

1. The State management bodies shall intensify the inspection and control of the implementation of the Goods Labeling Regulation regarding the labeling of goods circulated on the market and handle violations thereof under the following guidance:

a/ The inspection and control of goods labeling

The inspection of the implementation of the Goods Labeling Regulation shall be that of the observance of regulations on label forms (such as the way of inscription on goods, commercial packings, auxiliary labels, accompanied introduction documents, used language...) and on the label contents (compulsory and optional). The inspection of label forms and contents must comply with the Goods Labeling Regulation issued together with the Prime Minister's decisions and the concerned ministries' and branches' *circular guiding the implementation thereof*.

The inspection and control of the goods labeling must be conducted step by step, focusing first on key contents and areas and clearly determining the subjects, places and goods items to be supervised. Inspection should be focused on at goods-delivery points such as wholesale markets, supermarkets, trade centers, etc. The objects of inspection shall be production and business individuals', organizations and enterprises' goods being circulated on the market. Attention shall be paid to such commodity groups as foodstuffs; curative medicines for men; cosmetics; preventive and curative drugs for animals and plants; fertilizers; cement and other construction materials; engine lubricants, etc.

It is necessary to inspect also the printing and import of goods labels not compliant with the Goods Labeling Regulation. Not to abuse the inspection and control to harass and trouble production and business establishments and disturb the market.

b/ On the handling of violations of the Goods Labeling Regulation

The inspection of goods labeling aims, first of all, to urge, remind and guide the implementation of the Goods Labeling Regulation. Only cases of violation specified in the Government's current decrees on the handling of administrative violations in other fields related to the Goods Labeling Regulation shall be handled. The inspection and handling of goods labeling-related violations must be conducted according to the competence, order and procedures currently prescribed by law. Any problems arising during the inspection of the implementation of the Goods Labeling Regulation and the violation handling at establishments and in localities must be promptly reported to the Ministry of Trade for consideration and handling guidance.

2. For old goods labels printed prior to January 1, 2001,

THE MINISTRY OF TRADE

CIRCULAR No. 04/2001/TT-BTM OF FEBRUARY 22, 2001 GUIDING THE IMPLEMENTATION OF THE PRIME MINISTER'S DIRECTIVE No. 28/2000/CT-TTg OF DECEMBER 27, 2000 ON THE IMPLEMENTATION OF THE REGULATION ON GOODS LABELING, ISSUED TOGETHER WITH DECISION No. 178/1999/QD-TTg OF AUGUST 30, 1999

To ensure the serious and effective implementation of the Regulation on goods labeling, issued together with the Prime Minister's Decision No. 178/1999/QD-TTg of August 30, 1999 (hereinafter called the Goods Labeling Regulation) and overcome problems and obstacles in time, on December 27, 2000 the Prime Minister issued Directive No. 28/2000/CT-TTg on the goods labeling (hereinafter called Directive 28), the Ministry of Trade hereby provides the following guidance:

if still unused, they shall be handled as follows:

These old labels must be declared, checked and certified by competent bodies, which shall serve as basis for the handling of administrative violations.

The competence to organize and guide the checking and certification:

a/ For Corporations 90 and 91 and enterprises of ministries and branches at the central level:

The ministries and branches shall assign the general directors (directors) of such enterprises to guide the declaration, checking and certification of the quantities of old labels of all kinds of goods, which have been actually left unused till the time of declaration, according to the set form, and send the completed forms to the managing ministries and branches for certification.

b/ For Corporations 90 and enterprises of provinces and centrally-run cities:

The People's Committees of the provinces and centrally-run cities shall assign the general directors (directors) of such enterprises to guide the declaration, checking and certification of the quantities of old labels of all kinds of goods, which have been actually left unused till the time of declaration, according to the set form, and send the completed forms to the managing provincial/municipal services and branches for certification. In localities without specialized provincial/municipal services, they shall be sent to the provincial/municipal Trade Services.

c/ For foreign-invested enterprises in industrial parks, export processing zones and high-tech parks:

Only old labels which shall be permitted to be imported and consumed on the domestic market shall be declared, checked and certified.

The heads of the industrial parks management boards of the provinces and centrally-run cities shall assign the general directors (directors) of such enterprises to guide the declaration, checking and certification of the quantities of old labels of all kinds of goods, which have been actually left unused till the time of declaration, according to the set form, and send the completed forms to the local industrial parks management boards for certification.

d/ For foreign-invested enterprises outside industrial parks, export processing zones and high-tech parks:

The provincial/municipal Trade Services shall assign the general directors (directors) of such enterprises to guide the declaration, checking and certification of the quantities of old labels of all kinds of goods, which have been actually left unused till the time of declaration, according to the set form, and send the completed forms to the provincial/municipal Trade Services for certification.

The general directors (directors) of enterprises shall

be responsible before law for the truthfulness of their written declarations and certifications. The managing ministries and branches at the central level, the managing provincial/municipal Services and branches in localities, the industrial parks, export processing zones and high-tech parks management boards may check the truthfulness of such declarations before making official certification. The State management bodies that make certification in the declarations shall be responsible before law for their certification.

The declaration, checking and certification of unused old goods labels must be completed before May 31, 2001.

3. Auxiliary labels in Vietnamese with information contents that old goods labels still lack under the provisions of the Goods Labeling Regulation must be added so that the goods, both home-made and imported, may continue to be circulated. Where auxiliary labels cannot be affixed, they may be pinned, stuck or accompanied to the goods for supply to purchasers.

4. For goods made in Vietnam for export, in the immediate future, if foreign customers request particular labels therefor, the customs offices shall still clear the customs procedures provided that such goods labels must be inscribed with "Made in Vietnam" or "Product of Vietnam"; other contents may be inscribed at the importing customers' request. The inspecting bodies must not examine and check the labeling of export goods for which customs procedures have been cleared.

5. In implementing the Prime Minister's Directive No. 28/2000/CT-TTg issued on December 27, 2000, the Ministry of Trade requests the ministries, branches and People's Committees of the provinces and centrally-run cities to report on the situation of the implementation of the Goods Labeling Regulation after each inspection drive and every quarter to the former for sum-up and reporting to the Prime Minister and seeking for guiding opinions to tackle problems and difficulties.

For the Minister of Trade
Vice Minister
LE DANH VINH