

Japan Machinery Center for Trade and Investment

No.401 Kikai Shinko Kaikan
5-8, Shibakoen 3-chome
Minato-ku, Tokyo 105-0011
Japan

Telephone: 81-3-3431-9230
Facsimile: 81-3-3436-6455
WEB: <http://www.jmcti.org>

September 21, 2021

Vietnam Environment Administration
No.10 Ton That Thuyet Street, Nam Tu Liem District
Ha Noi, Viet Nam

Dear Sirs

The Japan Machinery Center for Trade and Investment (“**JMC**”) is a non-profit organization with the character of a public-interest corporation. It was established in December 1952 in accordance with the Japanese Export and Import Trade Law under the authorization of the Minister of Economy, Trade and Industry of Japan. The objective of JMC is to engage in activities that enhance the common benefit of member companies and promote the sound development of international trade and investment by the machinery industry. JMC comprises member companies engaged in machinery and systems-related exports and foreign investments such as machinery manufacturers, trading houses and engineering companies. At present, the total number of JMC member companies is about 240.

Our committee handles environmental and product safety issues over products for trade and is strongly concerned with overseas environment and product safety-related regulations on products. From this standpoint, we would like to send the attached comment on Draft Decree implementing a number of articles of the Law on Environmental Protection.

If you have any questions, please feel free to contact our secretariat (Mr. Chiaki Morikawa, E-mail: morikawa@jmcti.or.jp).

Sincerely yours,



KANNO Yasuhiko

Chairman
Environment Law Committee

Our comment on Draft Decree implementing a number of articles of the Law on Environmental Protection

September 21, 2021

Dear Sirs,

We, the Japan Machinery Center for Trade and Investment (JMC), would like to express our gratitude to Vietnam Environment Administration for inviting comments via WTO/TBT on the Draft Decree implementing a number of articles of the Law on Environmental Protection.

We are firmly committed to protecting human health, product safety and the environment, as well as complying with various regulations as defined by countries worldwide. In this spirit, we have carefully and conscientiously examined the proposed document regarding Draft Decree implementing a number of articles of the Law on Environmental Protection and would like to offer the following comments toward making the proposed decree more practicable, feasible and permanent, while ensuring appropriate and sufficient protection of the environment. We would greatly appreciate it if you could take them into consideration carefully.

As for Article 97. Provision of information on products and packages

1. In order to promote the recycling system, shared efforts among retailers, government and local municipalities to educate citizens or related stakeholders are a more effective approach to ensure product waste is properly handled, collected and recycled. We do not believe that the recycling symbol could contribute to promote recycling on EEE (Electrical and Electronic Equipment), Machinery, Batteries (hereinafter “products”) recycling. The Recycling symbol is not effective in raising consumer awareness that product waste has to be segregated and that it is prohibited to throw away the products. Therefore, it makes little sense to display the recycling symbol.
2. It is not clear how to deal with the specific requirements for materials, the guidance on classification, collection, reuse, recycling and post-consumption treatment; warning about risks in the recycling, reusing, and handling process of products, as

these statements are not detailed in article 97.

It is also impractical for manufacturers to provide unified information, as these risks will vary depending on available facilities and the capacity of the recyclers.

3. It is difficult for manufacturers to display a Vietnam-specific recycling symbol because products are designed to be common to multiple countries and not necessarily manufactured exclusively for Vietnam, and it is not feasible for importers in Vietnam to indicate them for various types of products with a recycling symbol.

At present, the same products, such as electrical and electronic equipment, are distributed internationally. To ensure smooth distribution, we would like to ask you to avoid the requirement for one country's own recycling symbol.

If, in the future, the use of symbol is unavoidably required, we would ask you to consider using an internationally recognized symbol. We would also like to see the symbol allowed to be displayed on websites and not just on products.

As for Article 88. Recycling rate and specifications

1. Point 7 states that Products and packages must be recycled according to the specifications prescribed in Column 6 of Appendix 55.

As for the specifications prescribed in Column 6 of Appendix 55, we would like to see the requirements for recycling treated as target, not mandatory requirements.

Requirements for recycling processes, such as recycling targets and procedures for dismantling, recycling and recovery, depend on the capacity of contracted recyclers and how governments, municipalities and citizens can support them.

2. Numerical targets for recycling rates have been set, while the rationale is unclear. It is necessary to set a sustainable and realistic target value through demonstration experiments of recycling treatment.

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