

**DECISION No. 84/2002/QD-BNN OF
SEPTEMBER 24, 2002 ISSUING THE
REGULATION ON STATE MANAGEMENT
OVER ACTIVITIES OF DISINFECTION
VAPORIZATION OF ARTICLES LIABLE TO
PLANT QUARANTINE**

**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. 58/CP of June 3, 2002 guiding the implementation of the Plant Protection and Quarantine Ordinance;

At the proposals of the directors of the Plant Protection Department and the Science, Technology and Product Quality Department;

DECIDES:

Article 1. - To issue together with this Decision the Regulation on State management over activities of disinfection vaporization of articles liable to plant quarantine.

This Regulation shall apply to organizations and individuals engaged in disinfection vaporization activities within the Vietnamese territory.

Article 2. - This Decision takes implementation effect 15 days after its signing. To annul Decision No. 189/NN-BVTV/QD of March 31, 1994 of the Minister of Agriculture and Foodstuff Industry, issuing the Regulation on State management over activities of disinfection of articles liable to plant quarantine, and other regulations contrary to this Regulation.

Article 3. - The directors of the Department of Plant Protection and the Department of Science, Technology and Product Quality, the heads of the concerned agencies and organizations and concerned individuals shall have to implement this Decision.

THE MINISTRIES

**THE MINISTRY OF AGRICULTURE AND
RURAL DEVELOPMENT**

**DECISION No. 82/2002/QD-BNN of
September 19, 2002 amending the plant
quarantine declaration form, issued
together with Decision No. 118/2000/QD/
BNN-BVTV**

The "plant quarantine registration form," issued together with this Decision, replaces Form No. 13 to the Regulation issued together with Decision No. 118/2000/QD-/BNN-BVTV of November 20, 2000 of the Minister of Agriculture and Rural Development.-

*For the Minister of Agriculture and
Rural Development
Vice Minister
BUI BA BONG*

REGULATION ON STATE MANAGEMENT OVER ACTIVITIES OF DISINFECTION VAPORIZATION OF ARTICLES LIABLE TO PLANT QUARANTINE

(Issued together with Decision No. 84/2002/QĐ-BNN of September 24, 2002 of the Minister of Agriculture and Rural Development)

Article 1.- Disinfection vaporization is a measure of disinfection by vaporization with toxic chemicals to kill organisms harmful to articles liable to plant quarantine prescribed in Article 3 of the Regulation on Plant Quarantine issued together with the Government's Decree No. 58/2002/ND-CP of June 3, 2002.

Article 2.- The Plant Protection Department's tasks concerning disinfection vaporization activities:

1. Elaborating and promulgating disinfection vaporization standards and process.

2. Examining the professional qualifications and skills of disinfection vaporization and grant disinfection vaporization practice certificates to individuals engaged in disinfection vaporization activities within the Vietnamese territory according to the provisions of Article 31 of the Regulation on Plant Quarantine issued together with the Government's Decree No. 58/2002/ND-CP of June 3, 2002.

3. Periodically (once a year) or unexpectedly inspecting the disinfection vaporization practice conditions of organizations and individuals specified in Article 30 of the Regulation on Plant Quarantine issued together with the Government's Decree No. 58/2002/ND-CP of June 3, 2002.

4. Overseeing activities of vaporization to disinfect articles liable to plant quarantine when they are infected with Vietnam's plant quarantine objects or strange harmful organisms and at the requests of these articles' owners.

Article 3.- Content of disinfection supervision

1. Checking disinfection vaporization practice certificates.

2. Checking equipment used for disinfection vaporization practice.

3. Supervising chemicals used to disinfect articles liable to plant quarantine according to the provisions of law.

4. Supervising disinfecting techniques, including chemical concentration, chemical amounts, disinfection time, harmful organisms to be eliminated, strictly according to the technical processes issued by the Ministry of Agriculture and Rural Development.

5. Supervising the conditions for ensuring safety for people and environment in the process of disinfection vaporization activities.

Article 4.- Organizations and individuals engaged in activities of vaporization to disinfect articles liable to plant quarantine within the Vietnamese territory must satisfy all conditions prescribed in Article 30 of the Regulation on Plant Quarantine issued, together with the Government's Decree No. 58/2002/ND-CP of June 3, 2002 and Article 5 of this Regulation.

For organizations already granted disinfection practice permits under Decision No. 189/NN-BVTV/QĐ of March 31, 1994 of the Minister of Agriculture and Foodstuff Industry, issuing the Regulation on State management over activities of disinfection of articles liable to plant quarantine, when their permits expire they shall have to comply with this Regulation if they continue their disinfection vaporization activities.

Article 5.- Organizations engaged in disinfection vaporization activities must satisfy all the following conditions:

1. The persons who directly manage and run (general directors, deputy general directors, directors, deputy directors, head of technical sections, for business and public-utility enterprises; owners of private enterprises) and the persons in direct charge of disinfection vaporization must possess disinfection vaporization practice certificates granted by competent authorities.

2. The contingent of officials and technical workers directly conducting disinfection vaporization must undergo a training course on disinfection vaporization and be tested on their professional qualifications and skills by the Plant Protection Department or the regional Plant Quarantine Sub-Departments.

3. Having technical process as well as means and

equipment according to the provisions of Decision No. 70/1998/QĐ-BNN-KHCN of May 6, 1998 of the Ministry of Agriculture and Rural Development and other regulations to ensure safe disinfection vaporization activities for people, domestic animals and environmental sanitation and prevent explosions and fires according to the regulations of the Ministry of Science, Technology and Environment, the Ministry of Public Security and the Ministry of Health.

4. Having the working venues, chemical storehouses and equipment strictly according to the regulations of competent State bodies.

Article 6.- Conditions for granting disinfection vaporization practice certificates are prescribed in Article 31 of the Regulation on Plant Quarantine issued together with the Government's Decree No. 58/2002/ND-CP of June 3, 2002.

The conditions prescribed in Clause 1 of Article 31 shall apply exclusively to the persons who have directly managed and run disinfection vaporization activities, as before June 18, 2002, the effective date of the Government's Decree No. 58/2002/ND-CP.

Article 7.- Competence to grant disinfection vaporization practice certificates:

1. The regional Plant Quarantine Sub-Departments shall grant disinfection vaporization practice certificates to individuals engaged in activities of vaporization to disinfect domestically preserved articles liable to plant quarantine.

2. The Plant Protection Department shall grant disinfection vaporization practice certificates to individuals engaged in activities of vaporization to disinfect export, import, transit articles and those infected with plant quarantine objects.

Article 8.- Procedures for granting disinfection vaporization practice certificates:

1. Dossiers consist of:

a/ The results of training on disinfection vaporization activities, granted by competent authorities. Particularly for persons prescribed in Clause 1 of Article 31 of the Regulation on Plant Quarantine issued together with the Government's Decree No. 58/2002/ND-CP of June 3, 2002, they

must possess written certifications of the duration of their working in the disinfection vaporization field, issued by the managing agencies where they used to work.

b/ Written application for the granting of a disinfection vaporization practice certificate.

c/ CV of the applicant (certified by the local administration or managing agency).

d/ A health certificate issued by the health agency of district, equivalent or higher level.

e/ Notarized copies of other relevant diplomas and certificates

f/ Two 3 cm x 4 cm photos.

2. Within 15 days after receiving the dossiers, the competent authorities shall consider them and grant disinfection vaporization practice certificates. Where the competent authorities cannot grant certificates within the above-said time limit, they shall notify in writing the organizations and individuals thereof.

3. If three years after being granted the disinfection vaporization practice certificates the certificate grantees continue their professional practice, they must be examined by the Plant Protection Department and carry out the procedures for extension of their certificates.

4. Fees must be paid according to the State's regulations.

Article 9.- Implementation and granting of disinfection vaporization practice certificates are prescribed as follows:

1. Only disinfection vaporization organizations that satisfy all practice conditions prescribed in Article 5 of this Regulation can grant certificates for disinfection vaporization of articles liable to plant quarantine.

2. The disinfection and the granting of certificates for disinfection of articles liable to plant quarantine, which are infected with plant quarantine objects, must be designated and supervised by the plant quarantine agencies (which are attached to or authorized by the Plant Protection Department).

3. Quarterly and annually these organizations shall report on the situation of vaporization to disinfect articles liable to plant quarantine at the requests of

the plant quarantine agencies.

4. In cases where they discontinue their practice of vaporization to disinfect articles liable to plant quarantine, they must report such in writing to competent plant quarantine State agencies.

Article 10.- It is strictly forbidden to lend or lease disinfection vaporization practice certificates to other persons or use them for other purposes. If organizations and individuals engaged in the disinfection vaporization practice violate the disinfection regulations, they shall be handled according to the current regulations on sanctions against administrative violations in the plant protection and quarantine work.

Article 11.- The disinfection vaporization practice certificates shall constitute one of the conditions for the competent authorities to grant business registration certificates.

The Plant Protection Department shall coordinate with the responsible functional agencies in guiding, inspecting and urging the implementation of this Regulation..

**For the Minister of Agriculture and
Rural Development
Vice Minister
BUI BA BÔNG**