



BUILD ELECTRONICS BETTER

CHEMICAL AND PRODUCT REGULATIONS AFFECTING ELECTRONICS:

# VIETNAM



IPC 2020 White Paper

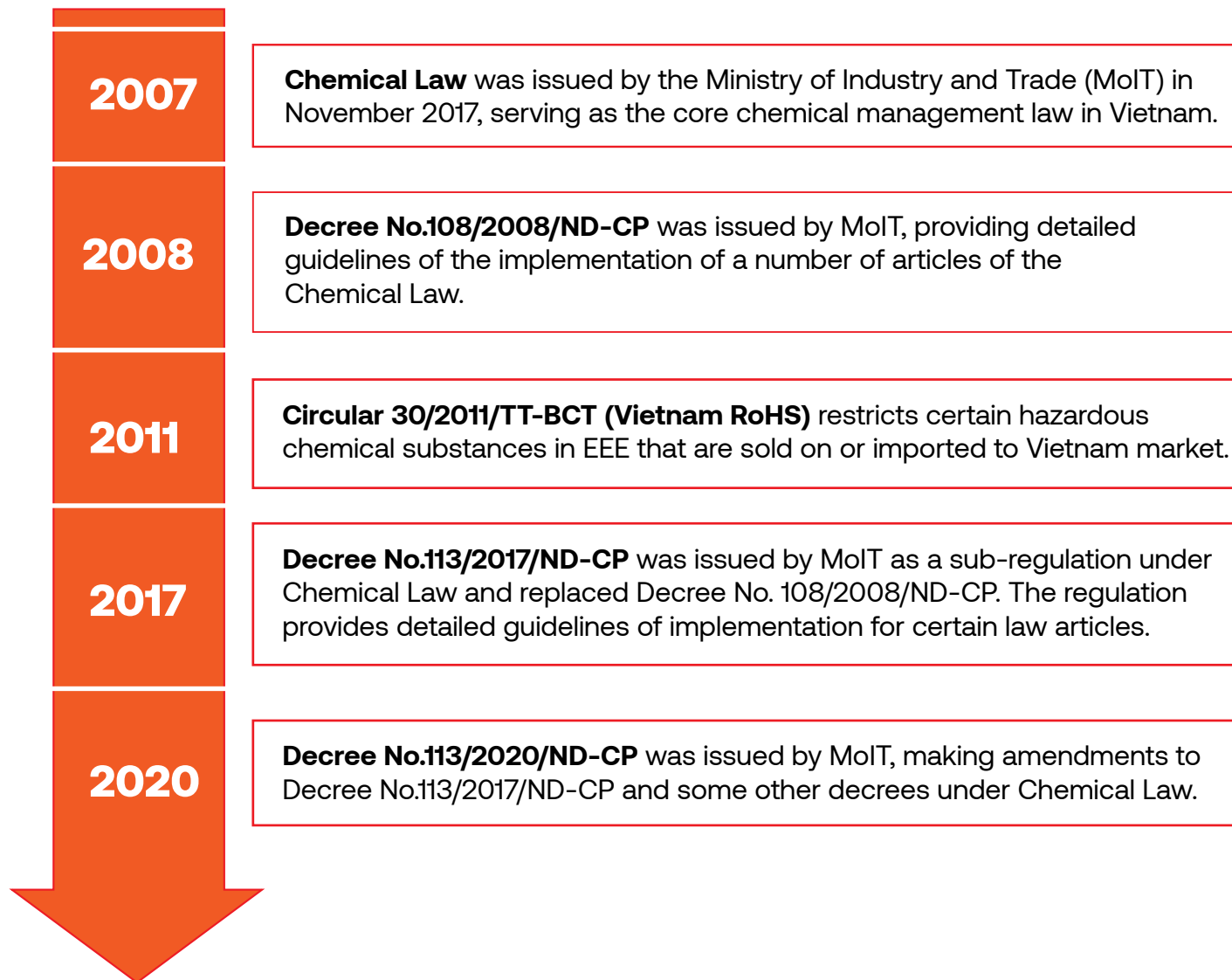
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## 1. INTRODUCTION

To lower the health and environmental impact from chemicals, countries and regions around the globe have published various chemical regulations for chemical management. Vietnam built their chemical management system around a core Chemical Law with various supporting decrees and circulars, which are of great importance to importers and manufacturers of chemical products and electrical and electronic equipment.

## 2. HISTORY OF CHEMICAL REGULATION DEVELOPMENT



### 3. CURRENT CHEMICAL REGULATORY SYSTEMS

#### 3.1 Chemical Law

Vietnam Chemical Law No.6/2007QH12 was issued on 21 November 2007 by Vietnam Ministry of Industry and Trade (MoIT); it is the major chemical law in Vietnam, supported by several decrees and ministerial circulars.

The Chemical Law provides regulations on chemical activities, chemical handling, rights and obligations of organizations and individuals engaged in chemical handling, and state management in chemicals.

##### 3.1.1 Decree No.113/2017/ND-CP

Decree No. 113/2017/ND-CP is the major sub-regulation under the Law on Chemicals that specifies and provides detailed guidelines for the implementation for certain articles of the law.

The decree has designated five lists of chemicals subject to regulatory control under the Law on Chemicals and specified detailed conditions on chemical manufacturers and traders. The lists and corresponding requirements are:

Annex	List	Requirement
Annex I	The list of chemicals subject to conditional production or import	Certificate for production or trade
Annex II	The list of chemicals restricted from production or trade	License for production or trade
Annex III	The list of banned chemicals	Normally banned
Annex IV	The list of hazardous chemicals for which chemical incident prevention and response plans are required	Producers or users have incident prevention and response plans
Annex V	The list of chemicals subject to compulsory declarations	Declaration of chemicals by producers or importers

These annexes can be acquired through the Vietnam National Chemical Database System: <http://chemicaldata.gov.vn/cms.xc>

The original version of Decree No.113/2017/ND-CP can be viewed at <https://thuvienphapluat.vn/van-ban/Tai-nguyen-Moi-truong/Decree-113-2017-ND-CP-guidelines-implementation-Law-on-Chemicals-364873.aspx>

## 3.2 RoHS-like Regulations: Circular 30/2011/TT-BCT

Issued by Vietnam MoIT on 10 August 2011, Circular 30/2011/TT-BCT under the Law on Chemicals restricts certain hazardous chemical substances in EEE that are sold on or imported to the Vietnamese market; it is also referred to as Vietnam RoHS.

English version of Circular 30/2011/TT-BCT can be viewed at <http://extwprlegs1.fao.org/docs/pdf/vie107300.pdf>

### 3.2.1 Product Scope

The product scope of Vietnam RoHS includes the following EEE: large household appliances, small household appliances, information technology and communication equipment, consumer equipment, lighting equipment, electric or electronic tools (except large-scale stationary industrial tools), toys leisure or sports equipment and automatic measuring devices.

### 3.2.2 Substance Requirements

Substances	Limitation (%)
Cadmium	0.01
Lead	0.1
Mercury	0.1
Hexavalent chromium	0.1
PBB	0.1
PBDE	0.1

### 3.2.3 Disclosure Requirements

Manufacturers or importers are required to disclose that their products are in compliance with the circular. The disclosure information shall be conducted on their website, in the use instruction document, stored in electric media or on products/product packaging.

## 4. RECENT REGULATORY UPDATES AND REGULATION TRENDS FOR THE FUTURE

### 4.1 Decree No.113/2020/ND-CP

Decree No.17/2020/ND-CP was issued by the Vietnamese MoIT on 5 February 2020 and took effect on 22 March 2020. This regulation amended some articles of Decree 113/2017/ND-CP and other decrees.

The amendment to Decree 113/2017/ND-CP includes adding Clause 11 to Article 1 of the regulation to apply exemptions from Decree 113/2017/ND-CP:

- Pharmaceuticals, germicidal and insecticidal preparations, cosmetics;
- Feeds, veterinary drugs, agrochemicals, organic fertilizers, biofertilizers, mixed chemical fertilizers, organic mineral fertilizers, bio-mineral fertilizers;
- Products used for preservation and processing of agricultural products, forestry products, fishery products and foods;
- Radioactive substances, building materials, paints, printing ink, household adhesives and cleaning products;
- Gasoline, oil; condensate and naphtha used for gasoline and oil processing.

The amendments also removed 45 chemicals from Annex I – the list of conditional chemicals.

Official version of Decree No.113/2020/ND-CP can be viewed at: <https://luatvietnam.vn/thuong-mai/nghi-dinh-17-2020-nd-cp-sua-doi-cac-nghi-dinh-ve-dieu-kien-dau-tu-kinh-doanh-180465-d1.html>

### 4.2 National Chemical Inventory (NCI)

The MoIT has been building the National Chemical Inventory (NCI) for many years and the most recent NCI draft was published in March 2020, consisting of 36,777 substances.

After the NCI is finalized, any chemical substances that are not listed in the inventory will be considered and treated as “new chemicals,” which indicates a highly possible upcoming Vietnam new chemical management system.

NCI can be inquired through Vietnam National Chemical Database System: <http://chemicaldata.gov.vn/cms.xc>

As there are overlapping, lacking and inconsistencies among some decrees and circulars under the Chemical Law, chemical management system in Vietnam still needs further amendment, and Vietnam MoIT has been working towards a sound management system. Industries are suggested to pay close attention to any upcoming chemical regulatory updates in Vietnam.



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