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CÁC QUY ĐỊNH VỀ SPS - KIỂM DỊCH ĐỘNG THỰC VẬT NHẬT BẢN ĐỐI VỚI MẶT HÀNG VẢI XUẤT KHẨU CỦA VIỆT NAM: THỰC TRẠNG VÀ GIẢI PHÁP

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Tóm tắt

Nhật Bản là thị trường tiềm năng để Việt Nam xuất khẩu Vải thiều. Tuy nhiên, đây cũng là một trong những thị trường khó tiếp cận nhất, đặc biệt khi hiện nay Nhật Bản gia tăng sự quan tâm tới các tiêu chuẩn an toàn thực phẩm đối với nông sản nhập khẩu. Nghiên cứu này tìm hiểu ảnh hưởng của các biện pháp Vệ sinh và Kiểm dịch động thực vật (SPS) đến hoạt động xuất khẩu vải thiều của Việt Nam. Sử dụng phương pháp nghiên cứu định tính, nghiên cứu của chúng tôi đã đưa ra kết quả cho thấy, mặc dù các biện pháp SPS của Nhật Bản có một số hạn chế đối với xuất khẩu vải thiều của Việt Nam, nhưng nhìn chung, các biện pháp SPS giúp thúc đẩy sản xuất nông nghiệp Việt Nam và khuyến khích xuất khẩu vải thiều của Việt Nam. Nghiên cứu của chúng tôi nhấn mạnh vai trò quan trọng của việc áp dụng các biện pháp SPS trong sản xuất và xuất khẩu vải thiều nhằm giảm bớt các rào cản thương mại đối với Nhật Bản. Kết quả cũng cho thấy người nông dân, doanh nghiệp và chính phủ Việt Nam nên áp dụng khoa học - kỹ thuật hiện đại và các tiêu chuẩn như VietGAP, GlobalGAP trong sản xuất và xuất khẩu Vải thiều. Làm như vậy, Việt Nam có thể tích cực thực hiện một số chiến lược phát triển bền vững chính như “Sản xuất tại Việt Nam” và “Công nghiệp 4.0”

Từ khóa: Vải thiều, xuất khẩu, các biện pháp Vệ sinh và Kiểm dịch động thực vật (SPS)

JAPAN SPS MEASURES ON VIETNAMESE LYCHEE EXPORT: CURRENT SITUATION AND SOLUTIONS

Abstract

As one of the most challenging markets to enter, Japan has increasing concerns about the impact of food safety standards on agricultural trade. However, Japan is a potential market for Vietnam to export Lychee. This paper explores how Sanitary and Phytosanitary (SPS) measures affect Vietnam's Lychee exports. Using the case study research method to determine their impact, our study displayed a range of findings. The results show that, although Japanese SPS measures have some drawbacks on Vietnam's Lychee exports, in overall, these SPS measures promote Vietnamese agricultural production and encourage Vietnamese Lychee exports. Our research highlights the important role the SPS measures have played to reduce the trade barriers to Japan. The findings also suggest that Vietnamese farmers, businesses and government should implement the SPS measures in producing and exporting Lychee. In doing so, the Vietnamese government is able to actively pursue some of its key sustainable development strategies such as "Made in Vietnam" and "Industrial 4.0"

Keyword: Lychee; Export; Sanitary and Phytosanitary measures.

1. Introduction

Commodity export is an activity in the field of distribution and circulation of goods of an extended process of reproduction of goods, for the purpose of linking production and consumption of one country with another. Export is of significant importance to a country with an array of benefits: Creating capital for imports and accumulating and developing production, serving industrialization and modernization of the country, or contributing to economic restructuring, promotes production development.

Recent years, one of the most agricultural products that has been exported is lychee, which targets Japan as one of the most potential markets. However, when entering this market, the products have to overcome the Sanitary and Phytosanitary Measures (SPS measures). As Japan is considered a strict and fastidious nation, the requirements of the importing products are challenging.

As can be seen, exporting lychees has brought about many positive impacts on the economy, especially when it comes to a developed country such as Japan. An array of questions are raised. (1) How strict is the criterias of the SPS measures in Japan when it comes to Vietnamese lychees (2) What are the impacts of the SPS measures on Vietnamese farmers, businesses as well as economy in terms of exporting lychees (3) What can be the solutions to the Vietnamese farmers, businesses when confronting stricts SPS measures of Japan. All of the questions will be clarified in the contents of the below report.

2. Literature review

2.1. Research situation in the world

Due to the fact that lychees spoil quickly, it must be shipped within 24 hours after harvesting to ensure quality. The SPS agreement does not allow the use of excessive preservatives, which makes it much more difficult to export since they are often accidentally crushed. However, according to Sasiwooth Wongmonta, who studies the exportation of Thai food to China, his

research shows that “The results from the sectoral analysis reveal that the restrictiveness of SPS measures has a positive and substantial effect on export volumes. This suggests that non-arbitrary and informative SPS requirements imposed by a large importing country would help facilitate the agricultural trade.”

Even when most of the lychee in the world is produced in Asia, the countries that export most of the lychee are Madagascar, Africa with 35%, and the second place goes to Vietnam with 19%. However, Julie Suberviel and Isabelle Vagneron (2013) have a study about the impact of GlobalGap Certification on lychee farmers in Madagascar which shows that the number of certified farmers soon dropped as the financial support to the exporters dried up. As a result, this could be a change for Vietnam to take place in export lychee.

2.2. Research situation in Vietnam

In Vietnam, a group of students from the Faculty of International Business, Ho Chi Minh City Open University (2015) had used a qualitative research method to show the characteristics that make Vietnam one of the leading lychee export markets in the world. According to the study, Vietnam has strengths in climate, labor force, domestic and international consumption demand, etc. However, challenges cannot be avoided, including tariff barriers.

Also by qualitative research, a study by a group of students from the Institute of International Trade and Economics, National Economics University (2020) goes deeply into the proposal of business plans to export lychee to the Japanese market. Specifically, the team analyzed the macro characteristics of the Japanese market and customer characteristics, thereby proposing strategies related to marketing, price, distribution, implementation planning and budget estimating.

2.3. Common on research gap

Most of the studies in the world are highly general, it researches about the impact of SPS to the import of lychee from different countries with different difficulties and environment. Moreover, Vietnam still does not have much experience in the lychee export industry, so the studies still have not gone into detail and just stopped on the surface.

3. General issues of Japan’s SPS measures on Vietnam lychee products

3.1. Introduction to SPS

Sanitary and phytosanitary measures (SPS), as defined in the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement), was established by the World Trade Organization on 1 January 1995. Its main concern is the application of regulations on food safety and animal and plant health.

Article 2 of the SPS Agreement allows countries to set their own standards on policies relating to food safety, as well as animal and plant health. WTO members, however, should base their standards on Codex Alimentarius Commission¹ (Codex), World Organization for Animal Health²

¹ The Codex Alimentarius Commission (CAC) is an intergovernmental body whose aim is to protect the health of consumers and to facilitate the trade of food by setting international standards on foods.

² The World Organisation for Animal Health is an intergovernmental organization coordinating, supporting and promoting animal disease control.

(OIE) and the Secretariat of the International Plant Protection Convention³ (IPPC). Moreover, to avoid arbitrary or unjustifiable discrimination between countries, SPS measures should be applied only to the extent necessary to protect human, animal or plant life or health.

Different standards and methods of inspecting products are allowed under the Agreement.

3.2. *Purposes of SPS*

According to the Agreement, any SPS measure should follow 4 main purposes:

- To protect human or animal life from risks arising from additives, contaminants, toxins or disease-causing organisms in their food;
- To protect human life from plant- or animal-carried diseases;
- To protect animal or plant life from pests, diseases, or disease-causing organisms;
- To prevent or limit other damage to a country from the entry, establishment or spread of pests.

The SPS Agreement also covers the protection of the health of fish and wild fauna, as well as of forests and wild flora. However, measures for environmental protection (other than as defined above), to protect consumer interests, or for animal welfare are not covered, instead addressed by other WTO Agreements.

3.3. *Impacts of SPS measures on export products*

Economically, not all SPS measures have negative impacts on international trade. Some measures reduce costs by requesting clear information about safety, quality and specifications of products between partners and customers (Non-tariff measures to trade: Economic and Policy issues for Developing countries – Unctad 2013). SPS measures also enable small and medium enterprises to enter the global market, while allowing governments to impose legitimate restrictions concerning health and prevention of deceptive practices.

However, most SPS measures act as a barrier to trade, as they increase costs for enterprises to meet the specifications, which are often non-transparent, discriminatory and unwarranted. For example, the local government can constantly replace SPS documents to hinder export activities of specific enterprises or countries. This poses a huge threat for developing countries, or ones that rely on few main exporting products.

3.4. *Japan's SPS regulations on Vietnam's export lychee products*

Luc Ngan lychee was first officially exported to Japan in January 2020, after 5 years of negotiating and forming agreements with MAFF. Vietnam SPS Notification Authority and Enquiry Point (2019) stated that Vietnamese lychee is constantly being under strict phytosanitary measurements:

- Lychee must be grown in gardens inspected, supervised and issued by the Department of Plant Protection, complying with Japanese regulations on plant quarantine and food safety.

³ The International Plant Protection Convention is a 1951 multilateral treaty that aims to secure coordinated, effective action to prevent and to control the introduction and spread of pests of plants and plant products.

- Lots of lychee fruit for export must be packed and treated with fumigation with Methyl Bromide at facilities recognized by the Plant Protection Department and MAFF with a minimum dosage of 32g/m³ for two hours under supervision, survey by Vietnamese and Japanese plant quarantine officers.
- Batches of lychee exported for export must be accompanied by a Phytosanitary Certificate issued by the Plant Protection Department.

3.5. Changes in Japan's SPS regulations in Covid-19 Pandemic

The Japan SPS Regulations, especially the measures taken on Vietnamese lychee products, do not change much under the Covid-19 Pandemic. The original regulations were designed to work well under disease conditions, including human-related ones. The main difference is the acceptance of electronic SPS certificates for certain products, allowing for faster and easier access for some necessary goods.

4. Vietnam's Lychee export and production situation

4.1. Situation of lychee production in Vietnam

The lychee growing areas of Vietnam are concentrated in the North and some areas in the South of Viet Nam. The lychee growing provinces include Lao Cai, Lang Son, Tuyen Quang, Thai Nguyen, Hanoi, Hoa Binh, Vinh Phuc, Hai Duong, Hung Yen, Ha Nam, Bac Giang, Ninh Binh, Quang Ninh, Thanh Hoa and Phu Tho. However, due to weather conditions, only Hai Duong, Hung Yen and Bac Giang are provinces with high output and quality for export.

More specifically, according to, the total lychee production of Bac Giang province in 2021 was consumed at 215,852 tons, an increase of over 50,850 tons, equivalent to 30.8% compared with the previous year. In which, consumption of early ripening litchi reached 58,805 tons, an increase of 11,130 tons, equivalent to 23.35%; main season lychee consumption reached over 157,047 tons, an increase of 39,722 tons, equivalent to 33.86%, compared to the previous year.⁴ In the coming time, with the hope that Vietnamese people will get used to the “new normal” life in the context of the complicated covid 19 situation, the domestic consumption of lychee is expected to increase slightly.

Lychee is consumed throughout the country and is available at most supermarkets (BigC, Mega Market, Saigon Coop, Hapro, Aeon, Lotte, Vinmart...), trade centers, convenience stores, wholesale markets (Thu Duc, Binh Dien, Hoc Mon - Ho Chi Minh City, Dau Giay - Dong Nai, Hoa Cuong - Da Nang...) and traditional markets through traders, businesses, retail groups....

⁴ The data is provided by the Department of Industry and Trade of Bac Giang province

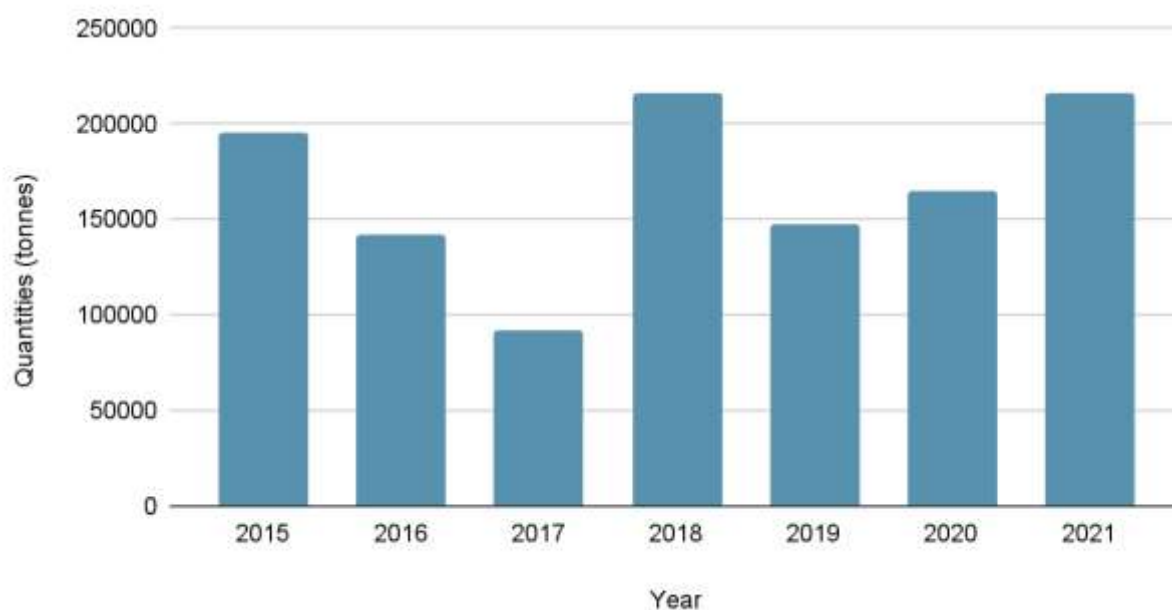


Figure 1. Lychee production of Bac Giang from 2015 to present

Source: People's Committee of Bac Giang Province report year by year

4.2. Vietnam's lychee export situation

4.2.1. To countries around the world

The export market is stable, lychee fruit has affirmed its brand, positioned its value in many countries and territories around the world, and is well received and appreciated by consumers in other countries. Luc Ngan Bac Giang lychee has been granted a Geographical Indication Protection Certificate by Japan. Total export volume in 2021 will reach 89,300 tons (accounting for 41.4% of total consumption). Lychee is mainly exported to the traditional market of China and other countries and regions such as the EU, the US, Australia, Japan, Korea, Southeast Asian countries, the Middle East, etc. The markets of Japan, the EU (Germany, France, Belgium, the Netherlands...) have exported dozen times more than that in 2020; Southeast Asia is also expanding exports with the largest output ever with nearly 5,000 tons.

In the early harvest season, Bac Giang has gathered 2,000 tons of lychees, half of which has been exported. The major importer of lychees from Vietnam is China.

In 2021, Vietnam hopes to sell 20,000 tons of lychees to China, Japan, Australia, the European Union, and the United States.

4.2.2. To Japan

In 2020, the export volume of lychee to Japan reached 900 tons, accounting for 1.2% of export volume. It is expected that by the end of 2021, 1,000 tons of lychee will be exported to Japan.⁵

The lychees were cultivated and exported by the Global Export and Import Foodstuff Joint Stock Company and Chanh Thu Export and Import Fruit Company in the province's Tan Yen

⁵ The data is provided by the Industry and Trade Promotion Center of Bac Giang Province

District. This year, the two firms claimed they will ship more Bac Giang lychees to Japan by air and sea.

Tan Yen District grows lychees on 1,300 hectares and anticipates harvesting 14,000 tons this year. Its early harvest season runs until the middle of June. According to Mr. Nguyen Viet Toan, the chairman of the district People's Committee, everyone who has interacted with Covid-19 patients has been quarantined, checkpoints have been set up on roads leading to lychee cultivation areas, and every visitor's health is being checked to make sure the gardens are not influenced by the pandemic.

Japanese professionals are required to monitor phytosanitary certification of exported goods in Vietnam under laws imposed by Japan's Ministry of Agriculture, Forestry, and Fisheries. However, because Japanese specialists are now unable to visit the nation, Japan has allowed Vietnam's Plant Protection Department⁶ to do so during the pandemic.

4.2.3. The potential of promoting Vietnam's lychee exports to Japan after Covid-19 pandemic

According to the assessment of experts as well as foreign partners, Vietnamese lychee has resonated after a year of entering the Japanese market. Many Japanese people have praised the freshness of Vietnamese lychees and also bought them for family and friends. The story of Vietnam's fresh lychee fruit is often exchanged by many Japanese and Vietnamese people in Japan and has become the topic of "gift-making" talk before the main business exchange. Besides, the increasing number of Vietnamese people in Japan year by year also contributes to increasing the demand to buy and eat lychee in Japan. As of June 2020, there are a total of 420,415 Vietnamese nationals living in Japan (this number has now surpassed 448,000 in early 2021). Among them, men accounted for about 56.7% (238,540 people) and women accounted for 43.3% (181,875 people)⁷.

Moreover, the Vietnam Trade Office in Japan soon carried out promotional activities, promoting the image of Vietnamese lychees in Tokyo and many other localities of Japan, such as coordinating with the import focal point of the Japanese side. The program to buy lychees in the form of online is popular in the community in the 4.0 era⁸. At the same time, it is actively calling for Japanese businesses to pay attention to invest in modern technologies to help handle and preserve fresh lychee more effectively.

5. The impacts of SPS measures on Vietnamese Lychee export to Japan

5.1. Present situation of applying SPS measures

The increasingly complicated developments of the Covid-19 pandemic has caused Japan to have officially authorized the Plant Protection Department of VietNam with the aim of supervising lychee exports to the Japanese market.

According to the Plant Protection Department, Japan has granted Vietnam's plant quarantine agency authorization to supervise and sterilize Vietnamese lychee exportation to its country this year. This means that before the commodities arrive in Japan, the Plant Protection Department is

⁶ Vietnam's Plant Protection Department: access at <https://www.ppd.gov.vn/>, (last accessed on 24/09/2021)

⁷ The data is compiled by the Ministry of Justice of Japan

⁸ The 4.0 era: focuses on digital technology from recent decades to a whole new level with the help of connectivity through the Internet of Things, real-time data access and the introduction of systems cyber physics.

in charge of assigning a quarantine team to the given locations. For this year's lychee crop, the Plant Protection Department is investigating and evaluating two lychee processing companies in Hai Duong and another certified firm in Bac Giang.

The preparation for the lychee producing area, as well as the fumigation and sterilization processes, are now complete and ready for shipment. In addition to those that have previously collaborated in the export of lychee, the Plant Protection Department is working with businesses to coordinate with communities in registering area codes to acquire lychee for export.

To this point, the lychee production zone, as well as their fumigation and sterilization procedures, have all been correctly set up, ensuring that they will meet the Japanese market standard. In light of the increasing complexity of the Covid-19 epidemic, the leaders of the Ministry of Agriculture have received urgent directives to plan good product consumption and sustain the supply chain of lychee exports to Japan and China.

5.2. Positive impacts of SPS measures on Vietnamese Lychee export to Japan

5.2.1 Impacts on farmers

When exporting lychees from Vietnam to Japan, it is evident that the SPS measures have some significant impacts on farmers since the need to consider all the criterias and requirements of the host countries, especially when it comes to a developed country like Japan.

As can be seen, Japan is considered to be a fastidious market, requiring high quality goods, and the Japanese permission to export Vietnamese lychee fruit to their market is significantly important. This is due to the fact that the permission of Japan is the affirmation of the prestige of Vietnamese fresh fruits, which is an appreciation of Vietnamese farmers. Thus, it will provide an impetus for them to have more high-quality production with the fruit.

In fact, due to the pressure of producing lychees that meet the criteria of the Japanese SPS measures, farmers are constantly coming up with new solutions to make a new improvement with the aim of enhancing productivity, quality and value of the lychees as well as reducing labor days at the same time.

5.2.2. Impacts on export business

There are also positive impacts on the export business, but only when it successfully meets all the requirements of Japan SPS measures. This in turn will increase the reputation as well as the prestige for the firms. The firms will then gain more attraction and be able to boost their sales.

In addition, high SPS standards also encourage businesses to be properly aware of the importance of controlling the quality of raw materials and improving product quality. Thus, this leads to Vietnamese businesses being more proactive in capturing and meeting the standard, helps orient and create pressure on them to reform.

We can see that, in 2021, there are five enterprises in Bac Giang province, which is noted for lychee growing, joining hands to help purchase and export the fruit to Japan, according to the provincial Department of Agriculture and Rural Development. The enterprises include Chanh Thu Fruit Import and Export Co., Ltd, Ameii Vietnam Joint Stock Company, Rong Do production, trade and service Co, Ltd, the Global Food Import- Export Joint Stock Company, and Bamboo Company. They are all big businesses with great reputations.

5.2.3. Impacts on economy

In general, from the influences of SPS measures on the farmers and the businesses, we also can see that those measures will also have similar impacts on the economy in general.

First, the fact that Vietnamese lychees pass strict requirements of Japan SPS will create a considerable increase in the reputation and prestige of the country. This in turn will help the country gain more attraction from other countries having demand for this agricultural product.

In turn, it is evident that the value of Vietnamese lychees will then increase. When being appreciated as high-quality products, the businesses can consider increasing the price of the lychees when exporting to other countries, which also have a positive impact on the economy.

5.3. The negative impacts of SPS measures on Vietnamese Lychee export to Japan

5.3.1. Impacts on farmers

Japan is a market with high standards on food hygiene and safety, especially in agricultural and aquatic products which are imported from other countries. The domestic production of lychee in Japan is only 5% and there are only a few locations in Japan, Shintomi as an example, which has a suitable climate to grow lychee. Because of that, Japan has to import almost all of the fresh lychee from other countries. However, Japan only allows the import of products that meet the set standards, which would make it hard for the farmers in Vietnam to fit in with the criteria that Japan has provided.

First of all, farmers need to access information about the needs and requirements of the market. Japan only accepts high-quality products produced and exported from countries that meet its standards. Therefore, farmers need to produce methodically and to have a specialized raw material area, which meets the international standards. Specifically, the Japanese Ministry of Agriculture, Forestry and Fisheries (MAFF) requires that fresh lychees exported to Japan must be grown in gardens that are inspected, supervised by the Plant Protection Department and issued a planting area code, meeting the regulations on Japan's plant quarantine and food safety (Van phong SPS Viet Nam). As a result, according to Mr. Ta Duc Minh – a Vietnamese Trade Counselor in Japan, he said that it took Vietnam more than 5 years to negotiate, implement strict regulations and standards from the selection of lychee varieties, register planting area, fertilize the soil, kill pests, harvest, then look for export partners, negotiate prices... to successfully penetrated the Japanese market. (Ministry of industry and trade of the socialist republic of Vietnam, 2021).

After that, farmers will have to put a large amount of money and effort into producing the lychee that can be exported to Japan. Nevertheless, just a few of them could pass the SPS of Japan and be imported into Japan, while the other took the same amount of money but can only be sold domestically with a lower price. For example, in 2021, the price of lychee in Japan is around 350,000 – 450,000 VND/kg, while the price of lychee in Vietnam is only around 19,800 VND/kg. If the amount of lychee export is not enough to cover the cost of production, the farmers could suffer greatly.

5.3.2. Impacts on export business

Economic barriers are not only a risk but also affect Vietnam's exports business. Vietnamese enterprises are facing increasingly strict barriers even in free trade markets such as Japan. It is true that all businesses, especially small and medium enterprises, have to face great challenges of

accessing information related to standards, compliance, different and frequently changing standards of major import markets, especially when technical methods can change quickly.

One of the main impacts of SPS to Vietnam's export business is the increase in cost. The enterprise must bear the cost related to inspection, certification or examination by a laboratory or certification body, or call the cost of conformity assessment. Export businesses also have to pay for information costs, which includes the costs of assessing the technical impact of regulations abroad, interpreting and disseminating product information, and training of experts. The information cost in foreign technical standard systems is significantly high and complicated, especially when most Vietnamese enterprises are small and medium companies; therefore they might make mistakes while applying the application of technical standards and regulations. Many small businesses do not know how to apply the appropriate standards and assess whether the product has met standards that the Japanese market needs or not. Therefore, they have to spend a substantial amount of time and money fees to learn about SPS agreements. (Anh, Thanh, 2014).

5.3.3. Impacts on the economy

Not only to the farmers and the business, SPS of Japan also affected the Vietnamese economy in many different ways. Excessive demands, discrimination or inappropriate specifications can reduce competition, inhibiting innovation and commerce.

It is a fact that the SPS causes Vietnamese lychee a certain time to penetrate the Japanese market. This is due to Japan's unreasonable and impossible SPS measures which make it hard for Vietnam to penetrate. This can be seen in a document sent to Hai Duong and Bac Giang Department of Industry and Trade; the Ministry of Industry and Trade said that it received Note No. 02/shouan/333 dated April 20, 2020 from the Japanese MAFF announced that it could not send experts from the Plant Protection Department of Japan to Vietnam to inspect and recognize the disinfection treatment system of Vietnam's exported fresh lychee due to the impact of the Covid-19 epidemic. Therefore, the export of Vietnam's fresh lychee fruit to Japan for the first time will not be possible in 2020 (Thanh, 2020). As a result, Vietnam has to sell high quality lychee with a lower price in different markets, which will reduce the enthusiasm of investors, entrepreneurs are also hesitant to promote production and business activities. This makes an impact on economic growth, trade and investment.

In conclusion, even after successfully penetrating the market, it is extremely difficult to keep the market in long-term and sustainable condition. The Japanese market is a notoriously difficult market; therefore, if the quality of lychees exported to Japan does not meet the standards for any reason, whether it is from the farmer's side or the exporter's side, only one batch is needed, the efforts of farmers for high quality lychee will be pointless. Because of that, for the sake of the sustainable development of the Japanese market, there should be a synchronous connection from the stage of cultivation, processing, preservation, transportation and exportation to ensure that the fresh lychees are keep fresh, thereby maintaining the brand and the market, said by Mr. Ta Duc Minh (Ministry of industry and trade of the socialist republic of Vietnam, 2021).

6. The solutions

6.1. The solutions that have been applied

6.1.1. The solutions to take advantage of the positive impacts

For farmers

Vietnam has a suitable tropical climate and a lot of experienced farmers in growing lychees. Therefore, farmers should develop lychee production in the direction of making the most of the natural resources and human resources. Farmers need to expand the entire lychee growing area with good agricultural production practices according to VietGAP and GlobalGAP standards. Only in this way can we provide not only for export but also for the Vietnamese people quality lychees, ensuring food safety, and easy traceability which will be increasingly chosen by Japanese consumers and easily accessible to fastidious markets like Japan.

For Businesses

Innovation in production technology is one of the most important solutions to improve the competitiveness of Vietnam's lychee export industry in recent days. Technology reduces production costs and improves quality, therefore, helping Vietnamese lychees meet Japanese standards. To overcome barriers from SPS, businesses need to have an effective production strategy in choosing suitable lychee products, focusing on research and development of new products from lychees, modernizing the design stage and selecting suitable management systems for businesses.

Enterprises need to expand and strengthen the relationships between domestic enterprises and foreign enterprises, especially multinational organizations. The businesses should improve market research and strengthen trade promotion activities. This will help businesses proactively deal with and overcome barriers in international trade.

For the Government

Building a national standard system is very important in promoting the activities of enterprises to meet Japanese requirements as well as improving competitiveness and business prestige when participating in the Japanese market. An environmental standard system built on a scientific basis, in compliance with international standards, taking into account the specific conditions of domestic enterprises will be an effective tool for businesses and farmers to apply for effective production and meet the SPS standards.

To fully meet the regulations and product standards of exporting countries, Vietnam needs to take measures such as reviewing agreements on Japan regulations and SPS standards related to the lychees exporting in order to protect the rights of Vietnamese businesses.

6.1.2. The solutions to minimize the negative impacts

For farmers

Because our country's current land bank for cultivation has been increasingly narrowed due to urbanization and industrialization. Besides, the productivity of most of the lychee production areas is basically at the ceiling level and there is very little room for value increase in terms of productivity. Therefore, in order to increase the value of the lychee, farmers need to apply scientific achievement and advanced cultivation technology to improve productivity, reduce production costs and increase the quality of lychee.

For Businesses

The current difficulty of Vietnamese enterprises is limited access to market and product information sources about Japan's standards and SPS measures applied to lychee products. Therefore, besides the information support from the government, businesses need to be proactive in accessing information sources through the mass media, international communication systems and organizations. Understanding the standards will help businesses practice in a proper way and make it easier to access Japan's market.

Currently, Vietnamese enterprises are often organized in an improper way which limits the ability to predict barriers that may arise. Therefore, an immediate requirement is to renovate the operation method of Vietnamese enterprises. Vietnamese businesses should innovate the way of management, planning and production to make the most of the government's incentives. Along with that, they also need to apply standards of Japan to improve the quality of lychee fruit. Enterprises themselves also improve the quality of staff on foreign trade operations, market research, product promotion policies for brand building and brand development.

For the government

The government needs to open training and propaganda campaigns, disseminate regulations and standards on plant quarantine of Japan for managers and businesses to show businesses the importance of these regulations and standards when exporting lychee. In addition, the government needs to raise awareness of the benefits that meeting SPS measures brings to Vietnam and businesses and the relationship between the environment and sustainable development.

6.2. The special solutions in the Covid-19 pandemic.

To protect lychee production areas from the Covid-19 epidemic and ensure supply chain, the government has drastically implemented synchronous measures to control the Covid-19 epidemic in the entire lychee growing and production areas such as making a list and doing the medical checks for all farmers, workers, transport drivers and all production and packaging establishments. In addition, the government has to fully prepare conditions for favorable lychee consumption, especially the conditions for lychee exportation to prove that Vietnam's export lychee is safe for both the pandemic and SPS measures.

During the Covid-19 epidemic, the biggest risk for lychee products has to do with is the control of product quality during transportation. To face these problems, export companies need to choose for themselves the best and most convenient shipping method - air transportation. In addition, CAS, a Japanese rapid freezing technology, is a leading choice in lychee preservation. Besides, exporting enterprises also need to invest, research and produce products made from lychees but with higher value and longer preservation time such as lychee tea, canned lychee juice or lotion from lychee, etc...

7. Conclusion

The SPS Agreement was introduced by the WTO in 1995 to protect the life and health of humans as well as plants and animals. The research paper thoroughly investigated the SPS measures imposed by the Japan government on Vietnamese export of lychee to the Japanese market. According to the research paper, new solutions during the Covid-19 time need to be introduced to help farmers and businesses increase productivity and quality of lychee products to satisfy the entrance barriers of the Japanese markets. The Vietnamese and Japanese governments also need to cooperate to establish lower regulations for lychee export, especially when the

pandemic has heavily restricted export worldwide. With good control, the lychee export could be greatly enhanced and open to other potential markets around the globe.

As the time and resource conditions are limited, some parts of this research are not of high conviction, and some problems are not thoroughly investigated. We highly appreciate the reviews and comments of the readers to excel this research.

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