

## New Decree on Chemical Management and System for Chemical Declaration in Vietnam Benefits Chemical Trading Entities

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On January 11, 2018, the National Single Window system for declaration of chemicals to be imported into Vietnam was officially launched. In its first week, this system was used and accessed by several major chemical companies who observed that the system was of very high quality, helping to complete the chemical declaration within a very short time. This extreme improvement comes on the heels of a new decree on chemical management in Vietnam.

Specifically, on October 9, 2017, the Government of Vietnam issued Decree No. 113/2017/ND-CP guiding the implementation of certain articles of the Law on Chemicals of 2007 ("Decree 113"). The new decree came into force on November 25, 2017, replacing Decree No. 108/2008 /ND-CP and Decree No. 26/2011/ND-CP, and addresses some limitations presented during the implementation of the previous decrees. Some of the key changes are detailed below.

### National Single Window System

Certain chemicals imported into Vietnam must be declared with the Ministry of Industry and Trade (MOIT) before customs clearance. The previous chemical declaration process was done by filing paper forms (70% of all cases) or online (30%). Though paper filing was a time-consuming process and could affect the importing timeline, the online system suffered from difficulties in integrating digital signatures of the chemical trading entities, and the reports and information recorded in the online database were limited.

Decree 113 provides regulations regarding the aforementioned National Single Window system (Article 12.8), an online customs portal where traders can submit all documents and access all relevant information related to trade via a single electronic gateway, connecting customs with government agencies that deal with tax, immigration, quarantine, health, transport, agriculture, fisheries, foreign affairs, etc. The auto-reply from the MOIT is considered a declaration result which is shared with the importer and with customs before customs clearance (Article 27.4). As shown by the early results, this change should have a positive impact on the import activities of manufacturers, by providing a quick and simple procedure for the declaration of chemical importation.

### Lists of Declared Chemicals

Decree 113 also provides the list of chemicals that must be declared before customs clearance. These chemicals are defined by their Vietnamese and English names, CAS (Chemical Abstracts Service) codes, HS (Harmonized System) codes, and chemical formulas. These details help chemical

importers and customs agencies quickly input/verify the chemical information in the declaration form/customs form.

### **Chemical Extraction and Packaging**

The government considers using, extracting, and packaging chemicals to be potentially high-risk activities. Articles 5.3 and 7 of Decree 113 provide regulations for extraction and packaging so that the adverse impacts on human health and the environment will be minimized. For example, chemical containers and packages are required to be tight, firm, and resistant to the chemicals themselves, weather, and normal handling impacts. The labels on the containers and packages must comply with regulations on chemical labeling. Used packages must be cleaned and stored separately.

### **National Chemical Inventory**

Decree 113 emphasizes the importance of developing Vietnam's National Chemical Inventory (a list of chemicals used in Vietnam under government regulations) and National Chemical Database for managing chemical safety, providing information for response systems, and providing information on hazardous chemicals in emergency situations. However, no detailed plan or timeline is provided.

This summary is designed to provide general information only and is not offered as specific advice on any particular matter.

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