeds.

10. Be in charge of state management of safety of terrestrial animal source foods and terrestrial animal products as prescribed by law. Perform state management of food safety upon slaughter, storage, transport and sale of terrestrial animals and animal products; inspection of the fulfillment of food safety, veterinary hygiene and disease safety requirements for imported and exported terrestrial animals and animal products; inspection of fulfillment of food safety, veterinary hygiene and disease safety requirements for exported aquatic animals and aquatic animal products:

a) Take charge and cooperate in formulating and requesting the Minister to approve strategies, policies, legislative document, plans, programs, schemes, national technical regulations and standards under its management in accordance with regulations of law;

b) Organize the supervision and risk analysis; trace, warn, prevent, take remedial measures and handle food safety incidents and take actions against violations of regulations on food safety under its management in accordance with regulations of law;

c) Inspect and recognize food safety, veterinary hygiene and disease safety assurance systems of exporting countries with respect to terrestrial animals and animal products and imported aquatic animals and aquatic animal products in accordance with regulations of law;

d) Inspect the fulfillment of food safety, veterinary hygiene and disease safety requirements for imported and exported terrestrial animals and animal products and imported aquatic animals and aquatic animal products in accordance with regulations of law;

dd) Publish results of food safety testing, inspection of fulfillment of veterinary hygiene and disease safety requirements under its management as prescribed by law;

e) Provide guidelines, inspect and submit reports on fulfillment of food safety, veterinary hygiene and disease safety requirements under its management as prescribed by law;

g) Cooperate with relevant authorities in performing other tasks in food safety as assigned by the Minister and as prescribed by law.

11. Negotiate and address issues concerning technical barriers to export and import of animals and animal products and imported aquatic animals and aquatic animal products, and veterinary hygiene, disease safety, food safety and veterinary drugs under its management as assigned by the Minister and as prescribed by law.

12. Issue, reissue, extend and revoke certificates and practice certificates, issue licenses concerning veterinary medicine and food safety under its management in accordance with regulations of law.

13. Inspect, assess, appoint and manage the operation of the units responsible for testing, inspecting and assessing the conformity in regard to veterinary medicine and food safety under its management as prescribed by law;

14. Regarding science, technology, environment and agricultural extension: perform the tasks in science, technology, environment and agricultural extension as assigned by the Minister and as prescribed by law.

15. Propose investment programs and projects under its management; manage and organize the execution of programs and projects assigned by the Minister; participate in assessing investment programs and projects under its management.

16. Perform the tasks in cooperatives and rural development as assigned by the Minister.

17. Direct the investigation, preparation of statistics and management of database of the fields under its management.

18. Carry out international cooperation, international economic integration and execute international programs and projects as assigned by the Minister and as prescribed by law.

19. Carry out administrative reform according to the administrative reform programs, plans and schemes of the Ministry and regulations of law.

20. Regarding management of organizations responsible for providing public services and provision of public services:

a) Submit policies for provision of public service, private sector involvement in provision of public services; economic - technical norms, criteria, standards and mechanisms for

quality inspection and assessment and regulations on provision of public services under its management;

b) Provide guidelines and inspect organizations responsible for providing public services in the sectors and fields as prescribed by law.

21. Provide guidelines and inspect the operation of associations and non-governmental organization under its management; comment on the recognition of an association establishment advocacy committee and association's charter as prescribed.

22. Manage its organizational structure, public officials, public employees and employees as prescribed by law soft and as assigned by the Minister. Implement salary regimes and policies on commendation and reward and enforce disciplinary measures against public officials and public employees under its management as prescribed.

23. Carry out specialized inspections as prescribed by law; receive citizens; settle complaints and denunciations; prevent and take actions against corruption and take actions against violations of law; practice thrift and fight against waste within the scope of management by the Department as prescribed by law.

24. Manage finance and allocated assets and other sources as well as manage the collection and use of fees and charges under its management in accordance with regulations of law.

25. Perform the tasks of a standing authority of the Steering Committee within the scope of management by the Department as assigned by the Minister and as prescribed by law.

26. Perform other tasks as assigned by the Minister and as prescribed by law.

Article 3. Organizational structure

1. The heads of the Department: Director and Deputy Directors appointed or dismissed by the Minister as prescribed by law.

a) The Director shall request the Minister to define functions, tasks, powers and organizational structure of the Department, Offices and public service providers affiliated to the Department (organizations having legal status); legitimate admission which substitutes official fraud term; promulgate working regulation of the Department; define functions, tasks and powers of assisting bodies of the Department; appoint and dismiss the heads of affiliates of the Department as assigned by the Minister and as prescribed by law.

b) The Director shall manage the operation of the Department and is responsible to the Minister and law for operation of the Department. The Deputy Director shall assist the Director in supervising and directing some tasks assigned by the Director and is responsible to the Director and law for the performance of their tasks.

2. Assisting bodies:

- a) The head office;
- b) Planning Division;
- c) Finance Division;
- d) Inspection and Legislation Division;
- dd) Veterinary Epidemiology Division;
- e) Aquatic Animal Health Division;
- g) Animal Quarantine Division;
- h) Veterinary Drug Management Division;
- i) Public Veterinary Medicine Division;
- k) International Cooperation and Communications Division.

3. Affiliated Offices:

- a) Regional Animal Health Office No. 1, located in Hanoi city;
- b) Regional Animal Health Office No. 2, located in Hai Phong city;
- c) Regional Animal Health Office No. 3, located in Nghe An city;
- d) Regional Animal Health Office No. 4, located in Da Nang city;
- dd) Regional Animal Health Office No. 5, located in Dak Lak province;
- e) Regional Animal Health Office No. 6, located in Ho Chi Minh city;
- g) Regional Animal Health Office No. 7, located in Can Tho city;
- h) Regional Animal Health Quarantine of Lang Son province, located in Lang Son province;
- i) Regional Animal Quarantine Office of Lao Cai province, located in Lao Cai province;
- k) Regional Animal Quarantine Office of Quang Ninh province, located in Quang Ninh province.

4. Public service providers:

a) National Center for Veterinary Diagnosis, located in Hanoi city;

b) National Center for Veterinary Drugs and Bio-products Control No. 1, located in Hanoi city;

c) National Center for Veterinary Drugs and Bio-products Control No. 2, located in Ho Chi Minh city;

d) National Center for Veterinary Hygiene Inspection No. 1, located in Hanoi city;

dd) National Center for Veterinary Hygiene Inspection No. 2, located in Ho Chi Minh city.

The organizations affiliated to the Department of Animal Health specified Clauses 3 and 4 of this Article has legal status, its own account and seal and budget as prescribed.

Article 4. Effect

This Decision comes into force from the date on which it is signed and replaces the Decision No. 666/QĐ-BNN-TCCB dated April 04, 2014 of the Minister defining functions, tasks, powers and organizational structure of the Department of Animal Health.

Article 5. Responsibility for implementation

1. The Director of the Department of Animal Health shall direct and instruct Directors of Regional Animal Health Offices No. 1, 2, 3, 4, 5, 6 and 7 to transfer the regional animal health authorities No. 1, 2, 3, 4, 5, 6 and 7 under their existing conditions, register seals and manage the operation of the organizations specified in Points a, b, c, d, dd, e and g Clause 3 Article 3 of this Decision as prescribed by law.

2. The Director of Department of Animal Health, Chief of the Ministry Office, the Chief Inspector of the Ministry, the Directors of the Departments affiliated to the Ministry of Health, and the heads of relevant units are responsible for the implementation of this Decision./.

THE MINISTER

Nguyen Xuan Cuong

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