



16 December 2019

(19-8697)

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Committee on Import Licensing

Original: English

AGREEMENT ON IMPORT LICENSING PROCEDURES

NOTIFICATION UNDER ARTICLE 5.1 TO 5.4 OF THE AGREEMENT¹

VIET NAM

The following notification, dated 29 November 2019, is being circulated at the request of the delegation of Viet Nam.

	Category	Notification details
1	Notifying Member	Viet Nam
2	Title of new legislation/procedure	1. Decree 108/2017/ND-CP dated 20 September 2017 of the Government on Fertilizer Management 2. Circular 15/2018/TT-BNNPTNT dated 29 October 2018 on HS code for products under administration of Ministry of Agriculture and Rural Development of the Ministry of Agriculture and Rural Development;
3	Date of Publication	1. 20 th September 2017 2. 29 th October 2018
4	Date of entry into force	1. 20 th September 2017 2. 1 st January 2019
5	Website link/Official publication of the new regulation/procedure	1. http://vbpl.vn/TW/Pages/vbpq-toanvan.aspx?ItemID=124962&Keyword=nd%20108%202017 2. http://vbpl.vn/TW/Pages/vbpq-toanvan.aspx?ItemID=132335&Keyword=th%C3%B4ng%20t%C6%B0%2015%202018%20bnnptnt
6	Have you attached a copy of the regulation (PDF) to the Secretariat	<input checked="" type="checkbox"/> Yes. (Please attach a copy of the regulation to the notification.) <input type="checkbox"/> No.
7	Type of notification	<input checked="" type="checkbox"/> (a) New licensing regulation/procedure ² ; (please answer question 8 to 14) <input type="checkbox"/> (b) Changes to a regulation/procedure which has been previously notified in document: _____; (please answer question 15 and 16)
8	List of products subject to licensing	See Annex of Circular No. 15/2018/TT-BNNPTNT
9	Nature of licensing	Automatic: <input type="checkbox"/> Non-Automatic: <input checked="" type="checkbox"/>
10	Administrative purpose/measure being implemented	(a) <input type="checkbox"/> Protect public morals; (b) <input checked="" type="checkbox"/> Protect human, animal or plant life and health; protect environment;

¹ It is understood that the notifying Member has also completed its notification obligations under Article 1.4(a) and Article 8.2(b) regarding the relevant law/regulation/procedure notified for by filling this form in a full and complete manner.

² "New licensing regulation/procedure" is understood to refer to any newly introduced law, regulation or procedure, and those which are in force but being notified for the first time to the Committee.

	Category	Notification details
		(c) <input type="checkbox"/> Collect trade statistics or market surveillance; (d) <input type="checkbox"/> Protection of patents, trademarks and copyrights, and the prevention of deceptive practices; (e) <input type="checkbox"/> Pursue obligations under the UN Charter and other international treaties (<i>i.e. CITES, Basel Convention, Rotterdam Convention, UNSC Resolutions etc.</i>) (f) <input type="checkbox"/> Quota (including TRQ) administration; (g) <input type="checkbox"/> Regulate imports of arms, ammunition or fissionable materials and safeguard national security; (h) <input type="checkbox"/> Other: _____ (<i>please specify</i>)
11	Administrative body(ies) for submission of applications	Ministry/authority and Department: Plant Protection Department, Ministry of Agriculture and Rural Development Address: No. 149 Ho Duc Di Street, Dong Da District, Ha Noi Website: www.ppd.gov.vn Telephone: +84243.857.4663 E-Mail: bvtv@mard.gov.vn
12	Contact point for information on eligibility	Ministry/authority and Department: Plant Protection Department, Ministry of Agriculture and Rural Development Address: No. 149 Ho Duc Di Street, Dong Da District, Ha Noi Website: www.ppd.gov.vn Telephone: +84243.857.4663 E-Mail: bvtv@mard.gov.vn
13	Expected duration of licensing procedure	Ongoing
14	A summary of the notification in one of the WTO official languages	This Decree provides regulations on state administration related to fertilizers including recognition, testing, production, trading, export, import, quality management, labelling, advertisement, seminars and use of fertilizers in Viet Nam. Traditional organic fertilizers produced by organizations and individuals not for trading shall not be regulated by this Decree.
15	In the case of 7(b), please indicate the type of new change(s)	(a) <input type="checkbox"/> Termination (b) <input type="checkbox"/> Suspension (c) <input type="checkbox"/> Modification of specific details in existing procedures: <input type="checkbox"/> Product coverage; <input type="checkbox"/> Administrative purpose; <input type="checkbox"/> Automatic or Non-automatic; <input type="checkbox"/> Duration of licensing; <input type="checkbox"/> Change the nature of quantity/value restriction; <input type="checkbox"/> Eligibility of applicants; <input type="checkbox"/> Contact information on eligibility; <input type="checkbox"/> Administrative body(ies) for submission of application; <input type="checkbox"/> Documentation requirements (including application form); <input type="checkbox"/> Period for Application; <input type="checkbox"/> Administrative body(ies) to issue licence; <input type="checkbox"/> Processing time for issuing licence; <input type="checkbox"/> Licence fee/administrative charge; <input type="checkbox"/> Deposit/advance payment and relevant conditions; <input type="checkbox"/> Appeal regulations/procedures; <input type="checkbox"/> Validity of licence; <input type="checkbox"/> Other conditions of licence (extension, transferability, penalty of non-use etc.); <input type="checkbox"/> Foreign exchange requirements; <input type="checkbox"/> Other: _____ (<i>please specify</i>).

	Category	Notification details
16	Please elaborate the changes in detail (in one of the WTO official languages)	

ANNEX

HS CODES FOR FERTILIZERS
(ANNEX ATTACHED TO CIRCULAR 15/2018/TT-BNNPTNT)

Heading/ Subheading	Article description
31.01	Animal or vegetable fertilizers, whether or not mixed together or chemically treated; fertilizers produced by the mixing or chemical treatment of animal or vegetable products
3101.00.10	- Vegetable fertilizers
	- Others:
3101.00.92	- - Animal fertilizers (except for guano), chemically treated
3101.00.99	- - Others
31.02	Mineral or chemical fertilizers, nitrogenous
3102.10.00	- Urea, whether or not in aqueous solution
	- Ammonium sulphate; double salts and mixtures of ammonium sulphate and ammonium nitrate:
3102.21.00	- - Ammonium sulphate
3102.29.00	- - Others
3102.30.00	- Ammonium nitrate, whether or not in aqueous solution
3102.40.00	- Mixtures of ammonium nitrate with calcium carbonate or other inorganic non-fertilising substances
3102.50.00	- Sodium nitrate
3102.60.00	- Double salts and mixtures of calcium nitrate and ammonium nitrate
3102.80.00	- Mixtures of urea and ammonium nitrate in aqueous or ammoniacal solution
3102.90.00	- Other, including mixtures not specified in the foregoing subheadings
31.03	Mineral or chemical phosphatic fertilisers
	- Superphosphat:
3103.11	- - Containing By Weight 35% Or More Of Diphosphorus Pentaoxide (P2O5):
3103.11.90	- - - Others
3103.19	- - Others:
3103.19.90	- - - Others
3103.90	- Others:
3103.90.10	- - Calcined phosphatic fertilisers ^(SEN)
3103.90.90	- - Others
31.04	Mineral or chemical fertilisers, potassic
3104.20.00	- Potassium chloride
3104.30.00	- Potassium sulphate
3104.90.00	- Others
31.05	Mineral or chemical fertilisers containing two or three of the fertilising elements nitrogen, phosphorus and potassium; other fertilisers (excl. pure animal or vegetable fertilisers or mineral or chemical nitrogenous, phosphatic or potassic fertilisers); animal, vegetable, mineral or chemical fertilisers in tablets or similar forms or in packages of a gross weight of ≤ 10 kg
3105.10	- Goods of this chapter in tablets or similar forms or in packages of a gross weight not exceeding 10 kg:

Heading/ Subheading	Article description
3105.10.10	- - Superphosphates and calcined phosphatic fertilisers
3105.10.20	- - Mineral/chem fertilisers containing the 2 or 3 of the fert elements in tablets or similar forms of a gross weight ≤ 10 kg
3105.10.90	- - Others
3105.20.00	- Mineral or chemical fertilisers containing the three fertilising elements nitrogen, phosphorus and potassium
3105.30.00	- Diammonium, hydrogenorthophosphate, diammonium
3105.40.00	- Ammonium dihydrogen ortho phosphate (monoammonium phosphate) and mixtures thereof with diammonium hydrogen orthophosphate (diammonium phosphate)
3105.51.00	- - containing nitrates and phosphates
3105.59.00	- - Others
3105.60.00	- Mineral or chemical fertilisers containing the two fertilising elements phosphorus and potassium
3105.90.00	- Others