

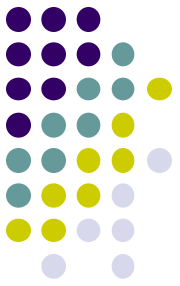
FOOD SAFETY CONTROL IN VIETNAM

Presenter: Nguyen Thuy Duong - Vietnam Food Administration

Ministry of Health of Vietnam

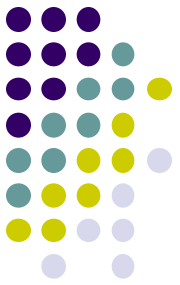
Taiwan, 2015

CONTENTS



1. Introduction of Vietnam Food Administration
2. Food Safety Control System in Vietnam
3. Food Safety Management on Imported Food in Vietnam

INTRODUCTION OF VFA



1. Position and Function:

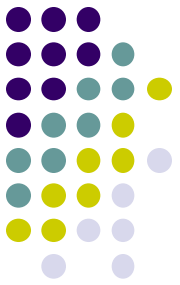
- **Vietnam Food Administration (VFA) is the management agency of the Ministry of Health. It assists the Minister of Health in the implementation of the state-management on food safety of the domestic food and the imported food in the market in the whole country.**
- **VFA is the permanent agency of the Central Interministerial Steering Committee on food safety.**

2. Mission Statement:

- Establishing the legislative documents, strategies, master plan, projects on the management of food safety;
- Setting the national technical regulations for foods which are under the management of the Ministry of Health, including: food additives, food processing aids, fortified foods, functional foods, containers and packaging in direct contact with food;
- Setting the requirements of food hygiene and safety condition in processing, production, storage and usage of foods of canteens, restaurants, hotels, supermarkets, catering services, street foods;
- Setting standards and criteria for laboratories on testings relating to food safety; to implement the assessment, recognition of laboratories meeting requirements for the food safety analyzation;
- Setting the limitation of contaminants for food products, containers and packaging in direct contact with food;
- Carrying out the license, suspend and recall of the Health Certificate, the Certificate of Free Sale, the Certificate of facilities meeting food safety requirements, the Certificate of food hygiene and safety knowledge, the Receipt of the advertising dossier of products which belong to the field of control;
- Implementing the inspection of food hygiene and safety;



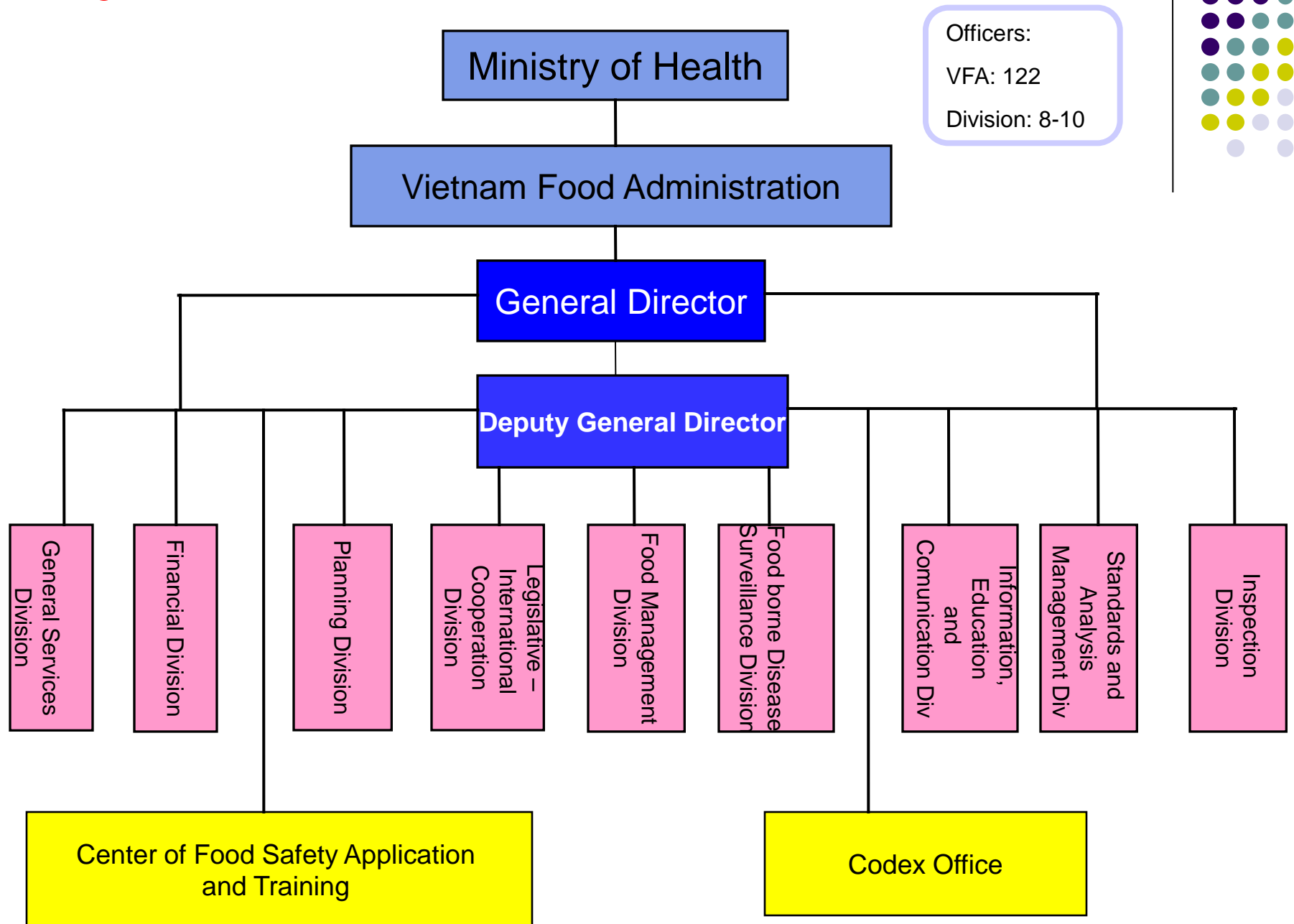
International cooperation



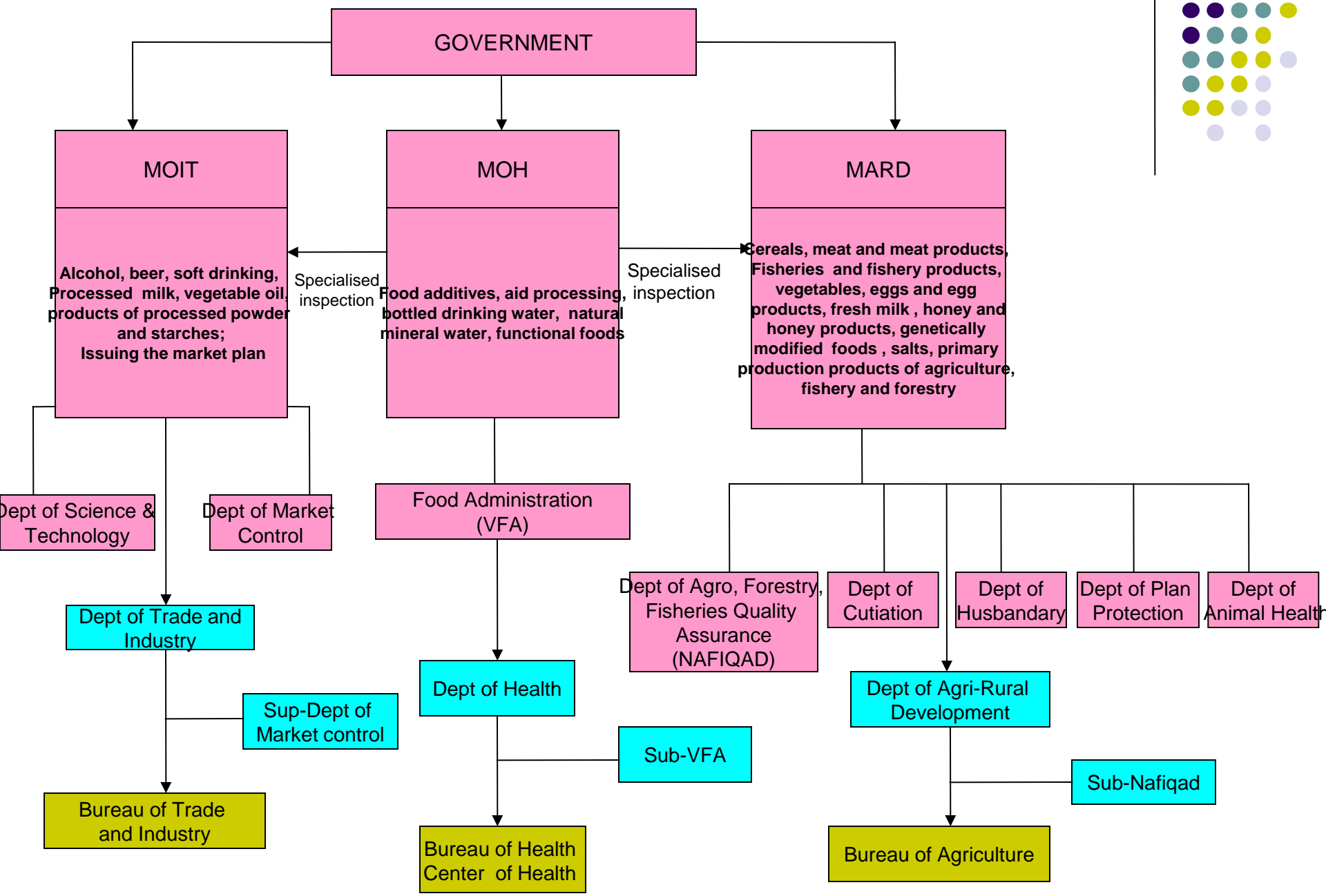
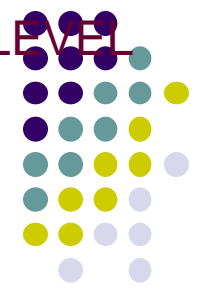
VFA has cooperated with the following international organizations:

- **WHO**
- **FAO**
- **UNICEF**
- **JICA (Japan)**
- **CIDA (Canada)**
- **KOICA (Korea)**
- **ADB**
- **Signed the Agreements with some countries such as South Korea (KFDA), U.S (Department of Health and Human Services)**

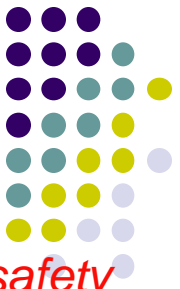
3. Organization



FOOD SAFETY MANAGEMENT SYSTEM FROM CETRAL TO PROVINCIAL LEVEL



Food safety control responsibility in Vietnam



Article 61 of the Food Safety Law stipulated clearly the responsibility of food safety control in Vietnam

1. The Government ensures the uniform state management of food safety.
2. The Ministry of Health shall be responsible to the Government for carrying state management of food safety.
3. Ministries ministerial-level bodies, within the scope of their respective duties and powers, shall be responsible for coordinating with the Ministry of Health in conducting the state management of food safety.
4. People's committees of all levels shall carry out the state management of food safety in their localities.

Article 62. Responsibilities of Ministry of Health's State management for food safety



1. Presiding over formulating, submitting to the competent State body to promulgate and organize the implementation of national strategies and master planning on food safety;
2. Promulgating national technical regulations on criteria and safety limits for food products; utensils, food contact materials;
3. Requesting Ministries, branches, provincial People's Committees to report periodically or extraordinarily the management of food safety;
4. Developing the general conditions for ensuring food safety in respect to food producing and trading establishments;
5. Conducting the communication and education of the laws on food safety; warning food poisoning incidents;
6. Conducting the extraordinary inspection of the processes of production, import and trading of food that fall within the scope of management of other ministries if necessary;
7. Controlling the production, primarily processing, processing, preservation, transportation, export, import and trading of food additives, food processing aids, bottled drinking-water, natural mineral water, functional foods and other food in accordance with the provisions of the Government
8. Controlling utensils, containers and packaging in direct contact with food during the production, processing, trading of food in the sector which is assigned to manage;

Article 63. Responsibilities of Ministry of Agriculture and Rural Development



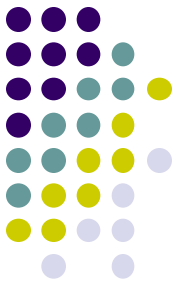
1. Developing the formulation, promulgation or submitting to the competent State body to promulgate and implement strategies, policies, master planning, plans and legal documents on food safety within the sector is assigned to manage;
2. Controlling food safety in the primary production of agricultural, forestry and fishery products and salt;
3. Managing food safety in the production, collection, slaughter, primary handling, processing, preservation, transportation, export, import and trading of cereals, meat and meat products, fisheries and fishery products, vegetable, fruits, eggs and egg products, fresh raw milk, honey and genetically modified food, salt and other agricultural food.
4. Managing utensils, containers and packaging in direct contact with food during the production, processing, trading of food in the sector which is assigned to manage;
5. Inspecting, examining and dealing with violation of the laws on food safety in the production, export, import and trading of food in the fields assigned to manage;



Article 64. Responsibilities of the Ministry of Industry and Trade

- 1. Presiding over the formulation, promulgation or submitting to the competent State body to promulgate and implement strategies, policies, master planning, plans and legal normative documents on food safety within the sector is assigned to manage;
- 2. Managing food safety during production, processing, preservation, transportation, export, import and trading in respect to alcohol, beer, drink, processed milk, vegetable oil, products used for processing powder and starch and other food in accordance with the provisions of the Government;
- 3. Managing food safety in respect to tools, materials packing and containing food during the course of production, processing, trading of food in the sector which is assigned to manage;
- 4. Promulgating policies and master planning on markets, supermarkets, stipulating the conditions for trading food in markets and supermarkets.
- 5. Presiding over prevention and fighting of false food and trade fraudulence in circulating and trading food;
- 6. Reporting periodically or extraordinarily the management of food safety in the sector which is assigned to manage.
- 7. Inspecting, examining and dealing with breaches of the laws on food safety in the course of production, export, import and trading of food in the sector which is assigned to manage.

Article 65. State management responsibilities of people's committees of all levels



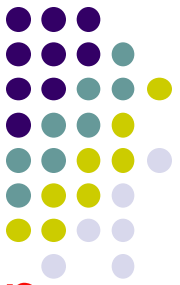
- 1. Promulgating in accordance with the competence or submitting to the competent State body to promulgate legal normative documents and local technical regulations; developing and organizing the implementation of regional master planning and establishments producing safe food in order to ensure that the management is conducted in the entire food supply chain.
- 2. Taking responsibility for the food safety control in their respective areas; managing the conditions for ensuring food safety in respect to establishments producing and trading street food or food at small scale, business establishments, food and drink catering services, food safety in the market in area and other subjects which are assigned to manage.
- 3. Reporting periodically or extraordinarily the management of food safety in the locality.
- 4. Arranging resources, organizing training courses to improve the quality of human resource for ensuring food safety in the locality.
- 5. Organizing propaganda, education and communication to improve the awareness of food safety, sense of complying with the laws on management of food safety, sense of responsibility of person producing and trading food to the community and sense of food consumers.
- 6. Inspecting, examining and dealing with breaches of the laws on food safety in the locality that it manages.

FOOD SAFETY MANAGEMENT ON IMPORTED FOOD



Legal Base:

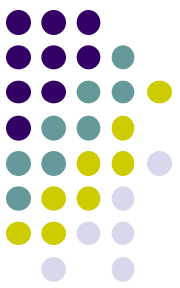
- **Food Safety Law and Subsidiary Documents**
- **Decision No 23/2007/QĐ-BYT dated 29th March, 2007 on the issuance of state inspection regulation on the quality, hygiene and safety of imported foods (Replacing circular on management of imported food is drafting now, it is expected to promulgate in the end of 2015)**
- **Law on Quality of Product, Good**
- **Law on Standards and Technical**



Decision No 23/2007/QĐ-BYT dated 29th March 2007 on the issuance of state inspection regulation on the quality, hygiene and safety of imported foods

- **6 Chapters, 19 Articles**
- **Chapter 1. General Information**
- **Chapter 2. Inspecting Methods**
- **Chapter 3. Inspecting Procedures**
- **Chapter 4. Inspection Fees**
- **Chapter 5. Responsibilities and Rights**
- **Chapter 6. Executive implementation**

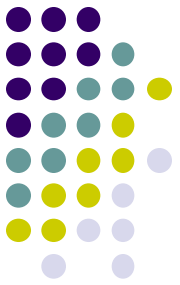
Chapter 2. Inspecting Methods



Article 4: Inspecting Methods

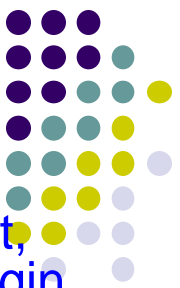
1. **Strictly inspection:** to take a random sample and take at some suspected place of product (there should be enough samples for testing and fully evaluating the product's quality of each unit in the lot of goods) if it belongs to one of the following cases:
 - Food product is in the list of high risk (Article 14, Decree 163/20004/ND-CP dated September 07, 2004 of the Government on regulating the implementation of some articles in detail of Ordinance on food hygiene and safety) that inspecting agencies or the Custom discover signs of contaminants due to damaged package, chemical exposure or the preservation system on the means of transportation are not working;
 - Food imported from a foreign establishments that the inspection's office is reported to or informed that it is in the area of contaminated materials or dangerous epidemic that might infect to the residents;
 - The previous import did not meet the requirements of imports;
 - Ministry of Health's document (Vietnam Food

Chapter 2. Inspecting Methods



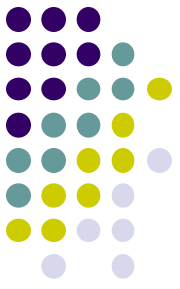
2. Normal inspection: to take a random sample (randomly) to inspect by organoleptic method and analyze some critical quality identifying, hygiene and safe of food product of the lot of goods (also including some retailers), if this lot of goods is not listed in Item 1,3,4 of this Article.

Chapter 2. *Inspecting Methods*



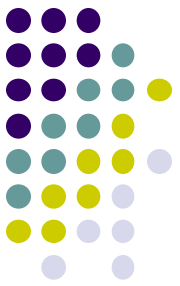
3. Lighten inspection: to take only a random sample for organoleptic test, writing the trade mark and identicalness of the lot of goods (the origin and lot numbers), and exempting from inspecting the sample to compare with its document, if this lot of goods belongs to one of the following cases:
- The low risk food is conformity to the declaration of product quality (GMP, HACCP).
 - The product are having the same type, same origin with stable quality, which have passed two times of normal inspection and are confirmed by Ministry of Health's official letter of being inspected lightly.
 - Foods are with the same type, same origin, which its sample has been tested and meet the requirements of imports;
 - Foods are with the same type, same origin and lot of products are tested before importing or is attached with third party's test results in manufacturing country;
 - The product is in the list with the certification of conformity to standard of the exporting country or of the common market region, which accredited by STAMEQ and periodically declared.
 - The product are certified and sealed with the certification of conformity to the standard of the exporting country or of the common market region, which accredited by Ministry of Health and STAMEQ with official written documents.

Chapter 2. Inspecting Methods



4. File checking only: is to receive the registration form to inspect (but do not take sample) to grant the “Notice of file checking only” to this lot of products after Vietnam Food Administration confirmed by official letter that it belongs to file checking only stipulated in Article 5 of this Regulation. The product applied with this inspection method should be applied with normal inspection or lighten inspection once per year randomly for the same kind and owner of goods in every times of importing.

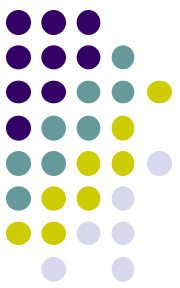
Chapter 2. Inspecting Methods



Article 5. The imported food products applied with file checking only (exempt to inspection and sample testing)

- **Imported food that is acceded by the authorized organization of country which has signed in international treaty with Viet Nam in the activity of inspecting food quality, hygiene and safety certificating meeting the requirements of food safety.**
- **The imported food products which are certified conformity to the food safety standard of enterprises, individuals, or traders which are noticed of having the food quality management system in accordance with Vietnam or international standard, are permitted to apply in Vietnam.**
- **The lot of goods has the same type and origin, which has been inspected five previous times that meet the quality of imports.**
- **Vietnam Food Administration certificates in written to traders if they meet one of the following three conditions assigned in Item 1, 2, 3 of this Article and have proposal by official letter or at the proposal of inspection agencies.**
- **The lot of goods interested in *file checking only* might be inspected if it is detected of having signs of violating Vietnam regulations on quality, hygiene, and safe of food product**

Chapter 3. Inspecting Procedures

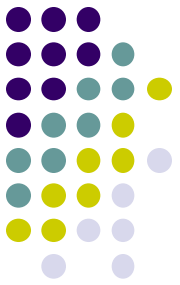


Article 6. . Inspecting register file

The owner must register for inspecting product quality at one of inspecting agencies indicated at Article 7 and Article 8 at least five days before goods coming to the port (border gate). File for registering state inspection in the quality of goods includes:

- **State inspecting register paper for the quality of goods (Sample 1: Inspecting register form –stipulated in this Regulation).**
- **Legal copy of Basic Standards (with seal of Vietnam Food Administration) or certificated that the lot of product are granted to clearance by Vietnam Food Administration (when it hasn't declared the product standard) as prescribed by Ministry of Health's Decision No 42/2005/QD-BYT dated 8th December, 2005.**
- **File for custom procedures stipulated by regulation.**
- **Health certificate of authorized health agency of original country with animal and plant originated foods that have been processed with high temperature of sterilization (only when there's pandemic declaration of Ministry of Agriculture and Rural Development and the Vietnam Food Administration with official letter);**
- **The copy of certificate of analysis of indicated laboratory room or of manufactures having seal and sign of manager or authorized person for food that hasn't still declared the quality of food (if any);**
- **Other related necessary invoices to be applied slight inspecting method, file checking only (if any)**

Chapter 3. Inspecting Procedures



Article 10. . Inspecting Procedures

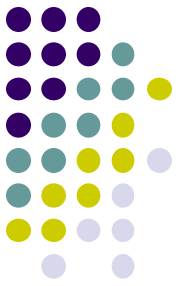
- **Inspection agency receives and considers the registered file;**
- **Conducting to inspect and take sample at the gathering place that owners have registered;**
- **Make record in the process of inspecting and taking sample;**
- **Basing on inspecting and checking: basing on inspected file and historical goods in order to identify inspection method, the number of samples, the testing criteria, testing method, and to carry out to test sample;**
- **Term of references for comparing inspection results;**
- **Conclusion after test;**
- **Giving report of inspection result under the specified regulations.**

Chapter 3. Inspecting Procedures



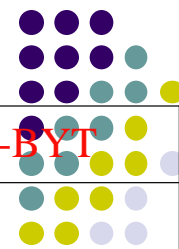
Article 18. The responsibility of Vietnam Food Administration

- To decide and to provide guidance for the solutions of lot of imported goods that do not meet the requirements of food safety.
- To decide the inspection methods for the lot of goods: lighten inspection, checking file only, basing on the proposal of inspection agency or the proposal of owner.
- To preside over, coordinate with the related agencies (Health Inspection, related Departments) to evaluate and give proposal to Ministry of Health to indicate state organizations, technical bodies, institutes to take part in state inspection functions for food quality, safety and hygiene for imported food or indicate the inspection for special cases as prescribed in Article 8.
- To check periodically the professional capacities of state inspection agencies and give proposal to Ministry of Health for the solutions: temporary suspense, enlarge or limit the scope of state inspection agency.
- To propose with Ministry of Health to temporarily suspense of functions, rights of state inspection for food safety if the inspection agency do not implement the periodical quartering report in continuous twice times.
- To solve the recommendations of owner, state inspection agencies and propose Health Inspection to give administrative punishments for any breaches.
- Annually, Food Administration Department have responsibility for collect, sum-up and report all issues relating to the state inspection activities for imported food to Ministry of Health, and propose appropriate management methods for each period.

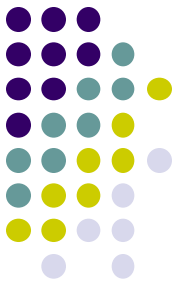


Draft of Circular replacing Decision No 23/2007/ QD-BYT

Inspection Methods



Decision No 23/2007/QĐ-BYT	Draft of Circular replacing Decision No 23/2007/ QĐ-BYT
<ol style="list-style-type: none">1. Normal inspection2. Strictly inspection3. Lighten inspection4. File checking only	<ol style="list-style-type: none">1. Normal inspection: When the inspecting agencies or the Custom discover signs of contaminants, the inspecting agencies take a random sample to choose the testing group and number of criteria. If the results of any checks under normal inspection methods are not meeting with requirements, the next lot of goods will be made strictly inspection in two (02) times after that.2. Strictly inspection:<ul style="list-style-type: none">- Strictly inspection in case of imported products does not meeting with requirements in previous inspection.- Strictly inspection in case of having warning of Vietnam Food Administration, Ministry of Health or the competent authority in a foreign country or of the manufacturer.- Where two (02) lot of goods checked under strictly inspection methods having results meeting with requirements, the continuous of products which have same type and same producer shall be applied normal inspections methods3. Lighten inspection: only checks registration dossiers if having document of Vietnam Food Administration that confirmed the goods belong to lighten inspection method.<ul style="list-style-type: none">- After the one year, Vietnam Food Administration will reconfirm by document for the good if it meeting with the conditions



Thank you!