



Enhancing food safety by strengthening food inspection systems in ASEAN countries

(GCP/RAS/222/JPN)

Case studies on inspection and certification

Case study 4:

The inspection system for the food service sector including
street food, restaurants and canteens in Vietnam



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Case study 4: The inspection system for the food service sector including street food, restaurants and canteens in Vietnam

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Foreword

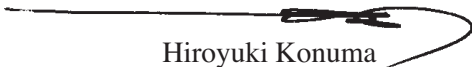
Food safety is of considerable significance from both the health and economic perspectives. Safe food is of importance in protecting the health of consumers by preventing both acute and chronic food borne diseases. With globalization and a greater movement of food across borders, quality and safety have become even more critical. Consumers are showing a preference for high quality and safe food while at the same time governments are laying down stringent requirements relating to pesticide residues, contaminants, microbiological parameters, pests and disease, as well as various aspects of hygiene controls so as to protect the health and safety of their populations.

The problems of quality and safety are complex and systemic, often extending from the production environment to the end consumer involving the entire food chain. There is also a shift from end product inspection and testing to a preventative systems approach based on risk. This necessitates not only implementing standards for the end product but also standards on good practices to include Good Agricultural Practices (GAP), Good Manufacturing Practices (GMP) and Hazard Analysis and Critical Control Point (HACCP) systems at various stages of the food chain consisting of the primary production sector, the processing sector, the distribution, retail and food service (including street foods) and the consumer sector. The role of food control, which is of paramount importance to assure food safety and quality, has also shifted from end product inspection and testing with corrective actions towards food safety concerns to preventive checks on the controls put in place in operations to address food borne risk factors all across the food chain. This approach necessitates not only a change in the mindset of inspectors – from regulators to food safety professionals – but also a need for additional and varied skills for the purpose.

ASEAN countries have made remarkable progress in improving food safety standards and increasing the competitiveness of their food and agricultural products to increase food exports. These achievements need to be strengthened and expanded to further improve food safety not only to protect the health of their own domestic consumers but also to promote regional trade opportunities, earn more foreign exchange and expand tourism by providing safe food to travellers. For this purpose, regional cooperation and exchange of information at all levels must be strengthened.

In order to address the various issues connected with this important activity of food control, under the regional project “Enhancing Food Safety by Strengthening Food Inspection Systems in ASEAN Countries”, funded by the Government of Japan, four case studies have been published on different dimensions of inspection and certification. The case studies were selected so as to provide an opportunity for the most successful practices developed in one country to be used as a model for other countries in the region. They were prepared by specialists within the country with expertise in the subject matter. These were subsequently discussed in a regional workshop attended by participants from ASEAN countries and based on the feedback, edited into a uniform format. I take this opportunity to convey FAO’s appreciation and gratitude to the Government of Japan for its liberal contribution towards this project.

This case study covers the inspection system for the food service sector including street food, restaurants and canteens in Vietnam. It is hoped that the results of these efforts will be of immediate relevance to the countries of the ASEAN region in particular, and to developing countries in general, especially at this present juncture of increasing complexities of worldwide food production systems, and the growing potential for new hazards associated with changes in food production and consumption patterns.


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Abbreviations and acronyms

DAH	Department of Animal Health
GAP	Good Agricultural Practices
GDSMQ	General Department of Standards, Measurements and Quality
GHP	Good Hygiene Practices
GLP	Good Laboratory Practices
GMP	Good Manufacturing Practices
HACCP	Hazard Analysis and Critical Control Points
FAO	Food and Agriculture Organization of the United Nations
FSH	food safety and hygiene
MARD	Ministry of Agriculture & Rural Development
MOH	Ministry of Health
MOIT	Ministry of Industry and Trade
MRL	mean residue levels
MOST	Ministry of Science and Technology
NA	National Assembly
NAFFQAD	National Agro forestry and Fisheries Quality Assurance Department
NGO	Non Governmental Organization
PPD	Plant Protection Department
SPS	Sanitary and Phytosanitary Measures
SSAFE	Safe Supply of Affordable Food Everywhere
SWOT	strengths, weaknesses, opportunities and threats
TBT	technical barriers to trade
VFA	Vietnam Food Administration
VND	Vietnamese Dong
WHO	World Health Organization
WTO	World Trade Organization

Preamble

Maintaining a safe and nutritious food supply is an essential prerequisite to achieving food security, good nutrition and safeguarding the general health of populations. Food inspection plays an important role in this by making sure food meets the required standard and by preventing the adulteration of food and commercial fraud with respect to the sale of food, including the mislabelling of food products. Improvement of the national food control systems in general and food inspection in particular, including harmonization of total inspection systems, have become priorities in ASEAN countries because of the need to enhance the overall food safety situation of the region.

The project “Enhancing food safety by strengthening food inspection systems in ASEAN countries” (GCP/RAS/222/JPN) was funded by the Japanese government and was started in 2007. The objective of this project was to enhance food safety by strengthening food inspection systems in ASEAN countries covering domestically produced food, food import control and food export control. As part of the project a number of capacity-building activities such as regional workshops and regional training courses and national training courses in various aspects of food inspection were organized. Moreover, case studies and guidelines related to food inspection have been prepared.

The project has contributed primarily to strengthening food inspection systems, including risk-based inspection and to facilitating recognition of and compliance with international food safety standards and guidelines with special reference to food inspection and certification. This should lead to improved food safety conditions in ASEAN countries, enhanced public health protection from food-borne diseases and should facilitate food trade by increasing competitiveness in the international market.

A series of four case studies to assess the various aspects of the food inspection systems in Indonesia, Malaysia, Thailand and Vietnam were prepared. The needs for capacity building in food inspection systems and the factors associated with implementing successful inspection systems in the countries concerned have been identified.

The case studies have examined the existing capacity and performance of the food inspection systems according to circumstances and needs in the selected ASEAN countries where they were prepared. The assessments have covered systems of inspection and certification for selected aspects of either product-wise (processed foods, fruits/vegetables) or process-wise (food service) inspection systems for foods domestically produced, imported and exported. Because of the fact that the ASEAN countries are very different from one another, the following two approaches were used as a framework: 1) A needs assessment approach with the purpose of identifying capacity building needs; and 2) A lessons learned approach with the purpose of identifying successful factors in implementing food inspection system or certification schemes.

The case studies conducted were:

1. Indonesia: The inspection and certification system for GMP for processed foods.
2. Malaysia: The SALM inspection and certification scheme.
3. Thailand: The group inspection and certification system for small farmers.
4. Vietnam: The inspection system for the food service sector, including street food, restaurants and canteens.

The following general outline was followed for each of the case studies with appropriate modifications to suit the requirements of the subject of each individual case study:

- i) Mission and strategy: mandates, functions, responsibilities of the various agencies involved in food inspection and enforcement.
- ii) Laws or regulations that provide rules and procedures for food inspection and enforcement, organizational charts of the agencies involved in food inspection and enforcement.
- iii) Operational principles and processes for food inspection and certification, consistency of inspection and certification activities by different agencies, planning, implementation and monitoring of inspection activities, compliance policies and certification.
- iv) Human resources: availability of human resources for food inspection and certification, technical and managerial skills training.
- v) Financial resources such as budget for food inspection activities.
- vi) Information resources such as systems for the collection, reporting and analysis of information related to food inspection.
- vii) External linkages and interdependencies, including linkages and cooperation between food inspectorates and other concerned stakeholders.
- viii) SWOT analysis of the food inspection system and recommendations for capacity building activities in the national food inspection systems.

The case studies were presented and discussed in the first regional workshop “Modern principles for food inspection and certification” held in Jakarta, Indonesia from 1 to 3 April 2008 in order to identify capacity building needs and priorities for follow-up assistance such as training courses and guidance in food inspection. Some of the case studies were revised to bring them up-to-date taking into account the latest developments. The case studies could be used by other ASEAN countries, with appropriate modifications, for setting up similar food safety inspection and certification systems or as training material.

Executive summary

The food service sector, especially the restaurants, canteens and street foods play an important role in providing ready-to-eat food for the general population in Vietnam. The case study provides an overview of the food control management including the legal system and the recently introduced food laws in Vietnam, the infrastructure available, institutional arrangements, organizational set up and implementation of the inspection system with special reference to the food service sector. A new law on Food Safety was promulgated in 2010 which came into effect in 2011. It has several features compatible with the management of food safety such as an emphasis on the food chain, a risk-based approach, and the use of modern management systems for food safety. The new food safety framework proposes a specialized force to check food safety at the central, provincial and district level – called Food Safety control officers. A Government decree provides a list of high-risk category foods consonant with the modern and internationally accepted idea of risk-based food inspection.

The food safety management in Vietnam is distributed among several ministries with the Ministry of Health coordinating the activities. The Vietnamese Food Administration and the Department of Health of the MOH have the responsibility of dealing with the food service sector at the central, provincial, district and commune levels. Details of the inspection framework, powers of inspectors, inspection and enforcement procedures, and laboratory systems are provided. Although there is a high level of compliance with food safety requirements in large enterprises, particularly those that are export driven and large restaurants, compliance at the micro level, for primary production, processed and prepackaged foods, small restaurants and street foods is low.

The importance of information, education and communication in maintaining food safety in restaurants, canteens and street foods have been well recognized. The food safety control officers and inspectors have been assigned a key role and the principles that producers need to understand have been identified.

A SWOT analysis carried out indicated that the strengths include among other things the concept of high risk food categorization, issuing certifications on the food safety and hygiene conditions and maintaining inspection once or twice a year, while the weaknesses identified is the low rate of granting certificates of meeting hygiene and safety requirements for restaurants, canteens and street food vendors. The adoption of new food law is considered as an opportunity and the poor implementation of legislation and low budget for food inspection at local levels is considered a threat.

Case study 4: The inspection system for the food service sector including street food, restaurants and canteens in Vietnam

1. Introduction

The food service sector plays an important role in providing ready-to-eat food for the general population. Traditionally, foods were cooked at home and consumed by the family. However, in most countries of the world the trend of eating outside one's own home is on the increase for many reasons: rapid urbanization, increased industrialization, changing lifestyles, the break-up of the extended family system, increase in the number of working women, economic prosperity and increased tourism potential. Working people are often compelled to have their meals away from home. The public catering institutions include restaurants and cafés, travel caterers such as airlines/railways, ships, institutional caterers such as hospitals and hostels, street food vending and temporary food service establishments for family functions/marriages, religious celebrations etc. Among the various food service sectors, street foods occupy a unique position and in recent years have become an important component of the food distribution system in most of the developing countries, especially ASEAN countries, where they have become an indispensable part of daily life, especially in the urban areas where they cater mostly to the middle class and poorer segments of the society.

Although the foods provided by the food service sector generally are safe for consumption, there is growing evidence to indicate that they can pose significant risks to consumers because of the presence of microbiological and chemical contaminants. Hazards might be introduced during the food preparation and storage stages and could lead to food-borne diseases, thus posing a threat to public health. Consumers are becoming more and more aware of food safety issues. By introducing appropriate food control measures, the food regulatory authorities can improve the safety of the food service sector.

Vietnam has initiated several measures to improve food safety in the country. These include the adoption of a new Food Law during 2010 and putting in place various food control management systems. Special attention is being given to the improvement of the food service sector at the city, provincial, district and commune levels.

2. Objectives, scope and methodology of the case study

2.1 Objectives

The objectives of the case study are:

- 1) to provide a situational analysis of the inspection system for the food service sector including street food, restaurants and canteens in Vietnam; and
- 2) to identify success factors and lessons learned that can be used by other ASEAN countries in setting up a similar inspection system for the food service sector.

2.2 Scope of the study

To meet the requirements of this case study, the specific scope has been defined to cover the various aspects of the inspection system including:

- 1) an overview of the legal system and food laws in Vietnam including the recent changes introduced;
- 2) the infrastructure available, institutional arrangements, organizational set up and implementation of the inspection system at all levels;
- 3) information, education and communication to increase awareness among stakeholders to initiate preventive actions to promote food safety;
- 4) the factors contributing to the success of the scheme as well as the weaknesses of the scheme in its implementation;
- 5) the lessons learned from the implementation of the system; and
- 6) recommendations to improve the system.

2.3 Methodology of the study

The case study was initially carried out by using three methodologies, namely using secondary data, the participatory observation method and a SWOT analysis. Secondary data including information on the inspection system for the food service sector were collected from the VFA's report forms from 64 provinces, reports of the last five years of related ministries: the Ministry of Agriculture and Rural Development, the Ministry of Industry and Trade; or through the Internet, studies related to food inspection, food management in Vietnam in the last five years; or discussions with health inspectors at different levels about enforcement of laws and regulations during food inspection for the food service sector.

In addition, the participatory observation method was used for inspecting, identifying the food inspection activities at all levels: central, provincial, district, communal level (Hanoi, Hai Phong, Quang Ninh, Bac Ninh, Lang Son in the north of the country; Nghe An, Ha Tinh, Da Nang, Nha Trang in the central part of the country, Ho Chi Minh city, Vung Tau, An Giang in the south).

The method of SWOT analysis was used to assess and present some findings for the food service sector in Vietnam.

The case study, originally prepared in 2008, was subsequently revised in 2011 in view of the adoption of the new Food law during 2010. For this purpose the various reports of the consultants of FAO submitted to the Government of Vietnam on food inspection services under the project (UNJP/VIE/042/UNJ) were used as a source of the latest information.

3. Food safety and food service scenario in Vietnam

3.1 Country profile

The Socialist Republic of Vietnam extends 1 650 km from north to south in an S-like shape and only 50 km across at its narrowest point with a coastline of 3 444 km running alongside the Gulf of Thailand, Gulf of Tonkin and the South China Sea. In the north, Vietnam borders China, in the west Lao PDR and Cambodia. Vietnam has a population of 84 155 800 with average population density of 262 per/km². The literacy rate in Vietnam is 93.9 percent for men,

86.9 percent for woman and 90.3 percent for the total population. The country has better life expectancy and infant mortality rates than neighbouring countries, and school enrolment is one of the best in Asia.

Vietnam is a socialist republic ruled by the communist party. The move from a centrally planned economy to a “socialist-oriented” market economy has led to economic growth, poverty reduction and employment opportunities. The administrative system in Vietnam is structured at four levels:

1. Central level.
2. Province level – 64 units (59 provinces and five cities – Hanoi, Hai Phong, Da Nang, Ho Chi Minh City, and Can Tho) under direct authority of the central government.
3. District level – 664 administrative units consisting of rural districts, urban districts and cities under the provincial government.
4. Village or commune level – 10 925 administrative units including 9 098 communes, 1 230 precincts and 597 rural towns.

The People’s Council is the highest government authority in a province. The citizens elect the People’s Council representatives. Each People’s Council has a standing committee, which in turn is elected by the representatives. Furthermore, the People’s Council assigns a People’s Committee, which acts as the administrative arm of the provincial government. This arrangement represents to a certain extent the national government. Provincial governments are subordinate to the national government. The People’s Committee is the executive arm of a provincial government. It is responsible for implementing legislative decisions. In addition to the People’s Committee at province level there are People’s Committees at district and municipality level. At village level there are no People’s Committees.

The key staples of the Vietnamese diet, fish and rice, are produced in abundance domestically. Consumption of raw, inadequately cooked or pickled fish contaminated with trematodes is common. Pork has traditionally been the country’s meat of choice. The recent blue ear disease has reduced the size of Vietnam’s swine herd, which creates opportunities for frozen pork sales. Issues with chicken safety have led to supply issues that have opened the door to beef. Although current sales have been limited to high-end consumers (e.g. hotels, restaurants) beef has been introduced to some of the larger local supermarkets. Fast food restaurants are fewer in Vietnam than in neighboring countries. Key consumer imports include dairy products, fresh fruit, confectionery products, chilled and frozen meat, snacks, and general canned goods (e.g. meat, fruits and vegetables). Refrigeration infrastructure is improving but is still weak and there are spoilage issues with fresh and frozen products.

According to government sources, the annual investment for food hygiene and safety in Vietnam is seven US cents only (about 1 100 Vietnamese dong) per capita, compared with one dollar in Thailand and 50 dollars in the United States.

3.2 Food-borne disease outbreaks

During the last decade, from 2001 till May 2010, there were almost 2 000 outbreaks of food poisoning in Vietnam involving over 50 000 cases resulting in the deaths of more than 500 persons. These are only the reported cases and since many cases go unreported, the actual figures may be much higher. During the year 2009 alone the Vietnam Food Administration reported 147 food poisoning cases involving over 5 000 people. Almost 4 000 of them were hospitalized

and 33 died. Only 30 percent of those cases were traced back to micro-organisms, natural toxins or chemicals, and the reasons were unknown for the remaining 70 percent. In the month of May 2010 alone, food poisoning affected 704 persons, resulting in ten fatalities.

Most of the food poisoning outbreaks occurred in canteens. For example, in the year 2004, about 60 percent and in 2006 about 40 percent of the outbreaks occurred in canteens. Food poisoning in canteens accounted for 60 to 75 percent of all cases of food poisoning reported. Comparatively fewer outbreaks of poisoning (in many years less than 10 percent) with respect to the consumption of street foods have been reported. During a survey carried out in 2008 in seven cities and provinces, the Health Ministry Inspectorate found that almost 30 percent of 360 inspected canteen kitchens at industrial zones, schools and hospitals violated food hygiene and safety regulations. Up to 36 percent of canteens had food hygiene and safety certificates. Eighty seven percent of violators did not consider hygiene and safety important, and 73 percent stored food in unhygienic conditions. Kitchen utensils and dishes of most canteens were also below hygiene standards.

3.3 Food safety issues

The major issues important from food safety point of view in Vietnam are:

- i) Residues of pesticides in fruits and vegetables; heavy metals, hormones, antibiotics in animal products; and misuse of food additives in food processing. According to a report on the results of vegetable analyses from 2000 to 2006, 30 to 39 percent of samples were found to be contaminated with pesticide residues. Of this figure, 70 percent of the total number of samples of leafy vegetables analysed were contaminated with Pyrethroid residues and the rest were contaminated with Fipronil, Dithiocarbamate and Carbendazim residues. The prohibited pesticides such as Endosulfan were also found in some samples of vegetables.
- ii) Fruits and vegetables, poultry, egg, fishery products, meat and animal organs, alcohol, food additives are illegally imported. Different kinds of pesticides, including prohibited chemicals such as Methamidophos, Endosulfan and weight promotion substances were found in them. Besides heavy metals, antibiotics and micro-organisms are also of concern.
- iii) Food hygiene and safety in restaurants and with respect to street hawkers is not up to the required standard. Most restaurants and street hawkers do not meet hygiene requirements in terms of facilities, utensils, personal hygiene and food sources.
- iv) Substandard food products including date expired products and products that contain additives that are unsafe are widely sold. Some of these are entering the country through informal channels.

3.4 Food service sector

Vietnam is roughly separated into three separate economic regions surrounding core urban centres: the South centred on Ho Chi Minh City, the North based in Hanoi, and the Central area focused on Danang. The large urban centres of Ho Chi Minh City, Hanoi, Danang, Hai Phong and Can Tho have affluent consumers who have disposable incomes and a cultural predisposition to spend it on food, especially dining out. The food service sector in Vietnam includes hotels, restaurants, fast food outlets, airline catering and institutional catering such as hospitals and schools. The vast majority of the restaurant sector is based on Vietnamese cuisine and the

ingredients are sourced locally. Vietnam has a large number of eateries on the roadside selling what are popularly known as street foods. The total number of food service units is 213 485 with an average of 2 413 units per province. The minimum number of units in a province is 243 units and the maximum number is 21 431 units.

Vietnam is also growing rapidly as a tourist destination with visitors coming from within Asia and also from the West. Vietnam attracted 4.2 million foreign tourists in 2008, and this has encouraged the development of a large number of four and five star hotels with sophisticated restaurants serving Vietnamese and international food.

3.5 Political commitment to food safety

The level of political commitment to food safety, hygiene and quality in Vietnam has increased in recent years as is evident from the discussions held on the responsibility for food safety and management at the highest level during the National Assembly meeting in 2010. Members discussed the responsibilities that ministries, agencies and sectors have for food safety and hygiene management, punishments for food safety violations and food inspections. According to the Law on Food Safety, the Ministry of Health has overall responsibility for food safety management. To improve the implementation of the law, it was found necessary to develop regulations on the responsibilities held by ministries and sectors, the required level of co-operation between them and the Ministry of Health, and the responsibilities of People's Committees at all levels, thus completing the state food safety management system from the central level to the local level. It was also felt essential to upgrade facilities and equipment at branches of the Vietnam Food Administration and to formulate concrete guidelines on the establishment and organization of food safety and hygiene centres at district and commune levels.

Other issues considered are as follows. The ministry must co-operate with other ministries to build and issue food safety management policies and must also implement related strategies and plans to avoid overlaps in legal documents. It is necessary to regulate the responsibilities of food inspectors at both central and local levels. There is still a shortage of food safety inspectors, especially at local level, and their work has not been as efficient as expected. A broader legal foundation for inspection activities and greater inspector competence are needed in order to punish violators. More favourable conditions should be created for food inspectors to operate more efficiently. Fines for food safety and hygiene violations must be increased by ten times to a level that will deter violators. The fine levels listed in the law are still low and many individuals and household businesses simply continue committing violations after paying a penalty. Serious violations should result in the revoking or suspension of business licenses. During the meeting, deputies also discussed regulations related to street food vendors.

3.6 National Action Plan

A National Action Plan on the assurance of food safety for consumers, contributing to people's health protection, economic and social development and meeting the requirements of international economic integration was initiated during 2006 (annex 1). The specific targets of the National Action Plan are: i) raising awareness and the practice of food hygiene and safety and of the responsibilities of food producers and consumers; ii) strengthening the capacity of the food safety management organization, inspection, analysis system iii) Striving for 80 percent of food standards corresponding to international standards. iv) Implementation of food safety

management system with HACCP, step by step v) Establishing the programme of risk analysis and food contamination management, taking active part in food contamination prevention and minimising food borne diseases. vi) Establishing the unified food contamination control system from production to consumption and food poisoning surveillance. Various Ministries such as Health, Agriculture and Rural Development, Fishery, Trade, Science and Technology, Culture-Information, Industry, Education and Training, Resource and environment, Defence, Police, Internal affairs besides Provincial, Municipal People's Committees were part of the steering committee to implement the National Action Plan for the assurance of food safety and hygiene.

4. Food laws, regulations and standards in Vietnam

4.1 Legal system and sources of law

The Vietnamese legal system is basically a civil law system following the French tradition. The sources of law are organized in a hierarchical structure set out by the constitution. Laws are made/amended by the National Assembly (NA), the only body vested with constitutional and legislative power. Resolutions and ordinances approved by a standing committee of the NA should be converted to law within five years. Decrees and resolutions are subsidiary laws of the NA. These include:

- Decrees and decisions of the President of the State/Prime Minister. Decrees elaborate the application of laws and ordinances and their provisions. Decisions ascribe functions and scope to activities under enacted laws and ordinances.
- Resolutions and decisions of the government.
- Decisions and instructions of the Prime Minister.
- Decisions, instructions and circulars of the Ministers. Circulars contain the regulations applying to food safety under the responsibilities of the relevant Ministry.

The practice is to draft laws in general terms and accompany them with decrees – a unique system and *per se* not contrary to a valid system of food safety as required by international legal conventions. Laws deal with significant issues and related issues, e.g. powers of inspectors are set out in subsidiaries.

4.2 Food Safety Law 2011

There is no unified food law in Vietnam. The major laws are the Law on the Quality of Products and Goods which came into effect on 1 July 2008 replacing the Ordinance on the Quality of Goods and the Law on Food Safety which came into effect on 1 July 2011 replacing the Ordinance on the Hygiene and Safety of Foods. The former states that “the State shall implement a uniform system to control the quality of goods” and provides that manufacturers and traders must take responsibility for the quality of the goods or products that they manufacture or trade. The later describes the rights and obligations of organizations and individuals in respect of food safety; conditions to ensure the safety of food for manufacturing, doing business in food, advertising, labeling food, testing food, analyzing threats to food safety, and protecting, preventing, and overcoming breakdowns in food safety. The government relies primarily on laws which regulate the quality of goods in general. There are also specific regulations that apply these laws to food products. Thus there are two sets of regulations, one covering goods in general, and the other covering food products, and they often overlap. The Law on Quality of Products and Goods gives the Ministry of Science and Technology overall responsibility for the

quality of goods, including foods. The Law on Food Safety specifies the responsibilities to the Ministry of Health, Ministry of Agriculture and Rural Development, and Ministry of Industry and Trade for the safety of food.

The Law on Food Safety defines “foods” as follows: “Foods are products which human beings eat and drink in their fresh, raw, processed or preserved forms. Foods do not include cosmetics, tobacco, and medicinal products.” There are sub-definitions of different types of food, such as fresh food, street food etc. “Fresh food” is unprocessed food including meat, eggs, fish, aquatic products, vegetables, fresh fruits, and other unprocessed foods. “Street food” is a ready-to-eat food or beverage. It is obtained from a vendor, sold on streetsides, in public, or similar places.

The Law on Food Safety does not include food standards since there are separate Standards and Technical Regulations applicable to all products in Vietnam. Chapter II of the Law on Food Safety enumerates general rights and obligations of food producing organizations and individuals, food trading organizations and individuals and food consumers. The Law on Food Safety does not include offences and penalties that are already included in other applicable laws, for example the Penal Code, the Civil Code, the ordinance on handling of administrative violations, and the Ordinance on Medicines (that has a chapter on food safety). A list of offences that usually are included in food laws of other countries has been considered by the drafting group, but finally retained in the decree only those offences and penalties that were not included in other legal texts.

Pursuant to the Food Safety Law June 2010, the following decrees have been prepared as accompanying and complementary legislation:

- Decree 1. Regulations on assigned state management responsibility for food safety.
- Decree 2. Stipulating specific regulations on the implementation of some articles in the Law on Food Safety.
- Decree 3. Regulating the organization and operation of the food safety inspectorate in the health sector.
- Decree 4. Regulating the sanctioning of administrative violations in the food safety law.

5. Food control management

5.1 Food safety responsibilities of various ministries

The state’s responsibility for the management of food hygiene and safety and for the prevention and management of food poisoning and food-borne diseases is spread among various ministries.

The Ministry of Health promulgate acts, laws, strategies, policies, enforces food hygiene in market/imported foods, control contaminating micro-organisms, pesticide residues and additives, research, education and extension. The Ministry of Agriculture and Rural Development implements food safety throughout the food chain from farm, slaughter, veterinary hygiene, import control of food of animal origin and assist in promulgating various laws the Ministry of Trade and Industry is responsible for the quality and safety of foods during distribution, processing and circulation in the market. The Ministry of Science Technology is responsible for establishing standards, issuing food processing certificates, and ensuring that processed produce and traded food products meet quality food standards. The Ministry of Sea is responsible for sea

foods- from sea to table including export. The Ministry of Culture and Information publicize knowledge on laws, food hygiene, advertisement of foods. The Ministry of Finance and Culture is responsible for collection of taxes, fees on food hygiene and safety. The Peoples Committees, at all levels, implement the state management of food hygiene and safety at localities throughout the food chain, manage food hygiene and safety of food sold on streets, in market places, in tourist zones and at festivals.

Thus, there are a number of ministries that have a greater or lesser indirect impact on food safety management through the normal administrative processes of the government, although the Ministry of Health, Ministry of Agriculture and Rural Development and Ministry of Trade are identified in the Law on Food Safety 2011 as having direct responsibility for the management of food safety.

5.2 Ministries specifically dealing with the food service sector

The Ministry of Health issues legislative documents on conditions for the assurance of food hygiene and safety in food premises that trade in food and beverages. It also grants certificates of adequate food safety and hygiene conditions for high-risk food premises. High-risk foods as defined in Vietnam are foods with a high possibility of infiltration by biological, chemical and/or physical agents, and which may affect the health of consumers. Decree 163/2004/ND-CP dated 7 September 2004 of the government provides a list of high-risk foods that include meat and meat products, milk and milk products, egg and egg products, fresh and processed aquatic products, ice cream, mineral water, functional foods, food additives, frozen foods.

The MOH presides over and coordinates with related ministries and sectors to inspect and supervise the implementation of food quality, hygiene and safety standards based on the declaration of the food premises as prescribed by the state regulation of standards. It also presides over the implementation of professional regulations on food safety hygiene for goods and food premises that manufacture and trade in high-risk foods.

Another function of the MOH is to preside over and coordinate with related ministries and sectors to inspect and supervise canteens, food facilities, street food vendors, restaurants and hotels in the implementation of regulations pertaining to conditions of food safety and hygiene (infrastructure, equipment, and humans) of food establishments and to inspect and supervise the cause of food poisoning in meals, food and beverages of these public food establishments if food poisoning outbreaks occur. In addition, it presides over inspecting and supervising the professional contents of food product labels and food advertisements with respect to food safety and hygiene (components, ingredients, quality, use, effectiveness, and how to use) as prescribed by law. Within the agency the primary responsibility for these activities is the Vietnam Food Administration (VFA).

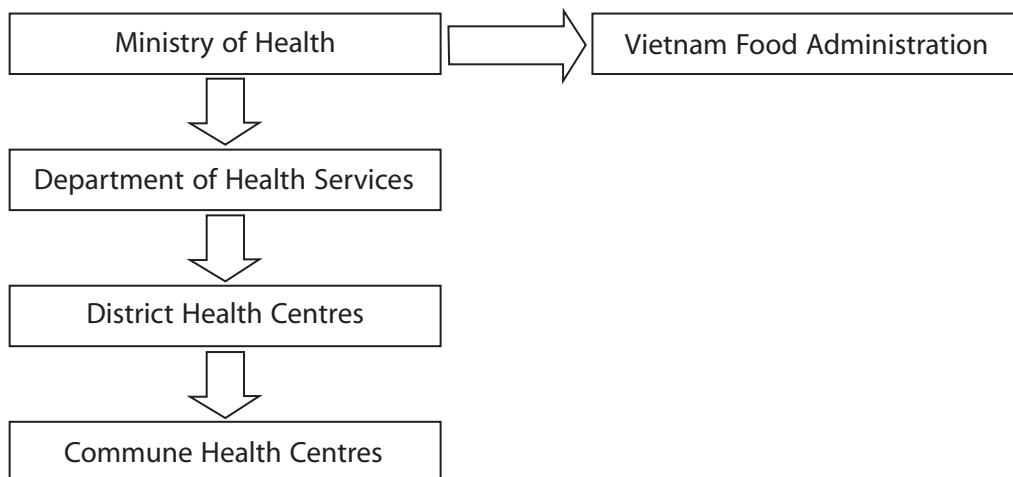
People's Committees at different levels provide oversight of the enforcement of laws, and manage and control funding and resources for the activities in their respective areas according to the law and the decentralized mechanism. The services are provided by the province and/or district (Health/Agriculture and Rural Development/Industry and Trade) aligned to the ministries outlined above. The central ministries retain responsibility for policy, professional guidance and coordination of the work of departments/subdepartments at provincial/district levels. The ministries in consultation with the provincial departments coordinate annual inspection plans and participate in inspections as required.

It should be noted however, that as per the Law on Food Safety 2011, Peoples’ Committees at various levels are authorized to issue technical regulations to service food safety control in their localities and to promote food safety at local levels and resource education and enforcement. There is a specific emphasis on street foods and other ready-to-eat food establishments. However, line ministries are responsible for issuing national technical regulations and conditions for safety assurance in food production on a small scale and provincial people’s committees can issue local technical regulations pursuant to regulations of the line ministry. The People’s Committees at the district level will manage food safety under the guidance of the provincial level Peoples’ Committees and departments. Similarly, Peoples’ Committees at the commune level will manage food safety under the guidance of the district level People’s Committees and responsible departments at the provincial/district level.

5.3 Food hygiene management within the health sector

The management of food hygiene within the health sector under the overall direction of the Ministry of Health lies with the Vietnam Food Administration and the Department of Health Services (see figure 1).

Figure 1. The organizational structure of food hygiene and safety management within the health sector



National level: Vietnam Food Administration has both management and specialized inspection functions. It has an estimated staff of 100 and 21 out of that are specialized inspectors.

Provincial level: Sub-Department of Food Safety and Hygiene with both management and specialized inspection functions. It has an estimated staff of 30. At the provincial level the agencies involved in inspecting the restaurants and canteens are: i) the Preventive Medicine Centre; ii) Health Inspection Department; iii) Market Control Department; and iv) the Police.

District level: Food Safety Team with the same functions as above and with a staff of 15.

Commune level: Health Station with food specialized inspector and communicator, an estimated two staff working on food hygiene and safety. At the communal level the agencies involved in the food inspection of the street vendors are the Medical Station, the Economic Division and the Police.

There are approximately 33 830 staff working in the field of food hygiene and safety throughout the country, 10 000 of which are food specialized inspectors.

5.3.1 The Vietnam Food Administration

The Vietnam Food Administration (VFA) is responsible for managing food hygiene, safety, and quality and has made significant progress since its establishment in 1999. Food safety remains a high priority in Vietnam with the growth of export markets and increasing food imports raising the need to build capacity of the Food Administration rapidly in order to reduce the threat of food-borne diseases. The functions of the VFA include various activities pertaining to food quality, hygiene and safety such as compilation of legal documents, elaboration of food quality standards, promulgation of documents guiding the implementation of technical and professional standards, processes and norms, granting of certificates to the food establishments, formulation of the list of foods subject to quality registration, and organization of the food quality registration, granting and withdrawing quality registration papers and food hygiene and safety certificates for homemade foods/those produced industrially.

Other duties of the VFA include control and inspection of the observance of the legal provisions on food quality, hygiene and safety, import inspection, prevention of the production and circulation of foods not up to the prescribed food quality, hygiene and safety and research, education and extension activities. The Network Direct Division, one of the eight Divisions of the VFA is responsible for: i) ensuring food safety of food vendors, foods sold in festivals, fairs, resorts, markets, canteens, schools and hospitals; ii) investigation, prevention of food-borne diseases, including in disaster and injury prevention missions; iii) monitoring inspection results and addressing complaints and denunciations on food safety; iv) establishing the requirements on food safety conditions and guidelines as well as managing the conferring and revoking certification related to food safety and hygiene conditions; and vi) handling certificates of GMP, GHP, HACCP, and other related issues.

Vietnam Food Administration has a staff of 70, among them eight persons are working on food safety in the food service sector. Food hygiene and safety is controlled at the central level by obtaining periodical reports on various food safety activities including inspection, certification, food-borne disease outbreaks and budget at the local levels. A model report form is attached as annex 2.

5.3.2 The Health Inspection Department, Ministry of Health

There is no a specialized food safety inspection system in Vietnam but the function is carried out by the health inspectors. The Health Inspection Department has a Chief of Health Inspection and four Vice Chiefs and seven functional divisions. The Division of Hygiene Inspection has five medical doctors. This Division is in charge of inspecting food hygiene and safety, preventive medicine and HIV/AIDs prevention.

The Ministry of Health plans to set up a food safety administration with a staff of 100 to 120. This office at provincial level would have 30 to 50 people, 20 to 30 people at district level and about three people at commune level. Setting up a national food safety testing institute and four regional food safety testing centres and upgrading laboratories at 64 preventive medical centres nationwide are in progress. Private laboratories are encouraged to join so are the factories that produce equipment for food safety testing.

The functions of the Health Inspection Department are described in Article 16 of Decree No. 77/2006/ND-CP. Inspection activities are carried out by means of developing an inspection plan or carrying out an unannounced inspection. A planned inspection follows the approved plan. An unannounced inspection is implemented when investigating the violation of a food health or safety standard by an organization or an individual, or when receiving a complaint or a request from the leader of competent authority. Inspection activities are organized by a team or an independent inspector. The inspection team or independent inspector carries out the inspection activities as described in the Inspection Law and ordinances under the Law.

5.3.3 Agencies at the province, district and commune/ward levels

There are three agencies belonging to the Department of Health in charge of food hygiene and safety at the provincial level, namely the Health Professional Division, the Health Inspection Division and the Food Hygiene and Safety Division/Food Safety Laboratory of the Preventive Medicine Department. According to the reports of 46 provinces, the total number of staff working on food safety issues is 329.

The Health Inspection Division has the function of food hygiene and safety inspection together with preventive medicine and HIV/AIDS prevention. It is responsible for giving guidance on the implementation of laws, ordinances etc. on food hygiene and safety. The Provincial Preventive Medicine Center has a laboratory and is a technical agency in charge of verifying the sanitation condition of facilities producing ten high-risk food groups. It grants a certificate to establishments and individuals meeting food hygiene and safety requirements; grants a certificate of quality for food products (if authorized by the Health Department); coordinates with the Health Inspection Division, Market Control Department, and the police to supervise food hygiene and safety as planned, such as in month-long campaigns of action for food safety, the lunar new year festival, the middle of autumn, markets, street stalls selling foods, restaurants and hotels, canteens; investigates food poisoning outbreaks and carries out activities to prevent food-borne diseases.

At district level, there are two agencies working for food hygiene and safety: the Health Division and the Preventive Medicine Center. There is no specialized food safety staff at these agencies. A microbiological laboratory is responsible for analyzing food samples both in terms of hygiene and epidemiological criteria, but only has basic testing facilities and makes use of rapid test kits. The District Food Safety Steering Committee is chaired by the Vice Chairperson of the District People's Committee. Members are staff from health, veterinary, market control agencies and from the police sector. When carrying out inspections, the Chairperson will issue the order to establish an inter-ministerial inspection team.

District Preventive Medicine Center's duties related to food hygiene and safety:

- carry out surveys by soliciting names of enterprises, contact addresses with telephone numbers, names of owners, names of workers;
- conduct training on food hygiene and safety for owners and workers on a yearly basis. In addition, organize health checkups of workers and owners for detecting infectious pathogens. If the results are positive, they will be ordered to move to other tasks not directly exposed to food and receive medical treatment. After one month a follow-up health check will be carried out;
- carry out inspection twice a year. The inspection team will be accompanied by a laboratory technician in order to test some of the criteria such as boiling water,

organic acid in vinegar, surface of eating tools (starch or fat residues on the surface of bowls, dishes). Samples from utensils, hands of workers, food will be brought to the provincial laboratory for analysis;

- carry out additional inspection and supervision when required such as during political events, festivals and food-poisoning outbreaks;
- grant certificate to food enterprises for meeting hygiene and safety standards; and
- implement preventive measures related to food-borne diseases.

At the commune/ward level the Health Station with five staff is in charge of controlling food safety but without any specialized food safety staff. Most health officers on food safety and hygiene are medical technicians, the others are nurses. The Commune/Ward Food Safety Steering Committee is chaired by the Vice Chairperson of the Commune/Ward People's Committee. Its members are staff from health, trading and police divisions. When carrying out the inspection, the Chairperson will establish an inter-ministerial inspection team.

Functions and responsibilities at commune level:

- carry out basic surveys as mentioned above;
- organize training for owners of enterprises and their workers by inviting staff at district level to be trainers and granting certification by competent agencies at district level;
- organize health checks for enterprises' owners and workers, particularly by arranging with the district preventive medicine center to specifically test stools for typhoid;
- organize and carry out inspection of street food four times/year by using rapid test kits and keep records of inspections. However, this is implemented on a pilot scale in 31 wards only;
- grant certification for meeting hygiene and safety requirements for street food businesses; and
- take part in investigations of food poisoning and food-borne diseases that have occurred in various localities.

5.4 Food inspection in canteens

Canteens in universities, colleges, industrial zones, large-scale factories are controlled by the Provincial Preventive Medicine Centers. Canteens in secondary and primary schools, professional workers' training institutes and other factories are controlled by the District Preventive Medicine Centers and Health Divisions. Canteens in kindergartens are controlled by commune/ward health stations.

5.5 Food safety and hygiene conditions to be met

All individuals and entities that want to produce and/or trade in foods must satisfy certain conditions on health and safety in order to be licensed. However, those entities that deal with high-risk foods, must, in addition, obtain a certificate guaranteeing that they satisfy certain conditions on food hygiene and safety. Such conditions must be maintained throughout the lifetime of the business. A food establishment (meaning a workshop or store used by a food producer, processor, business, importer or canteen service centre, and even equipment and

premises used by a food producer) must satisfy certain health and safety criteria. Any location where food is processed, manufactured, stored, sold or served must meet “hygienic environmental requirements.” All employees who come into direct contact with food must have a periodic health check to ensure that they meet health conditions mandated by the MOH. In addition, they must have a training certificate to show that they have studied food safety and hygiene, and must be adequately supervised so that they follow applicable regulations and possess sufficiently safe and hygienic tools. The tools, equipment, materials and chemicals used in food establishments must not pollute food products with toxic substances, chemicals or bacteria.

5.6 Procedures for granting certificates to high-risk food processing/trading establishments and results

Granting certificates is one of the important activities done to ensure food hygiene and safety in processing/trading establishments. The purpose is to regulate the food hygiene and safety conditions of producing and trading establishments dealing with high-risk food groups. It is mandatory for the sellers of high-risk foods to obtain the certificate. The designated high-risk products are: meat and meat products; milk and milk products; eggs and egg products; fresh and raw and processed aquatic products; ice creams and iced water of all kinds; natural mineral water; functional foods; fortified foods, supplementary foods, food additives. Ready-to-eat foods and drinks; frozen foods; soya milk and products processed from soya and assorted fresh and raw vegetables, tubers and fruits for instant consumption.

Establishments producing and/or trading in functional foods, foods fortified with micronutrients, supplementary food, food additives and natural mineral water have to apply to the Health Ministry for a certificate. Other high-risk food-producing and/or food-trading establishments have to apply to the state-run health agencies in the provinces, urban and rural districts, townships (People’s Committees) for certificates. The application fee is VND250 000 to VND750 000. Application conditions and documents include the following: a) an application form; b) the business registration certificate (a lawful copy, if any); c) a written description of material foundations, equipment and tools to ensure food hygiene and safety conditions according to the regulations of competent state agencies; d) a written commitment to ensure food hygiene and safety for food materials and food products that the establishment produces and/or trades in; e) the health certificates of the establishment owner and the persons directly engaged in food production and/or trading according to the regulations of the Health Ministry; and f) the certificates of food hygiene and safety training of the establishment owner and the persons directly engaged in food production and/or trading, according to the regulations of competent state agencies. The time taken to process the application is fifteen days. Health inspectors are responsible for examining and inspecting hygiene and safety throughout the whole country. For noncompliance, penalties range from VND10 000 000 to VND15 000 000.

The activity of granting certificates for meeting the requirements on food hygiene and safety started in March 2006. According to the report of the VFA, up until June 2007, the rate of granting certificate was only 6.1 percent for canteens, restaurants and street food vendors.

6. Inspection services

6.1 Inspection

The responsibility for inspecting the quality of food products is divided among different ministries. The Ministry of Science and Technology has primary responsibility for the quality of goods in general and of foods in particular. The Ministry of Health is authorized to conduct inspections on hygiene and safety of foods.

In general, quality inspections are conducted by inspection teams or individual inspectors. The team or individual is tasked with: (1) investigating compliance with legislation on quality; (2) imposing sanctions; and (3) applying or proposing, according to its authority, measures to prevent or end a violation.

6.2 Inspection framework

Each ministry that has an inspection function has a Chief Inspector and Inspectorate to oversee compliance with the laws. The powers of the Chief Inspector and Inspectorate are defined in the Law on Inspection. However Decree 79/2008/ND-CP has identified food safety inspection as a specialized inspection role. This structure results in some inconsistencies between the national law and subsequent decrees on food safety inspection. The authority and powers of the specialized food safety inspectors and the chief food safety inspector are more limited and they may need to refer some issues to the relevant Ministry Chief Inspector for sanction/enforcement. In general, the specialized food safety inspectorates in ministries are highly professional but have a small work force. They set plans and provide professional guidance for the implementation of food safety inspection programmes more generally at the provincial and district levels. There are equivalent structures at the provincial/and or district level with a Departmental Chief Inspector and Inspectorate, and specialized inspectorates in the subdepartments. The majority of specialized inspection staff is employed at the provincial/district level, where most inspections are carried out.

The roles, powers and responsibilities, and the general criteria of inspectors are defined in the Law of Inspection (Articles 30 and 31). This Law similarly defines “Inspection collaborators” in Article 32 and acknowledges that specialized inspections are carried out by ministerial inspectorates (Article 24) under the line ministries responsible for enforcing the specific Law. Under the Law on Inspection, food safety inspectors fall into the category of specialist inspectors. The tasks and powers are outlined in Article 50a of this law which also states that in cases where they detect violations that are beyond their competence to handle, the specialized inspectors should report such violations to the chief inspectors for a decision on the matter.

6.3 Structure of the Inspectorate under the new Law on Food Safety

The proposed structure of the inspectorate relevant to food safety management within the MOH recognizes two levels of government (central and provincial/district) and the respective roles of the Ministry/Department Chief Inspectors and the Specialist Inspectors under the Vietnam Food Administration and sub-VFA at the provincial level. The new food safety structure proposed has a new category for a specialized force checking the food safety both at the central and provincial and district level – called the Food Safety Control Officer. The concept of Food Safety Control Officer originates from the term “quality controller” found in Article 50 of the Law on Goods and Product Quality. This concept can be readily applied in the food safety context as food safety

is a special and critical content regarding the quality of goods. Quality controllers “are civil servants appointed to the rank of quality controllers under product and goods quality examination agencies”.

The structure provides for a specialized food safety inspection service as a division within the VFA at the central level, and a more extensive specialized inspectorate in the sub-VFA under the Department of Health at the provincial level. Within each of these there will be Food Safety Control Officers working under the control of the Chief Inspector. As required by law, cases where the mandated penalties exceed the authority of the inspector would need to be referred to the respective Ministry/Department Chief Inspector for decision and sanction. The importance of Food Safety Control Officers position is that they may assess the performance of food businesses independently of inspectors, report findings to inspectors for follow up if required but having the power to report publicly any breaches of safety of the product produced. This would provide a significant incentive for ongoing business compliance with food safety requirements. They would need to work and report to the chief inspector of VFA or the chief inspector of sub-VFA or in the province/district, but should have sufficient seniority to manage a separate team. Food Safety Control Officers should have tertiary training in food safety and specialized inspection/audit procedures, have capacity to lead teams and to work with the inspectorate and industry in improving food safety outcomes. They must have judgment and courage to manage complex and difficult situations.

6.4 Major functions of the food inspectors

Under the previous system and the new Law on Food Safety the four major functions that need to be routinely performed by the food inspectors are:

1. Routine annual inspection/assessment of food processing and manufacturing, reviewing processes and testing for conformance with food safety requirements. Undertaking unexpected inspection/assessment of food businesses where there is evidence of problems with food safety.
2. Random sampling and testing of foods on the market to confirm the safety of products.
3. Routine investigation and remediation of food safety incidents/outbreaks of food-borne illnesses including recalls as necessary.
4. Emergency management where major food safety incidents occur.

6.5 Powers of inspectors

Inspectors are given a great deal of power. They may:

- order the entity being inspected to provide all pertinent samples, information, documents and explanations necessary for the inspection;
- request that the entity being inspected to create favourable conditions for the inspectors to carry out their duties;
- confiscate samples of goods and have them tested;
- make a record of the inspection and recommend to the head of the relevant quality control agency the measures to be taken in the future;
- apply measures for the prevention and handling of violations according to law; and
- in the event that any evidence of criminal conduct is discovered, transfer all information regarding any breaches of the law to the criminal investigation authorities.

The contents and conclusions of the inspection and all recommendations are made in an inspection report. The inspection report is central to resolving problems. The Ordinance on the Quality of Goods states that during the inspection the inspection team or inspector must not cause harm to the legitimate rights and interests of the business or individual being inspected, nor to consumers, and must abide by the law and take responsibility for all its acts and conclusions and must pay compensation for any damage caused. In fact, it is difficult to dispute the inspector's acts or findings. Therefore, officials within the relevant government agency have no choice but to rely heavily on the inspection report. Although the business or individual subject to inspection may ask the inspection agency to reconsider the results or decision, or may initiate legal proceedings against the decisions of the inspectors, or the measures imposed or taken by the inspectors the chances of having a decision reversed are low.

6.6 Food safety inspection procedures applied to restaurants, canteens and street foods

6.6.1 Inspection procedure

The food inspection procedure begins with developing an inspection plan and sending it to the establishments. The contents of the plan include purpose of inspection, time of inspection, members of inspection team, contents of inspection, documents required for submission to the team. Intersectoral inspection team consists of representative from sectors of Health (head of the team), Market Control, Police and one analysis technician. Steps to be carried out in the field are as follows:

Step 1: Meeting with the owner of the establishment: Inform him/her of the purpose and requirement of the food inspection.

Step 2: Document checking: Check certificates and licenses such as invoice of food importation, veterinary quarantine certificate for meat and egg, papers from competent agencies such as testing results, certificate of attending food safety training, health examination certificate of all food holders, certificate of meeting food hygiene and safety requirement of the facilities.

Step 3: Carrying out inspection from beginning to the end of the food preparation and sampling: Checks include: i) environmental hygiene; ii) facility hygiene; iii) equipment and utensil hygiene; iv) personal hygiene; v) food hygiene and safety; vi) whether it is one-way-processing line, the condition of refrigerator used to store food such as temperature, placement of raw and cooked food to prevent cross-contamination; vii) whether storage for dry foods and cans meet requirements; viii) products have adequate label as described by law; ix) carrying out some rapid testing such as starch residue in the surface of bowl or dishes, borax in meat paste, organic acid in vinegar, colour in chili, roasted meat, sampling of prepared foods and water for micro-organism testing and physical-chemical testing; x) utensil hygiene and sanitation, washing procedures including sterilization; xi) daily menu manual and keeping sample of cooked food for 24 hours in refrigerator in order to find out the causes if poisoning occurs; xii) waste treatment contract; xiii) testing water sources used in food processing and for drinking for micro-organism, chemical and physical (checking through testing certificate) parameters.

Step 4: Compiling the report: After completion of the inspection, the head of the inspection team will call for a meeting and request to compile a report of inspection with the good and bad points and contents and inspection procedures. The form of the report has not been officially set.

A copy of the form to be used for inspection of restaurants/canteens and street foods vending is attached (annexes 3 and 4).

6.6.2 Sampling procedures

In the inspection team there is a technician with a box of rapid test kits for on-site demonstration and taking samples of utensils and seller's hand wash for analyzing in the laboratory. The box contains alcohol, spirit lamp, cotton bud, sterilized bottle and Petri dishes. If samples are canned, bottled or packed food, they will be taken randomly and divided into three parts: one part for sending to the laboratory, the other for keeping at the premise and the third kept by the inspection team. All three parts will be packed and signed by the head of the inspection team and the sampling person with the date the sampling took place. Storage condition and time depends on the type of food.

Condition for storage and transportation to laboratory: Samples are contained in boxes or nylon bags and transported by motorbike or car. After 15 days, the results of the analysis will be given in a written report by the laboratory. In the case that the owner does not accept the results of testing, he/she can send the sample kept at his premise to another laboratory for a second opinion.

6.7 Enforcement

The types of punishments regulated in the Decree No. 45/2005/ND-CP, include warning, withdrawing and keeping the food or material suspended out of circulation, financial punishment, withdrawal of the certificate of meeting hygiene and safety requirement or business license. If it is a warning, the inspection team will make a note on the report and then verify later that a correction has been made. If it is financial punishment the inspection team will give the letter to the owner inviting him/her to meet the competent agency such as health inspection, market control, district or ward people's committee. The purpose of this meeting is to make a financial punishment report as described by law. The owner has to pay the fine at the State Treasury within ten days and bring the receipt back to the competent agency. If the owner is not willing to do so, he/she will be coerced. Other types of punishment include keeping and condemning the products, withdrawing the certificate or business license. The inspection team will make the minute as described by law. The owner has the right to appeal.

All organizations and individuals have the right to lodge complaints regarding violations that relate to the quality of food products. They may even make a complaint regarding wrongdoing by a government official responsible for implementing or enforcing the laws and regulations on the quality of food products. The authorities must respond to such complaints.

Action (in the form of "sanctions") can be initiated against individuals and organizations that commit an administrative violation with respect to the quality of goods, including foreign organizations and individuals. This is in line with the Civil Code, which states that: "individuals, legal persons, etc. that are producers or who do business without ensuring the quality standards of goods and damage any consumer, must compensate" the consumer. However, only inspectors of the General Department of Standards, Measurements and Quality (GDSMQ) or one of its branches, people's committees, the police, the customs service, market management agencies or specialist inspection agencies of the ministries have the right to deal with administrative violations. Once a violation has been detected, the law gives the government agencies sufficient flexibility in the form and scale of punishments.

Sanctions include:

1. warning – applies only to minor or first time violations or violations with extenuating circumstances;
2. fines – determined on the basis of the type and seriousness of the violation, the presence of extenuating or aggravating circumstances and the personal record of the offender. The sanctions must be within the prescribed range of fines for each type of violation. The fines range from VND100 000 to VND20 million;
3. temporary or permanent withdrawal of permits, certificates and other documents issued by state agencies relating to the quality of goods;
4. forcible registration of quality or application for necessary certificates or other documents;
5. confiscation of evidence and means used in an administrative violation;
6. temporary suspension of business activities if the violation is deemed liable to affect safety, hygiene, the environment or the economy;
7. forcible implementation of measures to deal with the pollution or the spread of disease caused by the violation;
8. forcible destruction of items causing damage to human health;
9. forcible suspension of the delivery, distribution and import/export of goods; and
10. forcible re-manufacture or destruction of substandard goods.

The sanctioning agency will apply either a warning or a fine in almost every instance. Other sanctions are considered optional. Whether an optional sanction is applied depends largely on the type and seriousness of the violation. However, the enforcement agencies are given relatively little guidance as to which sanctions to impose or how large a fine should be. The regulations do list extenuating and aggravating circumstances, as well as situations where sanctions are not to be applied.

Extenuating circumstances include:

- the offender attempts to mitigate the damage caused by the breach or to deal voluntarily with the consequences and to compensate the injured;
- the offender voluntarily declares his violation or repents the violation;
- the violation is committed in a state of nervous excitement caused by the illegal acts of other persons;
- the violating party is a pregnant woman, an old and sick person, a diseased person, a disabled person or a person with limited awareness or control over his/her actions;
- the violation is committed in especially difficult circumstances not brought about by the offender; and
- the breach was committed as a result of backward thinking.

Aggravating circumstances include:

- organized violations;
- repeated and/or excessive violations;

- enticement by the offender of underage persons to commit a violation or forcing dependent persons to commit a violation;
- the violation is committed while the offender is under the influence of alcohol or some other stimulant;
- the offender abuses his or her power in order to commit the violation;
- the offender takes advantage of wartime conditions, natural disasters or other social difficulties in order to commit the violation;
- the offender persists in the violation despite the request of an authorized person to cease;
- the violation is committed while the offender is serving a criminal sentence or an administrative penalty; and
- the offender attempts to evade responsibility or conceal the violation.

Situations where no sanction should be applied include:

- where the offender had no choice because of urgent circumstances, unforeseen contingent events, natural disasters, war and similar situations, and every measure to overcome the difficulties has been taken;
- the offender suffers from a mental or other disease that is confirmed by a medical agency and which causes him or her to lose awareness or behavioural control; and
- where the statute of limitations (two years for import-export violations and one year for all other violations) has expired.

Usually, the more complicated and serious the violation, the higher the level of the inspector who is sent to deal with it, for example a regular inspector versus a chief inspector of the General Department of Standards, Measurements and Quality (GDSMQ). The sanctions that may be imposed on the spot also depend on the level of the inspector. However, even an inspector of the lowest-level may impose a fine of up to VND200 000 and confiscate items worth up to VND500 000, require the restoration of the normal state of affairs, order the implementation of measures to deal with pollution and diseases, and order the destruction of products damaging to human health. Where an inspector believes that it is necessary to impose a fine beyond his/her authority, he or she must submit a file regarding the breach to the appropriate higher authority. Within ten days (or 30 days for complicated cases) the relevant government agency will issue a decision on how to handle the administrative violation.

If the administrative violation is considered to constitute criminal behaviour, and it is likely to cause serious consequences to other people, to hygiene or environmental safety or state property, then the agency handling the administrative violation must send the investigation file to the criminal investigator's department to handle in accordance with the Penal Code. An injured party may demand compensation by filing suit with the Civil Division of the People's Court.

6.8 Inspection coordination and compliance

The current Law of Vietnam states that food businesses must be inspected no more than once per year in planned or programmed inspections, but allows for unexpected inspections where there is evidence of breaches of law (Law on Inspection, Article 34). In practice, such inspections are limited and not all industries are covered under inspection checks. Responsible line ministries

with the Ministry of Health as the lead ministry collaborate with each other and with the People's Committee in developing and coordinating annual inspection plans. The People's Committee will then entrust the relevant provisional/district departments in carrying out those plans. These plans include identification of relevant joint inspections by MOH and MARD to be carried out in any year. The coordination and alignment between different ministries/sectors in inspecting food businesses at central and provincial/district level appear effective.

There is a high level of compliance with food safety requirements in large enterprises, particularly those that are export driven. Compliance is good for other larger enterprises such as processing of pre-packaged foods and large restaurants. The compliance at small restaurants is variable. However at the micro level, both for primary production, processed, pre-packaged foods and restaurants and street foods the compliance is low.

6.9 Food-borne diseases and food poisoning investigation procedures

When the provincial or district preventive medicine centres receive information of an occurrence of food poisoning, an inspection team will be set up with a member of staff from the Food Hygiene and Safety Department, a testing technician and ward health workers. The team meets the owner and requests him/her to report the poisoning. Investigations follow the Decision No. 39/2006/QD-BYT "Regulation on investigation of food poisoning" and it includes interviewing the patients, and other people, carrying out investigations for suspected meals, food, food origin, hygiene condition of kitchen, equipment, utensil, personnel, water and other related risks. Samples are taken for analyzing according to the Decision 5327/2003/QD-BYT "Regulation of sampling food and specimens when food-poisoning happened". Tools and utensils for sampling and storage are regulated as per Article 9; Decision 5327. Sampling procedures are regulated as per Article 10; Decision 5327.

Food samples are collected with a minimum amount of 100 to 150 grams (for solid sample) or 100 to 150 ml (for liquid sample). If the food or material remaining is less than these amounts, the entire sample available is to be collected. The food sample should be mixed well. Each food item is to be collected separately. Specimen sample: 100 to 150 ml/gm as the case may be, are to be collected and put into sterilized containers. Vomit from the patient is to be directly collected in the sterilized container or a clean spoon is to be used to collect the vomit. Food or specimen samples are to be kept cool by ice or carbonated ice and contained in an insulated box during transportation. Dried food or canned food does not need to be kept cool during transportation. After taking the samples, these will be transported immediately to the laboratory in proper condition as described by law.

The steps of investigation procedures on food-poisoning outbreak are as per the Decision No. 39/2006/QD-BYT "Regulation on investigation of food poisoning", which are as follows:

Step 1: Receiving information on food poisoning, food-borne disease from hospitals or from district Preventive Medicine Center.

Step 2: Inspecting, sampling, collecting information on food safety and hygiene as regulated at the business where food poisoning occurred. Investigating, sampling, collecting information on patients at their houses or at hospitals.

Step 3: Reporting, sending samples to the provincial Preventive Medicine Center or Regional Laboratory in severe and difficult cases.

Step 4: Conducting, ordering the business to correct food hygiene conditions to meet the requirements.

Step 5: Reporting to the provincial Health Service and the Vietnam Food Administration (within 24 hours).

Step 6: Collecting, analyzing information, recording data. In serious cases the VFA organize an inspection team and a national consultant with regional laboratories to help to prevent an outbreak.

Step 7: Communicating preventive food poisoning measures through mass media and local radio. Sending official documents to related ministries/branches and local administrations to inform them and so they can implement any measures that are necessary. The form for reporting food-borne disease outbreaks is included as annex 5.

7. Laboratory services

7.1 Laboratory system for food safety analysis at various levels

National level: The main laboratory for carrying out analysis for food safety is the National Food Safety Testing Institution (National Institute for Food Safety Analysis). Besides this there are laboratories belonging to different ministries/sectors, institutes, universities, private sector.

Regional level: There are four regional laboratories functioning: These include Pasteur Institute in Nha Trang (central provinces), Hygiene and Public Health Institute in Ho Chi Minh City (southern provinces); Hygiene and Epidemiology Institute in Tay Nguyen (highland provinces), Food Safety Laboratory in Can Tho (southwest provinces).

Provincial level: Laboratories for handling analysis at the provinces are the Provincial Preventive Medicine Centers.

District level: Laboratories for undertaking analysis at the district level are the District Preventive Medicine Centers.

7.2 Laboratory services of various ministries

The scientific laboratories in Vietnam mostly belong to various ministries and often with particular departments within ministries. At present, the food safety laboratory system supporting the inspection of the food service sector mainly belongs to the health sector. At national and regional levels, there are four laboratories with the main one being the Food Safety Analysis Centre in the National Institute of Nutrition (Hanoi). Two of the four laboratories (one each in Hanoi and Ho Chi Minh City) have been accredited internationally according to the ISO/EN 17025 standard.

At provincial level, there are 64 laboratories located in 64 provincial preventive medicine centres. The equipment they use includes high performance liquid chromatography (HPLC), gas chromatography (GC), atomic absorption spectrometry (AAS), ultraviolet-visible (UV VIS) spectrophotometer, polymerase chain reaction (PCR), enzyme linked immune sorbent assay (ELISA). At district level, although there is no laboratory and analysis is carried out using a rapid test kit only. Four regional laboratories and provincial level laboratories have facilities for identifying most of the micro-organisms. All of the four regional institutes can test for pesticide residues, mycotoxins, heavy metals, food colours and sweeteners. Two of the institutes have facilities for testing antibiotic residues, preservatives, antioxidants.

The tasks of provincial laboratories are to: (1) provide supervision on food and water hygiene and safety issues in provincial areas on a regular basis; (2) screen and identify the causes of food-borne diseases; and (3) collect and store samples for solving food-borne disease outbreaks and, when needed, forward them to regional food laboratories. Routine control of food safety has been one of the main tasks of provincial laboratories. Although a large number of the provincial laboratories are now being equipped with new instrumentation, the equipment is often not used effectively mainly because of the lack of accessories, standard chemicals, and skilled staff.

Five quick tests of food quality, hygiene and safety including alkali pigment, nitrite, nitrate, oxidized fat and oil, and 12 quick tests for detection of chemicals in food including sulphite, hypochloride, formalin, salicylic acid, sodium hydrogen sulphate are carried out as part of the analysis.

7.3 Handling samples from food-borne disease investigations

In the laboratory, foods and specimens are continuously kept in proper condition. All foods and specimens should be analyzed within 24 hours. If it is overloaded, the laboratory should send the sample to a higher-level laboratory. The laboratory should send the test result to the competent health agencies in the locality the tested material came from. Transportation means are not regulated yet. In practice, investigators usually use motorcycle or car (if possible). After completing the investigation, the preventive medicine centre will compile a report according to the Decision 01/2006/QĐ-BYT “Regulation on report mechanism and reporting form on food hygiene and safety.”

8. Information, education and communication

8.1 Education

Inspectors are expected to educate the industry on food safety and facilitate compliance with the requirements where an inspection/assessment identifies evidence of a non-critical but poor performance in the first instance. This will serve to increase knowledge and raise awareness and the capacity of food enterprises to enhance food safety outcomes. The creation of a new position of the Food Safety Control Officer enhances capacity and complements the role of inspectors. It has the additional capacity to make public the poor performance and quality/safety of products produced by the food businesses that fail to meet the food safety standards.

Article 4 and Article 21 of the Law on Food Safety states that the government policy is to develop a road map for compulsory application of GMP, GAP, GHP, HACCP and other advanced management systems for food safety control. The Inspectors and the Food Safety Control Officers have a key role to educate the various stakeholders. These management processes need to be appropriate for the complexity of the enterprise and type of foods produced by the food enterprise.

For street foods, which are an important issue in Vietnam, simple inventory management and attention to basic hygiene and temperature controls are needed. The key principles that food producers need to understand and implement are identified as:

- a. The integrity of ingredient storage must be ensured and the ingredients must be fresh and not kept beyond a date that would result in a food safety risk.
- b. Hands must be washed regularly to ensure cleanliness and prevent transfer of contaminants from one food to another.

- c. Raw foods must be kept separate from cooked foods. This includes ensuring that surfaces, utensils, cloths and hands are cleaned after being in contact with raw foods and before contact with cooked foods. Cloths and towels used during and cleaning after contact with raw foods must not be used on surfaces that may be in contact with already cooked food. These approaches limit the possible transfer of bacteria and other contaminants from raw foods. Such bacteria are killed by cooking but cooked food readily supports growth of such bacteria should they be introduced through contact with contaminated surfaces and equipment or by handling.
- d. Cold foods must be kept cold and stored on ice at below 5 degrees Celsius and hot foods must be kept hot at above 60 degrees Celsius. This temperature range limits or prevents the growth of bacteria that are the most common causes of food poisoning.

Knowledgeable consumers, professionals and civil society organizations can provide significant additional impetus for adoption of effective food safety programmes by raising market expectations and public demand for safe food. The “Food safety month” campaigns provide a vehicle for general education and awareness raising on food safety for consumers.

8.2 Public-private partnership initiatives

Public-private partnerships are initiatives aimed at enhancing the collaboration between public and private partners, civil society organizations and intergovernmental organizations in order to reach common objectives. A good example of a public-private partnership in the area of food safety is the Safe Supply of Affordable Food Everywhere (SSAFE), which represents a partnership between global food system companies, international NGOs, intergovernmental organizations and academia. In Vietnam it catalysed the CARE International programme to support grassroots educational campaigns that stressed practical biosecurity and personal hygiene with resources contributed from McDonalds, Keystone Foods and Cargill. A series of community meetings across Vietnam to discuss avian influenza and biosecurity strategies was launched by Cargill Animal Nutrition. Yet another example is the Public-Private Partnerships in Fisheries, with a strong component of food safety, functioning since 2004. This was successful in enhancing market access of seafood from Vietnam into the EU.

8.3 Financial resources

A state budget for food hygiene and safety activities has been provided since 2001 and has increased annually. The average budget for the last five years is 500 VND/capita/year. Of the total amount, 60.6 percent is provided for the provincial level and the rest is set apart for the ministerial/sectoral level. The budget for FSH at commune level is very low – about from VND1 million to 3 million per year (equivalent to USD100 to 200). For a model commune addressing FSH for streets foods the budget is VND5 million per year (equivalent to USD330).

Inspection activities for restaurants, street foods and canteens are carried out without collecting any fee. Money collected from fines is very low and is not enough to give awards to those whose FSH practises are exemplary. Money from fees for granting certificates for food businesses is very low. There is no fee for granting certificates to street food vendors. Although the local government encourages the vendor to pay some fees, it is not possible to collect money from street vendors. Staff working in this field, receive a salary from the national budget and some budget support comes from projects. The annual budget for the national food safety project is VND100 billion.

8.4 Information reporting system

At present, Vietnam mainly uses the system of mail, telephone or mobile phone. The Internet is used at central level but it is not yet officially recognized. Information on food safety of canteens, restaurants and street foods should be reported twice a year using forms. At provincial level, an information database is not maintained. Data from different ministries/sectors are not published on any Website.

At central level: each staff has one desktop computer with an Internet connection. At provincial level: each department or division has one or two desktop computers without an Internet connection. Each Health Department and Preventive Medicine Center has one desktop computer with an Internet connection. At district level: The Health Division or Preventive Medicine Center has one or two desktop computers without an Internet connection. At commune level there are no computers.

9. SWOT analysis

9.1 Strengths

- The country regards as an urgent task changing people's eating habits, especially street food usage, and ensuring food safety.
- Although the Food Hygiene and Safety responsibility is spread among different ministries, the Ministry of Health is designated as the responsible Ministry on food safety and hygiene (FSH) for the food service sector.
- There exist several legislative documents related to food inspection for the food service sector.
- Intersectoral food inspection teams are at all local levels.
- There are three main food inspection activities: issuing certificates on the FSH condition, maintaining food inspection one or two times per year, carrying out investigations on food poisoning and food-borne diseases.
- The concept of a high-risk foods category.
- Basic microbiological and physico-chemical properties, food additives, pesticide residues and heavy metals can be analyzed at provincial levels.
- A meeting on public health at the provincial level is organized once per month.
- Reports on food safety hygiene from local levels to the Vietnam Food Administration sent twice/year by post. When food poisoning and food-borne diseases occur, these should be reported within 24 hours by phone, fax, and post.

9.2 Weaknesses

- The rate of granting certificates of meeting hygiene and safety requirements for restaurants, canteens and street food vendors is very low.
- Many restaurants, canteens, street food vendors are doing business in high-risk foodstuffs including ready-to-eat foods, prepared foods in canteens, restaurants without certification. Street food vendors are not granted state certification acknowledging satisfactory business conditions.

- The detection and surveillance system is passive, so quantitative data on food safety is limited. The number of food poisoning outbreaks is underreported.
- Diagnostic capacity is still weak although performed in 64 provincial laboratories. The capacity to detect pesticide residues, hormone promoters and food additives is still limited.
- The budget for food safety and hygiene work at the commune level is very low. One subdistrict has about from VND1 million to 3 million per year (equivalent to USD100 to 200), for a model subdistrict programme on FSH for streets foods the budget is VND5 million per year (equivalent to USD330).
- Revenue from trade businesses is minimal. At commune level fees for food inspection activities and certification are not collected.
- Some contents of legislative documents on food inspection overlap and are inadequate.
- There is a lack of guidance documents on food inspection and food inspection minutes.
- There is a lack evaluation of their relevance and effectiveness. Food inspection services are grossly under-resourced in terms of both personnel and equipment at local levels.
- There is a lack of skill among food inspectors at all levels.
- Facilities for analysis of food for detecting contaminants and adulterants are lacking.
- There is no accredited analytical laboratory.
- Reports on FSH and food poisoning and food-borne diseases are generally delayed and inadequate.
- Information sharing system within health sector is still weak.
- Computers not available at commune level and availability limited at provincial and district levels.

9.3 Opportunities

- There is a strong political will to implement issues related to food safety and hygiene and the government is committed to the cause.
- Food Safety and Hygiene (FSH) Inter-ministerial Steering Committees have been established at all levels.
- Proposal on “Improvement of food hygiene and safety management and specialized inspection system” accepted by the government.
- Persons involved in food safety hygiene work receive salaries from government.
- International organizations FAO, WHO, CODEX and others have been strongly supporting laboratory capacity building – both financially and technically.
- New Food Law was adopted by the National Assembly.
- WTO requirements are taken care of.
- Food inspection for food service sector is carried out by preventive medicine officers and related branch members of local authorities.
- At district level quick tests are performed using rapid test kits and samples and sent to the provincial laboratory for food safety analysis.
- Four regional laboratories conducting and helping the local network.
- Information on food safety hygiene is transmitted quickly by mobile phone/fax.

9.4 Threats

- In some areas, the duplication of responsibilities and lack of accountability can result in no one taking responsibility.
- The national budget at local levels is low and salaries of food inspectors are particularly low.
- Implementation of legislation is slow and inadequate and still ineffective
- Food safety hygiene is not adequately followed by processors and sellers.
- Newer problems arising from food safety and hygiene are not adequately tackled.
- Imported foods of substandard quality from across the border enter the country.
- Multiple responsibilities of inspectors make food inspection for the food service sector ineffective.
- Lack of skilled staff, inadequate equipment and unsafe sample transportation and improper storage conditions for samples lead to inaccurate results of analyses.
- Database management system has not been established.

10. Recommendations

1. The new Law on Food Safety has several features compatible with international modern food safety control aspects such as an emphasis on the food chain approach and preventive aspects. For example, the law mentions the government policy to develop a road map for compulsory application of GMP, GAP and HACCP and other advanced management systems for food control. These aspects need to be pursued further.
2. Food Safety Control Officers need to be more fully utilized and, specifically, information, education and communication responsibilities on food safety could be entrusted to them.
3. The concepts of “high-risk food establishments” and high-risk foods which are mentioned in the new Law on Food Safety are in line with the risk-based approach to food inspection of the FAO/WHO which should be further elaborated and executed logically at field level.
4. The coordination between different ministries dealing with food safety needs to be further strengthened.
5. The features of central, provincial, district and commune level with appropriate autonomy dealing with food safety issues, with the grassroots level interacting with the food service sector including the street vendors appear to be novel and practical. They need to be pursued further.
6. The laboratory resources, although getting strengthened need to be augmented further with the use of ready to use kits for the detection of contaminants and adulterants. The ready to use kits are being developed by certain laboratories within the country and there is an urgent need to exploit them commercially on a larger scale.
7. The advantages of higher literacy of the masses need to be exploited for advancing appropriate food safety information.

8. The recent surge in the bandwidth connectivity and Internet usage in Vietnam can be made use of further by preparing appropriate e-learning materials on food safety such as GAP, GHP, GMP, HACCP programmes.
9. There appears to be scope for furthering the distance education programmes/Open University courses on food safety, including certificate and diploma programmes.
10. Public-private partnerships, for furthering food safety are ideal for Vietnam.
11. Strong consumer movement in food safety is an appropriate avenue for creating awareness.

Bibliography and references

- Anon. 2008 *Vietnam's fisheries exports to the EC. Public – private collaboration to address non-tariff measures. Business and trade policy – a case study*. International Trade Centre, Brussels, Belgium.
- FAO. 2010. *Food law and food regulations in Viet Nam*. Report by Luis M. Bombin, FAO legal consultant, Rome.
- Liehne, P.F.S. 2010 *Description of novel food inspection system under the draft Food Safety Law of Vietnam*. Report of the UN project in capacity building for the food inspection system in Viet Nam (UNJP/VIE/042/UNJ One Plan 1).
- Nguyen Thi Thu Nhai & Le Bas, C. No date. *Review of regulations related to food safety in Viet Nam from March 2002 to March 2007*. CIRAD, C/O National Institute of Veterinary Research, 86, Truong Chinh, Hanoi, Viet Nam.
- Russin and Vecchi International Legal Counselors. 2011. *Food Law in Vietnam in International Food Law*. Revised and updated by Le Ba Thanh Chung January 2011
- Vu Ngoc Quynh. No date. *Vietnam food market regulatory aspects*. Vietnam National Codex Committee, Hanoi.

The decision to approve the National Action Plan on the Assurance of Food Safety by 2010

Prime Minister
No. 43/2006/QĐ-TTg

Socialist Republic of Vietnam
Independence – Freedom – Happiness
Hanoi dated 20 February 2006

The decision to approve the National Action Plan on the Assurance of Food Safety by 2010

Prime Minister

Pursuant to Governmental Organization Law on 25 December 2001;

Pursuant to People's Health Protection dated 30 June 1989;

Pursuant to the Food Safety Ordinance dated 26 July 2003;

Upon the request of the Minister of Health contained in the submitted official letter No. 8972/TTr-BYT dated 3 November 2005.

Has decided:

Article 1: Approve National Action Plan on Food Safety by 2010 as follows:

1. Targets:

a. General target:

Assuring food safety and hygiene for consumers, contributing to people's health protection, economic and social development and meeting the requirements of international economic integration.

Specific targets:

- Raising awareness and the practice of food hygiene and safety and increasing the responsibility of food producers and consumers. In 2010, it is targeted that 90 percent of food producers, 80 percent of food traders, 100 percent of food managers and 80 percent of consumers will have common and appropriate knowledge and practice of food safety.
- Strengthening the capacity of the food safety management organization, inspection and analysis system from the central government to local authorities and in ministries and related agencies. By 2010, 100 percent of management staff and analysis staff working in food safety at central, regional, provincial and city levels to be trained, and strengthened in terms of professional skills; 90 percent of food safety staff in districts, hamlets and lower levels have to take part in training courses to increase their knowledge and inspection skills to enable them to detect food contamination more effectively.
- Striving for 80 percent of national food standards corresponding to international standards in 2010.

- Step by step, applying food safety management system with HACCP (hazard and critical control point). Striving for 100 percent of food premises that produce food in the high-risk food category to apply HACCP in 2010.
- Establishing a programme of risk analysis and food contamination management, and taking action to prevent food contamination and food-borne diseases.
- Establishing a unified food contamination control system from production to circulation and food poisoning surveillance. Striving to ensure that permissible chemical and antibiotic residues do not exceed 1-3 percent per one testing sample.

2. Solutions

a. Strengthening state management capacity and establishing an effective and comprehensive system of food safety management from central to local levels

- create a complete legal and regulatory system on food safety management from food processing, storage, transportation and trade. This will involve supplementing, revising and issuing appropriate legislation corresponding to the new stage of the country's development.
- create a complete food safety hygiene and quality standard system corresponding to international standards, meeting the requirements of the international integration road map.
- improve existing facilities and create a complete state management system on food safety including: professional inspection and analysis of food safety and hygiene from the central to local levels and in all related ministries and agencies.

b. Strengthening the surveillance systems

- carry out food contamination surveillance to prevent food poisoning and food-borne diseases and to establish a programme on analyzing the causes of food contamination;
- establish a food poisoning and food-borne disease surveillance system; and
- take part in food contamination surveillance and the international food poisoning surveillance system. In 2010, establish four centres of food contamination and food poisoning surveillance in four institutes within the Ministry of Health in the northern, central, southern and highland areas respectively.

c. Strengthening information, education and communication activities on food safety in the community

- strengthen information, education and communication on food safety and legislation related to food production, processing and trade.
- decentralize communication-education activities on food safety and hygiene and increase the number of food safety and hygiene communication officers in all units from now to 2010. All districts should have food safety and hygiene communication officers and all hamlets should have food safety and hygiene communication collaborators.

- d. Establishing and developing food safety and hygiene analysis system in ministries and agencies nationwide**
- establish a programme and develop a food safety and hygiene analysis system in ministries, agencies and localities following Good Laboratory Practice (GLP) and standardize laboratory rooms following the international standard (ISO/IEC 17025); build an information network on the requirements of analysis and the management of the results of analysis.
- e. Strengthening inspection and supervision activities related to the implementation of food safety and hygiene laws and regulations**
- improve inspection and supervision activities periodically and randomly in animal husbandry areas and food in premises.
 - periodically take samples of raw materials and foods for analysis and for the assessment of biological contamination and toxic chemical residues in agrifoods.
 - control the safety and hygiene of imported foods, food additives, food preservatives and processing aids, functional foods and high risk foods as well as facilities used in agriculture and fisheries.
 - strengthen quarantine and supervise livestock safety and hygiene in slaughterhouses and focal point markets and supervise the safety and hygiene of food products prepared from these animals.
 - check regularly in focal markets for vegetable food and use a rapid test kit to detect toxic chemical residues in food.
- f. Improving intersectoral activities in the assurance of food safety**
- strengthen coordination of intersectoral activities related to food safety and hygiene control and establish a model of food safety and hygiene assurance implementing the principles of a modern management system; widen the implementation of models of food safety and hygiene assurance in food related premises and in communities.
 - establish an organization to grant certificates on food safety in agriproducts; and food premises with safety food.
- g. Promoting research activities and applying modern science and technology to food safety and hygiene management**
- focusing research on how food safety and hygiene impacts on health, socio-economic development and on finding ways of preventing the causes of food contamination.
- h. Strengthening international cooperation on food safety and hygiene**
- Strengthen international cooperation on the basis of Codex with countries in the region in the process of establishing food standards; implement Agreements in the area of food safety and hygiene measures namely Sanitary and Phytosanitary Measures (SPS) Agreement and the Technical barriers to trade (TBT) Agreement in order to limit food contamination; encourage foreign investment funded by international projects by updating the food safety analysis system; train managerial and analysis staff.
- i. Increasing investment in food safety and hygiene activities in local areas**

3. Implementation period

- a. **Stage 1 (2006 to 2007):** to implement all activities in the priority areas namely: to issue legislative documents and regulations and establish food safety standards; to establish and develop a food safety and hygiene management system; to promote information, education and communication on food safety and hygiene in communities; to inspect, supervise, detect, and handle violations of food safety and hygiene from production process to market; to plan and develop a food safety and hygiene system. First, establish a national analysis division on food safety and hygiene and a regional analysis division meeting the requirements of Good Laboratory Practice (GLP) and ISO/IEC 17025.
- b. **Stage 2 (2008 to 2010):** continuing the implementation of the activities, in which the priority here is to implement a food contamination control plan; establish a rapid alert system for unsafe food, including food poisoning surveillance and participate in the regional and international systems; supervise and assess the implementation of all targets in the proposed food contamination control plan.

4. Budget

Annually, Ministry of Health and related ministries, agencies coordinate with the Ministry of Planning and Investment, Ministry of Finance to set up a plan and estimate the budget for the implementation of an action plan as prescribed by State Budget Law.

The budget for implementation of the action plan can be from the state budget, international cooperation projects, local budgets, food premises, domestic and international individuals and organizations.

Article 2: Organizational implementation

1. The Steering Committee on Food Safety and Hygiene is responsible for conducting, inspecting, supervising all ministries, agencies, provincial and municipal people's committees to implement effectively the National Action Plan for the assurance of food safety and hygiene.
2. **Ministry of Health**
 - a. To preside over, coordinate with related ministries and agencies to establish and issue within the ambit of its authority, legislative documents providing guidance on the implementation of the Ordinance on Food Hygiene and Safety and Decree No. 163/2004/ND-CP dated 7 September 2004 on regulating the implementation of some articles of the Ordinance on Food Hygiene and Safety.
 - b. To preside over, coordinate with the Ministry of Information-Culture and related ministries and agencies to establish the strategies of information-communication-education on food hygiene and safety; to coordinate with public organizations, committees and agencies in localities to establish a food safety collaboration network system for food safety and hygiene communication at local level.
 - c. To prevent microbiological contamination and chemical residues in food circulating in the market such as: functional food, high-risk food, imported food and food additives, domestically produced food, processed food and prepared food for domestic consumption.

- d. To preside over and coordinate with the Ministry of Science and Technology and related ministries and agencies to plan and develop a nationwide analysis system.
- e. To preside over and coordinate with related ministries and agencies to establish a rapid alert system for unsafe food and to estimate the food contamination risk; to establish food poisoning surveillance.
- f. To preside over and coordinate with related ministries and agencies in supervising, inspecting food safety and hygiene.
- g. To preside over and coordinate with local people's committees and related agencies to establish some models of assuring food safety and hygiene in the community.
- h. To be focal point agency to reconcile and coordinate the implementation of the plan. To be responsible for preparing an annual report for submission to the Prime Minister on the progress of implementing the National Action Plan on the Assurance of Food Hygiene and Safety.

3. Ministry of Agriculture and Rural Development

- a. To preside over and coordinate with related ministries and agencies to establish and issue within the ambit of its authority or submit request to the Prime Minister to issue legislative documents related to the assurance of food hygiene and safety in the production of food and agricultural products.
- b. To coordinate with the Ministry of Finance and related agencies to establish and submit to the government mechanisms and policies to encourage investment in slaughterhouses to ensure food safety and hygiene.
- c. To control veterinary hygiene for feed materials, especially feed materials that are prepared from animals.
- d. To control feed material hygiene and safety and agricultural facilities.
- e. To control animal diseases, livestock, races and animal husbandry.
- f. To control microbiological and chemical residues in the production, processing, storage and transportation of agrifood products.
- g. To control veterinary hygiene for imported and exported foods that are prepared from animals.
- h. To conduct the development of safe agrifood production areas (vegetable, fruits, safe tea and safe husbandry areas etc.).
- i. To organize guidance, inspection and certification of food safety and hygiene conditions in husbandry units, slaughterhouses that meet the requirements of Good Manufacturing Practices (GMP), standard sanitation operating procedures (SSOP), and the HACCP management system.
- j. To coordinate with Ministry of Health and related ministries and agencies to take part in the rapid alert system for unsafe food.

4. Ministry of Fishery

- a. To preside over and coordinate with related ministries and agencies to establish, issue within the ambit of its authority or request the government to issue legislative documents on food hygiene and safety on fishery, fishery disease control and environment protection.

- b. To prevent animal disease in live fish and biological contamination and chemical residues in fishery products that are raw, processed, being transported and for import and export.
- c. To control the safety of fisheries and fishery products, especially hygiene control of fish processed for local consumption, including their processing, storage and transportation.
- d. To control the hygiene and safety of feed material and the facilities producing feed for fishery.
- e. To organize the inspection, certification of safety and hygiene conditions for fishery premises (includes quality management programme applied with GMP, GHP, SSOP, HACCP).
- f. To coordinate with Ministry of Health, related ministries and agencies to take part in the rapid alert system for unsafe food.

5. Ministry of Trade

- a. Ministry of Trade will preside over and coordinate with Ministry of Health and related ministries and agencies to inspect, supervise food business activities in markets, especially the high-risk food group and food labelling and counterfeit goods.
- b. To preside over and coordinate with related ministries and agencies to establish and issue regulations on business conditions for food services and raw food services as prescribed by the Ordinance on Food Hygiene and Safety.
- c. To coordinate with Ministry of Agriculture and Rural Development to manage slaughtering together and implement the application of GHP, HACCP in industrial size slaughterhouses.

6. Ministry of Science and Technology

- a. Ministry of Science and Technology will preside over and coordinate with the Ministries of Health, Agriculture and Rural Development, and other related ministries and agencies to establish and issue Vietnam national standard on food quality, hygiene and safety for each kind of food.
- b. To coordinate with Ministry of Health and related ministries and agencies to plan and develop a nationwide food safety and hygiene analysis system.

7. Ministry of Culture and Information

- a. To coordinate with related ministries and agencies to conduct information dissemination and communication activities on food safety and hygiene for culture, information sector and society.
- b. To use the public media to disseminate knowledge of food safety laws and regulations as well as more general knowledge of food safety and hygiene.
- c. To coordinate with the Ministry of Health and related ministries and agencies to control food advertising activities.

8. Ministry of Industry

- a. To preside over and coordinate with related ministries and agencies to establish and to issue within the ambit of its authority guiding legislative documents relating to international integration activities for standards management and harmonization, including regulations on food hygiene and safety in food production premises that are under the management of Industrial Agency.
- b. To control biological contamination and chemical residues in food processing under its management authority.
- c. To coordinate with the Ministry of Health to provide guidance on the application of GHP, HACCP in food premises, especially small and medium size food premises.
- d. To develop science and technology in food production to ensure hygiene and safety.
- g. To coordinate with the Ministry of Health and related ministries and agencies to take part in the rapid alert system for unsafe food.

9. Ministry of Planning and Investment

- a. To encourage investment in international projects on food safety and hygiene, especially food poisoning surveillance, the rapid alert system for unsafe food and a food safety and hygiene analysis system.
- b. To ensure the necessary human resources for all activities related to food safety and hygiene programmes.

10. Ministry of Finance

- a. To balance and ensure financial resources for all food safety and hygiene programmes that have been approved.
- b. To follow-up, supervise, and take part in the assessment of food safety and hygiene programmes.
- c. Border customs agencies are responsible with related agencies to control food imports, materials for agriculture, fishery, and food industry as prescribed by law.

11. Ministry of Education and Training

- a. To coordinate with Ministry of Health and related ministries and agencies, to organize communication and education activities on food hygiene and safety knowledge for pupils and students in the education system – from pre-school to higher education.
- b. To put food safety and hygiene programmes in education curricula for all grades.
- c. To communicate and encourage people to raise standards of hygiene and develop a lifestyle based on scientific knowledge rather than backward customs and habits.

12. Ministry of Resources and Environment

To coordinate with related ministries and agencies to control waste causing environment pollution and food safety contamination, to ensure the safety of animal husbandry, agriculture and the living environment.

13. Ministry of Defence

- a. Border guard soldiers coordinate with customs staff and related local committees and agencies to prevent the illegal import of food, especially substandard food.
- b. To coordinate with related agencies to take part in communication and education activities to raise awareness and practice of food safety and hygiene for ethnic minorities in garrison, remote, border and island areas.

14. Ministry of Police

- a. To coordinate with the Ministry of Trade, Ministry of Health, and related ministries and agencies to strengthen the supervision of the implementation of state regulations on food safety and hygiene for street-vended food services.
- b. To coordinate with related ministries and agencies to supervise the food safety and hygiene conditions of transportation carrying food; counterfeit food control, illegal imported food.
- c. To take part in addressing emerging matters related to food safety and hygiene.

15. Ministry of Internal Affairs

- a. To do research and submit to the government a schedule on strengthening the organization and management of a system of food analysis, including professional inspectors of food safety and hygiene from central to local level.
- b. To establish a plan on providing adequate staff with specialized professional, skills on management, inspection, and analysis of food safety and hygiene for related ministries and agencies.

16. Provincial and Municipal People's Committees

- a. To coordinate with related ministries and agencies to establish policy on food safety and hygiene management for localities and to implement food safety and hygiene programmes in localities.
- b. To be responsible for the management and conduct of food safety and hygiene activities in local areas in husbandry, harvesting/catching, slaughtering, processing, storage and transportation to food consumption; food safety and hygiene control for street vended food, markets and areas for tourists and festivals.
- c. To conduct communication and education activities, and to provide guidance to implement regulations on food hygiene and safety. To organize, inspect the implementation of regulation on food hygiene and safety in localities.
- d. To conduct activities in departments, committees, sectors in localities to establish a safe agrifood production area; to establish hygienic slaughter, protect the environment; to establish a model of community participation in the management and control of food safety and hygiene in the localities.

17. To request social and economic organizations, public unions and professional associations to coordinate with related ministries, agencies and authority at all level to organize:

- a. communication of activities to disseminate food safety and hygiene knowledge for partners and to encourage community participation.

- b. specific activities to ensure food hygiene and safety: to establish models of community participation in food safety and hygiene control for food establishments with small sizes; to establish culture and health villages and models of hygienic and safe street-vended food.

Article 3: This Decision takes effect 15 days after its publication.

Article 4: Ministers, leaders of ministerial-level agencies, leaders of governmental agencies, chairpersons of provincial, municipal people's committees are responsible for implementing this Decision.

On behalf of the Prime Minister

Vice Prime Minister
(signed and seal)
Pham Gia Kiem

Form used to report on food hygiene and safety

FORM 6

*(Promulgated with the Decision No. 01/2006/QĐ-BYT dated January 09, 2006
by Minister of Health)*

Medical Station:

District:

Province:

SOCIALIST REPUBLIC OF VIETNAM

Independence – Freedom – Happiness

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Date month Year 200

REPORT ON FOOD HYGIENE AND SAFETY

(For using at central level – MOH)

* Report: 6 months year One

To:

I. GENERAL INFORMATION:

- | | |
|-------------------------|--|
| 1. Population: | 4. Producing establishments: |
| 2. Area: | 5. Trading establishments: |
| 3. Commune units: | 6. Food services establishments: |

II. FOOD SAFETY MANAGEMENT

- | | Yes | No |
|---|--------------------------------------|--------------------------|
| 1. Food Hygiene and Safety Steering Committee (FSC), chaired by People's Committee leader | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. The frequency of meetings of FSC: | * six month <input type="checkbox"/> | <input type="checkbox"/> |
| | * yearly <input type="checkbox"/> | <input type="checkbox"/> |
| | * Never <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Legal documents on food safety | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Instruction documents on food safety | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Regular plan on food safety | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Conference for implementation plan and closing ceremony | <input type="checkbox"/> | <input type="checkbox"/> |

III. FOOD SAFETY ACTIVITIES

1. Propagation and dissemination

TT	Activities	Number	No. of participants
1.	The launching ceremony of action month for food safety		
2.	Talking		
3.	Education		
4.	Workshops		
5.	Radio broadcasts		
6.	Publications		
	– Slogans		
	– Posters		
	– Leaflet		
	– Cassettes		
	– Others publications		
	– Others		
7.	Other activities		

2. Food safety control and inspection

2.1 Number of teams

2.2 Results:

TT	Food premises	Total	Controlled premises	Premises that met requirements	(%) of premises that met requirements
1.	Producing premises				
2.	Trading premises				
3.	Food service premises				
	Sum (1+2+3)				
4.	Premises having violations				
5.	Violations	No. of penalties imposed			
		No. of premises fined			
		No. of premises having to destroy foods			
		No. of closed premises			
		Others			

3. Result of granting food hygiene and safety certificates

TT	Food establishments	New grantees	Total	Notes
1.				
2.				
3.				

4. Food poisoning (NDTP)

TT	Reasons	No. of outbreaks	No. of patients	No. of deaths
1.	NDTP by micro-organisms			
2.	NDTP by chemicals			
3.	NDTP by spoiled foods			
4.	NDTP by natural toxicants in foods			
Sum				

5. Building models on food safety

TT	Name of models	Number	Results
1.	Street foods		
2.	Propagation in communes to change backward habits to prevent NDTP		
3.	Culture-health village to prevent NDTP		
4.	Others		
	Model of markets Public kitchens School canteens Safe vegetables Safe feedings Others.....		

6. Using budget

TT	Contents of spending	National project	Local	Establishments	Sum
1.	Propagation and dissemination				
2.	Control & inspection				
3.	Equipments & Instruments				
4.	Models				
5.	NDTP supervision & survey				
6.	Analysis				
7.	Others.....				

7. Overviews

1. Strengths
.....
.....

2. Weaknesses
.....
.....

3. Recommendations
.....
.....

Reporter
(Signature and full name and position)

The Leader of the Agency
(Signature and Stamp)

**Form used for
inspection of food service establishments – restaurants/canteens**

FORM

(Created Form with content of Decision No. 41/2005/QĐ-BYT approved by the MOH regulation on food hygiene and safety for trading premises, service, and eating -drinking service)

HANOI HEALTH SERVICE
PREVENTIVE MEDICINE CENTER

SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness

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No.: /BBKTVSTP

Date ..... month ..... Year 200 ...

**FOOD OFFICIAL CONTROL MINUTE**

- Pursuant to the 2003 Ordinance on food hygiene and safety.
- Pursuant to the Decree No. 45/2005/ND-CP on handling of administration violations in the health sector.
- Pursuant to the Decision No. 4128/2001/QĐ-BYT regulation on hygiene and safety condition in canteens, public kitchens and ready-to-eat food enterprises
- Food Official Control Team performs food control at: .....
- Name of Establishment: .....
- Address: .....
- Telephone no.: .....
- Professional field: Hotel, Restaurant
- Total no. of food handlers: .....

**I. Members of the food control team:**

The head of the team: .....

The secretary of the team: .....

Members: .....

Representative of establishment: .....

### III. Control result:

#### 1. Remark by criteria

|    | Criteria                                                                                       | Pass | Not pass – Reasons |
|----|------------------------------------------------------------------------------------------------|------|--------------------|
| 1. | Environmental hygiene:                                                                         |      |                    |
|    | – Sewage disposal system                                                                       |      |                    |
|    | – Rodents, cockroaches, flies                                                                  |      |                    |
|    | – Adequate clean water, result of water analysis on micro-organisms and physic-chemicals       |      |                    |
|    | – Drainage system                                                                              |      |                    |
| 2. | Premise's hygiene conditions                                                                   |      |                    |
|    | – Walls, ceilings, floors: smooth, clean, white colour                                         |      |                    |
|    | – Ventilation, lighting                                                                        |      |                    |
|    | – One-way operation from raw to final products                                                 |      |                    |
| 3. | Food hygiene and safety                                                                        |      |                    |
|    | – Foods from safety source (attached documents)                                                |      |                    |
|    | – Dried food, canned food storage conditions                                                   |      |                    |
|    | – Refrigerator, freezer                                                                        |      |                    |
|    | – Fruit and vegetables storage conditions                                                      |      |                    |
|    | – Food labels                                                                                  |      |                    |
|    | – Food additives                                                                               |      |                    |
|    | – Quality of foods and ingredients                                                             |      |                    |
| 4. | Utensil hygiene                                                                                |      |                    |
|    | – Clean utensils                                                                               |      |                    |
|    | – Utensil storage conditions                                                                   |      |                    |
|    | – Quality of utensils (non-contamination by toxicants and heavy metals from utensils to foods) |      |                    |
|    | – Separate use of utensils for raw material and prepared foods                                 |      |                    |
| 5. | Personal hygiene                                                                               |      |                    |
|    | – Health examination (Decision No. 21/2007/QD-BYT)                                             |      |                    |
|    | – Food safety education certificate (The Decision No. 43/2005/QD-BYT)                          |      |                    |
| 6. | Food hygiene and safety condition certificate (Decision No. 11/2005/QD-BYT)                    |      |                    |

**2. Result of rapid tests:**

| Rapid tests (examples)                       | No. of samples | Results |
|----------------------------------------------|----------------|---------|
| Starch on utensils                           |                |         |
| Fat on utensils                              |                |         |
| Inorganic acid in vinegar                    |                |         |
| Non-permitted food colours in prepared foods |                |         |
| Borate natri in prepared foods               |                |         |
| Formalin in rice-noodles                     |                |         |
| Others                                       |                |         |

**3. Samples taken for laboratory analysis**

| Kind of samples (examples) | Units | Volume/numbers | Analysis results |
|----------------------------|-------|----------------|------------------|
| Drinking water             |       |                |                  |
| Fried noodle               |       |                |                  |
| Vegetable salad            |       |                |                  |
| ...                        |       |                |                  |
| ....                       |       |                |                  |

**4. Forms of violations**

.....  
 .....

**5. Conclusion and recommendations:**

5.1 Conclusion:

Strengths:

.....  
 .....

Weaknesses:

.....  
 .....

5.2 Recommendations and time for remedial actions

.....  
 .....

**6. Premise's opinion**

.....  
 .....

Representative of premise

Representative of  
 the food safety control team



**Form used for inspection of street food vending**

**FORM**

*(Created form with the Decision No. 3199/2000/QĐ-BYT on regulation of criteria for street food vendors of eligibility in food hygiene and safety)*

COMMUNE PEOPLE’S COMMITTEE

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No.: /BBKTVSTP

SOCIALIST REPUBLIC OF VIETNAM

Independence – Freedom – Happiness

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Date month Year 200 ...

FOOD OFFICIAL CONTROL MINUTE ON STREET FOOD PREMISES

- Pursuant to the 2003 Ordinance on food hygiene and safety.
- Pursuant to the Decree No. 45/2005/ND-CP on handling of administration violations in the health sector.
- Pursuant to the Decision No. 3199/2000/QĐ-BYT on regulation of criteria for street food vendors of eligibility in food hygiene and safety
- Food Official Control Team performs food control at:
- Name of Establishment:
- Address:
- Telephone no.:
- Total no. of food handlers:

I. Members of the food control team:

The head of the team:

The secretary of the team:

Members:

Representative of establishment:

III. Control result:

1. Remark by 10 criteria

| Criteria | Pass | Not pass – Reasons |
|--|------|--------------------|
| 1. Adequate safety of water | | |
| 2. Food storage condition | | |
| 3. Premise's hygiene conditions:
Food hygiene and safety condition
certificate (Decision No. 11/2005/
QD-BYT) | | |
| 4a. Health examination
(Decision No. 21/2007/QD-BYT) | | |
| 4b. Food hygiene & safety education
certificates (Decision No. 43/2005/
QD-BYT) | | |
| 5. Having working clothing for all of
food handlers | | |
| 6. Foods from safety source
(attached documents) | | |
| 7. Do not use bare hands contact with
prepared foods | | |
| 8. Preparing, selling, eating on table of
height above 60 cm | | |
| 9. Having glass cups to place prepared
foods, clean utensils | | |
| 10. Having container for litter | | |

2. Result of quick tests:

| Quick tests (examples) | No. of samples | Results |
|---|----------------|---------|
| Starch on utensils | | |
| Fat on utensils | | |
| Inorganic acid in vinegar | | |
| Non-permitted food colours in prepared
foods | | |
| Borate natri in prepared foods | | |
| Formalin in rice-noodle | | |
| Others | | |

3. Forms of violations

.....
.....
.....

4. Conclusion and recommendations:

4.1 Conclusion:

Strengths:

.....
.....
.....

Weaknesses:

.....
.....
.....

4.2. Recommendations and time for remedial actions

.....
.....
.....

5. Premise's opinion

.....
.....
.....

Representative of premise

Representative of
The Food Safety Control Team

Form used for reporting food poisoning outbreaks

FORM 2

(Promulgated with Decision No. 01/2006/QĐ-BYT dated January 09, 2006
by Minister of Health)

Agent: SOCIALIST REPUBLIC OF VIETNAM
Telephone no.: Independence – Freedom – Happiness
Fax: &
The time of Report: Date month Year 200

REPORT OF FOOD POISONING OUTBREAK

(For using at central level – MOH)

To:.....

| | | | | | | |
|--|---|---------------------------------------|---|--------------------------|--------------------------|--------------------------|
| 1. Name of agency, location where food poisoning outbreak (NDTP) occurs | Address: | | | | | |
| 2. Causal food | Time: hour.... date..... month year.... | | | | | |
| 3. Causal meal | | | | | | |
| 4. Causal place
(Tick (x) in boxes) | 1. Family <input type="checkbox"/> | 4. Canteen <input type="checkbox"/> | 7. Canteens in School <input type="checkbox"/> | | | |
| | 2. Restaurant <input type="checkbox"/> | 5. Hotel <input type="checkbox"/> | 8. Street foods <input type="checkbox"/> | | | |
| | 3. Kindergarten <input type="checkbox"/> | 6. Party <input type="checkbox"/> | 9. Others <input type="checkbox"/> | | | |
| 5. Causal base | | | | | | |
| 6. Main symptoms
(Tick (x) in boxes) | 1. Nausea <input type="checkbox"/> | 5. Headache <input type="checkbox"/> | 9. Fever <input type="checkbox"/> | | | |
| | 2. Vomiting <input type="checkbox"/> | 6. Dizziness <input type="checkbox"/> | 10. Breathing difficulty <input type="checkbox"/> | | | |
| | 3. Abdominal pain <input type="checkbox"/> | 7. Shaking <input type="checkbox"/> | 11. Pale <input type="checkbox"/> | | | |
| | 4. Diarrhoea <input type="checkbox"/> | 8. Paralytic <input type="checkbox"/> | 12. Other <input type="checkbox"/> | | | |
| 7. Reasons | | | | | | |
| 8. Status of samples taken
(Tick (x) in boxes) | | Specimens from patients | Specimens from contact persons | Samples of foods | Utensils | Others |
| | Yes | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | No | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Number of people eating, No of patients, no of deaths | | 0-4 age | 5-14 age | 15-49 age | ≥50 age | Total |
| | 1. Total no. of people eating | ..... | ..... | ..... | ..... | ..... |
| | 2. Total no. of patients | ..... | ..... | ..... | ..... | ..... |
| | 3. Total no. of deaths | ..... | ..... | ..... | ..... | ..... |
| | 4. Total no. of hospitalised cases | ..... | ..... | ..... | ..... | ..... |
| 10. The first patient and the last | 1. The first patient: .....hour, date..... | | | | | |
| | 2. The last patient: hour, date..... | | | | | |
| 11. Time the outbreak ends | Date..... | | | | | |
| 12. Recommendations | | | | | | |

The Leader of the Agent
(Signature and stamp)



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