

**THE MINISTRY OF AGRICULTURE
AND RURAL DEVELOPMENT - THE
MINISTRY OF SCIENCE AND
TECHNOLOGY**

**SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness**

No.: 45/2015/TTLT-BNNPTNT-KHCN

Hanoi, November 23rd, 2015

**JOINT CIRCULAR
ON LABELING OF PREPACKED GENETICALLY-MODIFIED FOODS**

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

Pursuant to Decree No. 89/2006/NĐ-CP dated August 30, 2006 by the Government on goods label;

Pursuant to Decree No. 69/2010/NĐ-CP dated June 21, 2010 by the Government on biosafety for genetically modified organisms, genetic specimens and products of genetically modified organisms and Decree No. 108/2011/NĐ-CP dated November 30, 2011 by the Government amending a number of articles of Decree No. 69/2010/NĐ-CP dated June 21, 2010 by the Government on biosafety for genetically modified organisms, genetic specimens and products of genetically modified organisms;

Pursuant to Decree No. 38/2012/NĐ-CP dated April 25, 2012 by the Government detailing the implementation of some articles of the Law on Food safety;

Pursuant to Decree No. 199/2013/NĐ-CP dated 26/11/2013 by the Government defining the functions, tasks, entitlements and organizational structure of the Ministry of Agriculture and Rural development;

Pursuant to the Decree No. 20/2013/NĐ-CP dated February 26, 2013 by the Government defining the functions, tasks, entitlements and organizational structure of the Ministry of Science and Technology;

At the request of Director of Department of Science, Technology and Environment – the Ministry of Agriculture and Rural Development, Director of Department of Science and Technology for Economic Technical Branches – the Ministry of Science and Technology,

The Minister of Agriculture and Rural development and the Minister of Science and Technology hereby promulgate the Joint Circular guiding the labeling of prepacked genetically modified foods.

**Chapter I
GENERAL PROVISIONS**

Article 1. Scope of regulation

1. This Joint Circular provides guidance on labeling of prepacked genetically-modified foods sold in Vietnam, at least 1 genetically modified ingredient of which makes up over 5% of the total amount of ingredients permissible for food production.

2. This Joint Circular does not apply to:

a) Prepacked genetically-modified foods containing genetically modified ingredients but the modified genes and products of modified genes in which are not discovered;

b) Fresh genetically modified foods, non-packaged processed genetically modified foods that are sold directly to consumers;

c) Genetically modified foods used for emergencies for recovery of natural disasters and/or epidemic diseases.

3. Regarding genetically modified foods that are produced for export only, the labeling must ensure not to falsify the nature of products and not to violate laws of Vietnam and the importer.

Article 2. Regulated entities

This Joint Circular applies to organizations and individuals relevant to the production, trade and import of genetically modified foods in Vietnam.

Article 3. Interpretation of terms

In this Joint Circular, these terms can be construed as follows:

1. *Genetically modified foods* are the kinds of food that contain one or multiple ingredients having genes modified by genetic engineering.
2. *Genetically modified ingredients, food additives, food processing aids* are ingredients containing genetically modified organisms, genes modified by genetic engineering or products thereof that are used for food production and exist in finished products, even when shapes of such ingredients are changed.
3. *Prepacked genetically modified foods* are genetically modified foods that have been packaged and carefully labeled and are ready for sale for further processing or used as instant food.

Chapter II

SPECIFIC REGULATIONS

Article 4. Methods of labeling genetically modified foods

1. Genetically modified foods must be labeled according to law provisions on goods label.
2. The phrase “*biến đổi gen*” (genetically modified) and content thereof shall be written on product’s label next to the name of the genetically modified ingredients.

Regarding products whose area for labeling is smaller than 10 cm², the phrase “*biến đổi gen*” must be displayed on the label; other compulsory information that cannot be displayed on the label must be written on documents and packed together with the product.

Article 5. Exemption of mandatory labeling for a number of genetically modified foods

These articles are exempted from mandatory labeling:

1. Food products carried along for personal use within the duty-free allowance; food products carried in diplomatic bags and consular bags; food products temporarily imported, placed in transit, transferred to bonded warehouses; food products used as samples for testing or studying; food products used as samples to be displayed in trade fair and exhibition;
2. Raw materials, food additives, food processing aids, packages that are imported for production only and transported internally between warehouses from province to province under the same enterprise’s system.

Article 6. Correction of genetically modified foods’ label

Any pre-packed genetically modified foods being sold on market whose labels are uncomformable to regulations in this Joint Circular must be corrected as follows:

1. Manufacturers, traders and importers must carry out the correction themselves.

2. The phrase “biến đổi gen” must be added according to regulations in this Joint Circular, provided that compulsory information as prescribed in laws on goods labeling is not blocked.
3. The rectification of unconfirmable and insufficient information on the label must ensure that such information cannot be restored.

Chapter III

ORGANIZATION OF IMPLEMENTATION

Article 7. Effect

1. This Joint Circular comes into effect from January 08, 2016.
2. Any genetically modified foods having labels unconfirmable to regulations in this Joint Circular must not be produced and imported after January 08, 2017. Unsold genetically modified foods may be sold until their expiration dates on their labels.

Article 8. Responsibilities.

National Agro - Forestry - Fisheries Quality Assurance Department (the Ministry of Agriculture and Rural Development), the Directorate for Standards, Metrology, and Quality (the Ministry of Science and Technology) are responsible for implementing and monitoring the implementation of this Joint Circular nationwide for products under management.

Difficulties that arise during the implementation of this Circular should be reported to the Ministry of Agriculture and Rural Development and the Ministry of Science and Technology for consideration and solution./.

**PP. THE MINISTER OF SCIENCE
AND TECHNOLOGY
THE DEPUTY MINISTER**

(Signed)

Tran Viet Thanh

**PP. THE MINISTER OF AGRICULTURE
AND RURAL DEVELOPMENT
THE DEPUTY MINISTER**

(Signed)

Le Quoc Doanh