

GOVERNMENT**SOCIALIST REPUBLIC OF VIETNAM****Independence - Freedom - Happiness**

No: / 2021 / ND-CP

*Hanoi, date month year 2021***DRAFT 3**

(April 5, 2021)

DECREE**To amend and supplement a number of articles of Decree No. 43/2017 / ND-CP
April 14, 2017 of the Government on goods labels****GOVERNMENT***Pursuant to the Law on Government Organization dated June 19, 2015;**Pursuant to the Law on Product and goods quality dated November 21, 2007;**Pursuant to the Law on Commerce dated June 14, 2005;**Pursuant to the Law on the Protection of the interests of consumers dated November 30, 2010;**At the request of the Minister of Science and Technology,**The Government promulgates the Decree amending and supplementing a number of articles of the Decree No. 43/2017 / ND-CP dated April 14, 2017 of the Government on goods labels.***Article 1. Amending and supplementing a number of articles of Decree No. 43/2017 / ND-CP dated April 14, 2017 of the Government regarding goods labels are as follows:****1. To amend and supplement Article 1****"Article 1. Scope**

1. This Decree provides for the content, writing method and state management of labels for goods circulated in Vietnam, *exported* or imported goods.

2. The following goods are not governed by this Decree:

a) Real estate;

b) Goods temporarily imported for re-export; goods temporarily imported for participation in fairs and exhibitions then re-export; goods in transit, goods in transit; transshipped goods;

Imported goods are deposited in bonded warehouses for export to a third country;

c) Baggage of people on exit or entry; movable property;

d) Confiscated goods for auction;

dd) The goods are fresh, raw, and processed food without packaging selling directly to consumers;

first

e) Goods that are fuel, raw materials (agricultural products, aquatic products, minerals), waste materials (in production and business), *construction materials* without packaging and sold direct to consumers;

g) Goods are petroleum, gas (LPG, CNG, LNG), liquid, without packaging trade items in containers, tanks;

h) Used goods;

i) Goods in the field of security and defense; the commodity is radioactive, goods used in emergencies in order to overcome natural disasters or epidemics; means of transport by railway, water and air. "

2. To amend and supplement Article 2

“Article 2. Subjects of adjustment

This Decree applies to organizations and individuals that produce and trade in goods chemistry in Vietnam; organizations and individuals *exporting and* importing goods; home office country; relevant organizations and individuals. "

3. To amend and supplement Clause 2 of Article 3

“ Article 3. Interpretation of terms

2. Goods labeling means showing basic and necessary contents about the goods labels for consumers to recognize, serve as a basis for selection, consumption and use; to manufacturers, traders, informants, promoters of their own goods and order functional agencies carry out the inspection and control.

Some required content can be shown electronically provisions of law. "

4. To amend and supplement Clauses 2 and 4, Article 8

“ Article 8. Sub-labeling

To annul Clause 2 of Article 8;

Clause 4 Article 8 repeals the paragraph “For goods that cannot be exported either If they are returned or circulated in the market, there must be bold words on the supplementary label **"Made in Vietnam"** .

5. To amend and supplement Clause 4, Article 9

“Article 9. Responsibility to label goods

4. For goods imported into Vietnam, the importing organizations or individuals must labeling according to the provisions of Clause 2, Article 10 of this Decree when given in Vietnamese to be circulated and must keep the original label ”.

2

6. To amend and supplement Article 10

“Article 10. Mandatory contents must be shown on the goods label

1. For domestically circulated goods, a mandatory label is required show the following contents in Vietnamese:

- a) Name of goods;
- b) Name and address of the entity responsible for the good;
- c) The origin of the goods or the place where the final stage is taken to complete goods;
- d) Other contents according to the nature of each type of goods are specified in Appendix I to this Decree and relevant legal documents.

2. For goods imported for circulation in Vietnam on the original label required to display the following contents in a foreign language or Vietnamese first when clearing:

- a) Name of goods;
- b) Name and address of the entity responsible for the goods;
- c) The origin of the goods or the place where the final stage is taken to complete goods.

Where the original label does not show the origin of goods either where the final stage of finishing is required is required show this content in the import documents attached to the goods.

Imported goods, when put into circulation, must contain all arrests forced in Vietnamese as prescribed in Clause 1 of this Article and keep the original label intact.

3. Goods domestically produced for export shall be labeled in accordance with the law of the importing country.

In the case where goods domestically produced for export have labels showing the origin of goods, the content of the origin of goods must ensure the satisfaction of regulations specified in Clause 7, Article 1 of this Decree.

The contents of the export labels must comply with the provisions of Clause 2 of Article 18 Decree No. 43/2017 / ND-CP.

4. Case due to the size of the goods not enough to express all cabinet For compulsory contents on the label, the contents specified at Points a, b and c must be inscribed Clause 1 of this Article on the goods labels, with the contents specified at Point d, Clause 1 This is stated in the document accompanying the goods and on the label must indicate the place of recording those contents.

For goods being medical equipment, the presentation of the regulations The provisions specified at Point d, Clause 1 of this Article shall comply with the provisions in Appendix I of This Decree.

3

Some of the contents specified at Point d, Clause 1 of this Article can be represented by electronic mode. The Minister of Science and Technology shall provide guidance on spending with electronic labeling details ”.

7. To amend and supplement Article 15

“ Article 15. Origin of goods

1. Production, import and export organizations and individuals shall determine and record the export by themselves origin for our goods but must ensure honesty, accuracy and compliance the provisions of the law on origin of goods and international commitments that Vietnam Male has joined or signed.

2. Where the Vietnamese origin is shown on the label of goods circulated in country, export goods, import goods, and such goods must meet these requirements provisions of Vietnamese law on goods manufactured in Vietnam and origin

import and export goods.

3. *The way of writing the origin of goods is prescribed as follows: To write the phrase "production in "or" made in ", " country of origin ", " origin "or" made by "accompanied by the name the country or territory from which the good was produced or specified in accordance with the regulations legal documents on origin of goods.*

4. *In the case of goods of unidentifiable origin as prescribed in Clause 1 of this Article shall be recorded with phrases representing the final stage of completion goods such as: "assembled in", "bottled in", "mixed at", "processed at", "Completed in", "packed and labeled in" with the name of the country or territory where perform the final stage to complete the goods ". "*

8. To amend and supplement Points a and b, Clause 3, Article 16

"Article 16. Ingredients, ingredient quantities

a) For food, ingredients must be written in order from high to low in volume amount.

If the ingredient is an additive, the name of the additive group and the name of the additive must be specified international code or country INS (if any); In the case of additives, they are flavoring and creating agents For sweet, colorants, the names of flavoring groups, sweeteners, and colorants must be written name of substance (if any) and add that substance as "natural", "natural", "total matching "or" artificial ".

In case the country's additive code matches the international code (INS) then it is possible to write country codes instead of international codes (INS).

b) For drugs for human use, vaccines, medical biologicals, biological preparations, veterinary drugs, plant protection drugs, *insecticidal and germicidal preparations for domestic use* In the household and medical sectors, the composition and content of active ingredients must be recorded . "

4

9. Amending Section 2 of Appendix I:

"2. Food

- a) Quantity;
- b) Date of manufacture;
- c) Expiry date;
- d) *Ingredients or ingredient quantities; nutritional value (if any);*
- dd) Warnings;
- e) Instructions for use, instructions for storage.

The Minister of Health guides the route and how to label nutrition by type suitable food, food is exempt from some nutritional criteria. "

10. To amend the name of Section 40, Appendix I:

" 40. Post and telecommunications equipment, information technology, information safety, renovated and renewed electricity, electronics, information technology products ". "

11. To add group 67 to Appendix I:

"sixty seven. Food supplements, food processing aids

- a) *Quantity;*
- b) *Date of manufacture;*

c) *Expiry date;*

d) *Ingredients, ingredient quantities of the added substance (or value nutrition);*

dd) *Warnings (if any);*

g) *Instructions for use, instructions for storage (if any);*

h) *Health recommendation (if any);*

i) *Insert the phrase: "Supplements". "*

Article 2. Terms of implementation

1. This Decree takes effect from the date of May 2021.

2. Transition Terms

Goods with labels in accordance with the provisions of Decree No. 43/2017 / ND-CP dated 14 April 2017 of the Government on the labels of goods that were produced, imported, Circulation before the effective date of this Decree, for continued circulation and use use until the expiry date indicated on the label.

5

Article 3. Responsibility for implementation

1. The Minister of Science and Technology shall have to guide the implementation This Decree.

2. Ministers, heads of ministerial equivalent bodies and government bodies Government, Chairmen of the People's Committees of provinces and cities directly under the Central Government are responsible implementation of this Decree./.

Recipients:

- Secretariat of the Party Central Committee;
- Prime Minister, Deputy Prime Ministers;
- Ministries, ministerial-level agencies, Government-attached agencies;
- People's Councils, People's Committees of provinces and cities directly under the Central Government;
- Central Office and Committees of the Party;
- Office of the General Secretary;
- Office of the President;
- The Ethnic Council and Committees of the National Assembly;
- Congress office;
- Government office;
- Supreme People's Court;
- People's Procuratorate of the Supreme;
- National Financial Supervisory Commission;
- State audit;
- Bank for Social Policy;
- Vietnam Development Bank;
- Central Committee of Vietnam Fatherland Front;
- Central organs of unions;
- Save: VT, KGVX (2b).

**TM. GOVERNMENT
PRIME MINISTER**

