

of the Ministers' Council (now the Government);

Pursuant to the Government's Decree No. 68/GP of October 11, 1993 defining the functions, tasks, powers and organizational structure of the Ministry of Health;

At the proposal of the director of the Department for Management of Food Quality, Hygiene and Safety under the Ministry of Health,

DECIDES:

Article 1.- To issue together with this Decision the Regulation on food safety conditions at collective refectories and eat-in kitchens as well as ready-made food ration processing business establishments.

Article 2.- The director of the Department for Management of Food Quality, Hygiene and Safety shall have to guide and inspect the implementation of this Decision.

Article 3.- This Decision takes effect 15 days after its signing. The previous provisions which are contrary to this Decision are hereby annulled.

Article 4.- The director of the Office, the chief inspector, the directors of the Departments of the Ministry of Health, the director of the Department for Management of Food Quality, Hygiene and Safety, the director of Vietnam Pharmaceutical Management Department, the heads of the units attached to the Ministry, the directors of the provincial/municipal Health Services, and the heads of the health bodies of various branches shall have to implement this Decision.

THE MINISTRY OF HEALTH

DECISION No. 4128/2001/QĐ-BYT OF OCTOBER 3, 2001 ISSUING THE REGULATION ON FOOD SAFETY CONDITIONS AT COLLECTIVE REFECTORIES AND EAT-IN KITCHENS AS WELL AS READY-MADE FOOD RATION PROCESSING BUSINESS ESTABLISHMENTS

THE MINISTER OF HEALTH

Pursuant to Article 7 of the Law on the Protection of the People's Health and the Hygiene Regulation issued together with Decree No. 234/HĐBT of January 24, 1991

For the Minister of Health
Vice Minister
LE VAN TRUYEN

REGULATION ON FOOD SAFETY CONDITIONS AT COLLECTIVE REFECTORIES AND EAT-IN KITCHENS AS WELL AS READY-MADE FOOD RATION PROCESSING BUSINESS ESTABLISHMENTS

(Issued together with Decision No. 4128/2001/QĐ-BYT of October 3, 2001 of the Minister of Health)

I. GENERAL PROVISIONS

1. Scope of regulation: This Regulation prescribes the food safety conditions at collective refectories and eat-in kitchens of factories and enterprises (including foreign-owned ones in industrial parks and export-processing zones), agencies, semi-boarding schools, hospitals, restaurants and food and drink catering shops capable of serving at one time 30 diners or more; and ready-made food ration processing business establishments.

2. Subjects of application: Organizations and individuals of all economic sectors (called collectively as traders) that deal in collective food and drink services of all forms, and the heads of agencies, semi-boarding schools, hospitals, restaurants, hotels having dining rooms capable of serving at one time 30 diners or more, shall have to satisfy all specific requirements in this Regulation.

II. REGULATIONS ON THE FOOD QUALITY AND HYGIENE CONDITIONS

1. Hygiene at establishments:

a/ The position of kitchens, dining rooms or ready-made food ration processing business establishments must ensure environmental sanitation conditions, must be separated away from toilets and other polluting sources.

b/ Eat-in kitchens must be designed and arranged according to the one-dimension principle: The area for gathering, preservation and handling of live and fresh foodstuffs, raw materials - the processing area - the area for distribution or sale of processed food. Eat-in kitchens must be designed and built of water-proof, easy-to-clean materials.

c/ Dining rooms, dining tables, food-processing tables, food storehouses or preservation places must be kept clean and hygienic.

d/ Garbage bins must have lids, not letting garbage litter around and waste water leak out. Garbage must be gathered at places distant from the processing places or dining rooms, be carried away daily, not be piled up.

e/ Left-over bins must have tightly closed lids, not letting left-overs litter around and waste water leak out.

f/ Sewers and gutters at the processing area,

kitchens must be drained, not open-air, or sewers must have lids.

g/ Establishments must have sufficient clean water for maintaining their normal activities as well as for diners to wash their hands before and after their meals. If wells or water tanks are used, they must have covers, the top of such a well or water tank must be at least one meter above the ground, avoiding outside pollution. Utensils used for storing clean water for processing and hand-washing must be regularly washed and kept clean.

2. Hygiene for employees:

a/ Those who personally process foods or serve foods and drinks must be provided with knowledge about food hygiene and safety, and well understand the responsibility of their jobs;

b/ Workers must have health examinations before recruitment, have yearly medical check-ups after recruitment and have their excrement tested at least once a year (not to mention establishments located in areas being affected by digestive epidemics). Those who suffer skin diseases or contagious diseases specified in Decision No. 505/BYT-QĐ of April 13, 1992 of the Minister of Health must temporarily give up their jobs or change to other jobs until full recovery so as to avoid direct contact with cooked and instant food, bowls, plates and dinnerware, assorted packings for packing or containing instant food.

c/ The employees' clothes and personal articles must not be left in the processing area.

d/ All employees must keep personal hygiene, have short-cut, clean fingernails, wash their hands with soap before processing, serving or selling cooked food.

e/ When rationing food, employees must use utensils, not their hands, for rationing cooked food.

f/ Food processors must not eat, drink, chew gums nor smoke in the kitchen.

3. Hygiene of utensils:

a/ Bowls, plates, spoons, chopsticks, cups, glasses and other utensils to be used by diners must be washed and kept dry.

b/ Chopstick and spoon holders must be dry, airy, clean, made of water-proof materials; chopsticks must be washed and dried before being put into holders.

c/ Food baskets must be always kept clean, not be left on the ground, at dirty and wet places.

d/ Other utensils like knives, chopping boards, pots and others must be washed immediately after use and kept at clean places. The surface of food-processing tables must be made of water-proof, easy-to-clean materials.

c/ Knives and chopping boards must be used separately for cooked food and for uncooked food.

f/ Only detergents and cleansing substances permitted for use in daily life and food processing may be used, industrial ones must not be used.

4. Hygiene in food processing and preservation:

a/ Sanitation of the water supply sources: Establishments themselves shall send water samples to the provincial/municipal Prophylactic Medicine Centers (called collectively as provincial) for testing at least once every quarter, or once every month if they receive notices that their areas are affected by dangerous digestive epidemics and at the same time disinfect such water sources according to regulations of the health service.

b/ It is strictly forbidden to use food additives, colorings or synthesized sweeteners not on the list of food additives prescribed by the Health Ministry.

c/ Stale, spoiled or crushed foodstuffs; foodstuffs originated from diseased animals must not be used for food processing.

d/ Cooked foods on display for sale or serving must be covered from flies, dust and other contaminating insects; cloth must not be used to cover directly food.

e/ Cooked food containing animal meat or aquatic products, if not stored cool (under 10°C), must be re-cooked before being served.

f/ Fresh vegetables and fruits must be soaked well and washed at least three times with clean water or washed under a running water tap.

5. Daily recording and monitoring dossiers must reflect the following details:

- a/ Origin of purchased foodstuffs
- b/ Samples of processed foods
- c/ Menus

6. Responsibility contracts for assurance of food hygiene and safety shall be effected according to the following requirements:

a/ Between the raw material suppliers and the

kitchen owner or the ready-made food ration-processing establishment.

b/ Between the hirer of food and drink service right at the establishment and the kitchen owner or the ready-made food ration-processing establishment.

c/ For production establishments without collective eat-in kitchens, which sign contracts with outside ready-made food ration suppliers, their owners shall only be allowed to sign contracts with those ready-made food ration business establishments which meet all hygiene conditions to ensure food safety.

7. Requirements for handling of food poisoning cases: Upon the occurrence of food poisoning, it must be immediately reported to the nearest health office and the filed food samples or left-over food must be kept and sent to the prophylactic medicine office of the province, urban district, rural district, provincial town or city (called collectively as district) for testing and finding out the cause thereof. The establishment owners or traders who have poisoning food shall be fully responsible for their violating acts and must pay all examination and treatment expenses for the victims as well as expenses for investigating bodies to find out the poisoning causes.

III. IMPLEMENTATION RESPONSIBILITIES

1. Responsibilities of establishment owners and traders: They shall have the responsibility to assure all conditions specified in Section II of this Regulation; organize the management and supervision of the implementation thereof; create conditions for competent medical agencies to inspect and supervise their establishments, and strictly abide by all recommendations and decisions of supervision and inspection teams in time.

2. Responsibilities of medical agencies:

a/ The Department for Management of Food Quality, Hygiene and Safety shall have to coordinate with the Health Ministry's Inspectorate in guiding, urging, supervising and inspecting the implementation of this Regulation and organize annual meetings of the provincial Health Services and medical agencies of various branches in order to draw experiences, exchange opinion, sum up and report them to the Minister of Health.

b/ The provincial/municipal Health Services shall

have to:

- Organize the assignment and authorization of the provincial Prophylactic Medicine Centers and urban or rural district Prophylactic Medicine Teams to conduct periodical supervision of food hygiene and safety at the establishments based in their respective localities according to the provisions at Point 1, Section I of this Regulation, once every quarter.

- Quarterly, organize meetings to draw experiences and exchange opinions with the suppliers.

- Sum up and report to the Ministry of Health (the Department for Management of Food Quality, Hygiene and Safety) once every six months on the management of the subjects based in their respective localities according to the provisions at Point 2, Section I, of this Regulation.

- State-owned, semi-public, people-founded, private as well as foreign-invested medical examination and treatment establishments which have food-poisoned patients must render timely first aid to them and report these cases to the nearest prophylactic medicine agencies.

c/ The provincial Prophylactic Medicine Centers and district Prophylactic Medicine Teams which are assigned or authorized to conduct periodical supervision shall be technical units with the responsibility to supervise and monitor the satisfaction of the requirements set in this Regulation. When detecting any violating acts, they must make records thereof and send them to the provincial Health Service's Inspectorate or the focal administration of the same level for handling; when being notified of poison cases, they must send people to investigate the poisoning causes within two hours after receiving such notices, and simultaneously report such as soon as possible to the provincial Health Services so that the latter direct various agencies to coordinate, handle and synthesize information for fast reporting or periodical reporting according to regulations to the Ministry of Health (the Department for Management of Food Quality, Hygiene and Safety).

d/ The heads of the health bodies of various branches shall have to guide, urge and inspect the attached agencies having collective refectories, eat-in kitchens or hiring food and drink services or purchasing ready-made food rations, to meet all

hygiene requirements for food and drink catering establishments as prescribed in this Regulation.

Any problems arising in the course of implementation of this Regulation should be reported by localities and units to the Ministry of Health (the Department for Management of Food Quality, Hygiene and Safety) for study and solution.

For the Minister of Health
Vice Minister
LE VAN TRUYEN