

No. 20/2017/TT-BNNPTNT

Hanoi, November 10, 2017

CIRCULAR

**PROVIDING GUIDELINES FOR THE GOVERNMENT'S DECREE NO. 39/2017/ND-CP DATED
APRIL 04, 2017 ON MANAGEMENT OF FEEDS**

Pursuant to the Government's Decree No. 15/2017/ND-CP dated February 17, 2017 defining functions, tasks, rights and organizational structure of the Ministry of Agriculture and Rural Development;

Pursuant to the Government's Decree No. 39/2017/ND-CP dated April 04, 2017 on management of feeds;

The Ministry of Agriculture and Rural Development provides guidelines for the Government's Decree No. 39/2017/ND-CP dated April 04, 2017 on management of feeds.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

This Circular provides guidelines for some contents of the Government's Decree No. 39/2017/ND-CP dated April 04, 2017 on management of feeds (below collectively referred to as "Decree No.39/2017/ND-CP").

Article 2. Regulated entities

This Circular applies to domestic and foreign organizations or individuals engaged in the feed industry within the territory of Vietnam.

Chapter II

GUIDELINES

Article 3. Main ingredients used in feeds

1. Main ingredients of complete feeds and concentrated feeds for livestock, poultry and aquaculture, concentrate feeds for grass-fed livestock are crude protein and total lysine.
2. Main ingredients of complete feeds for ornamental animals are crude protein.
3. Main ingredients of feeds refer to a determinant of useful effects and attributes of products which is announced by the manufacturer and specified on the label or attached technical documentation.

Article 4. Procedures for testing of new feeds

New feeds must undergo testing following suitable procedures established by the Directorate of Fisheries and the Department of Livestock Husbandry and promulgated by the Ministry of Agriculture and Rural Development. In case procedures are yet to be promulgated by the Ministry of Agriculture and Rural Development, testing shall be carried out following the procedures established by the testing facility and approved by the testing outline assessment council established by the Directorate of Fisheries or the Department of Livestock Husbandry. The testing procedures must satisfy the following requirements:

1. Initial inspection: Chemical composition, nutrients, toxic substances of the feeds tested according to the announced quality standard, relevant technical regulations and at the request of the experiment outline assessment council must be analyzed under laboratory conditions.
2. Assessing effects of the product on livestock in terms of its growth, development, productivity and on the environment and fulfillment of the following requirements:
 - a) Testing shall be carried out for at least one breeding cycle or breeding period. Each test shall be repeated at least 03 times;
 - b) The testing must be provided suitably for specific animal and its age.
 - c) Uniformity in techniques must be ensured during the testing: the quality of breeds undergoing testing must satisfy relevant technical standard and regulation; the rearing density must be compliant with technical standards and regulations issued by the competent authority. The tested animals and reference animals must be bred in the same manners. The only difference is testing feeds.
3. Monitoring criteria include:
 - a) Assessment of livestock's growth, development, productivity;
 - b) Survival rate, health status through the stages of livestock's growth;
 - c) Feed conversion ratio;
 - d) Residues of antibiotics and other toxic substances in livestock products and environment (specify in the testing outline);
 - dd) Assessment of changes in environmental indicators in the course of aquaculture related to product characteristics (for aquaculture feeds);
 - e) Other relevant criteria (if any).

Article 5. Use of antibiotic-containing veterinary medicines in livestock feeds and poultry feeds

1. The veterinary medicines used in feeds for the purpose of livestock and poultry disease prevention and treatment must be specified in the list of veterinary medicines that are licensed in Vietnam or allowed by a competent authority to be used for livestock and poultry disease prevention and treatment.
2. Users of antibiotic-containing veterinary medicines in feeds for the purpose of young/immature livestock and poultry disease prevention and livestock and poultry disease treatment are not required to specify names and contents of the antibiotics in the applied standards and product label samples when registering feed products licensed in Vietnam but have to specify names and contents of antibiotics, instructions for use and dosing interval on the label or secondary label and package or attached documents, and retain the abovementioned information in the production records.
3. Users of non-antibiotic veterinary medicines in feeds for the purpose of disease prevention and treatment shall comply with regulations on veterinary medicines but prescription is not required; specific names and contents of active ingredients are not required in the applied standards and product label samples when registering feed products licensed in Vietnam. Names and contents of active ingredients, instructions for use and dosing interval must be specified on the label or secondary label and package or attached documents, and retain the abovementioned information in the production records.

4. The prescription of antibiotic-containing veterinary medicines used in feeds for the purpose of livestock and poultry disease prevention and treatment must be given by veterinary physicians.

The prescription must specify name of the drug, active ingredients, uses, dosage, shelf life, dosing interval to avoid drug resistance and residues of antibiotic and chemicals that may affect feed product safety, and other recommendations (if any).

5. Veterinary medicines used in feed during the processing must ensure its quality, safety and efficacy over the shelf life of the feed.

6. Only veterinary medicines shall only be used in complete feeds for livestock and poultry and concentrate feeds for grass-fed livestock licensed in Vietnam for the purpose of disease prevention and treatment.

7. The livestock establishment using feeds containing veterinary medicines for the purpose of livestock and poultry disease prevention and treatment must follow the manufacturer's instructions and keep records of use thereof.

Article 6. Procedures for assessment and appointment of the entity vested with authority to grant certification of conformity of imported and exported feeds

1. Within 15 working days from the day on which a valid application specified in Clause 2, Article 17 of the Decree No. 39/2017/ND-CP , the Directorate of Fisheries or the Department of Livestock Husbandry shall establish a team to assess capacity of the applicant through document inspection and site inspection (if necessary), assessment of procedures for inspection and certification of conformity with quality of feeds that are established by the applicant, and issue the appointment decision after obtaining the approval of the Minister of Agriculture and Rural Development (applicable to first applications).

2. The applicant's procedures for inspection and certification of conformity must be suitable for the feed: packaged products, bulk cargo, products in containers, liquids, substances requiring special storage conditions, risk recognition and remedial measures are required to ensure quality and effectiveness of the inspection.

Article 7. Bases for inspection of quality, permissible tolerance in feed quality testing

1. Bases for feed quality testing

a) Applied standards: mandatory information about applied standards is specified in the Appendix 1 enclosed herewith. Mandatory quality criteria are specified in the Appendix 2 enclosed herewith.

b) Label: the mandatory information that must be specified on the label of feed products is specified in the Appendix 3 enclosed herewith.

c) Relevant technical regulations; regulations on antibiotics and banned substances in livestock and aquaculture.

d) Other cases at the request of the inspecting authority or other entities.

2. The permissible tolerances in feed quality testing are specified in the Appendix 4 enclosed herewith.

Article 8. Feed testing quality

1. The feed testing serving state management must be carried out at testing laboratories and by employing testing methods designated by the Ministry of Agriculture and Rural Development or the Directorate of Fisheries, the Department of Livestock Husbandry and the National Agro-Forestry-Fisheries Quality Assurance Department.

2. For the criteria serving state management for which a specific testing method is not designated or the testing method designated is different from the one specified in the applied standard, the Directorate of Fisheries, the Department of Livestock Husbandry shall establish an advisory council (for complex methods) or consult with at least 03 experts (for simple methods) in order to determine an/the most appropriate testing method. According to the conclusion of the advisory council or experts' opinions, the Directorate of Fisheries, the Department of Livestock Husbandry shall decide on a temporarily applied method serving state management.

3. Members of advisory council

The advisory council includes at least 05 people, including representatives of the Directorate of Fisheries or the Department of Livestock Husbandry, representatives of laboratories and experts whose qualifications are relevant to the testing methods.

Article 9. Processing quality inspection results

1. For the domestically sold feeds

If the inspection results are unsatisfactory, the inspecting authority shall send a written notice including the inspection results, by post or via fax or email, to the inspected entity. Within 07 working days from the day on which the written notice is received, if the inspected entity does not appeal against the inspection results, the inspecting authority shall impose penalties in accordance with regulations of law.

2. For the imported and exported feeds

If the inspection results are unsatisfactory, the inspecting organization shall submit a report on inspection results to the Directorate of Fisheries and the Department of Livestock Husbandry and send a written notice, by post or via fax or email, to the inspected entity.

Within 07 working days from the day on which the written notice is received, if the inspected entity does not appeal against the inspection results, the Directorate of Fisheries or the Department of Livestock Husbandry shall impose penalties in accordance with regulations of law.

3. Settlement of appeals against inspection results

The appealing entity may submit a written request for reinspection and reanalysis to the inspecting authority (for domestically sold feeds) or the Directorate of Fisheries and the Department of Livestock Husbandry (for imported and exported feeds). The inspecting authority shall send the stored samples or take other samples (when necessary) and send them to another designated testing laboratory. This inspection result shall serve as the basis for a final conclusion given by the inspecting authority.

In case there is only 01 designated testing laboratory, the Directorate of Fisheries or the Department of Livestock Husbandry may send the testing samples to a foreign laboratory or a laboratory recognized by international or regional accreditation organizations, or designated or recognized by the Ministry of Agriculture and Rural Development.

Article 10. Issuance of certificate of quality and monitoring of shipments of imported feeds

1. Issuance of certificate of quality

a) For the shipment of feeds eligible for normal inspection or tightened inspection: within 02 working days from the day on which the satisfactory result is given, the inspecting authority shall issue the certificate of quality to the shipment.

b) For the shipment of feeds eligible for reduced inspection: within 02 working days from the end of the field inspection, the inspecting authority shall issue the certificate of quality to the shipment of feeds if the inspection result is satisfactory.

c) For the shipment of feeds eligible for temporary exemption from quality inspection: within 02 working days from the day on which the application form for inspection and certification of quality is approved, the inspecting authority shall issue the certificate of quality to the shipment of feeds.

d) The contents of the certificate of quality must be conformable to the inspection contents. Uninspected items shall not be certified.

2. Shipments of feeds eligible for temporary exemption from quality inspection shall be monitored as if ordinary shipments.

3. Directorate of Fisheries and the Department of Livestock Husbandry shall request the Minister of Agriculture and Rural development to consider permitting import of feeds that are yet to be licensed in Vietnam for the non-commercial purposes.

Article 11. Receipt and processing of administrative procedures relating to feeds

1. The Directorate of Fisheries shall receive, process administrative procedures relating to aquaculture feeds in accordance with regulations of the Decree No. 39/2017/ND-CP , and issue the certificate of sampling of aquaculture feeds to the sample collector of the quality inspecting authority.

2. The Directorate of Fisheries shall receive, process administrative procedures relating to livestock feeds in accordance with regulations of the Decree No. 39/2017/ND-CP , and issue the certificate of sampling of livestock feeds to the sample collector of the quality inspecting authority.

3. The Directorate of Fisheries or the Department of Livestock Husbandry shall receive and process administrative procedures relating to raw materials commonly used in production of feeds at the request of organizations and individuals.

Chapter III

IMPLEMENTATION CLAUSE

Article 12. Implementation clause

1. This Circular comes into force from December 25, 2017.

2. This Circular replaces the Circular No. 66/2011/TT-BNNPTNT dated October 10, 2011 of the Ministry of Agriculture and Rural Development elaborating some articles of the Government's Decree No.08/2010/ND-CP dated February 05, 2010 on management of feeds, Government's Circular No. 81/2011/TT-BNNPTNT dated December 01, 2011, Circular No.50/2014/TT-BNNPTNT dated December 24, 2014, and Circular No. 29/2015/TT-BNNPTNT dated September 04, 2015 on amendments to some articles of the Circular No. 66/2011/TT-BNNPTNT .

3. Article 25, Article 36, Article 34 and Article 35 of the Circular No. 04/2015/TT-BNNPTNT dated February 12, 2015 of the Ministry of Agriculture and Rural Development providing guidelines for some contents of the Government's Decree No. 187/2013/ND-CP dated November 20, 2013 providing guidelines for the Commercial Law regarding international trade in goods and commercial agency, trading, processing and transit of goods with foreign countries in the agriculture, forestry and aquaculture fields are null and void.

Article 13. Responsibility for implementation

Chief of the Ministry Office, Director General of the Directorate of Fisheries, Director General of the Department of Livestock Husbandry, Directors of Departments of Agriculture and Rural Development of provinces and central-affiliated cities, heads of units and relevant organizations and individuals are responsible for the implementation of this Circular.

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

**PP. MINISTER
DEPUTY MINISTER**

Vu Van Tam

APPENDIX I

MANDATORY INFORMATION ABOUT APPLIED STANDARDS FOR ANIMAL AND AQUA FEEDS

(Issued together with the Circular No. 20/2017/TT-BNNPTNT dated November 10, 2017 of the Ministry of Agriculture and Rural Development)

1. Name, address and contact number of the standard-issuing organization and individual
2. Name of the animal or aqua feed
3. Trade name of the animal or aqua feed product, including trademark (if any), and serial number or code of the product*
4. Applied standard number
5. Scope of the applied standard
6. Reference materials (e.g. sampling method and method for testing product quality and safety indicators)
7. Technical indicator
 - 7.1. Group of organoleptic indicators
 - 7.2. Group of quality indicators
 - 7.3. Group of safety indicators
8. Ingredients**
9. Manuals and expiry date
10. Storage instructions
11. Standard-issuing date
12. Endorsement of the standard-issuing entity

(*) If the product is blended in different administration forms (for example, powder, flake and pellet), it is possible that different blend forms of animal feed products with the same trademark may be assigned different serial numbers or codes.

(**) As for animal feed products supplemented with microorganisms beneficial to livestock and poultry, list out names of strains of microorganisms contained in these products and other ingredients.

Feed compounders must include information about origin of each strain of microorganism and safety thereof in materials attached to their application packages for marketing authorization of their animal feed products in Vietnam. This requirement is specified as follows:

- If pedigree stocks of microorganisms of indigenous origin are used for manufacturing microbial products as ingredients of animal feed products, these stocks must be accepted as advances in animal food or feed compounding technologies.

- If microbial products are imported, strains of microorganisms or products containing strains of microorganism must be authorized for marketing in Vietnam by the Department of Livestock Production.

APPENDIX II

CHART OF MINIMUM TECHNICAL INDICATORS COMPULSORILY ISSUED FOR ESTABLISHMENT OF ANIMAL AND AQUA FEED STANDARDS

(Issued together with the Circular No. 20/2017/TT-BNNPTNT dated November 10, 2017 of the Ministry of Agriculture and Rural Development)

1. Technical indicators of total mixed rations, concentrated livestock and poultry feeds and compound aqua feeds (except total mixed rations used for feeding ornamental animals)

No.	Indicators	Unit of measurement	Issuing manner
1	Organoleptic indicators: form or color	-	Descriptive
2	Humidity	%	Not greater than
3	Raw protein	%	Not less than
4	Metabolizable energy (ME)*	Kcal/kg	Not less than
5	Crude fiber	%	Not greater than
6	Calcium	%	Within a specified range
7	Total phosphorus	%	Within a specified range
8	Total lysine	%	Not less than

9	Methionine + Total cystine**	%	Not less than
10	Total Threonine*	%	Not less than
11	Total mineral	%	Not greater than
12	Sand particles (undissolved mineral contained in hydrochloric acid)	%	Not greater than
13	Living insects	-	None
	The following indicators should be added with respect to aquafeeds		
14	Crude fat	%	Within a specified range
15	Ethoxyquin	ppm	Not greater than 150
16	Aflatoxin B1	ppb	Not greater than
17	Fragmentation rate	%	Not greater than
18	Solubility in water	Observation minutes	Not less than
19	<i>Salmonella</i>	CFU/25g	Not allowed
20	<i>Aspergillus flavus</i>	TB/g	Not allowed

* Not applied to aquafeeds.

As regards animal feeds, ME issuing entities must determine the calculation method.

**Inclusive of Methionine substitutes.

2. Technical indicators of total mixed rations used for feeding ornamental animals

No.	Indicators	Unit of measurement	Issuing manner
1	Organoleptic indicators: form or color	-	Descriptive
2	Humidity	%	Not greater than
3	Crude protein	%	Not less than
4	Crude fat	%	Not less than
5	Crude fiber	%	Not greater than

6	Total mineral	%	Not greater than
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3. Technical indicators of vitamin premixes or amino acids

No.	Indicators	Unit of measurement	Issuing manner
1	Organoleptic indicators: form or color	-	Descriptive
2	Humidity	%	Not greater than
3	Single vitamins and amino acids	IU/kg or mg/kg	Not less than
4	Sand particles (undissolved mineral contained in hydrochloric acid)	%	Not greater than
5	Carrier (specifying name)		Sufficient quantity

4. Technical indicators of mineral premixes

No.	Indicators	Unit of measurement	Issuing manner
1	Organoleptic indicators: form or color	-	Descriptive
2	Humidity	%	Not greater than
3	Single element minerals	% or mg/kg	Within a specified range
4	Sand particles (undissolved mineral contained in hydrochloric acid)	%	Not greater than
5	Carrier (specifying name)		Sufficient quantity

5. Technical indicators of vitamin - mineral premixes

No.	Indicators	Unit of measurement	Issuing manner
1	Organoleptic indicators: form or color	-	Descriptive
2	Humidity	%	Not greater than
3	Single vitamins	IU/kg or mg/kg	Not less than
4	Single element minerals	% or mg/kg	Within a specified range

5	Sand particles (undissolved mineral contained in hydrochloric acid)	%	Not greater than
6	Carrier (specifying name)		Sufficient quantity

6. Technical indicators of animal and aqua feed additives or bioproducts

No.	Indicators	Unit of measurement	Issuing manner
1	Organoleptic indicators: form or color	-	Descriptive
2	Humidity	%	Not greater than
3	Name, chemical formula (if any) and/or content of main ingredients	-	Minimum or maximum or within a specified range*
4	Carrier (specifying name)		Sufficient quantity

**Issuing manner varies depending on specific indicators.*

7. Technical indicators of single animal and aqua feed ingredients and other feeds

No.	Indicators	Unit of measurement	Issuing manner
1	Organoleptic indicators: form or color	-	Descriptive
2	Humidity	%	Not greater than
3	Contents of product quality indicators	-	Minimum or maximum or within a specified range*
4	Carrier (specifying name)		Sufficient quantity

**Issuing manner varies depending on specific indicators.*

APPENDIX III

COMPULSORY INFORMATION DISPLAYED ON LABELS OF ANIMAL AND AQUA FEED PRODUCTS

(Issued together with the Circular No. 20/2017/TT-BNNPTNT dated November 10, 2017 of the Ministry of Agriculture and Rural Development)

1. TECHNICAL INDICATORS OF TOTAL MIXED RATIONS, CONCENTRATED LIVESTOCK AND POULTRY FEEDS AND COMPOUND AQUA FEEDS (except total mixed rations used for feeding ornamental animals)

<p style="text-align: center;">PRODUCT NAME</p> <p>(Example: Compound feed for broiler chickens from 21 – 42 days of age/ Compound feed for tiger prawns)</p> <p>Feed symbol and code (e.g. image or advertise, if any)</p> <p style="text-align: center;">TRADE NAME</p> <p>Quantity (Net weight):</p> <p>Issued standard No.:</p> <p>Batch No.: (If any)</p> <p>Manufacturing date:</p> <p>Expiry date:</p> <p>Storage instructions:</p> <p>Name, address and contact number of the organization or individual obtaining product registration (enabling access to product origin information)</p>	<p style="text-align: center;">NUTRITION FACTS</p> <p>Max. humidity (%):</p> <p>Min. crude protein (%):</p> <p>Min. ME (Kcal/kg):</p> <p>Max. crude fiber (%):</p> <p>Min. – max. Ca (%):</p> <p>Min. – max. total P (%):</p> <p>Min. total Lysine (%):</p> <p>Min. Methionine + Total cystine*:</p> <p>Antibiotics or active ingredients contained in veterinary drugs (**):</p> <p>Uses:</p> <p>Administration interval:</p> <p>The following information should be added with respect to aquafeeds:</p> <p>Min. - Max. crude fat (%):</p> <p>Ethoxyquin (ppm):</p> <p>Antibiotics: None.</p> <p>Remarks (if any):</p> <p style="text-align: center;">INGREDIENTS:</p> <p>(Listing names of main ingredients used in the feed manufacturing process)</p> <p style="text-align: center;">INSTRUCTIONS FOR USE</p>
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**Inclusive of Methionine substitutes.*

***Name and contents of antibiotics or active ingredients contained in veterinary drugs administered to prevent and treat livestock and poultry diseases must observe regulations on instructions for use of veterinary drugs and must be directly inscribed on packaging materials or secondary labels thereto attached.*

- Besides the aforesaid compulsory information, feed compounders may print other information without breaching regulations on product labeling.

- Labeling of animal and aqua feeds intended for export purposes only must be subject to requirements set out by importing countries.

2. TECHNICAL INDICATORS OF TOTAL MIXED RATIONS USED FOR FEEDING ORNAMENTAL ANIMALS

PRODUCT NAME	NUTRITION FACTS
Symbol, image or advertise (if any)	Max. humidity (%): Min. crude protein (%): Min. crude fat (%):
TRADE NAME	Max. crude fiber (%): Max. total mineral (%):
Quantity (Net weight):	Antibiotics or active ingredients contained in veterinary drugs (*):
Issued standard No.:	Administration interval:
Batch No.: (If any)	Remarks (if any):
Manufacturing date:	INGREDIENTS: (Listing names of main ingredients used in the feed manufacturing process)
Expiry date:	
Storage instructions:	
Name, address and contact number of the organization or individual obtaining product registration (enabling access to product origin information)	INSTRUCTIONS FOR USE

**Name and contents of antibiotics or active ingredients contained in veterinary drugs administered to prevent and treat livestock and poultry diseases must observe regulations on instructions for use of veterinary drugs and must be directly inscribed on packaging materials or secondary labels thereto attached.*

- Besides the aforesaid compulsory information, feed compounders may print other information without breaching regulations on product labeling.

- Labeling of animal and aqua feeds intended for export purposes only must be subject to requirements set out by importing countries.

3. COMPULSORY INFORMATION DISPLAYED ON LABELS OF SUPPLEMENTAL FEED, OTHER ANIMAL AND AQUA FEED PRODUCTS

PRODUCT NAME	ATTRIBUTES AND EFFECTS
Symbol, image or advertise (if any)	PRODUCT
	Briefly describing properties and effects of the product

TRADE NAME	QUALITY INDICATORS
Quantity (Net weight/Net volume):	1. Main ingredients*...
Issued standard No.:	2. Other ingredients*...
Batch No.: (If any)	3. Prohibited ingredients: None.
Manufacturing date:	Remarks (if any)
Expiry date:	
Storage instructions:	
Name, address and contact number of the organization or individual obtaining product registration (enabling access to product origin information)	INGREDIENTS: (Listing names of product ingredients)
	INSTRUCTIONS FOR USE

**Contents of main ingredients must be informed in conformity with issued standards.*

- If main ingredients are not clearly informed, indicators printed on labels shall be deemed as main ingredients.

- Besides the aforesaid compulsory information, feed compounders may print other information without breaching regulations on product labeling.

- Labeling of animal and aqua feeds intended for export purposes only must be subject to requirements set out by importing countries.

APPENDIX IV

VARIANCE ALLOWED IN INSPECTION OF QUALITY OF ANIMAL AND AQUA FEEDS
(Issued together with the Circular No. 20/2017/TT-BNNPTNT dated November 10, 2017 of the Ministry of Agriculture and Rural Development)

No.	Prescribed range	Unit of measurement	Allowable variance ($\pm\%$) compared to test results
1	90.0 – 100.0	%	2.0
2	50.0 - < 90.0	%	2.5
3	30.0 - < 50.0	%	3.0
4	10.0 - < 30.0	%	4.0
5	1.0 - <10.0	%	15.0
6	0.1 - <1.0	%	20.0
7	10.0 - <1,000	ppm	20.0

8	1.0 - <10.0	ppm	30.0
9	100.0 - <1,000	ppb	40.0
10	10.0 - <100.0	ppb	60.0
11	1.0 - <10.0	ppb	80.0
12	<1.0	ppb	100.0

- With respect to indicators of which contents and units of measurement are not prescribed, allowed variance is $\pm 15\%$.

- The aforesaid variance is not applied to inspection of prohibited ingredients belonging to the Beta-agonist category.

- The aforesaid variance is applied by the inspecting entity to test results included in the inspection report.