

THE MINISTRIES

INTER-MINISTERIAL

THE MINISTRY OF FINANCE – THE MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT – THE MINISTRY OF AQUATIC RESOURCES

JOINT CIRCULAR No. 17/2003/TTLT/BTC- BNNPTNT-BTS OF MARCH 14, 2003 GUIDING THE INSPECTION AND SUPERVISION OF IMPORT/EXPORT GOODS SUBJECT TO ANIMAL, PLANT OR AQUATIC PRODUCT QUARANTINE

Pursuant to Customs Law No. 29/2001/QH10 of June 29, 2001;

Pursuant to the Ordinance on the Protection and Development of Aquatic Resources of April 25, 1989;

Pursuant to the Veterinary Ordinance of February 15, 1993;

Pursuant to Plant Protection and Quarantine Ordinance No. 36/2001/PL-UBTVQH10 of July 25, 2001;

The Ministry of Finance, the Ministry of Agriculture and Rural Development and the Ministry of Aquatic Resources hereby jointly agree to guide the inspection and supervision of import/export goods (which, in this Circular, are construed as assorted goods brought from Vietnam to foreign countries and from foreign countries into the Vietnamese territory), which are subject to animal, plant or aquatic product quarantine, as follows:

I. GENERAL PROVISIONS

1. Only goods on the list of import/export goods subject to animal or plant quarantine, announced by

the Minister of Agriculture and Rural Development, or on the list of goods subject to aquatic product quarantine, announced by the Minister of Aquatic Resources, are subject to quarantine procedures.

2. Units competent to grant quarantine certificates or certify written quarantine registration for the goods prescribed at Point 1 above (hereinafter referred collectively to as the quarantine agencies) shall be the units assigned the tasks by decisions of the Minister of Agriculture and Rural Development or the Minister of Aquatic Resources (according to Appendix No. 1 to this Circular, they are the quarantine agencies performing the tasks).

3. For goods imported and/or exported through non-commercial channel (not for the business purposes) in service of consumption and daily-life demands of passengers on entry and/or exit, diplomatic missions and international organizations, the customs offices shall effect the customs clearance without requesting the submission of written quarantine registration or quarantine certificates, except for cases where the quarantine agencies announce the compulsory quarantine for each specific goods item at each specific time.

4. This Circular's provisions shall not apply to goods transited by air or sea in cases where goods are neither loaded nor unloaded at ports.

5. The quarantine of import goods shall be conducted by mode of registration first and inspection later, concretely as follows:

- Before carrying out customs procedures, the goods owners must register the quarantine with the quarantine agencies.

- The quarantine agencies may conduct the quarantine simultaneously with the goods inspection by the customs offices or after the completion of customs procedures for goods at the time and places determined in the written quarantine registration (according to the form in Appendix No. 2 to this Circular).

II. SPECIFIC PROVISIONS

1. Responsibilities of the goods owners:

1.1. For export goods:

Before exporting goods, the goods owners must register and declare with the quarantine agencies for carrying out inspection procedures and granting of quarantine certificates for quarantine-liable goods according to law provisions or at the requests of the purchasers.

1.2. For import goods:

Before carrying out customs procedures, the goods owners must make the quarantine registration (in 3 copies made according to the form in Appendix No. 2) with the quarantine agencies.

1.2.1. When carrying out customs procedures, apart from the dossier set prescribed by the customs offices, they must submit written quarantine registration already certified by the quarantine agencies.

1.2.2. After making the quarantine registration, if failing to import goods, they must return 2 copies of written quarantine registration to the quarantine agencies (where certification is made). When carrying out import procedures, if the customs offices determine that goods are not allowed for import into Vietnam, the goods owners must return the written quarantine registration (the goods owners' copies) to the quarantine agencies (where certification is made), with the customs offices' certification of the reasons for not allowing the import.

1.2.3. For goods with the quarantine procedures being carried out after the completion of customs procedures:

- Goods having gone through the customs procedures must be brought in status quo to the right places and at the right time already registered in the written quarantine registration.

- In case of *force majeure* where goods cannot be brought to the right places and at the right time already registered for quarantine, such must be explained to the quarantine agencies.

1.2.4. They must strictly perform the following obligations:

- To put goods into circulation only after the quarantine agencies have granted quarantine

certificates.

- To observe the quarantine agencies' decisions on handling of goods lots (if any).

- For those goods lots which are quarantined and not qualified for import and must be re-exported, when carrying out export procedures, the import customs dossiers, the quarantine agencies' decisions on forcible re-export, and goods must be produced to the customs offices where import procedures for the goods lots have been carried out.

2. Responsibilities of the quarantine agencies:

2.1. To effect the registration and make certification in 3 copies of written quarantine registration, 2 of them to be returned to the goods owners and 1 to be kept.

2.2. After certifying the written quarantine registration, to monitor, conduct the quarantine and grant quarantine certificates or handle the cases according to regulations.

2.3. For those goods lots having completely gone through the customs procedures, before conducting the quarantine, to compare goods with the goods owners' declaration and the customs dossier set. If there appears any disparity, to make records thereon and handle them according to law provisions.

2.4. After conducting the quarantine, if goods must be destroyed, the destruction thereof must comply with law provisions; if goods must be re-exported, the decisions on forcible re-export must be issued, clearly stating the time of re-export, 1 copy to be handed to goods owners for implementation, and 1 copy to be sent to the customs office (where import procedures for the goods lots were carried out) for implementation coordination; to monitor the goods lots until they are actually re-exported; and handle violations for those goods owners who fail to strictly abide by the decisions on forcible re-export.

2.5. To promptly inform the provincial/municipal Customs Departments of those individuals and organizations that fail to strictly abide by the commitments on the quarantine already registered, and request the coercive customs procedures for the subsequent goods lots.

2.6 Upon the implementation of the handling decisions by organizations or individuals, the quarantine agencies (which request the coercive customs procedures) shall grant written certifications to be submitted to the customs offices for canceling the coercive procedures, clearly stating the notices (number, date, violation acts, forms of handling), under which the enterprises are coerced.

3. Responsibilities of the customs offices:

3.1. For export goods:

The customs offices shall only request the submission of quarantine certificates for quarantine-liable goods according to law provisions.

3.2. For import goods:

3.2.1. When receiving the registration of customs dossiers, to request the goods owners to submit 1 copy of written quarantine registration (the original) already certified by the quarantine agencies, and carry out procedures according to regulations.

3.2.2. For import goods which have completely gone through the customs procedures but must be re-exported under the quarantine agencies' decisions, the border-gate customs offices (where the import procedures for the goods lots have been carried out) shall compare the goods lots' import dossiers with the actual goods, if they are found compatible, they shall carry out procedures for re-export thereof, if not, they shall make records thereon and notify such to the quarantine agencies (which issue decisions on forcible re-export) for handling according to law provisions.

3.2.3. For import goods lots which have already been registered for quarantine, but are not allowed for import due to violations of the import and export management policies, the customs offices where procedures are carried out shall certify and clearly inscribe the reasons therefor in the written quarantine registration (the goods owners' copies).

3.2.4. To impose coercive customs procedures on goods imported and/or exported by organizations or individuals at the requests of the quarantine agencies due to the violation of the legislation on quarantine

for import goods which have already been registered for quarantine.

3.2.5. To cancel the coercion when organizations or individuals submit copies and produce the originals of the documents of the quarantine agencies (which request the coercion) which certify that the handling decisions have been executed. Organizations' copies must be certified, signed and stamped, while individuals' copies are those photocopied.

4. Coordination relations:

4.1 In cases where the quarantine agencies request the completion of quarantine of the goods lots before the customs procedures are completed, the two concerned agencies must closely coordinate with each other therein, and the customs offices shall decide on the customs clearance only after the quarantine agencies' conclusions are made.

4.2. Annually, the Customs Sub-Departments shall assume the prime responsibility in meeting with the concerned quarantine agencies to draw experiences on the coordination in the inspection and supervision of quarantine-liable goods. In case of necessity, extraordinary meetings may be convened at the requests of the customs offices or the quarantine agencies.

III. IMPLEMENTATION PROVISIONS

1. This Circular takes effect as from April 1, 2003. To annul Joint Circular No. 07/TTLN of August 31, 1995 of the Ministry of Agriculture and Foodstuff Industry and the General Department of Customs and Joint Circular No. 03/TTLT of March 25, 1997 of the Ministry of Agriculture and Rural Development and the General Department of Customs.

2. The General Department of Customs, the Veterinary Department, the Plant Protection Department and the Department for the Protection of Aquatic Resources shall have to guide the implementation of this Circular.

3. In the course of implementation, if any problems arise, the quarantine agencies and the border-gate Customs Sub-Departments should promptly propose

measures to handle them and report them on to their immediate superior agencies for prompt direction and settlement.

For the Minister of Finance
Vice Minister
TRUONG CHI TRUNG

*For the Minister of Agriculture and
Rural Development*
Vice Minister
BUI BA BONG

*For the Minister of Aquatic
Resources*
Vice Minister
NGUYEN THI HONG MINH

Appendix No. 1

**LIST OF UNITS COMPETENT TO CERTIFY
WRITTEN QUARANTINE REGISTRATION OR
GRANT QUARANTINE CERTIFICATES FOR
IMPORT/EXPORT GOODS SUBJECT TO
ANIMAL QUARANTINE**

I. The veterinary center of Hanoi region

- Address: 63B Phuong Mai, Dong Da, Hanoi
- Tel: 04.8692627
- Fax: 04.8685390
- E-mail: tttyv@fpt.vn

- Localities under management: Hanoi, Ha Tay, Hoa Binh, Ha Nam, Nam Dinh, Ninh Binh, Phu Tho, Vinh Phuc, Lao Cai, Son La, Lai Chau and Yen Bai.

II. The veterinary center of Hai Phong region

Address: 23 Da Nang street, Ngo Quyen district, Hai Phong city

Tel: 031.836511

Fax: 031.551698

- E-mail: ttyvhp@hn.vnn.vn

- Localities under management: Hai Phong, Thai Binh, Quang Ninh, Lang Son, Cao Bang, Ha Giang, Tuyen Quang, Bac Can, Thai Nguyen, Bac Giang, Bac Ninh, Hai Duong and Hung Yen

- Border-gate stations: Cai Bi airport and Hai Phong port.

III. The veterinary center of Vinh region

- Address: 51 Nguyen Sinh Sac street, Vinh city, Nghe An

- Tel: 038.842786

- Fax: 038.841571

- E-mail: tyvvinh@hn.vnn.vn

- Localities under management: Thanh Hoa, Nghe An, Ha Tinh, Quang Binh, Quang Tri and Thua Thien - Hue.

- Border-gate stations: Lao Bao and Cau Treo.

IV. The veterinary center of Da Nang region

- Address: 12 Tran Quy Cap street, Hai Chau district, Da Nang city

- Tel: 0511.822515

- Fax: 0511.826926

- E-mail: tttyvdn@dn.vnn.vn

- Localities under management: Da Nang, Quang Nam, Quang Ngai, Binh Dinh, Gia Lai, Kon Tum, Dak Lak, Phu Yen and Khanh Hoa

- Border-gate stations: Da Nang airport and Tien Sa port.

V. The veterinary center of Ho Chi Minh City region

- Address: 124-126 Pham The Hien street, District 8, Ho Chi Minh City

- Tel: 08.8568866, 08.8568887

- Fax: 08.8569050

- E-mail: rathcm@hcm.fpt.vn

- Localities under management: Ho Chi Minh City, Lam Dong, Ninh Thuan, Binh Thuan, Dong Nai, Ba

Ria -- Vung Tau, Binh Duong, Binh Phuoc, Tay Ninh, Long An, Tien Giang and Ben Tre.

- Border-gate stations: Tan Son Nhat airport, Sai Gon port and Moc Bai station.

VI. The veterinary center of Can Tho region

- Address: Cach Mang Thang Tam road, Can Tho city, Can Tho province

- Tel: 071.820203

- Fax: 071.823386

- E-mail:

- Localities under management: Can Tho, Vinh Long, Tra Vinh, Dong Thap, An Giang, Soc Trang, Kien Giang, Bac Lieu and Ca Mau

- Border-gate station: Can Tho port.

VII. The border-gate animal quarantine stations under the Veterinary Department

1. Noi Bai Airport Animal Quarantine Station

- Address: Noi Bai International Airport

- Tel: 04.8840120

2. Dong Dang Animal Quarantine Station

- Address: 39 Dong Dang Railway Station Zone, Dong Dang township, Lang Son

- Tel: 025.851275

- Fax: 025.812536

- Border gate stations: Dong Dang station, Huu Nghi, Coc Nam, Tan Thanh and Chi Ma.

3. Lao Cai Animal Quarantine Station

- Address: Lao Cai provincial capital, Lao Cai province

- Tel: 020.830260

4. Mong Cai Animal Quarantine Station

- Address: Mong Cai town, Quang Ninh

- Tel: 033.881502

- Fax: 033.881502

- Border gate stations: Mong Cai and Bac Phong Sinh.

Notes:

* Import/export goods subject to animal quarantine shall comply with Decision No. 607 NN-TY/QD of June 9, 1994 of the Ministry of Agriculture and Foodstuff Industry (now the Ministry of Agriculture and Rural Development)

* The provincial/municipal Veterinary Sub-Departments may, under the authorization of the Veterinary Department, perform the quarantine work at border gates within the authorized scope.

Appendix No. 1

LIST OF UNITS COMPETENT TO CERTIFY WRITTEN QUARANTINE REGISTRATION OR GRANT QUARANTINE CERTIFICATES FOR IMPORT/EXPORT GOODS (ARTICLES) SUBJECT TO PLANT QUARANTINE

1. The Plant Quarantine Sub-Department of Region I:

Address: 2 Tran Quang Khai street, Hai Phong city

Tel: 031.842104 – 031.823366

- Fax: 031.821839

E-mail: kdtv1hp@hn.vnn.vn

Localities under management: Thai Binh, Hai Duong, Hung Yen, Hai Phong and Quang Ninh

Border-gate stations: Hai Phong port; Mong Cai; and Binh Lieu.

2. The Plant Quarantine Sub-Department of Region II:

Address: 28 Mac Dinh Chi street, District 1, Ho Chi Minh City

Tel: 08.8251401 – 0808.8238948

Fax: 08.8293266

E-mail: kdtv2@hcmc.netnam.vn

Localities under management: Ninh Thuan, Binh Thuan, Lam Dong, Binh Duong, Binh Phuoc, Tay Ninh, Dong Nai, Ho Chi Minh City, Long An, Tien Giang, Dong Thap and Ba Ria -- Vung Tau

Border-gate stations: Sai Gon port; Moc Bai; Vung Tau; Tan Son Nhat airport; Binh Hiep; Tho Mo; Hung Dien A; Xa Mat; Ka Tum; Phuoc Tan; Hoa Lu; Hoang Dieu; Thuong Phuoc; Dong Thap post office; Ba Ria Vung Tau post office; and Dong Nai post office.

3. The Plant Quarantine Sub-Department of Region III:

Address: 146 Hoang Dieu street, Da Nang city

Tel: 0511.821622

Fax: 0511.826863

E-mail: lethinganh@dng.vnn.vn

Localities under management: Quang Tri, Thua Thien Hue, Quang Nam, Da Nang and Quang Ngai

Border-gate stations: Da Nang port; Hue city; and Lao Bao.

4. The Plant Quarantine Sub-Department of Region IV:

Address: 66 Le Hong Phong street, Quy Nhon, Binh Dinh

Tel: 056.822964 – 056.823538

Fax: 056.822964 (823538)

E-mail: cckdvt4@dng.vnn.vn

Localities under management: Binh Dinh, Phu Yen, Khanh Hoa, Kon Tum, Gia Lai and Dac Lac.

Border-gate stations: Nha Trang; Bo Y; Duc Co; Buprang; and Dac Bo.

5. The Plant Quarantine Sub-Department of Region V:

Address: 149 Ho Duc Di street, Dong Da, Hanoi

Tel: 04.8513500

Fax: 04.5330043

E-mail: kdtv5-hn@fpt.vn

Localities under management: Bac Giang, Bac Ninh, Phu Tho, Vinh Phuc, Ha Tay, Ninh Binh, Nam Dinh, Ha Nam, Hanoi, and Hoa Binh

Border-gate stations: Hanoi city; and Noi Bai airport.

6. The Plant Quarantine Sub-Department of

Region VI:

Address: 28 Tran Phu street, Vinh city, Nghe An

Tel: 038.842992

Fax:

E-mail: cckdvtv6@hn.vnn.vn

Localities under management: Thanh Hoa, Nghe An, Ha Tinh, and Quang Binh

Border-gate stations: Cau Treo and Chalo.

7. The Plant Quarantine Sub-Department of Region VII:

Address: 98B Ngo Quyen street, Dong Kinh ward, Lang Son provincial capital

Tel: 025.875797 – 025.875798

Fax: 025.872941

E-mail:

Localities under management: Lang Son, Cao Bang, Bac Kan, and Thai Nguyen

Border-gate stations: Huu Nghi; Dong Dang; Tan Thanh; Chi Ma; Cong Trang; Ta Lung; Tra Linh; Ha Quang; and Soc Giang.

8. The Plant Quarantine Sub-Department of Region VIII:

Address: Lao Cai provincial capital

Tel: 020.830503 – 020.830097

Fax: 020.830503

E-mail: tuankd8lc@hn.vnn.vn

Localities under management: Ha Giang, Tuyen Quang, Yen Bai, Lao Cai, Lai Chau, and Son La

Border-gate stations: Lao Cai; Lao Cai railway station; Bat Sat; Muong Khuong; Quang Kim; Luc Cau; Km6; Thanh Thuy; Ma Lu Thang; Pay Chang; Chieng Khoi; Si Ma Cai; and Tay Trang.

9. The Plant Quarantine Station of Region IX:

Address: 386B Cach Mang Thang Tam road, Can Tho city

Tel: 071.826709 – 071.883551

Fax: 071.828408

E-mail: kdtvv9@hcm.vnn.vn

Localities under management: Can Tho, An Giang, Kien Giang, Ca Mau, Bac Lieu, Tra Vinh, Soc Trang, Vinh Long, Ben Tre

Border-gate stations: My Tho port; Tinh Dien; Vinh Hai Dong; Vinh Xuong; and Khanh Binh.

Notes:

1. List of import/export goods (articles) subject to plant quarantine shall comply with Decision No. 56/2001/QĐ/BNN-BVTV of May 23, 2001 of the Ministry of Agriculture and Rural Development.

2. When new quarantine stations are put into operation, the plant quarantine agencies shall notify thereof to the border-gate Customs Sub-Departments for coordination.

3. The provincial/municipal Plant Protection Sub-Departments shall, under the Plant Protection Department's authorization, be permitted to perform the quarantine work at border gates within the authorized scope.

where border gates exist to certify written quarantine registration or grant quarantine certificates, for import/export goods subject to *aquatic product quarantine*.

2. For border gates where aquatic product quarantine stations do not exist, they should contact the *Department for the Protection of Aquatic Resources* for guidance.

3. List of quarantine objects with regard to aquatic animals and products thereof (under Circular No. 02/TS-TT of June 25, 1994 of the Ministry of Aquatic Resources):

- Fish, crustaceans, molluscs, pelmatozoan, sponges, corollaceous sinus, amphibians and their eggs; and mammals.

- Fresh and live products, treated or preliminarily processed products (frozen, dried or half-done, salted,...) which may carry agents causing diseases to aquatic animals.-

Appendix No. 1

AGENCIES COMPETENT TO CERTIFY WRITTEN QUARANTINE REGISTRATION OR GRANT QUARANTINE CERTIFICATES FOR IMPORT/EXPORT GOODS SUBJECT TO AQUATIC PRODUCT QUARANTINE

The Department for the Protection of Aquatic Resources – The Ministry of Aquatic Resources

Address: 10 Nguyen Cong Hoan street, Ba Dinh, Hanoi

Tel: 04.8345953 – 04.7716298 – 04.351759

Fax: 04.8353363

Localities under management: Nationwide

Notes:

1. The Department for the Protection of Aquatic Resources may authorize the Sub-Departments for the Protection of Aquatic Resources of the provinces