



Nghị định số 15/2018/NĐ-CP của Chính phủ : Quy định chi tiết thi hành một số điều của Luật an toàn thực phẩm

Decree No. 15/2018/ND-CP of the Government:
Detailing the Implementation of a Number of
Articles of the Law on Food Safety

Government of Vietnam

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Translated by ChemLinked

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THE GOVERNMENT

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No. 15/2018/ND-CP

Hanoi, February 02, 2018

DECREE

ELABORATION OF SOME ARTICLES OF THE LAW OF FOOD SAFETY

Pursuant to the Law on Government organization dated June 19, 2015;

Pursuant to the Law on Food safety dated June 17, 2010;

At the request of the Minister of Health;

The Government promulgates a Decree to elaborate some Articles of the Law of Food safety.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

This Decree elaborates some Articles of the Law of Food safety on:

1. Procedures for product self-declaration.
2. Procedures for registration of the product declaration.
3. Assurance of genetically modified GM foods.
4. Issuance of the certificate of food safety.
5. State inspection of safety of imported and exported foods.
6. Food labeling.
7. Food advertisements.

8. Food safety requirements in production of dietary supplements.
9. Food safety requirements in production, sale and use of food additives.
10. Tracing food origins.
11. Food safety authorities.

Article 2. Regulated entities

This Decree applies to both Vietnamese and foreign organizations and individuals that are involved in the production or sale of food in Vietnam, as well as to those who operate in the field of food safety in Vietnam..

Article 3. Definitions

For the purpose of this Decree, the following terms are construed as follows:

1. 1) “dietary supplement” means a product used as a supplement to the daily diet to improve user’s health and immunity. Dietary supplement may contain one or more of the following substances:

- a) Vitamins, minerals, amino acids, fatty acids, enzymes, probiotics and other biologically active substances;
- b) Substances derived from animals, minerals, plants in the form of extracts, isolates, concentrates or metabolites;
- c) Sources of the substances mentioned in Point a and Point b above.

Dietary supplements may be in the form of soft gels, pellets, tablets, granules, powder, liquid and other dosage form divided into smaller doses.

2. “medical food” or “food for special medical purposes” means a food that can be consumed orally or tube feeding, prescribed to regulate the patient’s diet, the use of which has to be supervised by a health worker.

3. “food for special dietary uses” means food for people on a diet, elderly people and other users defined by Codex Alimentarius, processed or formulated to satisfy particular dietary requirements which exist because of a particular physical or physiological conditions and/or specific disease

and disorder of the user. The composition of this kind of food differs significantly from that of ordinary foods of comparable nature, if such ordinary foods exist.

4. “scientific evidence” means scientific documents and information from researches accepted by competent authorities or published in Vietnamese or foreign academic journals or articles about traditional medicine in academic prints.

5. “goods owner” means the organization or individual responsible for the goods specified in the declaration or self declaration of products, or the organization or individual authorized to import or export food products.

6. “exports and imports” are food products of the same category, names, labels, producers and packaging materials.

7. “shipment” means the entire food products of an export or import shipment (in the same bill of lading). A shipment may comprise a single or multiple commodities.

8. “micro food manufacturer” means a household or individual that obtains food ingredients by means of farming, breeding, fishing or collecting with or without a certificate of enterprise registration.

9. “micro food processor” means a household or individual that processes food with or without a certificate of enterprise registration.

10. “micro food business” means an individual, a group of individual or a household that has registered as a business household and does not have the certificate of business registration, certificate of enterprise registration and investment registration certificate.

Chapter II

PROCEDURES FOR PRODUCT SELF-DECLARATION

Article 4. Product self-declaration

1. Food manufacturers and food sellers (hereinafter referred to as “suppliers”) shall prepare self-declaration of pre-packaged processed foods, food additives, food processing aids, food containers, primary packages of foods (hereinafter referred to as “products”) other than the commodities specified in Clause 2 of this Article and Article 6 of this Article.



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