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Unofficial
Translation

CIRCULAR

Promulgating list of regulated articles; list of regulated articles subject to pest risk analysis before importing into Vietnam

Pursuant to Plant Protection and Quarantine Law No. 41/2013/QH13 on November 25, 2013;

Pursuant to Decree 199/2013/ND-CP on November 26, 2013 of Government stipulating the functions, tasks, power and structure of the Ministry of Agriculture and Rural Development;

At the proposal of the Director General of Plant Protection Department;

Hereafter is the guide by the Minister of Agriculture and Rural Development for publishing the list of regulated articles; list of regulated articles subject to pest risk analysis before importing into Vietnam:

Article 1. List of regulated articles subject to plant quarantine (hereafter called regulated articles) of Vietnam for export, import, transfer, re-export, re-import and transit, including:

1. Plant:

Living plants and living part(s) of plants;

2. Plant products:

- a. Tubers/bulbs, fruits, seeds, flowers, leaves, stems, branches, roots, stumps, barks;
- b. Broken rice, bran, dried plant meal, raw natural fibre, plant fibre;
- c. Starch, powder with plant origin (except doughs and modified starches);
- d. Tobacco stem, tobacco fibre, makhorka fibre, feed yeast, raw cotton, cotton by-products, rice straw, and aquatic plants;
- e. Log, sawn timber, wood pallets, sawdusts, coconut dust;
- f. Feedstuff of plant origin or materials of plant origin for feedstuff production;
- g. Growing media made from plant materials;

3. Mushrooms (except all salted, frozen and canned mushrooms, yeast).

4. Silkworm cocoon, silk waste, sticklac;

5. Insects, spiders/mites, fungi, nematodes, bacteria, virus, phytoplasma, viroids, weeds for diagnostics, training, biological control and research.

6. Transportation means and facilities used for shipment or storage of regulated articles.
7. Other objects capable of harbouring quarantine pests determined by the Plant Protection Department and report to Minister for decision.
8. Articles for exporting not mentioned in this Article shall be implemented as requirements of importing country or international treaties that Vietnam signed or adhered.

Article 2. List of regulated articles subject to pest risk analysis before importing into Vietnam (hereafter called articles) including:

1. Living plants and living part(s);
2. Fresh tubers/bulbs, fresh fruits;
3. Grass, and grass seeds.
4. Beneficial organisms used in plant protection
5. The imported commodities that recorded interception of quarantine pest of Vietnam.
6. Articles with high risks of carrying any regulated pests of Vietnam determined by the Plant Protection Department and reported to Minister for decision

Article 3. Articles mentioned in the Article 2 subject to exemption of pest risk analysis before importing into Vietnam, in following cases:

1. Plant varieties for scientific research.
2. Beneficial organisms for scientific research.
3. Other exemption, Director General of Plant Protection Department is to report Minister of Agriculture and Rural Development for final decision
4. Importation under Paragraph 1,2,3 of this Article must apply for import permit and comply with phytosanitary inspection regulations

Article 4. Transitional article

The commodities which have officially recorded entry into Vietnam prior enforcement of this Circular without undertaking pest risk analysis are required to submit relevant information to Plant Protection Department of Vietnam for pest risk analysis. Plant Protection Department might amend necessary phytosanitary measures for effective preventing introduction of quarantine pests based on results of the pest risk analysis.

Article 5. Entry into force

1. This Circular will come in to force since 1 January 2015.
2. This circular will fully replace the Circular No. 39/2012/TT-BNNPTNT of August 13, 2012 and Circular No. 40/2012/TT-BNNPTNT of August 15th, 2012 of Minister of Agriculture and Rural Development for publishing the list of regulated articles and the list of regulated articles subject to pest risk analysis before importing into Vietnam.

3. The Chief of Ministry Office, Director General of Plant Protection Department and relevant organizations and individuals are responsible for implementing this Circular.

During enforcement, all involved units submit reports on difficulties to the Ministry of Agriculture and Rural Development (via Plant Protection Department) for consideration and appropriate amendment.

Recipients:

- Office of Government
- Ministries
- People's Committees of provinces, cities
- Ministry of Justice (Department of legal document control)
- Government Gazette; Government website
- MARD's departments, offices
- Plant Quarantine Sub - departments
- Provincial plant protection sub-departments
- Files

**FOR MINISTER
DEPUTY MINISTER**

(signed)

Le Quoc Doanh