

**REBOTTLING, PACKING AND/OR TRADING  
OF PLANT PROTECTION DRUGS**

**THE MINISTER OF AGRICULTURE AND  
RURAL DEVELOPMENT**

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

*Pursuant to the Enterprise Law and legal documents guiding the implementation thereof;*

*Pursuant to the Government's Decree No.58/2002/ND-CP of June 3, 2002 issuing the Plant Protection Regulation, the Plant Quarantine Regulation and the Regulation on Management of Plant Protection Drugs;*

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

**DECIDES:**

**Article 1.-** To issue together with this Decision the Regulation on granting of professional practice certificates for the production, processing, rebottling, packing and/or trading of plant protection drugs.

This Regulation shall apply to organizations and individuals engaged in the production, processing, rebottling, packing and/or trading of plant protection drugs on the Vietnamese territory.

**Article 2.-** This Decision takes effect 15 days after its signing. All the previous regulations contrary to this Regulation are hereby annulled.

**Article 3.-** The directors of the Ministry's Office, Plant Protection Department and Department for Science, Technology and Product Quality; the heads of the relevant agencies; the directors of the provincial/municipal Agriculture and Rural Development Services, and concerned organizations as well as individuals shall have to implement this Decision.

**DECISION No.91/2002/QĐ-BNN OF  
OCTOBER 11, 2002 ISSUING THE  
REGULATION ON GRANTING OF  
PROFESSIONAL PRACTICE CERTIFICATES  
FOR THE PRODUCTION, PROCESSING,**

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

**REGULATION ON GRANTING OF PROFESSIONAL PRACTICE CERTIFICATES FOR THE PRODUCTION, PROCESSING, REBOTTLING, PACKING AND/OR TRADING OF PLANT PROTECTION DRUGS**

*(Issued together with Decision No.91/2002/QĐ-BNN of October 11, 2002 of the Minister of Agriculture and Rural Development)*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1.-** Professional practice certificates for the production, processing, rebottling, packing and/or trading of plant protection drugs (hereinafter called professional practice certificates for short) mean documents issued by the Plant Protection Sub-Departments of the provinces or centrally-run cities to individuals with full professional qualifications to practice the production, processing, rebottling, packing and/or trading of plant protection drugs.

**Article 2.-**

1. The professional practice certificates shall be issued only to individuals, not organizations.

2. Organizations (State companies, limited liability companies, joint-stock companies, joint-venture companies and companies with 100% foreign capital) engaged in the production, processing, rebottling, packing and/or trading of plant protection drugs, shall comply with the following provisions:

a/ For factories and workshops producing, processing, rebottling and/or packing plant protection drugs, the persons directly running the production, processing, rebottling and/or packing activities must have professional practice certificates;

b/ For branches and agents of companies or plant protection service cooperatives, one of the persons managing a plant protection drug- trading establishment must have professional practice certificate.

3. For plant protection drugstores at fixed places (individual business households run by individuals or households themselves), their owners must have professional practice certificates.

4. The professional practice certificates shall be issued according to set form throughout the country.

**Article 3.-** The professional practice certificates constitute one of the conditions for business registration. Competent State agencies shall issue business registration certificates when the persons directly managing and running the production, processing, rebottling and/or packing of plant protection drugs or the plant protection drug dealers have professional practice certificates granted by the provincial/municipal Plant Protection Sub-Departments.

Organizations and individuals may start the production, processing, rebottling, packing and/or trading of plant protection drugs as soon as they satisfy all the conditions prescribed in Articles 7 and 16 of the Regulation on Management of Plant Protection Drugs issued together with the Government's Decree No.58/2002/ND-CP of June 3, 2002, and must commit to strictly abide by such conditions throughout the operation process.

**Article 4.-** The provincial/municipal Plant Protection Sub-Departments shall be responsible for evaluating dossiers and carrying out procedures for granting of professional practice certificates. Such a professional practice certificate shall be valid only within the province or centrally-run city where it has been issued.

Within 15 days after receiving valid dossiers, the provincial/municipal Plant Protection Sub-Departments must consider the certificate granting. In case of not granting, they must reply the applicants in writing, stating the reasons therefor.

**Article 5.-** The professional practice certificates shall be valid for only 3 years as from the date of their issue. After 3 years, if the grantees still wish to practice their jobs, they must have their certificates extended by the provincial/municipal Plant Protection Sub-Departments. The dossiers of application for extension must be submitted 1 month before the expiry of the certificates.

The professional practice certificate grantees must participate in training courses on professional knowledge and new legislation, organized by the provincial/municipal Plant Protection Sub-Departments, which shall serve as basis for the

extension of their professional practice certificates.

If losing their professional practice certificates, the grantees must immediately report such to the provincial/municipal Plant Protection Sub-Departments and fill in the re-granting procedures.

**Article 6.-**

1. It is strictly forbidden to lease or lend professional practice certificates to other persons or use them for other purposes.

2. The professional practice certificate grantees must pay fee according to the provisions of law.

**Article 7.-**

1. The professional practice certificate grantees shall have their certificates withdrawn in the following cases:

a/ Leasing or lending others use their certificates to other persons;

b/ Practicing their jobs beyond the permitted scope;

c/ Erasing or modifying the professional practice certificates;

d/ They have died,

2. The provincial/municipal Plant Protection Sub-Department, which issues a professional practice certificate, shall have the right to withdraw such certificate.

**Chapter II**

**PROFESSIONAL PRACTICE CERTIFICATES FOR THE PRODUCTION, PROCESSING, REBOTTLING AND/OR PACKING OF PLANT PROTECTION DRUGS**

**Article 8.-** The conditions for granting of professional practice certificates for persons directly managing and running the production, processing, rebottling and/or packing of plant protection drugs are prescribed in Article 8 of the Regulation on Plant Protection Drug Management, issued together with the Government's Decree No.58/2002/ND-CP of June 3, 2002 as follows:

1. Having professional qualifications of university

or higher degree in chemistry or plant protection.

2. Having health certificates issued by the district or higher-level medical agencies.

**Article 9.-**

1. A dossier of application for a professional practice certificate for the production, processing, rebottling and/or packing of plant protection drugs includes:

a/ The application for professional practice certificate;

b/ The valid copy of the university or higher degree in chemistry or agriculture (cultivation or plant protection);

c/ The curriculum vitae certified by the People's Committee of the commune, ward or township where the professional practice certificate applicant resides;

d/ The health certificate, issued by the medical center of the urban district, rural district, provincial town or higher level.

e/ 3 portrait photos of 4 x 6 cm size.

2. A dossier of application for professional practice certificate extension includes:

a/ The application for professional practice certificate extension;

b/ The health certificate, issued by the medical center of the urban district, rural district, provincial town or higher level.

c/ The written certification of participation in training courses on professional knowledge and new legislation, organized by the Plant Protection Sub-Department of the province or centrally-run city.

**Chapter III**

**PROFESSIONAL PRACTICE CERTIFICATES FOR PLANT PROTECTION DRUG TRADING**

**Article 10.-** The conditions for granting of professional practice certificates for plant protection drug trading are prescribed in Article 17 of the Regulation on Plant Protection Drug Management, issued together with the Government's Decree No.58/2002/ND-CP of June 3, 2002 as follows:

1. Having university or intermediate degree in agriculture, or forestry or certificates of participation in professional training courses on plant protection drugs, issued by the provincial/municipal Plant Protection Sub-Departments.

2. Having health certificates, issued by the district- or higher-level medical agencies.

**Article 11.-**

1. Programs of professional training courses on plant protection drugs

a/ Contents:

- Legal documents on plant protection and quarantine related to plant protection drugs.

- Legal documents on commerce, related to plant protection drugs.

- Legal documents on sanctions against administrative violations related to plant protection drugs.

- Basic knowledge on types of plant protection drug and their effects on the environment and human health.

- Regulations on safety in circulation, supply, preservation, trading and use of plant protection drugs.

- Field trips.

b/ The training duration shall be 03 months (or 12 weeks).

After such courses, the provincial/municipal Plant Protection Sub-Departments shall organize examinations and issue certificates.

2. The certificates of participation in professional training courses on plant protection drugs shall be valid for only 3 years in relation to the professional practice certificate granting.

**Article 12.-**

1. A dossier of application for professional practice certificate for plant protection drug trading includes:

a/ The application for professional practice certificate;

b/ The valid copy of university or intermediate degree in agriculture or forestry or certificate of participation in a professional training course on plant

protection drugs, issued by the provincial/municipal Plant Protection Sub-Department;

c/ The curriculum vitae certified by the People's Committee of the commune or ward where the plant protection drug dealer resides;

d/ The health certificate, issued by the medical center of the urban district, rural district, provincial town or higher level.

e/ 3 portrait photos of 4 x 6 cm size.

2. A dossier of application for professional practice certificate extension includes:

a/ The application for professional practice certificate extension;

b/ The health certificate, issued by the medical center of the urban district, rural district, provincial town or higher level;

c/ The written certification of participation in training courses on professional knowledge and new legislation, organized by the provincial/municipal Plant Protection Sub-Departments.

**Chapter IV**

**RESPONSIBILITIES FOR IMPLEMENTATION**

**Article 14.-** The professional practice certificate grantees are obliged to participate in periodical training courses so as to raise their professional qualifications and firmly grasp law provisions on plant protection drug management and use.

The professional practice certificate grantees must regularly contact and send their operation reports to the provincial/municipal Plant Protection Sub-Departments that have granted them certificates. If changing their business locations, they must notify such in writing to the provincial/municipal Plant Protection Sub-Departments.

**Article 15.-** The provincial/municipal Plant Protection Sub-Departments shall have to organize or coordinate the organization of training courses to raise the grantees' professional qualifications, popularize and update legal documents on plant protection as well as relevant law provisions.

Within 10 days after granting professional practice certificates for the production, processing, rebottling and/or packing of plant protection drugs, the provincial/municipal Plant Protection Sub-Departments must send the entire dossiers of professional practice certificate granting to the Plant Protection Department for monitoring.

The provincial/municipal Plant Protection Sub-Departments must compile books to monitor the professional practice certificate granting and send quarterly and annual reports to the *Plant Protection* Department.

**Article 16.-** The Plant Protection Department shall have to guide, monitor and organize the supervision and inspection of the provincial/municipal Plant Protection Sub-Departments in the granting of *professional practice certificates*.

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