



Embassy of the United States of America
Hanoi

June 13, 2012

Dear Chairman Nguyễn Sinh Hùng:

We understand the draft Law on Advertisement (the "draft law") has been submitted to the National Assembly for review. We also understand that there is currently a proposal to add to this draft law a prohibition on advertising of formula milk products designed for children 0-24 months old. It appears to us that, if implemented, this proposal would significantly expand the regulatory regime for formula milk products in Vietnam, increasing the current scope of regulation under Vietnam's Decree 21/2006/ND-CP, which prohibits the advertising of formula milk for children from 0-12 months.

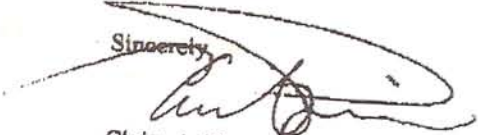
Several U.S. companies have contacted the U.S. Embassy regarding their serious concerns about this proposed prohibition on advertising of formula milk products, which could have a significant negative impact on their business in Vietnam. We share their concerns. In particular, we are concerned that the National Assembly has not had the opportunity to consult with affected stakeholders -- including the public, companies, and the Government -- about the potential impact of this proposal. Vietnamese consumers who are seeking comprehensive information about the nutritional value of the formula milk products they are serving to their children ages 12-24 months may in fact be the most affected by this proposed change. We hope that before the Government of Vietnam makes a significant change to a law that would diverge from the current regulatory practice under Decree 21/2006/ND-CP that all relevant scientific and legal factors have been fully considered. We have not seen a compelling scientific, legal, or economic argument for changing the current regulatory regime for formula milk products under Decree 21/2006/ND-CP.

We ask that the National Assembly fully consider the implications of any changes to the draft Law on Advertisement and engage in a full discussion with affected stakeholders before making any such changes.

His Excellency
Nguyễn Sinh Hùng,
Chairman,
National Assembly,
Hanoi,
Vietnam.

We look forward to our continued and positive engagement with you and the entire National Assembly.

Sincerely,



Claire A. Pierangelo
Chargé d'Affaires, a.i.

cc:

Mdm. Tông Thị Phóng, Vice Chairwoman, National Assembly
Mr. Đào Trọng Thi, Chair of the Committee for Culture and Education for Youth and Children,
National Assembly
Mr. Lê Như Tiến, Vice Chair of the Committee for Culture and Education for Youth and
Children, National Assembly
Mr. Phan Trung Lý, Chair of Law Committee, National Assembly
Mr. Nguyễn Tuấn Anh, Minister of Culture, Sports and Tourism
Mr. Vũ Huy Hoàng, Minister of Trade and Industry
Mdm. Nguyễn Thị Kim Tiến, Minister of Health