



13 June 2012

INDUSTRY ADVICE NOTICE NO. 2012/14

Entry into force of Decree 38 – Implementing Vietnam’s Law on Food Safety – 11 June 2012

The Department of Agriculture, Fisheries and Forestry (DAFF) is publishing this IAN to advise industry that Decree 38 will enter into force on 11 June 2012. This Decree will have the effect of formally implementing Vietnam’s Law on Food Safety.

Over recent months Australia has been pressing Vietnam, both bilaterally and with like-minded trading partners, to provide further information on how the Decree will be implemented. Despite these requests, Vietnam has provided conflicting advice on whether the Decree will have effect from 11 June, and if so, to what extent.

We have received informal advice that the commencement of this legislation on 11 June will not disrupt trad. DAFF understands that existing requirements will remain the basis for trade in food, until Vietnam’s ministries complete their drafting of the new circulars required to guide the operation of the Law on Food Safety.

We understand that when fully operational, the Law on Food Safety may create additional compliance procedures. For instance, certain foods may require a certificate of conformity – which will last up to five years – to indicate it complies with national technical or general food safety regulations. We will provide industry with detailed information about new requirements as soon as we receive advice from Vietnamese authorities.

Australia continues to work with Vietnam to clarify the requirements of this Decree, and to seek a formal transition period to allow exporters to familiarise themselves with any new requirements.

We would welcome reports from exporters about commercial disruptions encountered as a result of the entry into force of this Decree. DAFF will publish further IANs as additional information becomes available.

For further details please contact the Indonesia, Philippines and Vietnam Section on +61 2 6272 4365.

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