

**DECISION No. 01/2005/QĐ-BYT OF JANUARY
7, 2005 PROMULGATING THE REGULATION
ON FOOD SAFETY AND HYGIENE
CONDITIONS APPLICABLE TO BEVERAGE
ESTABLISHMENTS**

THE MINISTER OF HEALTH

*Pursuant to the Government's Decree No. 49/
2003/ND-CP of May 15, 2003 defining the
functions, tasks, powers and organizational
structure of the Ministry of Health;*

*Pursuant to the December 24, 1999 Ordinance
on Goods Quality;*

*Pursuant to the Government's Decree No. 179/
2004/ND-CP of October 21, 2004 prescribing the
State management over goods and product quality;*

*At the proposals of the Director of the
Department for Food Safety and Hygiene, the
Director of the Legal Department and the Director
of the Department for Science and Training of the
Ministry of Health,*

DECIDES:

Article 1.- To issue together with this Decision
the Regulation on food safety and hygiene
conditions applicable to beverage establishments.

Article 2.- This Decision takes effect 15 days
after its publication in the Official Gazette.

Article 3.- The Director of the Ministry Office,

the Chief Inspector, the Director of the Science and Training Department, the Director of the Legal Department of the Ministry of Health, the Director of the Department for Food Safety and Hygiene, the directors of the provincial/municipal Health Services and heads of units attached to the Ministry of Health shall have to implement this Decision.

For the Minister of Health
Vice Minister
TRAN CHI LIEM

REGULATION ON FOOD SAFETY AND HYGIENE CONDITIONS APPLICABLE TO BEVERAGE ESTABLISHMENTS

(Issued together with the Health Minister's Decision No. 01/2005/QĐ-BYT of January 7, 2005)

Chapter I

GENERAL PROVISIONS

Article 1.- Scope of regulation

1. This Regulation governs conditions to ensure food safety and hygiene in the process of producing and/or processing beverage.

2. This Regulation does not apply to establishments producing bottled natural mineral water.

Article 2.- Subjects of application

This Regulation shall apply to Vietnamese as well as foreign organizations and individuals that produce and/or process beverage in Vietnam.

Article 3.- Interpretation of terms

In this Regulation, the following phrases and terms are construed as follows:

1. Food safety and hygiene means necessary conditions and measures to ensure that food does not cause harms to human health and life.

2. Beverage means bottled drinking water or drinks prepared from water and substances of natural or synthetic origin.

Chapter II

PROVISIONS ON BEVERAGE ESTABLISHMENTS

Article 4.- Position, structure and design

1. Position: Beverage establishments must be built separately from areas prone to cause food pollution.

2. General structure:

a/ To be designed and built according to the one-direction principle in compatibility with the order of processes included in the production chain and divided into separate areas, thus avoiding cross-pollution between processes or areas.

b/ The total acreage and the acreage structure between areas must be compatible with the designed capacity of establishments, avoiding the situation of overload which may easily cause contamination and difficulty in the maintenance, cleaning and inspection process.

c/ The vicinities of the areas under the establishments' management must be ensured with a clean environment; yards and passages therein must be paved or asphalted so as to avoid dirty dust and stagnant water.

3. Design:

a/ Wall and ceiling surfaces must be flat, in bright colors and easy to clean; the water-proof wall sections must be at least 2 meters high.

b/ The house floor must be built of water-proof and easy-to-clean materials with rational slope so as to well drain water.

c/ Doors must be tight, made of water-proof and easy-to-clean materials. It is encouraged to install automatic doors.

d/ The anti-insect and -harmful animal intrusion system must be made of stainless and easy-to-clean materials and installed in such a way as to prevent to the utmost the intrusion by insects and harmful animals.

e/ The ventilation system must be arranged in such a way as to eliminate condensed steam, dusts, hot air and polluted air; the ventilation system must not be directed from polluted areas to clean areas.

f/ Pouring and capping workshops must be tight and equipped with a sterilization system, which must be put under a control regime so as to ensure their good operation.

g/ The lighting system must satisfy the following requirements: in production areas, the light intensity must not be lower than 200 lux; in product-checking areas, 540 lux. Lamps must have protective boxes or nets.

h/ Water resource-protection areas must be built

in such a way as to prevent dirty dusts as well as the intrusion of harmful insects and animals.

i/ There must be a suitable number of locker rooms. Walls and floors of locker rooms must comply with the provisions of Points a and b, Clause 3 of this Article.

Article 5.- Processing equipment, facilities and devices

1. Equipment and devices in direct contact with beverages and food must be those exclusively used for food, made of stainless and anti-corrosive materials, neither be infected with toxic substances nor diffuse strange smell into products.

2. Equipment and devices used in the production and processing process must be made of stainless materials, not cause pollution to products, be easy to sanitize and regularly sanitized upon each production shift.

3. There must be special-use devices for gathering and storing garbage.

Article 6.- Water drainage system

1. Water-drainage ditches on the floors must well drain water. Ditches must be made of waterproof materials, with sizes suitable to the maximum flow of wastewater and have lids made of waterproof materials, with appropriate number and size of drainage holes. Water-drainage ditches must be structured for easy sanitization.

2. Solid waste-settling sumps must be arranged in compatibility with wastewater flow and drainage ditch networks. Sumps must have lids and be easy to clean and sterilize. Sumps must be arranged outside production areas.

3. The pipes outside processing areas

conducting waste water to tanks and waste water-treating areas must have lids, which are easy to remove and clean.

4. Beverage establishments must abide by legislation on environment and waste treatment. Waste-treating areas must be built inside the establishments' protection fences so as to prevent intrusion by animals.

Article 7.- Sanitation regimes

1. Workshops, equipment, facilities and devices used in production process must be regularly sanitized.

2. The general sanitization of establishments must be carried out at least once every 6 months.

3. Water pipes, beams, pillars, lampshades and places where dirty matters accumulate must be cleaned up regularly so as to minimize the development of microorganisms.

4. Insecticidal and germicidal preparations and chemicals used in beverage establishments must meet requirements prescribed by law.

Article 8.- Water-closet areas

1. Beverage establishments must have water-closet areas separated from processing areas.

2. Water closets must be structured in a way that their doors must not be directed towards the processing areas.

3. Each water closet must be arranged with a place for hand washing where soaps and towels are available (it is encouraged to use hand-drying devices and tissue paper).

4. Water closets must be cleaned regularly.

5. The number of water closets must comply with the labor sanitation standards, issued together with the Health Minister's Decision No. 3733/2002/QD-BYT of October 10, 2002.

Article 9.- Water and steam

1. Water used for beverage production and processing must comply with the drinking-water standards, issued together with the Health Minister's Decision No. 1329/2002/BYT/QD of April 18, 2002.

2. Water, which are not up to requirements prescribed in Clause 1 of this Article, may be used for other purposes such as freezing, fire fighting, supply to steam boilers or for other purposes, but must not be connected to water sources used for production and processing and must be marked with specific signs in order to avoid misuse.

Chapter III

RESPONSIBILITIES OF ESTABLISHMENT OWNERS AND PROVISIONS ON PEOPLE DIRECTLY ENGAGED IN BEVERAGE PRODUCTION AND PROCESSING

Article 10.- Responsibilities of establishment owners

1. To organize courses on food safety and hygiene knowledge for people directly engaged in production.

2. To organize periodical health checks for people directly engaged in production at least once a year at medical establishments of district or higher levels.

3. To make periodical assays of the quality of water sources and products at least once every six

months at recognized or designated assaying units.

Article 11.- Requirements on people directly engaged in production and processing

1. Those who are infected with contagious diseases prescribed by the Health Ministry must not participate in production and processing.

2. People directly engaged in production and processing must fully comply with personal hygiene requirements in production and attend courses on food safety and hygiene knowledge.

3. People directly engaged in production and processing must comply with the following requirements while being engaged in production or processing

a/ To wear specific outfits. Those who work in pouring workshops must wear hats and clean masks, use disposable gloves or wash hand with sterilizing soaps;

b/ To keep their fingernails short, clean and jewelry-free;

c/ To wash hands carefully with clean water and soap, then dry them:

- Before starting to work;
- After touching dirty surfaces;
- After going to toilets.

d/ Not to eat, drink, chew gums, smoke, hawk or spit.

Chapter IV

PROVISIONS ON PACKINGS, PRESERVATION, TRANSPORTATION AND PROCESS OF BEVERAGE PRODUCTION AND PROCESSING

Article 12.- Packings

1. Bottles, cans, lids and stoppers must be made of materials exclusively used for food and be closely packed.

2. Assorted lids or stoppers or plastic bottles of a capacity of under 10 liters must not be reused.

3. Plastic cans of a capacity of 10 liters or more and glass bottles may be reused.

4. All bottles and cans which are used for the first time or reused must be cleansed, sterilized and carefully rinsed before being poured in, except for cases where bottles, which are turned out according to closed technology including sterilization process, are used for the first time. In bottle-cleansing areas, it is necessary to supervise the course of sterilization and cleansing and to record supervision results.

5. After being cleansed, bottles must be turned upside-down so as to prevent dirty dust and strange objects from falling therein, except for cases where bottles are cleansed by automatic machines.

6. For paper packings, the inner must be coated with materials which are safe, waterproof and durable against products' impacts,

Article 13.- Preservation

1. Beverages must be placed in containers so as to ensure hygiene and avoid collusion and disproportion in the course of transportation.

2. Products must be preserved at dry, well-ventilated and hygienic places.

Article 14.- Transportation

Beverages must be transported by means, which do not affect their quality, hygiene and safety.

Article 15.- Provisions on production and processing process

1. In the course of producing and/or processing beverages, if bottles are poured by hand, the pourers must wear hats, clean masks and disposable gloves or wash and with germicidal soaps.

2. In the course of pouring and bottling, attention must be paid so as to avoid damage to bottles and *prevent strange objects from falling therein*. Equipment must be supervised and regularly maintained so as to avoid similar threats. The *course of supervision and maintenance* must be fully recorded.

3. Pouring and capping equipment must be kept clean and hygienic, be cleansed and sterilized when starting production at least once a week in case of continuous production.

4. Bottles must be capped right after the pouring process.

5. Bottles' caps must be tight before circulation.

6. Finally, products must be checked so as to eliminate those, which are not up to perceptible requirements, have their packings damaged or their labels lost, and be periodically tested. In cases where technologies are controlled under the HACCP system, which have already been recognized, the final check of products is not required.

1. Organizations and individuals engaged in beverage production and processing shall have to implement this Decision.

2. The Department for Food Safety and Hygiene shall assume the *prime responsibility for, and* coordinate with functional departments of the Health Ministry and concerned agencies in, guiding and directing the implementation of this Regulation.

3. The provincial/municipal Health Services shall *organize the implementation of this Regulation* in their respective localities.

For the Minister of Health
Vice Minister
TRAN CHI LIEM

Chapter V

IMPLEMENTATION PROVISIONS

Article 16.-