



13 September 2019

(19-5875)

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Committee on Technical Barriers to Trade

Original: English

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

<p><b>1. Notifying Member:</b> <u>VIET NAM</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b></p>
<p><b>2. Agency responsible:</b> Ministry of Science and Technology 113 Tran Duy Hung Str., Cau Giay Dist. Ha Noi, Vietnam Tel: (84.24) 35563456 Fax: (84.24) 39439733</p> <p><b>Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b></p> <p>Directorate for Standards, Metrology and Quality 8 Hoang Quoc Viet Str., Cau Giay Dist. Ha Noi, Vietnam Tel: (84.24) 37911636 Fax: (84.24) 37911635 Email: <a href="mailto:yuhchq@tcvn.gov.vn">yuhchq@tcvn.gov.vn</a> Website: <a href="http://www.tcvn.gov.vn">http://www.tcvn.gov.vn</a></p>
<p><b>3. Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other:</b></p>
<p><b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Products and Goods in general</p>
<p><b>5. Title, number of pages and language(s) of the notified document:</b> Draft Circular guiding the implementation of a number of Articles of Decree No. 74/2018/ND-CP of 15 May 2018 and Decree No. 154/2018/ND-CP of 9 November 2018. (12 page(s), in Vietnamese)</p>
<p><b>6. Description of content:</b> This draft Circular guides the technical regulation conformity announcement and state inspection of quality of imported goods likely to cause unsafe (hereinafter referred to as group-2 goods for short) and quality management of group-2 products and goods under responsibility of the Ministry of Science and Technology.</p> <p>This draft Circular applies to:</p> <ul style="list-style-type: none"><li>• Agencies performing the state management function of products and goods quality;</li><li>• Organizations and individuals being involved in technical regulation conformity announcement activities; organizations and individuals importing products and goods (hereinafter referred collectively to as importers);</li></ul>

- Organizations and individuals being involved in quality inspection of goods and products imported, manufactured and traded in Viet Nam under the management responsibility of the Ministry of Science and Technology;
- Other relevant organizations and individuals.

Main contents:

- Guide the application of management measures at a stricter level: domestically manufactured and imported products and goods, of which unsatisfactory quality are detected to cause unsafe to people, animals, plants, properties, environment or basing on conclusion of competent authorities about the complaints of production and import activities, will be managed strictly.
- Handling imported goods and products for which applications failed to be submitted on time.
- Guidance on the application for exemption and reduction of quality inspection of imported group-2 goods and products.
- The principles of quality management for some imported group-2 goods and products.
- Principles of handling and recalling imported products and goods that do not conform to technical regulations and standards notified to apply.
- Provisions on quality management of group-2 goods and products under responsibility of the Ministry of Science and Technology.

**7. Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety; Quality requirements

**8. Relevant documents:**

- Law on Standards and Technical Regulations dated 29 June 2006;
- Law on Product and Goods quality of 21 November 2007;
- Decree No. 127/2007/ND-CP dated 1 August 2007 of the Government detailing the implementation of articles of the Law on Standards and Technical Regulations and Decree No. 78/2018/ND-CP by the Government dated 16 May 2018 amending and supplementing some Articles of the Decree No. 127/2007/ND-CP of 1 August 2007, detailing some Articles of the Law on Standards and Technical regulations;
- Decree No. 132/2008/ND-CP dated 31 December 2008 by the Government detailing the implementation of some articles of the Law on Product and Goods Quality and Decree No. 74/2018/ND-CP dated 15 May 2018 by the Government amending and supplementing some Articles of the Decree No. 132/2008 / ND-CP dated 31 December 2008 detailing the implementation of the Law on Product and Goods Quality;
- Decree No. 154/2018/ND-CP dated 9 November 2018 of the Government amending, supplementing and some regulations of investment and business conditions in the field of state management of the Ministry of Science and Technology study and Technology and some regulations of specialized tests.

**9. Proposed date of adoption:** October 2019

**Proposed date of entry into force:** 45 days from the date of adoption

**10. Final date for comments:** 60 days from notification

**11. Texts available from: National enquiry point [X] or address, telephone and fax numbers and email and website addresses, if available, of other body:**

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Or can be downloaded at:

<https://www.most.gov.vn/vn/Pages/chitietduthao.aspx?iDuThao=760>