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**Working Party on the
Accession of Vietnam**

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ACCESSION OF VIETNAM

Action Plan for the Implementation of the SPS Agreement

The Government of the Socialist Republic of Vietnam has submitted the following Action Plan for the Implementation of the Sanitary and Phytosanitary Agreement, with the request that it be circulated to the members of the Working Party.

Plan of Action for the Implementation of the SPS Agreement

No	Current status	2000 - 2002
1.	<p>Vietnam has issued new standards, animal health regulations and food safety regulations conformed to SPS Agreement principles.</p> <p><u>Plant inspection:</u> Vietnam has issued the Ordinance on plant protection and inspection enacting on 15/2/1993; Regulations on plant protection and inspection attached with Decree No 92/CP on 27/11/1993 and decisions by Ministry of Agriculture and Rural Development guiding the implementation of the Ordinance and Regulations. These legal documents have been built on the basis of international Convention on plant protection, disciplines of APPPC.</p> <p>Vietnam has just amended and issued Vietnam standards: Plant inspection - Terms and Definitions (TCVN 3937-2000) on 3/4/ 2000.</p> <p><u>Animal inspection:</u> Vietnam has promulgated the Ordinance on Veterinary enacting on 15/2/1993; Decree No 93/CP on 27/11/1993 for implementation of Ordinance; Regulations on animal protection and inspection attached with Decree No 93/CP; Decision No 389 NN-TY/Q§ and No 607 NN-TY/Q§ providing details of the Ordinance.</p> <p><u>Merchandise inspection (food and foodstuff)</u> Vietnam has promulgated Decree No 41/1998/N§-CP providing regulation on the border medical inspection. This Regulation has been set out on the basis of Regulation on international medical inspection of WHO</p>	<p>Vietnam shall fully inform the latest changes to the WTO Members</p> <p>Vietnam shall continue to consider, amend the Ordinance and regulations on plant inspection so that it will agree with reality and international standards.</p> <p>Vietnam shall promulgate Vietnam's standards on the terms regarding plant inspection on the basis of current international standards.</p> <p>Vietnam shall promulgate the amended Ordinance on Veterinary and carry out Regulations guiding the implementation of this Ordinance, includes technical process and procedures of animal inspection.</p> <p>Vietnam shall examine the draft of Ordinance on food and foodstuff and submit to permanent Committee of National Assemble for approval</p>
2.	<p><u>Transparency:</u> Vietnam ensures that transparency obligations are met on the ongoing basis. (under article 7 and Annex B, and G/SPS/7 of SPS Agreement)</p> <p>Vietnam has not established and put into operation of any contact points providing information concerned SPS inspection yet.</p>	<p>Vietnam shall inform the responsible body providing information in regarding to SPS inspection to the WTO Members as soon as possible.</p>

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3.	<p><u>Necessity</u>: Inspection measures of Vietnam are only applied to the extent necessary with the view of protecting human, animal and plant resources of Vietnam from infection of contaminants, which were not available before or appeared in the limited areas (under article 2.2 of SPS Agreement)</p>	<p>Vietnam shall fully inform the latest changes to the WTO Members</p> <p>Vietnam shall concretise at the suitable level of protection related to inspection measures in Vietnam.</p>
4.	<p><u>Regulations based on science</u>: Vietnam fully conforms to the obligation of the Agreement, based on scientific evidence to issue regulations governing animal and plant health and food safety (under article 2.2, 3.3, and 5.2 of SPS Agreement)</p> <p>Regarding genetically modified organism (GMO) products: Vietnam should formulate compulsory standards on products using of GMO technology on the basis of specific evidence or the appearance of the GMO labeling as “products using GMO technology ”</p>	<p>Vietnam shall fully inform the latest changes to the WTO Members</p> <p>Vietnam has been drafting Regulation on safety management for genetically modified organism and products thereof.</p>
5.	<p><u>Harmonization</u>: Vietnam sets out SPS measures on the basis of international standards, guidelines, and recommendations. (under article 3.1, 3.3 and 3.4 of SPS Agreement)</p> <p><u>Plant inspection</u>: Vietnam is now reviewing its legislation on plant inspection on the basis of comparison with the SPS Agreement, International Convention on plant protection and other international standards to harmonize plant inspection measures in ASEAN and WTO in the coming time in order to facilitate the international trade.</p> <p><u>Animal inspection</u>: Inspection measures and standards on veterinary regarding animal and animal products of Vietnam are established on the basis of production status of Vietnam and in consistent with regulations of other international organizations named as CODEX, OIE, ASEAN.</p>	<p>Vietnam shall fully inform the latest changes to the WTO Members</p> <p>Vietnam, along with its ASEAN members, shall develop a harmonization model of plant inspection measures for the first ten kinds of agricultural products.</p> <p>Vietnam shall complete animal trading measures, standards on veterinary on the basis of the Ordinance on Veterinary and reality in Vietnam, corresponded with regulations of OIE, CODEX and ASEAN.</p>

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6.	<p><u>Equivalence</u>: Vietnam agrees to accept SPS measures from other countries, in where these SPS measures are proved to be at the same level of necessary protection as Vietnam requires (under article 4 of SPS Agreement).</p> <p><u>Plant inspection</u>: Vietnam recognizes the certificate of plant inspection by other countries that follow the form specified in the amended international Convention on plant protection in the year of 1997</p> <p><u>Animal inspection</u>: Vietnam has fully prepared professional data and information on animal inspection related to the SPS Agreement.</p>	<p>Vietnam shall fully inform the latest changes to the WTO Members</p>
7.	<p><u>Risk Assessment</u>: SPS inspection measures are applied uniformly from the central government to local grassroots on the scientific basis and international standards (under article 5.1, 5.2 and 5.3 of SPS Agreement).</p> <p>Vietnam is now facing many difficulties in program for risk analysis (PRA).</p>	<p>Vietnam shall fully inform the latest changes to the WTO Members</p> <p>Vietnam wishes to receive the support and assistance from international organizations regarding PRA training.</p>
8.	<p><u>Regional conditions</u>: Vietnam shall conform to the obligation of the Agreement to take into account the regional characteristics as following elements: current level of epidemic, the existence of control and prevention program, criteria or suitable instruction enacted by related international organisations (under article 6 and Annex A.6 and A.7 of SPS Agreement).</p> <p>Vietnam has been a full member of the Asia-Pacific Plant Protection Council (APPPC), the FAO 's regional organisation. At the same time, Vietnam is actively participating in the harmonization process of plant inspection measures of ASEAN for AFTA implementation.</p>	<p>Vietnam shall fully inform the latest changes to the WTO Members</p>
9.	<p><u>Non-discrimination</u>: Vietnam ensures that its SPS measures do not arbitrarily or unjustifiably discriminate between different members under the same condition or between domestic and foreign suppliers. SPS measures should not be applied to create disguised restrictions against international trade (under article 2.3 and Annex C.1 (a) and (d) of SPS Agreement)</p> <p>Disciplines on Veterinary sanitary for animal, animal imported to Vietnam are based on the standards of international organisations such as CODEX, OIE, and ASEAN. This shall not be unjustifiable restriction on trade.</p>	<p>Vietnam shall fully inform the latest changes to the WTO Members</p> <p>Vietnam shall continue researching to prove reasonability of its inspection measures and wish to further co-operate with other members in this area.</p>

No	Current status	2000 - 2002
10.	<u>Control, inspection and approval procedures</u> : Vietnam fully conforms to this obligation of the Agreement to ensure that procedures of control and inspection, including systems for approval of the use of SPS measures will comply with SPS Agreement (under article 8 and Annex C)	Vietnam shall fully inform the latest changes to the WTO Members