

# WORLD TRADE ORGANIZATION

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**Working Party on the  
Accession of Viet Nam**

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## ACCESSION OF VIET NAM

Action Plan for the Implementation of the SPS Agreement in 2002 and 2003

### Revision

The Government of the Socialist Republic of Viet Nam has submitted the following revised 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.

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Plan of Action for the Implementation of the SPS Agreement

No	Current status	2002-2003
1.	<p>Viet Nam has issued new standards, regulations on animal health and food safety in conformity with SPS Agreement principles.</p> <p><u>Plant inspection:</u></p> <p>Viet Nam issued the Ordinance on plant protection and inspection, which came into effect 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 drafted on the basis of the international Convention on plant protection and the disciplines of APPPC.</p> <p>Viet Nam recently issued the amended Ordinance on plant protection and inspection on 25/7/2001 which came into effect on 1/1/2002.</p> <p>Viet Nam just amended and issued Viet Nam standards: Plant inspection - Terms and Definitions (TCVN 3937-2000) on 3/4/ 2000.</p> <p><u>Animal inspection:</u></p> <p>Viet Nam has promulgated the Ordinance on Veterinary which came into effect on 15/2/1993; Decree No 93/CP on 27/11/1993 for implementation of this Ordinance; Regulations on animal protection and inspection attached with Decree No 93/CP; Decision No 389 NN-TY/QD and No 607 NN-TY/QD providing details for the implementation of the Ordinance.</p> <p><u>Merchandise inspection (food and foodstuff)</u></p> <p>Viet Nam has promulgated Decree No 41/1998/ND-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>Viet Nam is drafting an Ordinance on food and foodstuff to be submitted to the Standing Committee of National Assembly for approval.</p>	<p>Viet Nam shall fully notify the latest changes to the WTO Members</p> <p>Viet Nam shall consider to amend Regulations on plant inspection to implement the amended Ordinance on plant protection and inspection so that they will conform to international standards.</p> <p>Viet Nam shall promulgate Viet Nam's standards on plant inspection on the basis of current international standards.</p> <p>Viet Nam shall draft and promulgate the amended Ordinance on Veterinary and the Regulations guiding the implementation of this Ordinance, including technical process and procedures of animal inspection.</p> <p>Ordinance on food and foodstuff shall be approved.</p>
2.	<p><u>Transparency:</u> Viet Nam 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>Viet Nam has not established and put into operation any inquiry point(s) providing information concerned SPS inspection.</p>	<p>Viet Nam shall notify the inquiry point who is responsible for providing information on SPS inspection to the WTO Members as soon as possible.</p>
3.	<p><u>Necessity:</u> Inspection measures of Viet Nam are only applied to the extent necessary with a view to protecting human, animal and plant resources of Viet Nam from infection of contaminants, which were not available before or appeared in the limited areas (under Article 2.2 of SPS Agreement)</p>	<p>Viet Nam shall fully notify the latest changes to the WTO Members.</p> <p>Viet Nam shall concretise the suitable level of protection related to inspection measures in Viet Nam.</p>

No	Current status	2002-2003
4.	<p><u>Regulations based on scientific evidence:</u> Viet Nam 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: Viet Nam 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>Viet Nam shall fully notify the latest changes to the WTO Members.</p> <p>Viet Nam has been drafting Regulations on safety management for genetically modified organism and products thereof.</p>
5.	<p><u>Harmonization:</u> Viet Nam 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></p> <p>Viet Nam 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 international trade.</p> <p><u>Animal inspection:</u></p> <p>Inspection measures and standards on veterinary regarding animal and animal products of Viet Nam are established on the basis of production status of Viet Nam and in consistent with regulations of other international organizations named as CODEX, OIE, ASEAN.</p> <p>Viet Nam has signed agreements on animal and animal products inspection with the United States of America, Argentina, Holland, France, Russia, etc.</p>	<p>Viet Nam shall fully notify the latest changes to the WTO Members.</p> <p>Viet Nam, along with its ASEAN members, is developing a harmonization model of plant inspection measures for the first ten kinds of agricultural products.</p> <p>Viet Nam shall complete animal trading measures, veterinary standards on the basis of the Ordinance on Veterinary and reality in Viet Nam, corresponded with regulations of OIE, CODEX and ASEAN.</p> <p>Viet Nam shall sign agreements with other countries, such as Korea, Mongolia, etc.</p>
6.	<p><u>Equivalence:</u> Viet Nam agrees to accept SPS measures from other countries, where these SPS measures are proved to be at the same level of necessary protection as Viet Nam requires (under Article 4 of SPS Agreement).</p> <p><u>Plant inspection:</u></p> <p>Viet Nam 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></p> <p>Viet Nam has fully prepared professional data and information on animal inspection related to the SPS Agreement.</p>	<p>Viet Nam shall fully notify 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>Viet Nam is now facing many difficulties in the program for risk analysis (PRA). Viet Nam is looking for training assistance and experts on PRA training.</p>	<p>Viet Nam shall fully notify the latest changes to the WTO Members.</p> <p>Viet Nam wishes to receive the support and assistance from international organizations regarding PRA training.</p>

No	Current status	2002-2003
8.	<p><u>Regional conditions:</u> Viet Nam shall conform to the obligations of the Agreement, taking into account the regional characteristics such as the 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>Viet Nam has been a full member of the Asia-Pacific Plant Protection Council (APPPC), a FAO's regional organisation. At the same time, Viet Nam is actively participating in the harmonization process of plant inspection measures of ASEAN for AFTA implementation.</p>	<p>Viet Nam shall fully notify the latest changes to the WTO Members.</p>
9.	<p><u>Non-discrimination:</u> Viet Nam ensures that its SPS measures do not arbitrarily or unjustifiably discriminate among different members under the same condition or between domestic and foreign suppliers. SPS measures should not be applied to create disguised restrictions on 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 Viet Nam are based on the standards of international organisations such as CODEX, OIE, and ASEAN. This shall not be unjustifiable restriction on trade.</p>	<p>Viet Nam shall fully notify the latest changes to the WTO Members.</p> <p>Viet Nam shall continue researching to prove the justification of its inspection measures and wish to further co-operate with other members in this area.</p>
10.	<p><u>Control, inspection and approval procedures:</u> Viet Nam 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).</p>	<p>Viet Nam shall fully notify the latest changes to the WTO Members.</p>