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CIRCULAR

**STIPULATING THE ORDER OF AND PROCEDURES FOR QUARANTINING AQUATIC
ANIMALS AND AQUATIC PRODUCTS**

THE MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT

Pursuant to the Government's Decree No. 01/2008/CP of January 3, 2008, defining the functions, tasks, powers and organizational structure of the Ministry of Agriculture and Rural Development; and Decree No. 75/2009/ND-CP of September 10, 2009, amending Article 3 of the Government's Decree No. 01/2008/ND-CP of January 3, 2008, defining the functions, tasks, powers and organizational structure of the Ministry of Agriculture and Rural Development; Pursuant to the April 29, 2004 Ordinance on Animal Health; Pursuant to the Government's Decree No. 33/2005/ND-CP of March 15, 2005, detailing the implementation of a number of articles of the Ordinance on Animal Health; Pursuant to the Government's Decree No. 119/2008/ND-CP of November 28, 2008, amending and supplementing a number of articles of the Government's Decree No. 33/2005/ND-CP of March 15, 2005, detailing the implementation of a number of articles of the Ordinance on Animal Health;
The Ministry of Agriculture and Rural Development stipulates the order of and procedures for quarantining aquatic animals and aquatic products as follows:

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation and subjects of application

1. This Circular stipulates the order and procedures for quarantining aquatic animals and aquatic products domestically circulated, imported, exported, temporarily exported for re-export, temporarily imported for re-export, transferred through border gate and transited through Vietnam.
2. This Circular applies to Vietnamese organizations and individuals; and foreign organizations and individuals producing, trading in and transporting aquatic animals and products in Vietnamese territory.

Article 2. Interpretation of terms

Some terms used in this Circular are construed as follows:

1. Aquatic animals means animal species living part or the whole of their life in water, including fish, crustacean, mollusk, echinoderm, sponge, coelenterate, amphibian, worm, reptile and mammal living in water, including seed eggs, sperms, embryos and larvae thereof.
2. Breeding aquatic animals means aquatic animals used for breeding or as breeds for commercial raising or raising of ornamental animals, including also seed eggs, sperms, embryos and larvae thereof.
3. Commercial aquatic animals means aquatic animals used for human consumption, used as materials for processing food, livestock feeds or aquatic animal feeds or for other purposes.

4. Aquatic products include whole dead animals and other products originating from aquatic animals.
5. Food processing materials means aquatic animals and animal products used as materials for processing food for sale.
6. Quarantine isolation means the keeping of aquatic animals in cavity without direct or indirect contact with other aquatic animals for a given period for quarantine purposes.
7. Keeping places for quarantine isolation include quarantine isolation zones; temporary keeping tanks of trading establishments; breeding tanks or ponds of breeding animal raising, production and trading establishments, which are used for quarantine isolation.
8. Commodity owner means the owner of aquatic animals or aquatic products or person managing, representing, escorting, transporting or tending aquatic animals or preserving aquatic products on behalf of the owner.

Article 3. Principles on quarantining aquatic animals and aquatic products

1. Aquatic animals and aquatic products, when domestically transported or circulated, must be quarantined once at the place of departure in the following cases:
 - a/ Breeding aquatic animals;
 - b/ Commercial aquatic animals, aquatic products transported out of areas where an epidemic is announced for such species by competent agencies;
 - c/ Aquatic products used as materials for processing livestock feeds or aquatic animal feeds.
 2. Aquatic animals and aquatic products, when exported, must be quarantined in the following cases:
 - a/ Treaties or bilateral or multilateral agreements to which Vietnam has signed or acceded contain provisions on quarantine;
 - b/ At the request of commodity owners or importing countries.
 3. Aquatic animals and aquatic products imported, temporarily imported for re-export, temporarily exported for re-import, transferred through border gate or transited through Vietnam shall be registered for quarantine with the Department of Animal Health of Vietnam. Quarantine registration shall be made before commodity owners sign contracts with exporters.
 4. Imported breeding aquatic animals shall be kept in quarantine isolation at places meeting veterinary hygiene requirements approved by competent veterinary agencies and be supervised by these agencies during the time of quarantine isolation.
 5. The time of isolation for quarantine of aquatic animals and aquatic products does not exceed 10 days, depending on kind of disease and aquatic animal species. If this time limit is to be prolonged, animal quarantine agencies shall notify the prolongation and reasons therefor to commodity owners.
 6. Cases in which samples of aquatic animals or aquatic products must be taken for disease test and examination of veterinary hygiene criteria are specified in Appendix 1 to this Circular.
- Aquatic animals and aquatic products imported from countries having signed mutual recognition agreements with Vietnam are not subject to isolation and sampling for disease test (unless aquatic animals are detected to show signs of disease) and examination of veterinary hygiene indicators already mutually recognized.

Article 4. Forms of aquatic animal, aquatic product quarantine dossiers

Forms of aquatic animal, aquatic product quarantine dossiers provided in Appendix 2 to this Circular (not printed herein) include:

1. Paper of quarantine declaration for domestically transported aquatic animals, aquatic products (form 1);
2. Paper of quarantine declaration for exported, imported aquatic animals, aquatic products (form 2);
3. Quarantine registration paper (form 3): To be used for aquatic animals, aquatic products imported, temporarily imported for re-export, temporarily exported for re-import, transferred through border gate or transited through Vietnam for customs clearance at border gate (promulgated together with Circular No. 17/ 2003/TTLT/BTC-BNN&PTNT-BTS of March 14, 2003, of the Ministry of Finance, the Ministry of Agriculture and Rural Development and the Ministry of Fisheries);
4. Health certificate for domestically transported aquatic animals, aquatic products:
 - a/ Form 4a: To be used in the case the animal quarantine agency does not authorize quarantine and issuance of health certificates for domestically transported aquatic animals, aquatic products;
 - b/ Form 4b: To be used in case the animal quarantine agency authorizes quarantine and issuance of health certificates for domestically transported aquatic animals, aquatic products under Decision No. 126/2008/QD-BNN of December 30, 2008, of the Minister of Agriculture and Rural Development (below referred to as Decision No. 126), amending and supplementing Decision No. 86/2005/QD-BNN of December 26, 2005, of the Minister of Agriculture and Rural Development (below referred to as Decision No. 86);
5. Aquatic animal, aquatic product health certificate for export (form 5): To be used for aquatic animals, aquatic products to be used for purposes other than human consumption; given as presents or packed in hand luggage or diplomatic bags for export into countries having no agreement with Vietnam's competent authorities on the form of aquatic animal, aquatic product health certificate;

For aquatic animals, aquatic products exported into countries having signed agreements with Vietnam's competent authorities on the form of aquatic animal, aquatic product health certificate or countries requiring a particular form of certificate, such form of certificate shall be used.
- 6 Paper for transportation of imported aquatic animals, aquatic products to a place of quarantine isolation (form 6);
- 7 Aquatic animal, aquatic product health certificate for import (form 7);
8. Health certificate for aquatic animals, aquatic products imported, temporarily imported for re-export, temporarily exported for re-import, transferred through border gate or transited through Vietnam (form 8);
9. Form of record, forms of settlement decision and notice of completion of the time of quarantine isolation: To use the forms issued together with Decision No. 86.

Article 5. Management and use of forms of aquatic animal, aquatic product quarantine dossiers

1. Forms of aquatic animal, aquatic product health certificates issued by animal quarantine agencies shall be printed black on A4-size paper with a light black animal quarantine logo of 12 cm in diameter in the center.

Particularly, the form of aquatic animal, aquatic product health certificate for export for human consumption shall be issued by the Agro-Forestry- Fisheries Quality Assurance Department in accordance with requirements of competent authorities of importing countries.

2. A health certificate for domestically transported aquatic animals, aquatic products shall be affixed with an "ORIGINAL" or a "COPY" stamp in red in the right corner below "Form:..." (the model stamp is issued under Decision No. 86). The number of health certificate copies to be issued is specified below:

a/ Original: 1 to be filed at the animal quarantine agency and 1 issued to the commodity owner;

b/ Copy: The number of copies to be issued to the commodity owner depends on the number of places of commodity delivery (if any) along the route of transportation, one copy per place of delivery.

3. A health certificate for aquatic animals, aquatic products imported, exported, temporarily imported for re-export, temporarily exported for re-import, transferred through border gate or transited through Vietnam shall be affixed with an "ORIGINAL" or a "COPY" stamp in red in the right corner below "Form:..." The number of health certificate copies to be issued is specified below:

a/ Aquatic animal, aquatic product health certificate for import or export: 2 originals (1 to be filed at the animal quarantine agency and 1 issued to commodity owner); and 2 copies issued to the commodity owner.

b/ Health certificate for aquatic animals, aquatic products temporarily imported for reexport, temporarily exported for re-import, transferred through border gate or transited through Vietnam: 2 originals (1 to be filed at the animal quarantine agency and 1 issued to commodity owner); and 2 copies issued to the commodity owner (1 to be filed at the animal quarantine agency at the border gate of exportation and 1 submitted to the animal quarantine agency at the border gate of importation when carrying out quarantine procedures for subsequent lots of commodities).

4. Competent animal quarantine agencies shall print and use forms of aquatic animal, aquatic product quarantine dossiers according to current regulations.

5. Printing, distribution and use of forms of dossiers in contravention of this Circular are strictly prohibited.

Article 6. Validity of aquatic animal, aquatic product health certificates

1. The validity of a health certificate for domestically transported aquatic animals, aquatic products is counted from the time of transport from the place of departure to the time of arrival at the final place of destination.

2. The validity of an aquatic animal, aquatic product health certificate for import or export does not exceed 60 days.

3. The validity of a health certificate for aquatic animals, aquatic products temporarily imported for re-export, transferred through border gate or transited through Vietnam is equal to the permitted duration of transport or storage in Vietnam.

Article 7. Competence to quarantine and issue health certificates for aquatic animals or aquatic products

1. Competence to quarantine and issue health certificates for domestically transported aquatic animals, aquatic products:

a/ District-level animal health stations may quarantine and issue health certificates for aquatic animals, aquatic products transported within their province;

b/ Provincial-level animal health departments may quarantine and issue health certificates for aquatic animals, aquatic products transported out of their provinces;

c/ Authorization of animal quarantine officers to quarantine and issue health certificates for domestically transported aquatic animals, aquatic products complies with Clause 2, Article 1 of Decision No. 126.

2. Animal quarantine agencies under the Department of Animal Health of Vietnam and provincial-level health animal departments authorized by the Department of Animal Health of Vietnam (below referred to as animal health agencies under the Department of Animal Health of Vietnam) may quarantine and issue health certificates for:

a/ Aquatic animals, aquatic products exported for purposes other than human consumption (for breeding, ornamental purposes or as animal feed or pathogenic swabs) or for giving as presents or gifts, being packed in hand luggage or diplomatic bags at the request of commodity owners or importing countries;

b/ Aquatic animals, aquatic products imported, temporarily imported for re-export, temporarily exported for re-export, transferred through border gate, stored in bonded warehouses or transited through Vietnam.

3. Quality control agencies under the Agro-Forestry-Fisheries Quality Assurance Department shall quarantine and issue health certificates for aquatic animals, aquatic products exported for human consumption.

Article 8. Veterinary hygiene requirements on places of quarantine isolation of aquatic animals

1. Keeping places for quarantine isolation:

a/ The locations of places of quarantine isolation must be convenient for zoning off and stamping out an epidemic when it occurs;

b/ Keeping ponds and tanks must be convenient for clinical test and sampling for disease test;

c/ Having fencing banks or walls to prevent direct or indirect contact with outside aquatic animals, reduce the impacts of environmental conditions on breeding aquatic animals during quarantine isolation;

d/ Keeping ponds and tanks are treated to prevent water permeation, leakage and overflow;

e/ Being convenient for cleaning, disinfection and cleaned and disinfected before and after each keeping.

2. Water used during the time of keeping for quarantine isolation:

a/ Having sufficient water up to veterinary hygiene standards;

b/ Having separate water supply and drainage systems; not reusing water from other keeping tanks and ponds.

3. Feeds used during the time of keeping for quarantine isolation:

a/ Having sufficient feeds up to veterinary hygiene and quality standards and suitable to each aquatic animal species;

b/ Having separate feed storehouses.

4. Having sufficient veterinary drugs for aquatic animals, chemicals and bio-products for use during the time of keeping for quarantine isolation.

5. Equipment and tools:

a/ Keeping equipment and tools must satisfy veterinary hygiene requirements;

b/ They must be cleaned and disinfected before and after use;

c/ Not to use common keeping equipment and tools during the time of keeping for quarantine isolation.

6. Having a system of books for fully recording information on the situation of epidemics, use of feeds, veterinary drugs, chemicals and bio-products during the time of keeping for quarantine isolation.

7. Taking measures for treating wastewater and wastes up to hygienic standards before being discharged into the environment.

Chapter II

ORDER AND PROCEDURES FOR QUARANTINING AQUATIC ANIMALS AND AQUATIC PRODUCTS

Section 1. QUARANTINE OF DOMESTICALLY TRANSPORTED AQUATIC ANIMALS AND AQUATIC PRODUCTS

Article 9. Quarantine declaration for domestically transported aquatic animals and aquatic products

1. Commodity owners shall make quarantine declaration to animal health stations when transporting aquatic animals or aquatic products within a province or to provincial-level animal health departments when transporting them out of a province. The time limit for quarantine declaration is provided as follows:

a/ For breeding aquatic animals, declaration must be made at least 3 days before delivery;

b/ For commercial aquatic animals or aquatic products, declaration must be made at least 2 days before delivery.

2. A quarantine declaration dossier comprises:

a/ Quarantine declaration for domestically transported aquatic animals or aquatic products (form 1);

b/ A copy of the certificate of the disease-free area or establishment from which aquatic animals depart (if any);

c/ A copy of the report on results of aquatic animal disease test (if any);

d/ The forest protection agency's permit for aquatic animals or aquatic products of species on the list of endangered, precious and rare wild fauna and flora prescribed by Vietnamese law or CITES appendices.

3. Certification of quarantine declaration:

a/ Immediately after receiving a dossier as required in Clause 2 of this Article, the animal quarantine agency shall check the declared contents and relevant papers; if the dossier is incomplete and invalid, it shall guide the commodity owner in completing the dossier according to regulations;

b/ Within 1 working day after receiving a valid dossier, taking into consideration the situation of aquatic animal epidemics in the place of departure, the animal quarantine agency shall certify

the quarantine declaration, notify the place and time of quarantine and prepare quarantining conditions.

Article 10. Quarantine of breeding aquatic animals

1. Quarantine shall be conducted right at temporary keeping tanks of trading establishments; breeding tanks and ponds of aquatic animal breeding, production or trading establishments.

2. Inspection and supervision during quarantine

Within 1 working day from the time aquatic animals are gathered at a designated place, animal quarantine agencies shall quarantine them.

a/ Checking the quantities, categories and sizes of aquatic animals against quarantine declaration dossiers;

b/ Checking clinical symptoms;

During quarantine, if suspecting that aquatic animals suffer a contagious disease, the quarantine agency shall take samples for testing pathogenic agents (focusing on suspected sick individuals), using the list of aquatic animals and animal products subject to quarantine issued together with Decision No. 110/2008/QD-BNN of November 12, 2008, of the Ministry of Agriculture and Rural Development (below referred to as the list of quarantine objects).

c/ Taking samples for testing diseases on the list of aquatic animal diseases subject to epidemic notification in the following cases: aquatic animals used for breed production; aquatic animals of unclear origin at breeding aquatic animal trading establishments.

Within 1 working day, the animal quarantine agency shall send samples to a laboratory for disease test.

d/ For aquatic animals departing from disease-free areas or establishments, no test is required for diseases from which these areas or establishments are recognized to be free.

3. Within 3 working days after receiving samples, the laboratory shall notify test results to the animal quarantine agency.

If test results are doubtful, the animal quarantine agency shall notify the commodity owner thereof for re-sampling. Within 2 working days, the laboratory shall notify test results to the animal quarantine agency.

4. Within 1 working day after receiving complete test results, if aquatic animals satisfy all veterinary hygiene standards, the animal quarantine agency shall:

a/ Check veterinary hygiene conditions of means of transport and accompanying articles;

b/ Issue health certificates (form 4a or 4b) for breeding aquatic animals satisfying veterinary hygiene standards within 12 hours prior to transportation.

A quarantine dossier issued to a commodity owner comprises: Quarantine registration paper (the original handed to the commodity owner), health certificate for domestically transported aquatic animals or aquatic products, copy of the report on test results (if any); copy of the certificate of the disease-free area or establishment from which aquatic animals depart (if any), and other relevant papers.

c/ Supervise the cleaning and disinfection of means of transport and accompanying articles at least 6 hours before loading for transportation;

d/ Quarantine officers shall clinically test aquatic animals before loading; inspect and supervise the process of loading aquatic animals onto means of transport;

e/ Guide the commodity owner how to clean and disinfect places of quarantine isolation and places of loading of aquatic animals.

5. For breeding aquatic animals fished in the nature.

a/ The commodity owner shall make quarantine declaration under Point a, Clause 2, Article 9 of this Circular to the animal health station (if the animals are kept for raising in the locality) or to the provincial-level animal health department (if transported out of a province).

b/ If aquatic animals are kept for raising in the locality, the animal quarantine agency shall quarantine them under Points b and c, Clause 2 of this Article. After quarantining, if aquatic animals fully meet veterinary hygiene standards, the animal quarantine agency shall issue health certificates permitting the use of the animals.

c/ If aquatic animals are transported out of a province, the animal quarantine agency shall quarantine them under Points b and c, Clause 2, and Clauses 3 and 4 of this Article.

6. If aquatic animals fail to ensure veterinary hygiene requirements, the animal quarantine agency shall not issue health certificates and shall handle them according to regulations.

Article 11. Quarantine of commercial aquatic animals

1. Aquatic animals harvested from disease-free raising facilities in a locality where an epidemic is announced must comply with Clause 1 and Point a, Clause 2, Article 10 of this Circular.

a/ Checking clinical symptoms;

b/ Taking random samples for test of the announced epidemic. Sampling for disease test must comply with Point c, Clause 2; and Clause

3, Article 10 of this Circular.

2. Aquatic animals harvested from a disease-infected establishment in an area where an epidemic is announced must be processed (heated or otherwise processed depending on the type of disease) before they can be transported out of the area where the epidemic is announced.

3. After quarantine, if aquatic animals satisfy all veterinary hygiene requirements, the animal quarantine agency shall implement Clause 4, Article 10 of this Circular.

4. If aquatic animals fail to ensure veterinary hygiene requirements, the animal quarantine agency shall not grant health certificates and shall handle them under regulations.

Article 12. Quarantine of aquatic products

1. Aquatic products shall be quarantined right at preliminary processing and preservation facilities of their owners.

2. Inspection and supervision during quarantine

Within 1 working day after aquatic products are gathered at a designated place, the animal quarantine agency shall quarantine them.

a/ Check the quantities and categories of aquatic products against the commodity owner's declaration dossier.

b/ Check the observance of regulations on aquatic animal processing before transportation out of the area where an epidemic is announced.

c/ Check the packaging and preservation conditions of products and inspect the external appearance of aquatic products.

3. Within 1 working day after receiving complete checking results, if aquatic products satisfy all veterinary hygiene standards, the animal quarantine agency shall:

a/ Implement the provisions of Points a and c. Clause 4. Article 10 of this Circular:

b/ Issue a health certificate (form 4a or 4b) for breeding aquatic animals satisfying veterinary hygiene standards within 12 hours prior to transportation.

A quarantine dossier issued to a commodity owner comprises: Quarantine registration paper (the original handed to the commodity owner), health certificate for domestically transported aquatic animals or aquatic products, and other relevant papers (if any).

c/ Inspect and supervise the process of loading aquatic products onto means of transport; seal up means of transport; conduct or supervise the cleaning and disinfection of places where aquatic products are gathered and loaded.

4. If aquatic products fail to satisfy veterinary hygiene requirements, the animal quarantine agency shall not issue health certificates and shall handle them under regulations.

Article 13. Quarantine of breeding aquatic animals in receiving localities

1. The animal quarantine agency in the locality receiving the commodities shall only quarantine breeding aquatic animals in the place of arrival in the following cases:

a/ The commodities have no health certificate or an invalid one;

b/ It detects fraudulent swap or addition of aquatic animals without its permission;

c/ It detects or suspects sick aquatic animals.

2. For commodities subject to quarantine, the animal quarantine agency shall make a written record thereof, request the commodity owner to isolate the commodities take samples for test of diseases on the list of quarantine objects.

a/ If test results are satisfactory, the animal quarantine agency shall permit the commodities to be put into use.

b/ If test results are unsatisfactory, the animal quarantine agency shall take handling measures under regulations.

Section 2. QUARANTINE OF AQUATIC ANIMALS AND AQUATIC PRODUCTS FOR EXPORT

Article 14. Quarantine declaration of aquatic animals or aquatic products for export

1. A commodity owner shall make a dossier of declaration to a competent quarantine agency at least 10 or 5 days before export for aquatic animals or aquatic products respectively as follows:

a/ For aquatic animals or aquatic products to be exported not for human consumption: To make declaration to the animal quarantine agency under the Department of Animal Health of Vietnam;

b/ For aquatic animals or aquatic products to be exported for human consumption: To make declaration to the quality control agency under the Agro-Forestry and Fisheries Quality Assurance Department.

2. A declaration dossier comprises:

a/ The quarantine declaration paper (form 2):

b/ Other relevant documents specified at Points b, c and d, Clause 2, Article 9 of this Circular;

c/ A copy of the permit of the competent aquaculture agency for species on the list of aquatic animal species subject to conditional export or banned from export;

d/ A copy of the CITES Management Authority of Vietnam for aquatic animals and aquatic products of species on the list of endangered, precious and rare wild fauna and flora prescribed by Vietnamese law or in CITES appendices.

e/ A document on quarantine requirements, issued by a competent authority of the importing country (if any);

f/ The form of health certificate as requested by competent authorities of the importing country (if any).

3. Quarantine declarations shall be certified under Clause 3, Article 9 of this Circular.

Article 15. Quarantine of aquatic animals and aquatic products for export

1. Aquatic animals for export shall be quarantined under Clause 1; Points a and b, Clause 2; Clause 3; Points a, c, d and e, Clause 4, Article 10; and Clauses 1 and 2, Article 11, of this Circular.

2. Aquatic products for export shall be quarantined under Clauses 1 and 2; and Points a and c, Clause 3, Article 12, of this Circular.

3. Samples shall be taken and tested as required by the importing country.

4. Within 1 working day after receiving complete test results, if aquatic animals or aquatic products meet all veterinary hygiene standards, the animal quarantine agency shall issue health certificates for them (form 5 or the form of health certificate as required by the importing country).

5. In case the commodity owner or importing country does not require export quarantine, the commodity owner shall quarantine domestically transported aquatic animals or aquatic products under Articles 10, 11 and 12 for those specified in Clause 1, Article 3 of this Circular.

6. At the border gate of exportation:

a/ The commodity owner shall make quarantine declaration (form 3) to the animal quarantine agency at the border gate of exportation;

b/ The animal quarantine agency shall check the quarantine dossier, the quantities, categories and sizes of aquatic animals and the volume of aquatic products against the health certificate: the health status of aquatic animals or the veterinary hygiene conditions of aquatic products;

If the quarantine dossier is valid, aquatic animals are healthy; aquatic products meet all veterinary hygiene requirements and are packaged and preserved according to regulations, the border-gate animal quarantine agency shall complete quarantine procedures for the border-gate customs office to carry out customs clearance procedures. The health certificate issued by the animal quarantine agency under the Department of Animal Health of Vietnam may be changed only if it is so requested by the commodity owner or the importing country;

c/ If detecting that aquatic animals are sick or suspect that they contract a contagious disease or that aquatic products fail to meet veterinary hygiene requirements, the aquatic animal agency of the border gate shall isolate the commodities and notify the agency issuing the health certificate for handling under regulations;

d/ Conducting or supervising the cleaning and disinfection of loading and unloading places, means of transport, beddings and wastes and related tools after transportation.

Section 3. QUARANTINE OF AQUATIC ANIMALS AND AQUATIC PRODUCTS FOR IMPORT

Article 16. Quarantine registration and declaration of aquatic animals and aquatic products for import

1. A commodity owner wishing to import aquatic animals or aquatic products shall register for import quarantine with the Department of Animal Health of Vietnam.

2. A registration dossier comprises:

a/ An application for registration of quarantine of aquatic animals or aquatic products (commodity owners may plan the import of commodities for 03 months from the date of application);

b/ A notarized copy of the business registration certificate (for enterprises). Enterprises are only required to submit this copy for the first time of registration or after changing or adding business lines;

c/ The form of health certificate or quality certificate of the exporting country (as requested);

d/ The permit of a competent aquaculture agency for species on the list of those subject to conditional import or not yet included in the list of ordinary imports;

e/ The permit of the CITES Management Authority of Vietnam, for aquatic animals and aquatic products of species on the list of endangered, precious and rare species of wild fauna and flora prescribed by Vietnamese law or in CITES appendices;

f/ The veterinary hygiene certificate for the keeping place for quarantine isolation of breeding aquatic animals (if any);

g/ The HACCP certificate or equivalent of the processing facility in the exporting country for aquatic products imported for use as food or food materials;

h/ Other documents related to the imported commodities (at the request of the Department of Animal Health of Vietnam for each specific object).

3. Within 5 working days after receiving a valid dossier, based on the aquatic animal disease situation in Vietnam and the importing country, the Department of Animal Health of Vietnam shall reply the commodity owner and guide a competent agency in inspecting the veterinary hygiene of the place of isolation quarantine (for breeding aquatic animals) or an animal quarantine agency in quarantining aquatic animals and aquatic products for import.

4. After obtaining the approval of the Department of Animal Health of Vietnam, at least 8 days or 4 days before arrival at the border gate of aquatic animals or of aquatic products respectively, the commodity owner shall report to the animal quarantine agency designated by the Department of Animal Health of Vietnam for quarantine.

An import quarantine declaration dossier comprises:

a/ The quarantine registration paper (form 3); when necessary, the animal quarantine agency may request the commodity owner to additionally fill in the form of declaration for quarantine of aquatic animals, aquatic products for export or import (form 2);

b/ The written reply of the Department of Animal Health of Vietnam concerning the import quarantine of aquatic animals, aquatic products;

c/ A copy of the aquatic animal, aquatic product health certificate of the exporting country (if any);

Within 1 working day after receiving a valid dossier, the animal quarantine agency shall notify the commodity owner of the quarantine place and time.

Article 17. Quarantine of imported aquatic animals and aquatic products at border gates of importation

The animal quarantine agency shall:

1. Check the import quarantine dossier.

a/ The import quarantine dossier as specified at Points a. b and d, Clause 4, Article 16 of this Circular;

b/ The health certificate or quality certificate of the exporting country (original) compatible with the commodity details (category, quantity, weight, size and package).

2. Check the actual conditions of imported commodities; compare with the health certificate or quality certificate of the exporting country regarding category, quantity, weight, size, package and labeling.

3. Inspect veterinary hygiene conditions and disinfect means of transport; dispose of or supervise commodity owners in disposing of wastes and beddings generated in the course of transportation.

4. If imported commodities ensure veterinary hygiene requirements and their health certificates and other relevant papers are valid, the animal health agency shall:

a/ Issue a paper for transportation of imported aquatic animals or aquatic products to a place of quarantine isolation (form 6) permitting the commodity owner to transport the commodities to the place of quarantine isolation (for those to be isolated for quarantine) or to a facility which will receive the commodities for quarantine or food quality and safety inspection;

b/ Issue the aquatic animal, aquatic product health certificate for import (form 7) for commodities not subject to quarantine isolation and sampling for disease test and veterinary hygiene inspection;

The paper for transportation of imported aquatic animals or aquatic products to a place of quarantine isolation (form 6) and the aquatic animal, aquatic product health certificate for import (form 7) serve as a basis for border-gate customs officers to carry out customs clearance procedures.

5. Inform the commodity owner of necessary requirements in the course of transportation from the border gate to the place of quarantine isolation.

6. For imported aquatic animals or aquatic products which go through customs procedures at a border gate or a customs clearance point other than the border gate of importation, the border-gate animal quarantine agency shall:

a/ Implement the provisions of Clauses 1, 2 and 3 of this Article;

b/ Supervise the loading of aquatic animals or aquatic products onto means of transport;

c/ Seal up means of transport onto which aquatic animals or aquatic products are loaded;

d/ Clean and disinfect, or supervise the cleaning and disinfection of, the place where aquatic animals or aquatic products are gathered;

e/ Issue a paper for transportation of imported aquatic animals or aquatic products to a place of quarantine isolation (form 6) and notify necessary information on commodities to the animal quarantine agency at the border gate of arrival.

7. If the dossier is invalid and imported aquatic animals or aquatic products fail to satisfy veterinary hygiene requirements, the animal quarantine agency shall handle them under regulations.

Article 18. Quarantine of imported breeding aquatic animals in places of quarantine isolation

1. On the day aquatic animals arrive at the place of quarantine isolation, the animal quarantine agency shall:

a/ Guide the commodity owner in transporting breeding aquatic animals into the place of quarantine isolation; cleaning and disinfecting related means of transport and tools, wastes and wastewater during transportation;

b/ Check the quarantine dossier already certified by the animal quarantine agency of the border gate of importation;

c/ Prepare equipment and tools for quarantine.

2. At least 1 working day after aquatic animals are gathered at a designated place, the animal quarantine agency shall quarantine them:

a/ Check the quantities, categories and sizes of aquatic animals against the import quarantine dossier;

b/ Implement the provisions at Point b, Clause 2, Article 10 of this Circular;

c/ Within 1 working day, the animal quarantine agency shall send samples to a laboratory for disease test. Disease examination and test results shall be notified under Clause 3, Article 10 of this Circular.

3. After a period of quarantine isolation, within 1 working day after receiving complete testing results, if aquatic animals meet all veterinary hygiene standards, the animal quarantine agency shall:

a/ Implement the provisions of Points a, c, d and e, Clause 4, Article 10 of this Circular;

b/ Within 12 hours before transportation to the place of receipt, issue an aquatic animal health certificate for import (form 7) permitting the putting thereof into production or use;

c/ Notify the health animal agency of the place of receipt of the disease status of aquatic animals, disease testing results and other relevant information.

4. If aquatic animals fail to satisfy veterinary hygiene requirements, the animal quarantine agency shall not issue health certificates and shall handle them under regulations.

Article 19. Quarantine of imported aquatic animals used for other purposes

1. At the border gate of importation: After examination, if the quarantine dossier is valid, aquatic animals are healthy, contracting no contagious disease, and means of transport and other related tools ensure veterinary hygiene, the animal quarantine agency shall issue aquatic animal health certificates for import (form 7) for commodities not subject to sampling for disease test and veterinary hygiene inspection, so that commodity owners can complete customs procedures for and put aquatic animals into use.

2. In case aquatic animals are transported for enclosed raising in a place of quarantine isolation or in a processing facility for quarantine:

a/ They shall be quarantined under Clauses 1, 2 and 4, Article 18 of this Circular;

b/ After a period of quarantine isolation, if aquatic animals meet all veterinary hygiene standards, the animal quarantine agency shall issue aquatic animal health certificates for import

(form 7) so that commodity owners can complete customs procedures for and put aquatic animals into use.

3. Samples shall be taken for pathogenic agent test if it is suspected that aquatic animals contract a disease (focusing on suspected sick individuals) on the list of quarantine objects.

Article 20. Quarantine of imported aquatic products

Aquatic products specified in Sections 1 and 3. Appendix 1 to this Circular, shall be quarantined as follows:

1. Quarantine shall be conducted right at the commodity owner's preservation facility.
2. Examination and supervision during the quarantine time.

Within 1 working day after aquatic products are gathered at a designated place, the animal quarantine agency shall quarantine them.

a/ Check the import quarantine dossier of aquatic products.

b/ Check the package quantities, weights and categories of aquatic animals against the import quarantine dossier;

c/ Examine the conditions of package and preservation of products; just check the external appearance of aquatic products not for human consumption.

3. Take samples for disease test and veterinary hygiene inspection for cases guided in Appendix 1 to this Circular.

Samples shall be taken for pathogenic agent test only if it is suspected that aquatic products carry germs on the list of quarantine objects. Sampling and notification of testing results comply with the provisions of Point c, Clause 2, Article 18 of this Circular.

4. Within 1 working day after receiving complete testing results, if the import quarantine dossier is valid and compatible with the commodities; aquatic products ensure veterinary hygiene requirements; and preservation conditions and related tools ensure veterinary hygiene, the animal quarantine agency shall issue aquatic product health certificates for import (form 7), so that commodity owners can complete customs procedures for and put aquatic products into use.

5. If aquatic products fail to satisfy veterinary hygiene requirements, the animal quarantine agency shall not issue health certificates and shall handle them under regulations.

Section 4. QUARANTINE OF AQUATIC ANIMALS, AQUATIC PRODUCTS TEMPORARILY IMPORTED FOR REEXPORT TEMPORARILY EXPORTED FOR RE-IMPORT, TRANSFERRED THROUGH BORDER GATE OR TRANSITED THROUGH VIETNAM

Article 21. Registration, declaration of aquatic animals, aquatic products temporarily imported for re-export, transferred through border gate or transited through Vietnam

1. A commodity owner wishing to temporarily import for re-export, transfer through border gate or through Vietnam aquatic animals or aquatic products shall register quarantine thereof with the Department of Animal Health of Vietnam. A registration dossier comprises:

a/ Relevant papers specified at Points a, b and e. Clause 2, Article 16 of this Circular;

b/ The aquatic animal, aquatic product purchase and sale contract or other service contracts.

2. Within 5 working days after receiving a valid dossier, based on the aquatic animal disease situation of Vietnam and the exporting country, the Department of Animal Health of Vietnam shall reply to the commodity owner and guide the animal quarantine agency in quarantining aquatic animals or aquatic products.

3. After obtaining the approval of the Department of Animal Health of Vietnam, at least 4 days before arrival at the border gate of aquatic animals or of aquatic products, the commodity owner shall register with the animal quarantine agency designated by the Department of Animal Health of Vietnam.

A quarantine declaration dossier comprises: a/ The quarantine declaration paper (form 3);

b/ The written reply of the Department of Animal Health of Vietnam concerning the quarantine of aquatic animals or aquatic products temporarily imported for re-export, transferred through border gate or transited through Vietnam;

c/ A copy of the health certificate issued by the exporting country (if any);

d/ A copy of the health certificate for aquatic animals, aquatic products temporarily imported for re-export, transferred through border gate or transited through Vietnam, containing the certification of the animal quarantine agency of the border gate of exportation for previous commodities.

Within 1 working day after receiving a valid quarantine dossier, the animal quarantine agency shall notify the commodity owner of the quarantine place and time.

Article 22. Quarantine of aquatic animals and aquatic products temporarily exported for re-import

1. Quarantine of temporarily exported aquatic animals or aquatic products complies with the provisions on quarantine of exported aquatic animals and aquatic products;

2. Quarantine of re-imported aquatic animals or aquatic products complies with the provisions on quarantine of imported aquatic animals and aquatic products.

Article 23. Quarantine of aquatic animals and aquatic products temporarily imported for re-export or transited through Vietnam

1. At the border gate of importation, the animal quarantine agency shall:

a/ Check the quarantine dossier under Points a, b, d and e, Clause 3, Article 21 of this Circular; the health certificate issued by the exporting country (original) or permit related to the fishing of marine animals for commodities directly fished from fishing grounds.

b/ Implement the provisions of Clauses 2, 3 and 7, Article 17 of this Circular:

c/ If the quarantine dossier is valid and aquatic animals or aquatic products ensure veterinary hygiene requirements, the border gate animal quarantine agency shall issue a health certificate (form 8) to the commodity owner for carrying out customs procedures;

d/ Supervise the loading of aquatic animals or aquatic products onto means of transport;

e/ Seal means of transport onto which aquatic animals, aquatic products are loaded;

f/ Clean and disinfect, or supervise the cleaning and disinfection of, the place where aquatic animals or aquatic products are gathered;

g/ Guide the commodity owner in complying with veterinary hygiene requirements in the course of transportation in Vietnamese territory.

2. In the course of transportation in Vietnamese territory:

a/ The commodity owner shall strictly observe rules of the animal quarantine agency in the course of transporting aquatic animals or aquatic products in Vietnamese territory;

b/ Means of transport must ensure veterinary hygiene requirements and drop no wastes en route;

c/ It is prohibited to unload commodities or change means of transport without consent of the customs and animal quarantine agencies;

d/ It is prohibited to change without permission the itinerary of transportation and stop in places not yet agreed in advance;

If means of transport deviate from the itinerary of transportation or do not park or stand in designated places, the commodity owner shall keep the commodities on board and notify the nearest animal health agency thereof. Only after the animal health agency takes handling measures according to regulations, may the commodities be further transported;

e/ It is prohibited to throw carcasses of aquatic animals, wastes, wastewater and feed leftover, packages and other wastes generated during transportation in railway stations or ports or on the road, which must be disposed of in places as instructed by competent health animal agencies.

3. At the border gate of exportation:

a/ The animal quarantine agency shall follow the provisions of Points a, c and d, Clause 6, Article 15 of this Circular;

b/ If the quarantine dossier is valid and aquatic animals or aquatic products ensure veterinary hygiene requirements, the border gate animal quarantine agency shall issue a certificate of the volume of commodities exported from Vietnam (form 8) to the commodity owner for carrying out customs procedures and submitting to the quarantine agency of the border gate of importation upon importing subsequent commodity lots

4. In case commodities are transported in containers or on other closed means of transport:

a/ If the quarantine dossier is valid and aquatic animals or aquatic products ensure veterinary hygiene requirements, the animal quarantine agency shall issue a health certificate and permit the commodities pass the border gates;

b/ If suspecting that aquatic animals contract a contagious disease or aquatic products fail to ensure veterinary hygiene requirements, the animal quarantine agency shall collaborate with the customs office in ordering the commodity owner to open containers or opening their seals to the witness of the commodity owner for inspection. The place where containers are opened must ensure veterinary hygiene requirements and be convenient for commodity unloading and shall be determined by the animal quarantine agency;

c/ If aquatic products fail to satisfy veterinary hygiene requirements, the animal quarantine agency shall handle them under regulations.

Article 24. Quarantine of aquatic animals and aquatic products transferred through border gate

1. If aquatic animals, aquatic products transferred through border gate are stored in bonded warehouses but not transported in Vietnamese territory:

a/ They shall be quarantined under Points a, c, f, Clause 1, Article 23 of this Circular;

b/ They shall be quarantined under Clauses 2 and 7, Article 17 of this Circular;

c/ The loading and unloading of aquatic animals or aquatic products and storage thereof in bonded warehouses shall be supervised;

d/ Places of loading and preservation storehouses of aquatic products or aquatic animals shall be cleaned and disinfected under supervision.

2. In case aquatic animals or aquatic products transferred through border gate are transported in Vietnamese territory, the animal quarantine agency shall implement the provisions of Article 23 of this Circular.

Section 5. QUARANTINE OF AQUATIC ANIMALS, AQUATIC PRODUCTS SENT BY POST; CARRIED AS HAND LUGGAGE THROUGH BORDER GATE; RECEIPT AND SENDING OF PATHOGENIC SWABS

Article 25. Quarantine of aquatic animals and aquatic products exported as hand luggage or by post

1. The commodity owner shall submit a quarantine registration dossier to the animal quarantine agency under Article 14 of this Circular.

2. Contents of quarantine:

a/ For aquatic animals: Conducting clinical tests; taking samples for disease test at the request of the commodity owner or importing country;

b/ For aquatic products: Checking the external appearance, taking samples for testing veterinary hygiene criteria at the request of the commodity owner or importing country;

c/ Guiding the commodity owner in keeping aquatic animals in enclosed places, packaging aquatic products according to regulations, sealing or marking consigned commodities and issuing health certificates for aquatic animals or aquatic products meeting veterinary hygiene standards;

d/ Guiding the commodity owner in disposing of aquatic animals or aquatic products which fail to meet veterinary hygiene standards for export.

Article 26. Quarantine of aquatic animals and aquatic products imported as hand luggage or by post

1. When importing aquatic animals or aquatic products for non-commercial purposes, the commodity owner shall register import quarantine with the animal quarantine agency at the border gate.

2. Contents of quarantine:

a/ Checking the quarantine dossier, the health certificate issued by the exporting country, comparing with the categories, quantities and weights of actually imported commodities;

b/ Checking the actual conditions of commodities; enclosed raising conditions of aquatic animals or the packaging and preservation of aquatic products;

c/ If detecting an aquatic animal species not on the list of common aquatic animal species permitted for import, sick aquatic animals, aquatic products showing signs of decay, disposing of or returning them to the exporting country;

d/ If, through checking, aquatic animals are healthy and kept according to regulations; aquatic products meet all veterinary hygiene requirements and properly packaged and preserved, the animal quarantine agency shall issue a health certificate (form 7) for the commodity owner to carry out customs and post procedures.

3. It is prohibited to carry along as hand luggage fresh and live aquatic products.

Article 27. Receipt and sending of pathogenic swabs

1. A commodity owner wishing to send pathogenic swab abroad or import them into Vietnam shall register quarantine with the Department of Animal Health of Vietnam. A registration dossier comprises:

- a/ An application for registration of sending and/or receipt of pathogenic swabs;
- b/ A permit of the CITES Management Authority of Vietnam, for pathogenic swabs originated from aquatic animals or aquatic products of species on the list of endangered, precious and rare species of wild fauna and flora prescribed by Vietnamese law or in CITES appendices.

2. Within 5 working days after receiving a valid dossier, the Department of Animal Health of Vietnam shall issue a reply to the commodity owner and instruct the animal quarantine agency in quarantine.

3. After receiving the consent of the Department of Animal Health of Vietnam, the commodity owner shall make quarantine declaration with the animal quarantine agency designated by the Department of Animal Health of Vietnam at least 5 days before receiving or sending pathogenic swabs.

4. Sending of pathogenic swabs

The animal quarantine agency shall:

a/ Check the written consent of the Department of Animal Health of Vietnam and other related papers;

b/ Supervise the sampling of pathogenic swabs, and package and preservation of pathogenic swabs in order to prevent leakage and transmission thereof during transportation;

c/ Seal tools containing pathogenic swabs before transportation;

d/ Issue a health certificate after pathogenic swabs are packaged and preserved up to veterinary hygiene requirements.

5. Receipt of pathogenic swabs

a/ Check the dossier under Point a, Clause 4 of this Article;

b/ Check the actual conditions of packaging and preservation of pathogenic swabs;

c/ Issue a health certificate after finding that the dossier is valid and pathogenic swabs are packaged and preserved to meet veterinary hygiene requirements.

d/ If detecting pathogenic swabs imported into Vietnam without consent of the Department of Animal Health of Vietnam or the package and preservation thereof fail to meet veterinary hygiene requirements, posing the risk of causing widespread transmission of germs or environmental pollution, the border-gate animal quarantine agency shall make a written record thereof and dispose of all pathogenic swabs in a place near the border gate area.

Chapter III

IMPLEMENTATION PROVISIONS

Article 28. Organization of implementation

1. The Department of Animal Health of Vietnam shall:

a/ Guide animal quarantine agencies under the Department of Animal Health of Vietnam and provincial-level animal health departments in quarantining aquatic animals and aquatic products under this Circular;

b/ Give specific guidance on procedures for registering quarantine of aquatic animals and aquatic products imported, temporarily imported for re-export, temporarily exported for re-import, transferred through border gate, stored in bonded warehouses or transited through Vietnam under this Circular.

2. Animal quarantine agencies under the Department of Animal Health of Vietnam

a/ Quarantine aquatic animals and aquatic products imported, temporarily imported for re-export, temporarily exported for re-import, transferred through border gate, stored in bonded warehouses or transited through Vietnam under this Circular;

b/ Control quarantine procedures for all kinds of aquatic animals and aquatic product at border gates, railway stations, airports, ports and post offices under Vietnamese law, regulations of international organizations or bilateral agreements with foreign countries;

c/ For aquatic animals or aquatic products imported for processing before sale are subject to both quarantine and quality control, notify the quality control agency under the Agro-Forestry-Fisheries Quality Assurance Department for concurrently taking samples for quarantine inspection and certification and food quality, hygiene and safety inspection and certification.

For these commodities, the customs office may clear them from customs procedures only upon production of two kinds of papers: health certificate of an animal quarantine agency under the Department of Animal Health of Vietnam and paper of registration for food quality, hygiene and safety inspection and certification containing certification of a quality control agency under the Agro-Forestry- Fisheries Quality Assurance Department;

d/ Collaborate with related agencies (customs, port authority, border guard, police, market control and post) in quarantining aquatic animals and aquatic products.

3. Provincial-level animal health departments shall:

a/ Quarantine domestically transported aquatic animals and aquatic products under this Circular and the guidance of the Department of Animal Health of Vietnam;

b/ Collaborate with animal quarantine agencies under the Department of Animal Health of Vietnam in inspecting veterinary conditions of places of quarantine isolation of imported breeding aquatic animals.

4. The Agro-Forestry- Fisheries Quality Assurance Department and quality control agencies under the Department:

a/ The Agro-Forestry- Fisheries Quality Assurance Department shall guide quality control agencies under the Department in inspecting aquatic animals and aquatic products exported for human consumption under this Circular;

b/ Quality control agencies under the Agro-Forestry- Fisheries Quality Assurance Department shall quarantine aquatic animals and aquatic products exported for human consumption under this Circular; collaborate with animal quarantine agencies under the Department of Animal Health of Vietnam in concurrently taking samples for inspection and certification of food quality and safety for aquatic animals and aquatic products imported for use as food processing materials.

3. Commodity owners shall:

a/ Observe the law on health animals and other relevant laws on the quarantine of aquatic animals and aquatic products;

b/ Pay quarantine charges and fees under current regulations of the Ministry of Finance and expenses actually incurred for the disposal and treatment of commodities failing to meet current regulations.

Article 29. Effect

This Circular takes effect 45 days from the date of its signing.

Any problems arising in the course of implementation should be reported to the

Ministry of Agriculture and Rural Development for study and settlement.

**FOR THE MINISTER OF AGRICULTURE AND
RURAL DEVELOPMENT
DEPUTY MINISTER**

Diep Kinh Tan

APPENDIX 1

CASES IN WHICH SAMPLES OF AQUATIC ANIMALS AND AQUATIC PRODUCTS MUST BE TAKEN FOR DISEASE TEST AND EXAMINATION OF VETERINARY HYGIENE CRITERIA
(To Circular No. 06/20W/TT-BNNPTNN of February 2, 2010, of the Ministry of Agriculture and Rural Development)

1. Aquatic animals and aquatic products shall be sampled for testing diseases subject to quarantine in the following cases:
 - a/ Live aquatic animals;
 - b/ Whole aquatic products;
 - c/ Fresh, preliminarily processed or cold-preserved aquatic products;
 - d/ Unprocessed bones and shells of aquatic animals.
2. Aquatic animals and aquatic products may not be sampled for disease test in the following cases:
 - a/ Aquatic animals and aquatic products imported from countries with mutual recognition agreements on examination and test of diseases on the list of quarantine objects;
 - b/ Aquatic products without internal organs already thermally treated (boiled, steamed, fried, dried...); salted, sun-dried, smoked or cold-preserved under -18°C for at least 7 days (the temperature of at least - 18°C must be maintained during transportation);
 - c/ Dried or salted skins of aquatic animals;
 - d/ Processed bones and shells of aquatic animals;
 - e/ Pathogenic swabs.
3. Aquatic animals and aquatic products shall be sampled for testing veterinary hygiene criteria in the following cases:
 - a/ Aquatic animals, aquatic products imported for direct human consumption without processing;
 - b/ Fish, prawn and area powder, Fish oil, fish fat and other animal products used as materials for processing feeds for husbandry and aquaculture.
4. Aquatic animals and aquatic products may not be sampled for testing veterinary hygiene criteria in the following cases:

a/ Aquatic animals and aquatic products imported from countries with mutual recognition agreements on examination and test of veterinary hygiene criteria;

b/ Aquatic animals and aquatic products used as food processing materials;

c/ Dried or salted skins of aquatic animals;

d/ Processed bones and shells of aquatic animals;

e/ Pathogenic swabs.

5. Aquatic animals and aquatic products temporarily exported, transferred through border gate or transited through Vietnam may be sampled for testing only when it is suspected that aquatic animals contract diseases or aquatic products contain germs on the list of quarantine objects.-