



Export Clearance Guidelines For FedEx Express Shipment From Viet Nam

These guidelines provide an introduction of what you should know before shipping a package from Vietnam to avoid unnecessary clearance troubles and delays.

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I. Fundamental Rules

A. Export Customs Clearance in Viet Nam (VN)

"Export customs clearance" is required various procedures:

1. Export declaration to VN customs by Exporter's Tax ID: Exporters should ensure to register their tax ID to VN Customs system (VNACCs) before exporting their shipment into Vietnam (unless individual).
2. Customs Declarant: Exporter or customs brokerage agency who submit the declaration under their legal e-signature will be taking a responsibility for ensuring customs compliance and safety of their shipping package.
3. Government Control: Export goods is subject through the inspection by authorities or restricted by VN laws and regulations, it is necessary to obtain certificate, permit, licence and approval prior to export declaration.
4. Customs Duties & Tax: Most of exported goods are tax-free, non-taxable or the tax rate is zero however, for dutiable goods it is only obtained customs release approval for uplifting as Duty & Tax paid.
5. Origin Of Goods (CO)

The identification of origin of exports for enjoyment of tariff or non-tariff preferences shall comply with treaties to which Vietnam has signed or acceded and relevant legal documents on guidelines for the implementation of these treaties.

The trader profile shall be register via the electronic C/O issuance system at the address www.ecosys.gov.vn or another website of the issuing authority designated by the Ministry of Industry and Trade.

B. Commercial Invoice

Exporter (Consigner):

- + Exporter's (Consigner's) full name is required for personal/business shipments.
- + Exporter's (Consigner's) valid phone number must be given on shipping documents.
- + All the information stated in Commercial/Proforma Invoice must be filled in English, Vietnamese writing is only for reference purpose.

Description:

Introduce description examples of typical items:

- + Shoes: The material of the outer sole and upper (Leather, Plastic, Rubber, etc.), type of shoes (Sports, Ski, etc.), gender (man, woman etc.), and quantity in pairs are required. For leather scientific name of the species is required according to CITES.
- + Garments: The material (Cotton 100%, Nylon 20%/ Wool 80%, etc.), type of garment (Skirt, Blouse, Jacket, etc.), Knitted or Woven, gender (man, woman, etc.) are required.
- + Bag: Type of bag and material are required. For leather item, scientific name of the species is required according to CITES.
- + Watch: Type of case (e.g. 18K, Metal, Stainless steel), type of watch (e.g. Automatic, Quartz), material of strap (e.g. Steel, Leather) are required. For leather item, scientific name of the species is required according to CITES.
- + Parts (any kinds): What parts it's made of and what it's used for.
- + Accessory, Furniture, Ornament, etc: Specific commodity name and the material of the item are required.
- + Gift, Sample, Souvenir: Detailed description (name of each item, material, etc.) and a value breakdown are required.



Descriptions such as “Gift”, “Sample” or “Souvenir” only are insufficient.

+ Jewelry: Type of Product (e.g. Ring, Necklace) and material name (e.g. 18K Gold, Platinum, 925 Silver) are required. If the product has a Pearl, Stones, Metals etc., the material name is required additionally.

+ Fabric: The material name & content % (e.g. Cotton 100%), Knit or Woven, Size (width & length, weight per square meter) are required. If the fabric is colored, describe the type. (e.g. Bleached, Dyed of Yarn of Different colors, Printed)

+ Knife: It is necessary to describe the shape (fixed Blade, Foldable type, etc.) and blade length (cm). (e.g. Fixed Knife/Blade 8 cm)

Declared Customs Values:

+ The customs value is the selling price of goods at exporting checkpoint exclusive of international insurance cost (I) and international freight cost (F)

+ Whether it is a commercial or non-commercial shipment, fair market value must be written on the Invoice. It is illegal to deliberately declare a product of obvious value at a low price.

+ Even if it is non-dutiable goods or non-commercial value, the amount \$0.00 will not be accepted upon customs declaration.

Examples of non-commercial products:

+ Gift, samples for research and evaluation, replacements for defective products, individuals, etc.

C. Exporter of Record (EOR)

Exporter of record, the synonym of "Exporter" is the owner or seller of the products being exported from Vietnam who holds accountabilities for local law regulations/customs compliances. It is extremely important to address EOR (Exporter) information correctly upon shipping package from Vietnam to oversea.

EOR is Individual:

+ Abbreviation, spelling errors and any other expression which is likely to be mistaken upon import declaration should be avoided.

+ FedEx/TNT on behalf of exporter can do low value (MEC) or non-commercial (H21) customs declaration, witness the inspection, pay in advance duty & tax (if any) to clear & release Individual shipment.

+ Low Value shipment (MEC): Exported goods meeting the following requirements:

The customs value thereof is less than five million Vietnamese dong (VND 5,000,000)

Eligible for exemption of export duty or incurring export duty of 0%

Not belong to the category requiring export license or inspection by specialized agency

+ Non-commercial export shipment (H21): Exported goods other than those in Low value shipment; goods in Low value shipment but the good owner or the person authorized by the good owner requiring self-completion of customs procedures; goods in doubt as to the customs value.

EOR is Enterprise/Company:

+ Enterprise/Company or their own customs brokerage can do commercial or non-commercial customs declaration, witness the inspections, pay duty & tax to clear & release customs for their shipment themselves.

+ On behalf of Enterprise/Company, TNT/FedEx can do customs clearance for Low value (MEC) and non-commercial (H21) for their shipment including customs declaration, witness the inspection, pay in advance duty and tax (if any) & customs releasing.

II. Export-related Other Laws and Regulations/Government Control

D. Pharmaceutical/Drug/Medicine/Medical Device

Medical Device:

Medical devices having got the registration number in Vietnam may be exported on demand without limit on quantity and without approval by the Ministry of Health.

Pharmaceutical/Drug:

The exportation of narcotic drugs, psychotropic drugs, precursor drugs, medicinal ingredients that are narcotic active ingredients, psychotropic active ingredients or drug precursors or combined drugs that contain narcotic active ingredients, psychotropic active ingredients or precursors.

Requirement:

The export Drug and medicinal ingredient shall only be licensed when the drug is manufactured in Vietnam, granted a certificate of drug registration in Vietnam and granted an import license by a competent authority of the importing country or the medicinal ingredient is manufactured overseas, granted a certificate of registration in Vietnam and granted an import license by a competent authority of the importing country.

Drug/medicine for non-commercial use:

+ A license must be obtained before drugs are exported, except for those the drug is personal property shipped under a bill of lading or the outbound passenger's belongings for treatment of his/her own disease and is not an ingredient of controlled drugs with the quantity of drugs to be exported does not exceed:



- a) 07 days' dose for narcotic drugs according to the prescription
 - b) 10 days' dose for psychotropic drugs and precursors according to the prescription
 - c) 30 days' dose for combined drugs that contain narcotic active ingredients or psychotropic active ingredients, toxic drugs, drugs on the list of banned substances in certain fields according to the prescription.
- + Application for export of the drug exceeding the quantity for the outbound passenger:
- a) An exportation application Form
 - b) The prescription and outpatient's medical record which is authenticated or bears the applicant's signature (if the applicant is an individual) or seal (if the applicant is an organization). These documents shall specify the patient's name and age; name, concentration and quantity (or doses) of the drug; dosage; the physician's name and signature, address of the hospital or clinic where the physician practices.
 - c) The applicant's ID card or passport which is authenticated or bears the applicant's signature.
 - d) If any of the documents mentioned in Points b and c above is written in a language other than Vietnamese or English language, a notarized Vietnamese or English translation shall be included.

E. Food Safety Inspection

Inspecting authorities:

The Minister of Health, the Minister of Agriculture and Rural development, the Minister of Industry and Trade shall specify the power to carry out state inspection of safety of foods for export under their management at the request of the importing country.

F. Animal Product Quarantine Inspection:

Where the importing country or the commodity owner require the quarantine, the commodity owner must register the quarantine with the area animal health Body, and prepare application for quarantine registration to obtain the Certificate of export quarantine (The Phytosanitary Certificate) for animal products that have met the veterinary sanitary requirements

G. Plant Product Quarantine Inspection

Where the importing country or the commodity owner require the quarantine, the commodity owner must register the quarantine with the area animal health Body, and prepare application for quarantine registration to obtain the Certificate of export quarantine (The Phytosanitary Certificate) for plant products that have met the veterinary sanitary requirements

H. Chemical Substances Control:

Requirements:

Chemical Name

The chemical producer shall register names of chemicals in compliance with IUPAC names, trade names or other names written on chemical labels.

Chemical identification numbers

Chemical identification numbers shall be attached to chemical labels and suitable for symbols used in safety data sheets; Chemical Name and identification number (CAS) are required on the commercial invoice.

Material Safety Data Sheet (MSDS)

When exporting chemicals to Oversea, Material Safety Data Sheet (MSDS) is required to your shipment.

The export of Schedule 1 chemical, Schedule 2 chemical, and Schedule 3 chemicals

(Chemical governed by the chemical weapon convention stipulated at the Decree: 34/2014/NĐ-CP) is required to meet the requirements: (Article 19)

- a) Have either the Enterprise registration certificate or Investment certificate or Business registration Certificate which covers chemical business, issued by the competent authorities.
- b) Be permitted by the Prime Minister to export the Schedule 1 chemicals
- c) Be issued with the Import Permit or Export Permit by the Ministry of Industry and Trade for the Schedule 2, and Schedule 3 chemicals.

I. CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora)

Typical commodities:

Crocodile, Alligator, Lizard (Watchstrap, Handbag, Belt), Ivories, Ostrich, India pythons, Chinchilla (Fur coat), Leopard (Carpet), Tiger bone, Musk, Polar bear, Peacock feather, Coral, Rose wood, Mahogany, Orchid, Cactus, Caviar(include extract)...

Note: Leather or Fur items need scientific species name for CITES.

Three Appendices:

Appendix I: listing species threatened with extinction, prohibited from export, import, re-export, introduction from the sea and transit of natural specimens for commercial purposes.

Appendix II: listing species that, although currently not threatened with extinction, may become so without control of export, import, re-export, introduction from the sea and transit of natural specimens thereof for commercial purposes.



Appendix III: listing species for which a CITES country has asked other CITES Parties to assist in controlling export, import, re-export for commercial purpose.

The original version of the CITES Appendix is published on the website of the CITES Secretariat at the following link:

https://cites.org/sites/default/files/notif/E-Notif-2019-055_0.pdf

Requirements for exporter:

The CITES licence/permit or certificate (original) issued by the Ministry of Agriculture and Rural Development depending on exported items falls under the CITES regulated species

III. Prohibited Items

FedEx and TNT Express Vietnam does not accept the following items (typical name and is not only limited to this) export from Vietnam to overseas in addition to the FedEx Express global prohibited items under the Standard Conditions of Carriage. Ministries and ministerial-level agencies shall publish details of prohibited imports and HS code.

► **The Ministry of National Defense:**

Weapons, ammunitions, explosives (excluding industrial explosives), military technical equipment.

Encrypted products used for protection of state secrets.

► **The Ministry of Industry and Trade:**

Schedule-1 toxic chemicals defined in the Convention on the Prohibition of the Development and Use of Chemical Weapons and Annex to the Government's Decree No. 38/2014/ND-CP dated May 6, 2014.

Chemicals under the list of banned chemicals prescribed in Appendix III to the Government's Decree No.113/2017/ND-CP dated October 9, 2017

► **The Ministry of Information and Communications:**

Assorted publications banned from dissemination and circulation in Vietnam.

Postage stamps banned from trading, exchange, display and dissemination in accordance with the Law on Post.

► **The Ministry of Culture, Sports and Tourism**

Relics, antiques and national precious objects in accordance with the law on cultural heritage.

Assorted cultural products banned from dissemination and circulation or decided to be suspended from dissemination and circulation, or subject to revocation, confiscation and destruction in Vietnam.

► **The Ministry of Agriculture and Rural Development**

a) Samples of precious, rare and endangered animals and plants under Appendix I of CITES derived from natural resources; or samples of precious, rare and endangered forest animals and plants under which need to be placed under category IA, IB prescribed in Decree No. 32/2006/ND-CP on export for commercial purpose.

b) Samples and processed products of species: white rhinoceros (*Ceratotherium simum*), black rhinoceros (*Diceros bicornis*), African elephants (*Loxodonta africana*).

c) Wild precious, rare and endangered species category I.

Aquatic species under list of aquatic species prohibited from export.

d) Livestock breeds and plant varieties under the list of precious and rare livestock breeds and plant varieties prohibited from export promulgated by the Ministry of Agriculture and Rural Development in conformity with the Ordinance on Livestock Breeds 2004 and Ordinance on Plant Varieties 2004.

f) Logs, sawn timber from domestic natural forests.

► **Counterfeit Goods:**

Including, but not limited to, goods under a trademark that is identical to or substantially indistinguishable from a registered trademark, without the approval or oversight of the registered trademark owner

► **Cash or Collection Coins/Bills**

IV. Reference

Vietnam Customs Tariff

Web Tariff is a "tariff search service" maintained by the General Vietnam Customs or Customs Association, where you can search for information on product's HS codes, tariff rates (MFN, Preferential import tax, VAT, FTA) and each of export laws and regulations in Vietnam.

► Viet Nam Customs Service: <https://customs.gov.vn/SitePages/Tariff.aspx>

► Customs Association: <https://dichvuhaiquan.com.vn/wp-content/uploads/2021/06/Bieu-thue-2021.06.22-PDF.pdf>

► National Single Window: <https://vnsw.gov.vn/profile/homepage.aspx>

► Chemical Department: http://www.cuchoachat.gov.vn/default.aspx?page=news&do=detail&category_id=43&id=4437

