

World Bank Regional Agricultural Pollution Study

# Annex to An Overview of Agricultural Pollution in Vietnam: Summary Report

---

## 2017

Submitted to

The World Bank's Agriculture and Environment and Natural Resources Global Practices

Authored by

Dai Nghia Tran.

Main source: Government Portal (<http://congbao.chinhphu.vn/>).

# CONTENTS

<b>A. National laws, regulations and standards .....</b>	<b>3</b>
Laws .....	3
Government decrees and decisions .....	4
Prime Minister decisions .....	9
National standards and regulations .....	10
Joint circulars by different line ministries.....	11
<b>B. Regulations, directives, and circulars applicable across MARD subsectors.....</b>	<b>12</b>
<b>C. Subsector specific.....</b>	<b>14</b>
Crop specific .....	14
Livestock specific.....	14
Aquaculture specific .....	17

## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
<b>A. National laws, regulations and standards</b>					
<b>Laws</b>					
1.	Law on Fisheries No. 17/2003/QH11, dated November 26, 2003 (under revision)	17/2003/QH11	1/7/2004	Establishes policies to ensure that fishery activities be economically efficient and consistent with the protection and natural regeneration of marine resources and biodiversity, and the protection of landscapes and the environment.  Requires the development of fishery activities, including aquaculture ones, to follow the master plans and projections, and proactively prevent and mitigate natural disasters and aquaculture diseases.	<ul style="list-style-type: none"> <li>• Bans fishery activities that violate environmental protection laws and regulations pertaining to the marine environment.</li> <li>• Prohibits fishing in protected areas and the exceedance of allowable volumes of marine products.</li> <li>• Bans the use of explosives, poison, electric shocking, and prohibited equipment in fishing.</li> <li>• Disallows the dumping of fishing equipment into natural water resources under most circumstances.</li> </ul>
2.	Law on Environmental Protection No. 52/2005/QH11, dated November 29, 2005 (expired)	52/2005/QH11	1/7/2006	Establishes policies, measures, and resources for environmental protection, and stipulates the rights and obligations of organizations, households, and individuals.	<ul style="list-style-type: none"> <li>• Lays out the rights and obligations of organizations, households, and individuals.</li> <li>• Specifies entities that are subject to strategic environmental assessment reporting (Art. 14), the preparation of environmental impact assessment reports (Art. 18), and environmental protection commitments (Art. 25); and describes requirements (Art. 19, 20, 25, 26).</li> </ul>
3.	Law on Plant Protection and Phytosanitation No. 41/2013/QH13 dated November 25, 2013	41/2013/QH13	01/01/2015	Provides statutory provisions on pest and disease prevention for plants and plant protection, phytosanitary measures, and plant protection substance control.	<ul style="list-style-type: none"> <li>• Principles in plant protection and phytosanitation.</li> <li>• Responsibilities of the line ministries, different government agencies, and provinces and local authorities in plant protection and phytosanitation.</li> <li>• Prohibits acts such producing, importing, trading, and using plant protection substances that are on the banned use list or that are of undocumented origin, fake, or not on the list of substances approved for use in Vietnam.</li> <li>• Regulating the storage, transport, and use of plant protection substances.</li> <li>• Recall, destroy, collect, and treat plant protection substance packages after use.</li> </ul>
4.	Law on Environmental Protection No. 55/2014/QH13 dated June 23, 2014	55/2014/QH13	01/01/2015	Establishes a statutory framework for environmental protection activities; establishes environmental protection measures and resources; and describes the rights, powers, duties, and obligations of regulatory bodies, agencies, organizations, households, and individuals	<ul style="list-style-type: none"> <li>• Establishes regulatory principles on environmental protection.</li> <li>• Under Concentrated livestock zones must have a plan for environmental protection (Art. 29) and: <ul style="list-style-type: none"> <li>a) Ensure environmental sanitation for residential areas;</li> <li>b) Ensure collection and treatment of wastewater and solid waste and follow regulations on waste management; and</li> <li>c) Periodically clean cages and farms; ensure prevention of and response to epidemics.</li> </ul> </li> <li>• Bodies of animals that died from disease are to be managed in accordance with regulations on hazardous waste management, and hygiene and disease prevention.</li> </ul>

## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
5.	Law on the Promulgation of Legislative Documents No. 80/2015/QH13	Law No. 80/2015/QH13	01/07/2016	Sets procedures and responsibilities of regulatory authorities and other bodies pertaining to the development of legal documents.	<ul style="list-style-type: none"> <li>Instructs various government bodies to develop legal documents pertaining to different aspects of agro-environmental protection. For example:</li> <li>MARD's crop-plant protection agency is in charge of proposing and preparing circulars and directives related to fertilizer and pesticides, and various entities within and outside of MARD are called upon to comment on and contribute to this process.</li> </ul>
6.	Veterinary Law No. 79/2015/QH13 dated June 19, 2015	79/2015/QH13	01/07/2016	Establishes statutory provisions on animal disease prevention and cure, animal epidemic control, animal quarantine, animal products, sloughing, primary process, processing, control, hygienic inspection, veterinary drug control, and veterinary profession.	<ul style="list-style-type: none"> <li>Responsibilities of the line ministries, different government agencies, and provinces and local authorities in veterinary, animal drug management, and hygienic control including in aquaculture production area.</li> <li>Prohibits acts such as dumping dead animals and wastes; discharging sewage and liquid waste with disease transmitters to the environment; and using non-origination animal medicines, a banned and out-of-date animal drugs or nonregistered animal medicines that have not yet been allowed to be used in Vietnam.</li> <li>Regulating the storage and use of veterinary medicines on the national reserve list.</li> </ul>
7.	Law on Fisheries (submitted to NA for review)	NA	NA	Requires fishery activities to develop responsibly, and to protect and enable the natural regeneration of natural marine environments, protected landscapes and ecosystems, and biodiversity, and to consider the objectives of different stakeholders. It requires them to proactively prevent and mitigate natural disasters and to adapt to climate change. It also requires fisheries to follow the master plans and their projections; and to comply with technical barriers to trade (TBT) and sanitary and phytosanitary (SPS) standards.	<p>Prohibits fisheries from:</p> <ul style="list-style-type: none"> <li>Damaging corral reefs, under water vegetation and mangrove forests, and other flora;</li> <li>Encroaching and intruding on protected inland waters and existing or planned natural reserves;</li> <li>Using explosives, poison, electric shock, or prohibited equipment in fishing;</li> <li>Discharging untreated wastes into the environment, or not meeting required sewage standards, in aquaculture breeding, and feed production, aquaculture production, processing, and storage facilities;</li> <li>Injecting artificial compounds into aquaculture</li> </ul>
<b>Government decrees and decisions</b>					
8.	Decree No. 80/2006/ND-CP on detailing and guiding implementation of a number of articles of the Law on Environmental Protection (expired)	80/2006/ND-CP	3/9/2006	Details and guides implementation of a number of articles of the Law on Environmental Protection regarding environmental standards; strategic environmental assessment (SEA); environmental impact assessment (EIA), and environmental protection commitments; environmental protection in production, business, and services; hazardous waste management; and disclosure of environmental information and data.	<ul style="list-style-type: none"> <li>Provides details on and guides the implementation of a number of articles of the Law on Environmental Protection.</li> <li>Addresses activities related to agriculture, including EIA, waste management, and rural environmental protection.</li> </ul>

## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
9.	Decree No. 59/2007/NĐ-CP, dated April 9, 2007 (expired)	59/2007/NĐ-CP	18/5/2007	Provides for solid waste management and rights and obligations of entities engaged in solid waste-related activities.	<ul style="list-style-type: none"> <li>• Solid waste management including packing of used toxic chemicals or discarded chemical products for agricultural or forestry production (Article 22).</li> </ul>
10.	Decree No. 21/2008/ND-CP by the Prime Minister, dated February 28, 2008 (expired)	No. 21/2008/ND-CP	21/3/2008	Amends and supplements a number of articles of Government Decree No. 80/2006/ND-CP dated August 9, 2006, detailing and guiding implementation of a number of articles of the Law on Environmental Protection.	<ul style="list-style-type: none"> <li>• Modifies certain articles of Decree No. 80/2006/ND-CP dated August 9, 2006. According to these legal documents, large-scale livestock farms with more than 1,000 animals and 20,000 poultry must carry out an EIA before building to contribute to reducing environmental pollution from livestock operations. Small-scale, smallholder farms must submit an Environment Protection Commitment Letter, a simple form of an EIA report. Environmental Protection Commitment Letter is registered and the District People's Committee or Commune People's Committee is authorized to provide this kind of "certificate".</li> </ul>
11.	Decree No. 79/2008/NĐ-CP, dated July 18, 2008 (expired)	79/2008/NĐ-CP	16/8/2008	Addresses the organizational system of management, inspection, and assessment of food safety and hygiene from central to local levels.	<ul style="list-style-type: none"> <li>• Regulation management system, inspection, and testing of food safety. Article 8, Section 2: Inspection contents of food safety in agriculture and rural development.</li> </ul>
12.	Decree No. 08/2010/ND-CP: on the management of livestock feeds	8/2010/NĐ-CP	05/02/2010	Addresses the production, trading, export, import, assaying, and accreditation of livestock feeds and state management, examination, inspection, and administrative violations in the domain of livestock feeds and applies to domestic and foreign organizations and individuals engaged in livestock feed-related activities in the Vietnamese territory.	<ul style="list-style-type: none"> <li>• Livestock feed hygiene and safety means necessary conditions and measures to ensure that livestock feeds do not harm livestock health, livestock product consumers, and the environment.</li> <li>• Having environmentally friendly waste treatment systems and satisfying labor safety and environmental sanitation conditions under the labor and environment laws.</li> <li>• Having an appropriate location ensuring animal health and hygiene and environmental sanitation under law.</li> </ul>
13.	Decree No. 72/2010/ND-CP: on the prevention of environmental pollution	72/2010/NĐ-CP	01/09/2010	Stipulates the organization of activities to prevent and fight environmental crimes and violations of environmental protection laws. Specifies the responsibilities of government agencies and international cooperation.	<ul style="list-style-type: none"> <li>• Lays out provisions for the collection and testing of evidence.</li> <li>• Temporarily suspends the activities of organizations, offices, facilities, and businesses that are found in violation.</li> </ul>

## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
14.	Decree No. 103/2013 / ND-CP: Provisions on handling administrative violations in aquatic activities	103/2013/ND-CP	12/09/2013	Prescribes the sanctioning of administrative violations in fishery activities, the objects to be sanctioned, and the regulations on the maximum fine levels applicable to individuals and organizations, and remedies.	<ul style="list-style-type: none"> <li>• Violation of regulations on habitat protection of aquatic species.</li> <li>• A fine of between VND 3,000,000 and VND 5,000,000 shall be imposed for acts of discharging wastes or polluting wastewater or failing to meet standards.</li> <li>• A fine of between VND 10,000,000 and VND 15,000,000 shall be imposed for acts of discharging wastewater contaminated with infected aquatic animals or diseased aquatic animals into other aquaculture places or natural environments.</li> <li>• Implement measures to redress environmental pollution or stop the spread of epidemics, as relate to acts specified in clauses 2 and 3 of this article.</li> </ul>
15.	Decree No. 202/2013/NĐ-CP on fertilizer management	202/2013/NĐ-CP	27/11/2013	Deals with the conditions for manufacturing, selling, exporting, and importing fertilizers; quality control, inspection, testing, trial, and naming of fertilizers; and responsibility for fertilizer management.	<p>Responsibilities of the People’s Committees:</p> <ul style="list-style-type: none"> <li>• Provide instructions on how to use fertilizers effectively without polluting the environment.</li> <li>• A waste treatment system that meets national standards and norms for environment is available.</li> <li>• All requirements regarding fire safety environmental protection.</li> <li>• Requirements for importing fertilizers: the imported fertilizers are safe for the environment.</li> </ul>
16.	Decree No. 157/2013/ND-CP on penalties for administrative violations against regulations on forest management, development, protection, and forest product management	No. 157/2013/ND-CP	11/11/2013	Deals with the violations, administrative penalties, fines, and remedial measures; the persons entitled to make violation records and impose penalties; and the penalties they can impose upon administrative violations against the regulations on forest management, development, protection, and forest product management.	<ul style="list-style-type: none"> <li>• If forest animals die or get diseases and pollute the environment and thus must be destroyed but the violators fail to voluntarily carry out the destruction or the violators are not identified, then a destruction board shall be founded.</li> <li>• Regulations in terms of illegal exploitation of landscape, environment, and other forestry services.</li> </ul>
17.	Decree No. 119/2013/ND-CP on handling administrative violations in the domains of veterinary medicine, livestock breeds, and livestock feeds	119/2013/ND-CP	09/10/2013	Addresses administrative violations, the sanctioning of these, and remedial measures relating to veterinary medicine, livestock breeding, and livestock feed production (including fishery breeds, fishery feeds, and products for environmental treatment and rehabilitation in fishery livestock and aquaculture).	<ul style="list-style-type: none"> <li>• Administrative violations, the sanctioning forms and levels, and remedial measures about products for environmental treatment and rehabilitation in fishery livestock and aquaculture.</li> <li>• Forcible destruction of animal bodies; remedy of environmental pollution for violations specified in point b clause 3 of this article.</li> <li>• Violations on management of products of environmental treatment and rehabilitation in livestock and aquaculture and veterinary practicing.</li> </ul>

## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
18.	Decree No. 25/2013/NĐ-CP, dated March 29, 2013	No. 25/2013/NĐ-CP	29/3/2013	Prescribes the environmental protection charges for wastewater and the regime of collection, remittance, management, and use of the environmental protection charges for wastewater.	<ul style="list-style-type: none"> <li>• Subject to the charges for water discharged into the environment from production establishments and agricultural, forestry, and aquatic product processing establishments (industrial waste).</li> <li>• Rate of environmental protection charges for wastewater, the regime of collection, remittance, management, and use thereof.</li> </ul>
19.	Decree No. 179/2013/ND-CP on handing administrative violations in the field of environmental protection	79/2013/ND-CP	14/11/2013	Regulations on administrative sanctions in the field of environmental protection.	<ul style="list-style-type: none"> <li>• Administrative violations, the sanctioning forms and levels, remedial measures for environmental treatment and rehabilitation and protecting biodiversity; destroying illegally imported agro-chemicals; and so on.</li> </ul>
20.	Decree No. 36/2014/ND-CP on raising, processing, and exporting Tra fish ( <i>Pangasius</i> ) products	36/2014/ND-CP	29/04/2014	Stipulates conditions and requirements for raising, processing, and exporting <i>Pangasius</i> from Vietnam.	<ul style="list-style-type: none"> <li>• Defining environmental protection measures in implementing <i>Pangasius</i> raising and processing.</li> </ul>
21.	Decree No. 18/2015/ND-CP on environmental protection planning (EPP), SEA, EIA, and environmental protection plans	No. 18/2015/ND-CP	01/04/2015	Promulgates EPP, SEA, EIA, and/or environmental protection plans of the Law on Environment Protection.	<ul style="list-style-type: none"> <li>• Entities subject to SEA: strategies or planning for development of agriculture, forestry, aquaculture, irrigation, or animal husbandry; planning for development of aquatic products; and irrigation.</li> <li>• Entities subject to EIA: Construction projects for aquaculture establishments with scope of at least 1,000 metric tons of product per year.</li> <li>• Contraction projects for livestock and poultry husbandry establishments; wild animal raising and caring establishments with scope of at least 1,000 square meters (livestock and poultry husbandry), and at least 500 square meters (wild animal husbandry).</li> <li>• Livestock, poultry, and wild animal husbandry with breeding facilities of at least 50 square meters in areas and aquaculture with the surface area of at least 5,000 square meters are exempted from registration of environmental protection plans.</li> </ul>
22.	Decree No. 19/2015/ND-CP detailing implementation of a number of articles of the Law on Environmental Protection	19/2015/ND-CP	01/04/2015	Stipulates in detail a number of articles of the Law on Environmental Protection including control of land pollution.	<ul style="list-style-type: none"> <li>• Control of land pollution in the areas polluted with chemical warfare agents, residues of plant protection chemicals, and other hazardous substances and responsibilities for control of land environment pollution of agencies (Part III).</li> </ul>

## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
23.	Decree No. 38/2015/ND-CP on management of waste and discarded materials	No. 38/2015/ND-CP	15/06/2015	Addresses waste management including hazardous wastes, domestic solid waste, ordinary industrial solid waste, liquid waste products, wastewater, industrial emissions, and other wastes.	<ul style="list-style-type: none"> <li>Management of waste from agricultural activities stipulated in Article 51 including activities of packages containing plant protection chemicals after use, breeding wastewater reused for watering plants or used in other agricultural production activities, and so on.</li> </ul>
24.	Decree No. 15/2017/NĐ-CP on stipulating the functions, tasks, powers, and organizational structure of the Ministry of Agriculture and Rural Development (MARD)	15/2017/NĐ-CP	17/02/2017	Stipulates the specific functions, tasks, powers, and organizational structure of MARD including for each line department and agency of MARD.	<ul style="list-style-type: none"> <li>Functional tasks and responsibilities of MARD and its relevant departments/agencies in managing agricultural inputs and their production, transport, and use, for example, fertilizers and other agro-chemicals</li> </ul>
25.	Decree No. 39/2017/NĐ-CP on managing animal feed and aquaculture	39/2017/NĐ-CP	04/04/2017	Regulates business practices relating to the production of animal feed and commercial fisheries.	<ul style="list-style-type: none"> <li>Organizations and individuals that import animal feeds or aquatic products must have or be lent a storehouse to preserve the animal feed and aquatic products and protect the environment.</li> <li>The responsibility of Provincial People's Committees is to guide the use of animal feeds and aquatic products efficiently and without causing environmental pollution.</li> </ul>
26.	Decree No. 41/2017/ND-CP on amending the decree on regulating administrative violations in fishery, veterinary field, livestock breeds, animal feed, forest management, forest development, forest protection, and forest product management	41/2017/ND-CP	05/04/2017	Revision of the decree on administrative violations relating to fisheries, veterinary activities, livestock breeding, animal feed production, and forest and forest product management.	<ul style="list-style-type: none"> <li>Point a of Clause 8 of Article 5 is amended and supplemented as follows:</li> <li>Compel the destruction of diseased or dead animals and their products to overcome environmental pollution.</li> </ul>
27.	Decree No. 154/2016/ND-CP on environmental protection fee on wastewater	154/2016/ND-CP	01/01/2017	Stipulates the fees to be charged, fee payers, fee exemptions, fee rates, declaration, payment, and collection procedures, and use of the environmental protection fees on wastewater (including industrial water discharged from centralized livestock and poultry farms and slaughterhouses, aquaculture facilities, and so on).	<ul style="list-style-type: none"> <li>The amount of environmental protection fee on industrial wastewater shall be calculated in Clause 2, Article 7.</li> <li>Fee payers shall pay the environmental protection fee on wastewater, which is included in the monthly billed water use fee, to the supplier of clean water.</li> <li>Communal People's Committees shall calculate and collect the fee from local organizations, individuals, households, and businesses using self-extracted water.</li> </ul>



## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
<b>Prime Minister decisions</b>					
28.	Decision No. 1946/QĐ-TTg on preventing environmental pollution from excessive chemical pesticide use	1946/QĐ-TTg	26/11/2009	Approves the plan to prevent environmental pollution from excessive chemical pesticide use.	<ul style="list-style-type: none"> <li>Requires the treatment, rehabilitation, and restoration of the environment in areas contaminated by chemical pesticides to prevent and/or minimize the harmful effect of chemical pesticide for people and the environment, ensuring sustainable development.</li> </ul>
29.	Decision 1216/QĐ-TTg on approving the strategy for protecting the national environment by 2020, and the orientation toward 2030	1216/QĐ-TTg	05/09/2012	Controls and restricts the increase of environmental pollution, the degradation of resources, and biodiversity decline to improve the living environment and the capacity to deal with climate change, toward the sustainable development of the country.	<ul style="list-style-type: none"> <li>Encourages the application of sustainable cultivation methods and land use in agriculture, limiting the use of chemicals and inorganic fertilizer in agricultural production, and preventing soil erosion and degradation.</li> </ul>
30.	Decision 1393/QĐ-TTg on approving national strategy on green growth	1393/QĐ-TTg	25/09/2012	Notes that green growth, toward the low-carbon economy, and natural capital enrichment have become decisive tendencies in sustainable economic development; and that the reduction in GHG emissions and development of sinks are becoming requirements of socioeconomic development.	<ul style="list-style-type: none"> <li>Studying the planning adjustment and restructuring livestock, crops, crop cultivation, animal husbandry, forestry, aquaculture, irrigation, and nonagricultural sectors in rural areas.</li> <li>Studying and applying processes and technology effectively and economically using seed, feed, and agricultural materials and land and water resources and reducing greenhouse gas emissions in agriculture.</li> <li>Widely disseminating the technology of treatment and reuse of by-products and wastes in agricultural production to produce animal feed, mushroom growing, industrial raw materials, biogas, and organic fertilizer, and reduce greenhouse gas emission.</li> </ul>
31.	Directive No. 10/2015/CT-TTg on enhancing the control and overcoming environmental pollution in production and processing in agriculture, forest, and aquaculture	10/2015/CT-TTg	29/05/2015	Aims to enhance control over environmental pollution in production and processing in agriculture, forestry, and aquaculture, and to implement the Law on Environmental Protection of 2014 and Resolution No. 35/NQ-CP of the Prime Minister on environmental protection dated March 18, 2013.	<ul style="list-style-type: none"> <li>Statistical review and classification of the scale and level of environmental pollution for aquaculture, processing, and production facilities.</li> <li>Environmental treatment for aquaculture, manufacturing, and processing in this sector, serving the Environmental Protection Law.</li> <li>Enhancing the practice of the Law on Environmental Protection in aquaculture.</li> </ul>
32.	Decision No. 1980/QĐ-TTg of the Prime Minister dated October 17, 2016 on the issuance of the set of criteria for a New Rural Commune in 2016–2020	1980/QĐ-TTg	17/10/2016	19 criteria for a New Rural Commune in 2016–2020.	<ul style="list-style-type: none"> <li>Criterion No. 17: environment and food safety with four specific indicators for environmental management in agricultural production (residual and waste management and food production safety).</li> </ul>

## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
<b>National standards and regulations</b>					
33.	National technical regulation QCVN 10: 2008/TT-BTNMT on coastal water quality	QCVN 10: 2008/TT-BTNMT		Provides parameters and thresholds for coastal water quality.	<ul style="list-style-type: none"> <li>This standard applies to quality assessment and control of coastal waters for aquaculture and other purposes.</li> </ul>
34.	National technical regulation QCVN 38: 2011/TT-BTNMT on surface water quality	QCVN 38: 2011/TT-BTNMT	15/2/2012	Provides parameters and thresholds for surface water quality used for the protection of aquatic organisms.	<ul style="list-style-type: none"> <li>This regulation is applied to assess and control surface water quality to ensure its compatibility with and safety of aquatic lives.</li> </ul>
35.	National technical regulation QCVN 40/2011/BTNMT on livestock farm wastewater	QCVN 40/2011/BTNMT	1/3/2012	Establishes a technical standard for animal wastewater, referring to Vietnam’s technical standard on industrial wastewater (the former is QCVN 24/2009/BTNMT and the latter is QCVN 40/2011/BTNMT).	<ul style="list-style-type: none"> <li>According to these standards, for wastewater, regulations are that five-day biological oxygen demand (BOD5) should reach 30 milligrams per liter and chemical oxygen demand (COD) should reach 75 milligrams per liter (very low compared to industrialized nations and Thailand). This discourages livestock farms from adopting treatment systems.</li> </ul>
36.	QCVN 01-81:2011/BNNPTNT: Aquatic seed production and business establishments –condition for veterinary hygiene	QCVN 01-81:2011/BNNPTNT	25/10/2011	Addresses aquatic seed production and business establishments – condition for veterinary hygiene.	<ul style="list-style-type: none"> <li>Regulations on veterinary hygiene conditions applicable to establishments engaged in the production and trading of aquatic breeds.</li> </ul>
37.	National technical regulation QCVN 02-19: 2014 / BNNPTNT on brackish shrimp farms – conditions to ensure veterinary hygiene, environmental protection, and food safety.	QCVN 02-19: 2014 / BNNPTNT	03/09/2014	Specifies the conditions of the site, the infrastructure, farming activities, wastewater, waste, technical labor of semi-intensive and intensive shrimp farming, and white-leg shrimp intensive farming (hereinafter referred to as rearing establishment) for veterinary hygiene, environmental protection, and food safety.	<ul style="list-style-type: none"> <li>Water from wastewater treatment ponds will be discharged into the surrounding environment only when the value of the parameters meets those specified in this QCVN.</li> </ul>
38.	National technical regulation QCVN 02-20: 2014 / BNNPTNT on Pangasius farming establishments – conditions to ensure veterinary hygiene, environmental protection, and food safety	QCVN 02-20: 2014 / BNNPTNT	29/07/2014	Specifies the conditions of the site, the infrastructure, farming activities, wastewater, waste, and technical labor of Pangasius intensive shrimp farming in ponds to ensure veterinary hygiene, environmental protection, and food safety.	<ul style="list-style-type: none"> <li>Water from ponds is released into the surrounding environment only when the value of the parameters meets those specified.</li> </ul>

## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
39.	National technical regulation QCVN 02-22: 2015 / BNNPTNT on cage/ freshwater fish cage – conditions to ensure food safety and environmental protection	QCVN 02-22: 2015 / BNNPTNT	23/04/2015	Specifies the conditions for ensuring food safety and environmental protection for cage/ freshwater cage farms.	<ul style="list-style-type: none"> <li>Garbage discharged from the breeding area must be collected and treated so as not to pollute the environment and adversely affect the water source. Do not litter rancid food down the cage/raft area and surroundings.</li> </ul>
40.	National technical regulation QCVN 08-MT:2015/ BTNMT on surface water quality	QCVN 08-MT:2015/BTNMT	01/3/1016	Specifies the limit value of surface water quality parameters.	<p>This national technical regulation applied to:</p> <ul style="list-style-type: none"> <li>Assess and manage the quality of surface water, as a basis for proper protection and use of water</li> <li>Serve as basis for elaboration and approval of water use planning for definite use purposes</li> <li>Assess the suitability of surface water quality for approved water use planning</li> <li>Serve as a basis for controlling sources of waste into receiving sources, ensure that surface water sources are always suitable for their use purposes</li> <li>Serve as basis for taking measures to improve and restore water quality.</li> </ul>
41.	National technical regulation and standard No. QCVN 62-MT:2016/ BTNMT on liquid waste from livestock production	QCVN 62-MT:2016/BTNMT	16/05/2016	Specifies the conditions and technical standard for liquid wastes management from animal production.	<ul style="list-style-type: none"> <li>Stipulates the specific conditions and technical standards, for example, COD and BOD, in liquid waste discharged to the environment to guide producers to comply. This also replaces the QCVN 40/2011/BTNMT.</li> </ul>
<b>Joint circulars by different line ministries</b>					
42.	Circular No. 14/2015/TTLT-BNNPTNT-BNV on CP stipulating the functions, tasks, powers, and organizational structure of specialized agencies related to agriculture and rural development under people's committees of districts, towns, or provincial cities	No. 14/2015/TTLT-BNNPTNT-BNV	25/3/2015	Stipulates position, function, tasks and powers, heads, working regime, and responsibilities of divisions' heads of Department of Agriculture and Rural Development (DARD), Division of Agriculture and Rural Development, and Division of Economic Committee of the People's Committee at the district level.	<ul style="list-style-type: none"> <li>Functional tasks and responsibilities of DARD and its relevant departments/agencies in managing agricultural inputs and their production, transport, and use, for example, fertilizers and other agro-chemicals.</li> </ul>

## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
43.	Joint Circular No. 05 /2016/ TTLT-BNNPTNT-BTNMT on guiding the collection, transporting, and handling of the pesticide packages after use (MARD and Ministry of Environment and Natural Resource [MONRE])	05 /2016/TTLT-BNNPTNT-BTNMT	16/05/2016	Guides the collection, transportation, and handling of used pesticide packaging.	<ul style="list-style-type: none"> <li>Pesticide packing after use must be collected in tanks to transport to processing facilities.</li> </ul>
<b>B. Regulations, directives, and circulars applicable across MARD subsectors</b>					
44.	Directive No. 1311/CT-BNN-TT on increasing the application of Vietnamese Good Agricultural Practices (VietGAP) in the crops sector	1311/CT-BNN-TT	04/05/2012	Aims to further the adoption of VietGAP in the crops sector.	<ul style="list-style-type: none"> <li>VietGAP helps protect the environment and the health and social security of laborers.</li> </ul>
45.	Directive No: 3246/CT-BNN-PC on enhancing of management, checking, and regulating violations in manufacturing and trading of feedstuffs, fertilizers, veterinaries, and pesticides	3246/CT-BNN-PC	18/04/2013	Enhances the management, oversight, and enforcement of sanctions for violations in manufacturing, trading of feedstuffs, fertilizers, veterinaries, and pesticides.	<ul style="list-style-type: none"> <li>The feedstuffs, fertilizers, veterinaries, and pesticides have low quality, and some farmers tried to use plant growth stimulators that had negative effects on the environment and food safety.</li> </ul>
46.	Circular 55/2014/ TT-BNNPTNT of MARD dated December 31, 2014, on guiding the implementation of selected environmental protection activities in the National Target Program on New Rural Development	55/2014/TT-BNNPTNT	31/12/2014	Guides the implementation of selected environmental protection activities in the National Target Program on New Rural Development (NTP-NRD).	<ul style="list-style-type: none"> <li>One the main environmental protection activities within the NTP-NRD includes building, operating and maintaining the environmental protection facilities (collection of solid wastes, treatment of liquid wastes, and cemetery maintenance).</li> </ul>

## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
47.	Directive No. 1865/CT-BNN-TY on enhancing the management of production, trading, and the use of antibiotics in livestock, aquaculture, and food safety, published by MARD	1865/CT-BNN-TY	04/03/2015	Enhances the management of production, trading, and use of antibiotics in livestock, aquaculture, and food safety.	<ul style="list-style-type: none"> <li>Control use of aquaculture food and chemicals used for aquaculture.</li> </ul>
48.	Circular No. 31/2015 / TT-BNNPTNT dated December 6, 2015, on regulating the monitoring of toxic substance residues in livestock and marine animal products	31/2015 / TT-BNNPTNT	6/12/2015	Regulates the monitoring of residues of toxic substances in animals and in aquaculture and animal products.	<ul style="list-style-type: none"> <li>Manage residues of toxic substances, the remainder in growth-stimulating drugs and reproduction drugs, to reduce harm to human health and the environment.</li> </ul>
49.	Circular No. 15/2015 / TT-BNNPTNT dated March 26, 2015, on the responsibilities of the sub-departments and divisions within DARDs	15/2015 / TT-BNNPTNT	26/03/2015	Defines clear tasks and responsibilities of different agencies and professional divisions of a provincial DARD.	<p>Tasks and responsibilities of crop production and plant protection agency:</p> <ul style="list-style-type: none"> <li>Fertilizer management</li> <li>Plant protection and phytosanitation</li> <li>Plant protection substances<sup>b</sup> management including production, trade, transport, storage, use, and collection and treatment of packages after use.</li> </ul>
50.	Circular 17/2016 / TT-BNNPTNT on guidance on management of environmental protection tasks	17/2016 / TT-BNNPTNT	24/06/2016	Guides the management of environmental protection tasks.	<ul style="list-style-type: none"> <li>Propose environmental tasks</li> <li>Develop and approve the list of environmental tasks.</li> </ul>
51.	Instruction 9729 / CT-BNN-KHCN dated November 17, 2016, on tasks and urgent solutions to enhance environmental protection in agriculture and new rural construction	9729 / CT-BNN-KHCN	17 / 11 / 2016	Aims to enhance environmental protection in agriculture and new rural construction.	<ul style="list-style-type: none"> <li>Strengthens the supervision and control of water quality in the irrigation system to meet the water supply requirements for agricultural production, aquaculture, rural people, and other economic sectors.</li> </ul>
52.	Circular 35/2016/ TT-BNNPTNT dated December 26, 2016, on guidance for the districts' implementation of the new rural criteria for 2016–2020	35/2016/TT-BNNPTNT	26/12/2016	Guides district-level implementation of the new rural criteria for 2016–2020.	<ul style="list-style-type: none"> <li>Provides criteria and guidance for implementation and organization.</li> </ul>

## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
<b>C. Subsector specific</b>					
<b>Crop specific</b>					
53.	Circular No. 21/2015/TT-BNNPTNT on pesticide product management	21/2015/TT-BNNPTNT	8/06/2015	Stipulates pesticide product administration practices, including registration, testing, manufacturing, export, import, quality control, certificate of conformity and declaration of conformity, storage, transportation, application, labeling, packaging, advertising, recall, and eradication of pesticide products in Vietnam.	<ul style="list-style-type: none"> <li>• Contents of training in use of pesticide products focus on environmental protection and food safety.</li> </ul>
54.	Directive No. 3606/CT-BNN-BVTV enhancing checks and controls on, and punishment of, the illegal importation, transportation, trade, and use of illegally imported pesticides	3606/CT-BNN-BVTV	09/09/2016	Aims to prevent actions that violate the law with respect to importing, transporting, trading, and using illegally imported pesticides.	<ul style="list-style-type: none"> <li>• Addresses illegal importing, transporting, trading, and use of illegally imported pesticides causing environmental pollution, affecting the health of humans, and so on.</li> </ul>
<b>Livestock specific</b>					
55.	Decision No. 3065/QĐ-BNN-NN, dated November 7, 2005	3065/QĐ-BNN-NN	7/11/2005–24/12/2014	Stipulates conditions of animal husbandry production, hatchery, transportation, slaughtering, and marketing of poultry and poultry products.	<ul style="list-style-type: none"> <li>• Regulates biosecurity-related conditions in hatcheries and the production, transportation, slaughtering, and marketing of poultry and poultry products.</li> </ul>
56.	Circular No. 12/2006/TT-BTNMT of MONRE dated December 26, 2006	12/2006/TT-BTNMT	19/1/2007 – 01/6/2011	Guides the conditions for the transportation, treatment, and disposal of hazardous wastes; the procedures for compiling dossiers, registering generators of hazardous wastes, and granting hazardous waste management licenses and hazardous waste management identification numbers; and responsibilities of state agencies, domestic and foreign organizations, and individuals (hereinafter collectively referred to as organizations and individuals) conducting production, business, or service activities that generate hazardous wastes or take part in the management of hazardous wastes in the Vietnamese territory.	<ul style="list-style-type: none"> <li>• Provides guidance regarding professional conditions and procedures for documenting, registering, licensing, and coding in hazardous waste management. Agricultural production establishments generating hazardous waste are subjects of the circular.</li> </ul>
57.	Circular No. 07/2007/TT-BTNMT of MONRE dated July 3, 2007	07/2007/TT-BTNMT	20/8/2007	Guides the classification and identification of establishments causing environmental pollution and subject to various legal measures.	<ul style="list-style-type: none"> <li>• Agricultural production establishments causing environmental pollution are subject to the circular.</li> </ul>
58.	Decision 1504/QĐ-BNN-KHCN dated May 15, 2008, on the protocol for good agricultural practices in safe poultry production, MARD	1504/QĐ-BNN-KHCN	15/05/2008	Establishes Good Animal Husbandry Practices for Poultry, which encourage poultry producers, regardless of scale, to apply good practices to prevent risks from diseases and infection and to protect poultry products' safety and quality as well as human health and the environment.	<ul style="list-style-type: none"> <li>• Encourages poultry producers, regardless of scale, to apply good practices to prevent risks from diseases and infection and to protect poultry products' safety and quality as well as human health and the environment.</li> </ul>

## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
59.	Circular 04/2010/TT-BNNPTNT dated January 15, 2010, of MARD	04/2010/TT-BNNPTNT	15/7/2010	Establishes technical standards for biosecurity of pig and poultry farms.	<ul style="list-style-type: none"> <li>• QCVN, 2010. MARD issued the Vietnam National Technical Regulation Conditions for Biosecurity of Pig and Poultry Farms.</li> </ul>
60.	Circular 27/2011/TT-BNNPTNT dated April 13, 2011, of MARD	27/2011/TT-BNNPTNT	28/5/2011	Establishes criteria for the determination of farm economy, procedures of issuance, alteration, reissuance, and withdrawal of the farm economy certificate.	<ul style="list-style-type: none"> <li>• Chapter 2 contains provisions on conditions of waste disposal, ensuring environmental sanitation in livestock farms.</li> </ul>
61.	Decision 985 / QĐ-BNN-CN on promulgating the Action Plan for the implementation of the project "Restructuring the livestock sector towards enhancing added value and sustainable development"	985 / QĐ-BNN-CN	9/5/2014	Promulgates the Action Plan for implementing the project "Restructuring the livestock sector towards enhancing added value and sustainable development."	<ul style="list-style-type: none"> <li>• Revise and promulgate state management documents on livestock breeds and animal feeds and livestock environment associated with climate change.</li> <li>• Promulgate regulations and criteria on livestock breeds, animal feeds, and livestock environments; disease prevention, and veterinary hygiene.</li> </ul>
62.	Circular No. 50/2014/TT-BNNPTNT dated December 24, 2014, amending Circular No. 66/2011/TT – BNNPTNT detailing Decree No. 08/2010/ND-CP on the management of animal feeds	50/2014/TT-BNNPTNT	24/12/2014	Amends Circular No. 66/2011/TT – BNNPTNT detailing Decree No. 08/2010/ND-CP on the management of animal feeds.	<ul style="list-style-type: none"> <li>• Imported animal feeds or feed ingredients that pose a high environmental or food safety risk to humans or animals are identified by the Directorate of Fisheries or the Department of Livestock Production.</li> <li>• Tightens inspection by the Directorate of Fisheries and the Department of Livestock Production of animal/aquaculture products.</li> </ul>
63.	Circular No. 23/2015/TT-BNNPTNT on management of environmental remediation and treatment products used in livestock production and aquaculture	No. 23/2015/TT-BNNPTNT	22/6/2015	Regulates the production, trading, experimentation, testing, examination, and verification; registration for circulation; quality management for bio-preparations, cultures, chemicals (except chemicals prescribed in the lists of national reserve goods in agricultural sector), environmental remediation, and treatment products used in livestock production and aquaculture (hereinafter referred to as environmental remediation and treatment products); and responsibilities of relevant organizations and individuals.	<p>Responsibilities of relevant parties in managing environmental remediation and treatment products used in livestock production and aquaculture:</p> <ul style="list-style-type: none"> <li>• Including Vietnam Directorate of Fisheries; Department of Livestock Production, Service of Agriculture and Rural Development, testing facility, and production and trading facility</li> <li>• Permissible levels for product quality inspection.</li> </ul>

## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
64.	Decision No. 3194 / QĐ-BNN-CN dated August 11, 2015, on promulgating technical guidance on installation and use of fixed cap biogas plant, biogas digesters using composite materials, and technical process using bio-product as biological materials for raising pigs and chickens	3194 / QĐ-BNN-CN	11/8/2015	Provides technical guidance on the installation and use of fixed cap biogas plant, biogas plants using composite materials, and technical processes using bioproducts as biomats for raising pigs and poultry.	<ul style="list-style-type: none"> <li>• Adds the use of biological products including biomats to the list of products recognized to improve the breeding environment.</li> </ul>
65.	Circular No. 06/2016/TT-BNNPTNT dated May 31, 2016 on permissible antibiotics in livestock feed	06/2016/TT-BNNPTNT	31/05/2016	Provides lists of permissible antibiotics for use as growth stimulants in livestock feed.	<ul style="list-style-type: none"> <li>• The lists avoid environmentally detrimental ingredients.</li> </ul>
66.	Circular No. 27/2016/TT-BNNPTNT on the national technical regulation on animal feed	27/2016/TT-BNN	26/7/2016	Promulgates the national technical regulations on animal feed.	<ul style="list-style-type: none"> <li>• National technical regulation on Animal feed – Maximum level of mycotoxins, heavy metals, and microorganisms in compounded feeds for livestock to reduce negative impacts on the environment.</li> </ul>
67.	Circular No. 01/2017 / TT-BNPTNT dated January 16, 2017, on supplementing the list of banned chemicals and antibiotics from importation, production, trading, and use in cattle and poultry feeds in Vietnam	01/2017 / TT-BNPTNT	16/01/2017	Supplements the list of banned chemicals and antibiotics from importation, production, trading, and use in cattle and poultry feeds in Vietnam.	<ul style="list-style-type: none"> <li>• The toxic chemicals in livestock negatively affect the environment.</li> </ul>
68.	Decision No. 397 / QĐ-CN-MTCN dated April 4, 2017, promulgating guidance on environmental protection schemes in concentrated livestock areas	397/QĐ-CN-MTCN	04/04/2017	Guides environmental protection schemes in concentrated livestock area.	<ul style="list-style-type: none"> <li>• Regulation on environmental protection measures; Measures of animal waste treatment: solid waste treatment, wastewater treatment, waste gas treatment, and noise treatment in livestock.</li> </ul>



## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
<b>Aquaculture specific</b>					
69.	Circular No. 44/2010/TT-BNNPTNT on providing for conditions on food safety and hygiene-guaranteed intensive Asian catfish-rearing establishment and zones	44/2010/TT-BNNPTNT	5/9/2010 – 20/6/2016	Establishes conditions for food safety and hygiene in - intensive Asian catfish-rearing establishments and zones.	<ul style="list-style-type: none"> <li>• Environment conditions regulated in Chapter 2: Conditions on rearing establishments and zones.</li> </ul>
70.	Circular No. 45/2010/TT-BNNPTNT on providing for conditions on food safety and hygiene-guaranteed intensive tiger shrimp and white-leg shrimp rearing establishment and zones	45/2010/TT-BNNPTNT	5/9/2010 – 26/6/2016	Establishes conditions for food safety and hygiene in intensive tiger shrimp ( <i>Penaeus monodon fabricus</i> . 1798) and white-leg shrimp ( <i>Penaeus vannamei boone</i> . 1931) rearing establishments and zones.	<ul style="list-style-type: none"> <li>• Environment conditions regulated in Chapter 2: Conditions on rearing establishments and zones.</li> </ul>
71.	Decision No. 3824 / QĐ-BNN-TCTS dated 2014 on VietGAP	3824 / QĐ-BNN-TCTS	06/09/2014	Sets out the principles and requirements applicable in aquaculture, from preparation and stocking to harvesting. This norm applies to domestic and foreign organization and individual activity in the aquaculture field (irrespective of the subject or type of aquaculture).	<ul style="list-style-type: none"> <li>• Good aquaculture practices should minimize negative impacts on the ecological environment, avoid harm to human health and aquatic animals, and not pollute the environment.</li> <li>• Aquaculture activities must be carried out in an environmentally responsible manner, in accordance with state regulations and international commitments.</li> <li>• Good control of medicines and livestock products; and individuals and organizations participating in aquaculture should strictly comply with principles and regulations on hygiene and food safety to improve the environment and reduce environmental pollution.</li> </ul>
72.	Circular No. 16/2015/TT-BNNPTNT on promulgating of national technical regulation on aquaculture conditions	16/2015/TT-BNNPTNT	10/04/2015	Establishes a technical regulation on aquaculture conditions: national technical regulation on cage/freshwater fish cage – conditions for food safety and environmental protection.	<ul style="list-style-type: none"> <li>• Food for fish does not contain antibiotics or chemicals banned in aquaculture.</li> <li>• Preventing and treating diseases, using drugs, chemicals, and bio-preparations, and chemical use for environmental treatment and improvement.</li> </ul>

## Major legal measures relating to the prevention and control of farm-level agricultural pollution

No.	Name	No.	Year effective	Overall purpose	Agricultural pollution measures
73.	Circular No. 26/2015/TT-BTNMT on regulating detailed environmental protection project and simple environmental protection project	26/2015/TT-BTNMT	15/7/2015	Details Paragraph 3 of Article 22 of the Government's Decree No. 18/2015 / ND-CP dated February 14, 2015, defining EPP, SEA, EIA, and environmental protection plans (hereinafter referred to as Decree No. 18/2015/ND-CP).	<ul style="list-style-type: none"> <li>Chapter 3: Environment management plan to manage wastewater.</li> </ul>
74.	Circular No. 27/2015/TT-BTNMT on SEA, EIA, and environmental protection plans	27/2015/TT-BTNMT	15/7/2015	Details the implementation of Point c of Clause 1 of Article 32 of the Law on Environmental Protection dated 2014; Clause 5 of Article 8, Clause 7 of Article 12, Clause 4 and Clause 6 of Article 14, Clause 2 of Article 16, Clause 4 of Article 17, Clause 5 of Article 19, and Clause 4 of Article 21 of Decree No. 18/2015/ND-CP dated February 14, 2015, of the government on EPP, SEA, EIA, and environmental protection plans (hereinafter referred to as Decree No. 18/2015/ND-CP).	<ul style="list-style-type: none"> <li>Natural environment conditions and social economic conditions in the project area including in agriculture and aquaculture sectors (Chapter 2).</li> </ul>
75.	Circular No. 04/2016/TT-BNNPTNT on the regulation, prevention, and control of aquatic diseases	04/2016/TT-BNNPTNT	21/04/2016	Regulates the prevention and control of aquatic diseases.	<ul style="list-style-type: none"> <li>Water sources must be treated; control the environmental factors; ensure the condition for veterinary hygiene of product; wastewater and wastes must be disposed</li> <li>If using home-made feed, fresh food must ensure veterinary hygiene, disease safety, and environmental protection</li> <li>Apply the technical measures on raising, disease prevention, and environmental management under the guidance of the specialized agencies to encourage using the vaccines in the MARD list.</li> </ul>

*Note:* a. Animal medicines include those used in livestock and aquaculture production. b. Plant protection substances include insecticides, fungicides, herbicides, and antibiotics that protect plants from pests and diseases. BOD = biological oxygen demand; COD = chemical oxygen demand; EIA = environmental impact assessment; EPP = environmental protection planning; QCVN = *quy chuẩn kỹ thuật* (technical regulation); SEA = strategic environmental assessment; VietGAP = Vietnamese Good Agricultural Practice.