

**THE MINISTRY OF AGRICULTURE AND
RURAL DEVELOPMENT**

**DECISION No. 53/2008/QĐ-BNN OF APRIL
21, 2008, PROHIBITING ACTS OF ADDING
WATER OR WATER-RETAINING
ADDITIVES TO FROZEN FRESH FISH
PRODUCTS IN ORDER TO COMMIT
TRADE FRAUD**

THE MINISTER OF AGRICULTURE AND RURAL DEVELOPMENT

Pursuant to the Government's Decree No. 01/2008/ND-CP of January 3, 2008, defining the functions, tasks, powers and organizational structure of the Ministry of Agriculture and Rural Development;

Pursuant to the Government's Decree No. 128/2005/ND-CP of October 11, 2005, on the sanctioning of administrative violations in the fisheries domain;

Pursuant to the Government's Decree No. 154/2006/ND-CP of December 25, 2006, amending Article 17 of Decree No. 128/2005/ND-CP;

Pursuant to the Prime Minister's Directive No. 06/2007/CT TTg of March 28, 2007, on the application of urgent measures to assure food hygiene and safety;

At the proposal of the director of the National Agriculture, Forestry and Fisheries Quality Administrative Directorate of Vietnam,

DECIDES:

Article 1.- To prohibit acts of adding water or water-retaining additives (spraying, injecting, soaking or impregnating phosphate or non-phosphate substances) to frozen fresh fish products in order to commit trade fraud in quantity, and strictly handle these acts according to current provisions of law.

Article 2.- Enterprises which have installed equipment for spraying liquids or water-retaining additives at workshops processing frozen fresh fish products shall, before May 25, 2008, report on the

reasons for and purposes of the use of such equipment to the Ministry of Agriculture and Rural Development (the National Agriculture, Forestry and Fisheries Quality Administrative Directorate of Vietnam).

Article 3.- To assign the National Agriculture, Forestry and Fisheries Quality Administrative Directorate of Vietnam to assume the prime responsibility for, and coordinate with the Ministry's Inspectorate and concerned agencies and units in:

1. Conducting inspection to detect the acts mentioned in Article 1 of this Decision at enterprises processing frozen fresh fish products (especially enterprises processing Sutchi catfish and *Basa bocourti*). If detecting equipment for spraying or injecting liquids or water-retaining additives at these workshops and enterprises fail to adequately justify the use of such equipment under technological processes in the HACCP plan, revoking decisions recognizing establishments' satisfaction of food hygiene and safety standards, and, at the same time, stopping the grant of certificates of export of frozen fresh fish products to these enterprises, which are required by their markets, until they completely dismantle the equipment.

2. Checking the content of water-retaining additives (phosphate or non-phosphate substances) in frozen fresh fish products (especially Sutchi catfish and *Basa bocourti*). If this content exceeds the limits prescribed in the Health Ministry's Decision No. 3742/2001QD-BYT of August 31, 2001, and importers' regulations (applicable to exported goods), handling violations in accordance with Article 1 of the Government's Decree No. 154/2006/ND-CP of December 25, 2006, and relevant provisions of law.

3. Publicizing on the industry's media names of enterprises that violate the provisions of Articles 1 and 3 of this Decision.

Article 4.- This Decision takes effect 15 days after its publication in "CONG BAO."

Article 5.- The director of the Ministry's Office, the director of the National Agriculture, Forestry and Fisheries Quality Administrative Directorate of Vietnam, heads of units under the Ministry, and aquatic product processors and traders shall implement this Decision.

*Minister of
Agriculture and Rural Development*
CAO DUC PHAT