

# Feed and Feed Additives Regulation: Thailand and Vietnam

As anyone working for a multinational company will be aware, the regulatory requirements and registration procedures for a category of products can be very different from one geographical region to another. Different national markets within major regions (Asian countries being a key example), can add further complexity to companies' plans for product commercialisation. It is therefore of utmost importance to be well-informed of the regulatory 'landscape' before planning a launch into a new region. With experts in the USA, Europe and Asia, knoell are able to support animal health clients globally, and share knowledge and insights on many markets from first-hand experience.

When looking to expand the existing market for a product, there are lots of common questions companies ask. Is an assessment or prior authorisation required, and will my existing data package be sufficient if so? Which countries are best to enter in terms of market opportunities and ease of navigating the regulatory environment? If looking at multiple markets, it's important to know whether the product classifications and data requirements are consistent – and of course it's always critical to find out how long it will take and the likely cost!

This article focuses on the regulation of animal feed and feed additives in Thailand and Vietnam (the two main markets in the ASEAN region), and provides comment on the different approaches and requirements.

## Thailand

The Department of Livestock Development (DLD), Ministry of Agriculture and Cooperatives (MOAC), is the main authority responsible for the management and control of animal feed in Thailand. The Division of Animal Feed and Veterinary Products Control was established within the DLD for the control of animal feed as stipulated in the Animal Feed Quality Control Act B.E. 2558. Product registration prior to export to Thailand is a requirement for the majority of feed products, and the Thai government has enacted several regulations that control the import of feed and feed ingredients into Thailand.

### Animal feed means:

- Items that have been intended for use or used for the feeding of animals by way of eating, drinking, licking or taking into an animal's body by any method or;
- Items that have been intended for use or used as ingredients for producing the animal feed.

*Notification certificate required for import*

### Specifically controlled animal feed means:

- Animal feed having an impact on the economy and society, or
- Posing a danger to animals, or
- Generally affecting consumers who consume meat.

*Registration certificate required for import*

**Feed additives** include amino acids, minerals, vitamins, lipids & derivatives, preservatives, probiotic, enzymes, substance used for enhancing digestibility, substance used for improving carcass and product quality, feed additive used in coccidiosis prophylaxis in poultry production.

Under the Animal Feed Quality Control Act B.E. 2558, "specifically controlled animal feed" must be registered prior to importing into Thailand, or manufacturing the feed locally. "Specifically controlled animal feed" includes:

- Animal feed having an impact on the economy and society (i.e. feed destined for animal species that are of high importance in Thai agricultural production and trade, such as chickens);
- Animal feed posing a potential danger to animals (for example that could potentially contain contaminants, toxins, infectious agents);
- Animal feed that indirectly affects consumers who eat meat.

Example categories of specifically controlled animal feed	Sub-categories
Raw materials  (15 types of raw materials from plants, 13 types of raw materials from animals)	Some examples: <ul style="list-style-type: none"> <li>• Soybean meal</li> <li>• Roasted soybeans</li> <li>• Peanut meal</li> <li>• Defatted rice bran</li> <li>• Corn meal</li> <li>• Fish meal</li> <li>• Meat and bone meal</li> <li>• Feather meal</li> </ul>
Ready-mixed feed	<ul style="list-style-type: none"> <li>• Feed concentrate</li> <li>• Complete feed</li> <li>• Premix</li> </ul>
Dairy products	Some examples: <ul style="list-style-type: none"> <li>• Milk powder (various grades)</li> <li>• Whey powder (various grades)</li> </ul>
Feed supplements	<ul style="list-style-type: none"> <li>• Protein supplement</li> <li>• Mineral supplement</li> <li>• Vitamin supplement</li> <li>• Fat supplement</li> </ul>
Pet food	<ul style="list-style-type: none"> <li>• Complete pet food</li> <li>• Complementary pet food</li> <li>• Therapeutic pet food</li> </ul>

Table 1: Specifically controlled animal feed

The production of specifically controlled animal feed offered for sale, or the import of such feed for the purpose of selling in Thailand, shall be registered with the advice of the Committee on Animal Feed Control, part of the DLD. If the animal feed is produced overseas, a local company based in Thailand must be the importer, and would also be the license holder for the Thai market. Companies such as manufacturers based outside Thailand cannot act as license holders.

The Committee on Animal Feed Control evaluates the registration dossier (including technical data). The importer looking to import animal feed from overseas must firstly apply to the DLD for a general import license (a single license can cover a wide range of products). The import license permit takes 10 working days to issue, but product registration for a specifically controlled animal feed can take 30–45 working days to approve (following submission of a complete dossier to the DLD). Only licensed, registered companies are eligible to import and sell animal feed in Thailand. Product registration requirements vary depending on the product category and feed ingredient. The five main product categories (as described in Table 1) each have specific data requirements for registration; however, data that are always required are:

- Copy of the general import license, and the original document
- Certificate of formulation
- The components of the additive (by percentage of each component)
- Certificate of Free Sale (CFS)\*
- Certificate of Analysis (COA)
- Raw Material specification
- Product information
- Details of the quantity of feed additive in complete feed
- Manufacturing process
- Certificate of Origin

*\*The CFS must be verified by Royal Thai Embassy. The certificate must contain product information including trademark, name and type of product, name of manufacturer, address of manufacturing premises, and statement regarding free sale in the exporting country*

The DLD currently requires facilities located in exporting countries for products considered to be at higher risk of potential contamination with serious disease agents (i.e. TSEs and salmonella) to be audited by inspectors from the DLD. Although the DLD has no specific criteria by which to determine which products fall under this category, the list currently includes all rendered animal products (i.e. meat, bone meal and offal-derived products), egg products, and dairy products. The importer/exporter is responsible for all expenses incurred during the audit. The audit must have already taken place and the site must have received official approval before the registration process can commence. Re-inspections are required every 5 years.

Once the importer has met the requirements for a general import license and has completed product registration (if needed) and a facility audit (if needed); they can then bring the animal feed product into Thailand. Upon arrival at the port, the importer must provide the feed import notification form and other required documents to the animal feed quarantine officer as a part of the product clearance process. Import Notifications (NS 4) are required for every shipment brought into Thailand.

### Vietnam

The livestock and aquaculture sectors in Vietnam demonstrated a return to strong growth from 2020–2021 (i.e.

following the pandemic), and exporting animal feed to this growing market is therefore an attractive prospect to feed producers around the world. According to the U.S. Department of Agriculture's Foreign Agricultural Service (USDA-FAS) report, Vietnam is currently one of the leading importers of dry cereal flour, corn and fermentation by-products as animal feed ingredients. The country is forecast to be the fifth-largest corn importer globally in 2022, and the import demand for corn and grain by-products for animal feed is expected to triple over the next ten years. Increased demand for these products creates more opportunities for feed ingredient exporters to enter the Vietnamese market.

The Vietnamese government has introduced several schemes in recent years for enhancement of the livestock sector. Laws on animal husbandry and aqua feeds require the application of science and technology to improve productivity, quality and efficiency, and introduce registration procedures for both domestically produced and imported animal feed. The Ministry of Agriculture and Rural Development (MARD) is responsible for establishment of strategic plans, aims and objectives, and policies for development and utilisation of animal and aqua feeds across the nation.

Currently, the types of animal feed in Vietnam are defined by the Law No. 32/2018/QH14 on Animal Husbandry as follows:

- **Complete compound feed** means a mixture of processed feed ingredients that have enough nutrients to maintain the livelihoods and productivity of livestock in each growth stage or production cycle without adding other feed except drinking water
- **Concentrated feed** means mixtures of feed ingredients that have a nutrient content higher than the need of livestock and are used in combination with other ingredients to form complete compound feed
- **Supplementary feed** means a single raw material or a mixture of feed ingredients added to the diet to balance the nutrients necessary for the livestock; maintain or improve the characteristics of feed; improve animal health, characteristics of livestock products.
- **Traditional feed** means agricultural products, aquatic products, and processing industries commonly used in animal husbandry practices including paddy, rice, bran, corn, potatoes, cassava, brains, spent beer, pineapple pulp, cassava pulp, molasses, straw, grass, shrimp, crab, fish, and other similar products.

Government circular No. 21/2019/TT-BNNPTNT, November 28, 2019 of the Ministry of Agriculture and Rural Development, in effect since January 14 2020, provides guidance and refines a number of articles of the Law on Animal Husbandry on animal feed. It includes in its appendices: lists of both banned and permitted substances in animal feed, designations of substance categories, specifics of the technical information that companies must register with MARD (where product registration is required), information that should appear on the product labelling. The Circular applies equally to domestic and foreign companies operating in the Vietnamese feed market.

The ingredient lists in Circular 21/2019 set out two main categories of animal feed ingredients:

1. Traditional animal feed ingredients (in natural form or processed, with or without technical substances);
2. Single ingredients (including specific nutrients, supplements, preservatives, colours and flavours)

Traditional animal feed ingredients include raw materials such as:

- **Animal origin ingredients:** including fish, crustaceans, bone meals, meat meals, feather meals, milk and dairy products
- **Plant origin ingredients:** including grains, nuts, beans, oil seeds and other seeds, roots, tubers and fruits
- **By-products of food processing industries** (such as sugar manufacture, brewing and distilling, other food processing): including sugarcane molasses, beer yeast, bean residues, starches.

For a single feed ingredient or raw material, only those listed in Circular 21/2019 may be used or imported and their conformity to certain quality standards (batch release confirmation) must be declared before selling on the market. If the raw materials of a product are not listed in the government circular, then a trial must be conducted to support inclusion of the ingredients not authorized in the list.

'Single ingredients' covers the following product types:

1. Nutrition ingredients for livestock (vitamins and minerals)
2. Supplemental ingredients (Digestive aids, Supporting intestinal microflora, Microorganisms, Herbal products/active ingredients from herbs)
3. Technical substances (maintaining or improving the characteristics of animal feeds) - e.g. preservatives, antioxidants, emulsifiers, anti-caking agents
4. Coloring agents
5. Flavour enhancers

**Complete compound feeds** are mixtures of different feed ingredients combined and based on a certain formula to supply sufficient nutrients for maintaining the life and

productivity of an animal in each stage of its growth or production cycle (Decree 39/2017/ND-CP). For complete animal feeds, manufacturers, importers, or distributors are permitted to apply via self-declaration online at the Ministry of Agriculture and Rural Development (MARD) before being imported or circulated in the Vietnamese market. The preparation of self-declaration dossiers must include the following documentation:

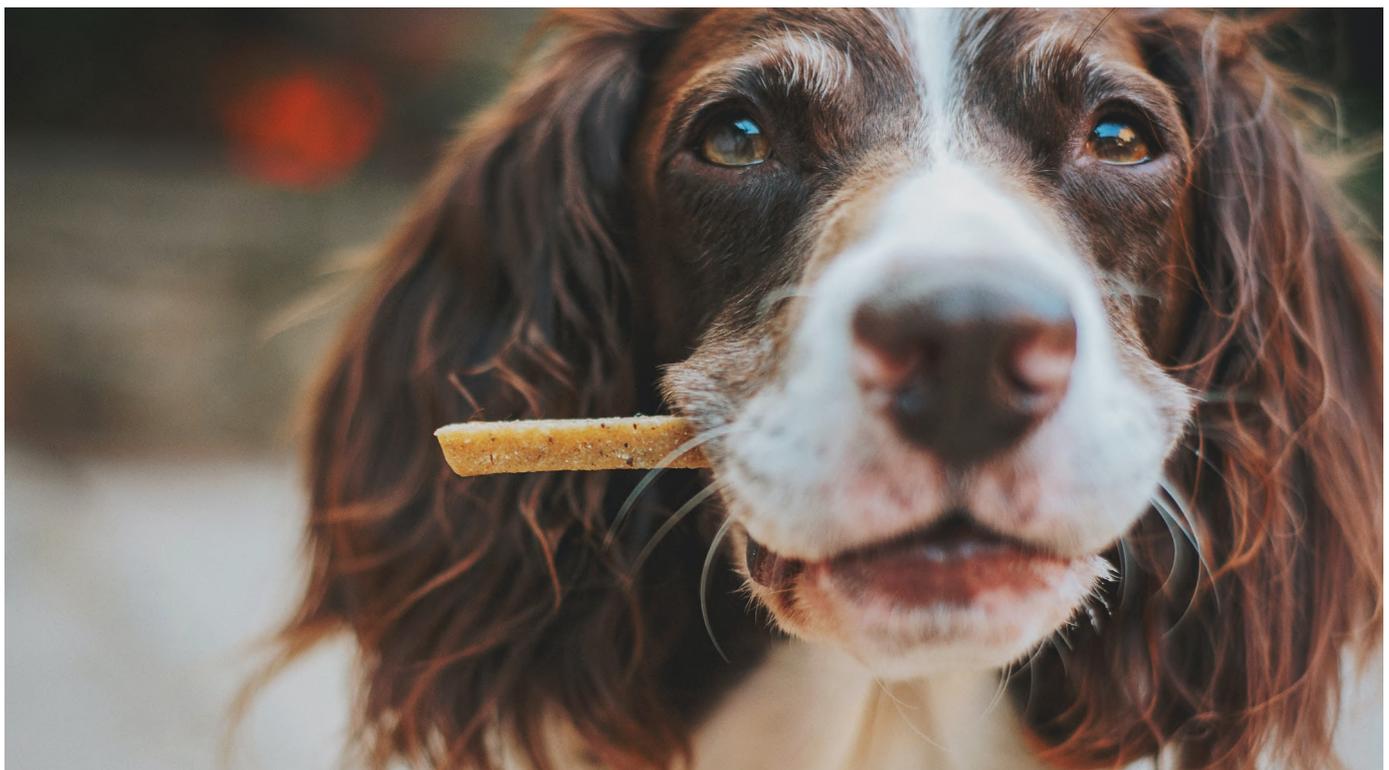
- Certificate of Free Sale
- Product specification
- Certificate of Analysis
- Product label
- Quality Management System Certificate\*

\*ISO, GMP, HACCP, or equivalents held by manufacturing facilities. The quality of the product must conform to the national technical regulations corresponding to each animal species.

**Supplementary feed** refers to individual feeds or a mixture of different feed ingredients added to feed rations (or supplemented into the rearing environment for aquaculture feeds), to balance essential nutrients for animals. For supplementary animal feeds, manufacturers, importers, or distributors must base their declaration on assessment of conformity (carried out by a certified organisation, as designated by provisions of Vietnamese law) before marketing products in Vietnam. Furthermore, manufacturers, importers, or distributors must carry out procedures for product information declaration before being marketed/imported in Vietnam via MARD's dedicated online system. The data requirements for new animal feeds are in accordance with regulatory provisions of Article 11 of Decree No.39/2017/ND-CP.

#### Recent regulatory changes in Vietnam

On July 13 2022, via Decree No. 46/2022/ND-CP ('Decree 46'), a number of changes came into effect with regard to the regulation of animal in Vietnam, several of which can be seen as simplifying and improving the route to market for non-domestic companies exporting feed to Vietnam. Decree 46





amends a number of articles in Decree No. 13/2020/ND-CP providing detailed guidance on the Law on Animal Husbandry.

For example, Decree 46 allows for recognition of testing methods of laboratories located in the exporting countries. This recognition is based on the assessment of a dossier provided by the exporter to the Department of Livestock Production (DLP), with assessment to be completed within 30 days of dossier receipt. If approved, the DLP will issue a decision recognising the exporter's testing method; the decision is then valid for five years. If the dossier received by the DLP does not meet the requirements and the DLP is not satisfied with its content, an in-person assessment is carried out by the DLP at the exporting country's testing laboratory.

Decree 46 also allows for exemption from state inspection of imported animal feeds under certain conditions. After three consecutive import shipments without any conformity issues, and where the subsequent imports are of the same feed product type, produced by the same manufacturers, and brought in by the same importers, such feeds are eligible for exemption from state inspection for a period of one year. During this time, conformity assessments and declarations are not required (exemptions will be suspended if any product circulating on the market is found not to be in conformity with the technical specification as declared).

The Decree also sets out nine categories of feed that are not subject to state inspection when imported.

1. Animal feed temporarily imported for re-export or re-imported for recycling at the request of foreign partners;
2. Animal feed in transit, at border gates, or transshipped;
3. Animal feed from abroad delivered to a bonded warehouse;
4. Animal feed for display at fairs and exhibitions, or for advertising;
5. Animal feed used as samples for analysis in laboratories;
6. Animal feed used as test samples for testing, assessment and certification of conformity with national technical regulations or for inter-laboratory testing;
7. Animal feed for scientific research;
8. Animal feed of inbound persons within the duty free quota;
9. Imported animal feed for urgent requirements as decided by the government or the Prime Minister based on a proposal from MARD.

Although several of these categories are not immediately applicable to companies intending to have large quantities of feed imported into Vietnam, categories such as 4, 5, 6 and 7 in the list can be seen as having the potential to

facilitate entry into the Vietnamese feed industry for foreign companies.

With strong growth anticipated in the livestock and aquaculture sectors in both Thailand and Vietnam over the coming years, these markets are very attractive to potential exporters of animal feed and feed additives. It is apparent that the governments in both markets recognise the importance of the agricultural sector to their wider national economies, and are making strong efforts to disseminate the necessary information for businesses to comply with the necessary regulations, and to simplify where possible the procedures to allow feed (on which this sector's growth depends) to be imported from overseas.



### Dr. Piyatida (Tung) Pukclai

Dr. Piyatida (aka Tung) (Asia-Pacific Business Development & Regulatory Policy Lead at Dr. Knoell Consult Thai Co. Ltd.) Pukclai is currently looking after new regulatory policies and guidance development in various Asian countries. She has oversight of all registrations and regulations including the review of scientific data, and development of regulatory policy in Asian countries for Crop Protection, Chemicals, Biocides, and Animal Health. Tung has been active as a speaker in various international conferences and workshops, and her business development activities for the Asia-Pacific region include client liaison and project management.



### Pascale Canning

Pascale Canning (Senior Regulatory Advisor at Cyton Biosciences Ltd.) has worked at Knoell in their UK Bristol branch for over ten years, overseeing regulatory procedures and carrying out regulatory intelligence research for clients in the animal health industry. She has also organised and presented at regulatory affairs training courses, and is currently responsible for monitoring European regulatory news. With previous employment in publishing and educational environments, Pascale is a current TOPRA editorial board member.