

**THE MINISTRY OF AGRICULTURE AND
RURAL DEVELOPMENT**

DECISION No. 86/2001/QĐ/BNN OF AUGUST 23, 2001 PROMULGATING THE PROVISIONAL REGULATION ON THE ANNOUNCEMENT OF QUALITY STANDARDS FOR SPECIALIZED GOODS OF THE AGRICULTURE SERVICE

**THE MINISTER OF AGRICULTURE AND
RURAL DEVELOPMENT**

Pursuant to the Government's Decree No.73-CP of November 1, 1995 on the functions, tasks, powers and organizational structure of the Ministry of Agriculture and Rural Development;

Pursuant to the Government's Decree No.86-CP of December 8, 1995 on the assignment of responsibilities for State management over goods quality;

Pursuant to Decision No. 2425/2000/QĐ-BKHCNMĐ of December 12, 2000 of the Minister of Science, Technology and Environment promulgating the Provisional Regulation on the announcement of goods quality standards;

At the proposals of the director of the Department for Science, Technology and Product Quality; the director of the Department for Agriculture and Forestry Promotion; the director of the Forestry Development Department; the director of the Plant Protection Department and the director of the Veterinary Department.

DECIDES:

Article 1.- To promulgate together with this Decision the Provisional Regulation on the announcement of quality standards of specialized goods managed by the Ministry of Agriculture and Rural Development.

Article 2.- Based on the Provisional Regulation promulgated together with this Decision, the following units shall have to give professional guidance and monitor the announcement of the quality standards and quality control of goods of various kinds assigned to them:

- The Plant Protection Department: Plant protection

drugs and raw materials for the production thereof;

- The Agriculture and Forestry Promotion Department: Cultivation plant varieties, domestic animal breeds, livestock feeds and raw materials for the production thereof, fertilizers, bio-products in service of cultivation and husbandry;

- The Forestry Development Department: Forest tree varieties;

- The Veterinary Department: Veterinary drugs and raw materials for the production thereof;

- The provincial/municipal Services of Agriculture and Rural Development: The above-said fields within the management scope of their provinces.

Article 3.- This Decision takes effect 15 days after its signing.

Article 4.- The director of the Office, the director of the Department for Science, Technology and Product Quality; the director of the Department for Agriculture and Forestry Promotion; the director of the Plant Protection Department; the director of the Forestry Development Department; the director of the Veterinary Department and the heads of the concerned units shall, within the ambit of their respective tasks, have to organize, guide and inspect the implementation of this Decision.

*For the Minister of Agriculture and
Rural Development
Vice Minister
PHAM HONG GIANG*

PROVISIONAL REGULATION ON THE ANNOUNCEMENT OF QUALITY STANDARDS FOR SPECIALIZED GOODS MANAGED BY THE MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT

(Promulgated together with Decision No. 86/2001/QĐ-BNN of August 23, 2001 of the Minister of Agriculture and Rural Development)

1. Objects and scope of application

1.1 This Regulation guides organizations and

individuals (hereinafter collectively referred to as enterprises) that produce and/or trade in products and goods managed by the Ministry of Agriculture and Rural Development in Vietnam as prescribed in the Government's Decree No.86/CP of December 8, 1995, including: cultivation plant (including forest trees) and domestic animal breeds, plant protection drugs and raw materials for the production thereof, veterinary drugs and raw materials for the production thereof, livestock feeds and raw materials for the production thereof, fertilizers and bio-products in service of cultivation and husbandry, in announcing the quality standards for goods (for goods items on the list of goods subject to the compulsory announcement of quality standards) and be responsible for ensuring that quality of products and goods they produce or trade in is up to the already announced quality standards.

1.2. The above-said goods, in cases where they are manually produced or processed, and raw materials, materials and semi-finished products involved in the goods production process but internally used by enterprises, shall not be subject to the compulsory announcement of quality standards but the announcement of such goods' quality standards is encouraged.

1.3. The above-said products and goods under the management by the Ministry of Agriculture and Rural Development, which are imported for use in Vietnam, shall also be subject to the quality standard announcement prescribed in this Decision.

1.4. The above-said products and goods under the management by the Ministry of Agriculture and Rural Development, which are not for business purposes but only used as sample goods, for exhibiting and researching purposes, shall not be subject to the compulsory announcement of quality standards prescribed in this Decision.

2. Goods quality standards to be announced

Goods quality standards to be announced include:

- The base standards formulated by enterprises themselves;
- The Vietnamese standards (TCVN);
- The branch standards (TCN);
- Technical regulations promulgated by the Ministry of Agriculture and Rural Development (QDKT);
- The international or regional standards, and foreign standards, which are accepted and applied by enterprises

to their goods, and recognized by the competent State management agencies

Contents of the to-be-announced standards must not be contrary to regulations promulgated by the competent State management agencies for nationwide application

3. The procedures for announcement

The procedures for announcing goods quality standards shall comply with Decision No.2425/2000/QĐ-BKHGNMT of December 12, 2000 of the Ministry of Science, Technology and Environment as well as the guidance and instructions of functional bodies designated by the Ministry of Agriculture and Rural Development according to Article 2 of this Decision.

4. Responsibilities of the Departments and Bureaus under the Ministry of Agriculture and Rural Development and the provincial/municipal Services of Agriculture and Rural Development.

4.1. The specialized management departments shall coordinate with the Department for Science, Technology and Product Quality under the Ministry of Agriculture and Rural Development in annually elaborating lists of goods subject to the quality standard announcement in their assigned management domains, then submit them to the Ministry of Agriculture and Rural Development for promulgation.

4.2. Branch management responsibilities are specifically assigned as follows:

- The specialized management departments under the Ministry of Agriculture and Rural Development shall organize, direct and inspect the announcement of quality standards for specialized goods throughout the country and directly to State enterprises attached to the ministries, central branches, joint-venture enterprises or enterprises with 100% foreign capital, establishments producing special goods:

- The provincial/municipal Services of Agriculture and Rural Development shall have to organize, direct and inspect the announcement of quality standards for specialized goods of State enterprises managed by the provinces and enterprises of other economic sectors under the provincial management

4.3. The agencies specified at Point 4.2 shall have to receive dossiers and verify their compliance with the State's regulations, and within 15 days after receiving the dossiers, have to:

- Carry out necessary procedures for recognizing

the goods quality standards and notify such to enterprises in writing if the quality standard announcement has been made by enterprises in strict compliance with the regulations.

- Notify and guide enterprises in completing their dossiers for quality standard announcement, if the to-be-announced contents are not yet compliant with the current regulations on quality.

- Basing themselves on the assignment and delegation of management responsibilities by the Ministry, the departments and the provincial/municipal Services of Agriculture and Rural Development shall have to closely coordinate with one another in the course of performing their tasks, in order to avoid overlapping and omission, and raise the effect of the quality standard management work.

5. Responsibilities of enterprises

5.1. Enterprises shall be responsible for ensuring that goods subject to the quality standard announcement are up to the already announced quality standards, except otherwise prescribed by the competent State agency(ies). The quality standard announcement shall be made by enterprises only once if there is no change in goods categories and production process, and subject to periodical inspections and tests by the competent State management agencies.

5.2. After the quality standards for their goods are announced, enterprises shall have to ensure production and business conditions so that the quality of their products and goods remains stable throughout the production and circulation processes and always up to the already announced standards in all aspects.

5.3. In the process of goods production or circulation, if enterprises cannot ensure conditions for their produced goods to conform with the announced contents, they shall have to promptly report such to the agencies defined at Point 4.2, Section 4 above, and the concerned agencies, and at the same time apply timely remedial measures.

5.4. After rectifying the inappropriate parts, enterprises shall be entitled to continue the use of quality standard seals and the normal circulation of goods; and at the same time report such to the responsible agencies defined at Point 4.2, Section 4 above.

5.5. Enterprises shall have to keep all dossiers of goods for which quality standards have already been announced and submit them to the competent agencies

for study when so requested.

6. Examination, inspection and handling of violations

6.1. The competent agencies defined at Point 4.2, Section 4 above shall have to organize periodical inspections of enterprises in respect of quality of the latter's products and goods under the following regime:

- No more than once a year for enterprises granted with GMP, ISO, HACCP or equivalent product quality control system's certificates.

- No more than twice a year for other establishments.

6.2. The periodical examination and sampling of products and goods for test shall be simultaneously carried out by the specialized management agencies. The analysis of product quality shall only be carried out at the specialized product quality control labs prescribed and recognized by the Ministry of Agriculture and Rural Development or the competent State agencies.

6.3. The competent State agencies at the central level, which are designated by the Ministry of Agriculture and Rural Development, and those at the local levels designated by the provincial/municipal Services of Agriculture and Rural Development to perform the management over each goods line, shall have to compile books for monitoring the situation of announcing quality standards, and standard compatibility for goods items of enterprises, and sum up and notify quarterly lists of goods to the quality control agencies and market management agencies at the same level for coordinated control of market circulation of specialized goods.

6.4. In the course of examination and inspection, enterprises violating the regulations on goods quality standard announcement shall, depending on the nature and seriousness of their violations, be handled according to the provisions of law.

Any problems arising in the course of implementation should be reported to the Ministry of Agriculture and Rural Development for consideration and solution.

*For the Minister of Agriculture and
Rural Development*
Vice Minister
PHAM HONG GIANG