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A comparative study of Vietnamese and Chinese law in sanctions against producers of defective goods

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Abstract

This study explores the legal sanctions imposed on producers of defective goods in Vietnam and the People's Republic of China, with a particular focus on Vietnam's 2023 Law on Consumer Protection. Against the backdrop of rising consumer awareness and regulatory reform, the paper investigates how both jurisdictions address product safety through civil liability, administrative enforcement, criminal penalties, and recall mechanisms. The objective is to assess the effectiveness and coherence of Vietnam's evolving legal framework by comparing it with China's more mature and institutionalized regime. Methodologically, the study draws on statutory analysis, doctrinal interpretation, and selected case studies to map convergence and divergence in legal design and enforcement practice. It finds that while both systems share a commitment to consumer rights, China's integrated enforcement architecture and proactive recall system offer valuable lessons for Vietnam's implementation of its 2023 reforms. The research highlights gaps in Vietnam's institutional capacity and enforcement coordination, suggesting targeted improvements in regulatory oversight and judicial remedies. By offering comparative insights and policy recommendations, the paper contributes to the broader discourse on consumer protection law and product safety governance. It is intended for legal scholars, policymakers, and practitioners seeking to strengthen Vietnam's consumer protection regime through informed, context-sensitive reform.

Keywords: Administrative enforcement, consumer protection, comparative law, defective goods, product liability

1. Introduction

The manufacture, distribution, and sale of defective products pose serious risks to consumer welfare, ranging from personal injury and property damage to broader public health crises and economic disruption. Legal systems respond to these harms by imposing sanctions on producers, providing civil compensation, administering administrative penalties such as mandatory recalls, and, in severe cases, imposing criminal liability. Yet the effectiveness of these sanctions depends not only on statutory provisions but also on the institutional architecture, enforcement capacity, evidentiary standards, and the socio-political context in which they operate ^[1]. Vietnam's consumer protection regime has undergone significant reform with the promulgation of the Law on Protection of Consumer Rights No. 19/2023/QH15, ^[2] which took effect on July 1, 2024. This law replaced the 2010 statute ^[3] and reflects a broader effort to modernize Vietnam's legal infrastructure in line with global standards. Notable innovations include the formal recognition of vulnerable consumers, expanded obligations for traders operating in digital environments, and clearer provisions on consumer information protection. However, despite these advances, gaps remain in enforcement coordination, recall procedures, and judicial remedies, areas that have long challenged Vietnam's regulatory institutions.

This article undertakes a comparative study of Vietnam and the People's Republic of China, focusing on legal sanctions against producers of defective goods.

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¹ Vision & Associates, "Legal Update Paper – New Law on Protection of Consumers' Rights," August 11, 2023, <https://vision-associates.com/wp-content/uploads/2023/11/LEGAL-UPDATE-PAPER-New-Law-on-Protection-of-Consumers-Rights.pdf>.

² Law on Protection of Consumer Rights No. 19/2023/QH15 (Vietnam)

³ Law on Protection of Consumers' Rights No. 59/2010/QH12 (Vietnam)

China's product safety regime, anchored in the Product Quality Law (1993, amended 2000) ^[4] and the Consumer Rights Protection Law (amended 2013) ^[5], offers a valuable reference point. Over the past two decades, China has transitioned from a planned economy to a more market-oriented system, accompanied by substantial legal reforms that have strengthened consumer rights and institutional enforcement ^[6]. The study analyzes statutory frameworks, civil liability regimes, administrative enforcement and recall mechanisms, criminal sanctions, and practical enforcement realities in both jurisdictions. Drawing on doctrinal sources, institutional analysis, and illustrative case studies, it identifies points of convergence and divergence and develops policy recommendations tailored to Vietnam's evolving legal landscape. The objective is not to transplant Chinese law wholesale, but to distill transferable lessons that can inform Vietnam's implementation of its 2023 reforms. By situating Vietnam's legal evolution within a broader comparative context, the article contributes to scholarly and policy debates on product safety governance, regulatory design, and consumer law reform.

2. Legal Framework on Sanctions against Producers in Vietnam: Vietnam's legal framework governing sanctions against producers of defective goods has evolved gradually, shaped by the country's transition from a centrally planned economy to a market-oriented system and its growing integration into global trade networks. Historically, consumer protection and product liability were not distinct legal domains in Vietnam before the 1990s. The legal system was primarily focused on state control of production and distribution, with limited recognition of individual consumer rights or private remedies for harm caused by defective goods. The turning point came in the early 2000s, as Vietnam accelerated its economic liberalization and sought membership in the World Trade Organization (WTO). This shift necessitated the development of legal instruments that aligned with international standards on product safety, consumer protection, and liability. The Civil Code of 2005 (later revised in 2015) introduced foundational provisions on tort liability, including Article 608, which established the principle that individuals and organizations are liable for damage caused by their acts or omissions, including harm resulting from defective products ^[7]. However, these provisions remained general and lacked procedural specificity.

Recognizing the need for a dedicated consumer protection regime, the National Assembly enacted the Law on Protection of Consumer Rights (LPCR) in 2010, which took

effect on July 1, 2011 ^[8]. This law marked Vietnam's first comprehensive attempt to codify consumer rights, producer obligations, and enforcement mechanisms. It introduced administrative sanctions, recall procedures, and dispute resolution frameworks, while also assigning regulatory responsibilities to agencies such as the Ministry of Industry and Trade (MOIT) and the Vietnam Competition Authority. The LPCR was motivated by increasing consumer demand for safety and transparency, as well as Vietnam's commitment to harmonize its legal system with ASEAN and WTO norms ^[9]. Despite its significance, the 2010 LPCR faced criticism for its limited scope and weak enforcement. A study by Nguyen Thi Que Anh and Bich Thao Nguyen noted that Vietnam lacked a coherent body of product liability law grounded in theoretical foundations, and that judicial application of the LPCR remained inconsistent.¹⁰ These shortcomings, coupled with the rise of digital commerce and complex supply chains, prompted a significant revision of the LPCR in 2023. The new law, No. 19/2023/QH15, expands protections for vulnerable consumers, strengthens recall obligations, and introduces more explicit liability rules for online traders.¹¹ Vietnam's legal framework on sanctions against producers is thus the product of incremental reform, driven by economic modernization, international legal harmonization, and domestic demand for consumer safety. While significant progress has been made, challenges persist in enforcement coordination, judicial capacity, and regulatory integration, issues that this study aims to address through a comparative analysis with China's more centralized and mature regime.

2.1. Legal Objectives of Sanctions

Sanctions imposed on producers of defective goods serve functions that extend beyond punishment. They protect consumer welfare, safeguard market integrity, and enforce institutional accountability. In Vietnam, where regulatory reform is still in its early stages, sanctions serve as both instruments of justice and drivers of systemic change in market governance. The principle of compensatory justice lies at the core of this framework. Victims of defective products, whether injured physically, harmed psychologically, or burdened with property loss, are entitled to redress. Vietnam's Civil Code (2015), particularly Article 608, provides a broad basis for such claims. Yet its generality demands reliance on sectoral laws for clarity and enforcement. This interplay between general principles and specific statutes reflects the dual need for stability and flexibility in addressing consumer harm. Sanctions also deter misconduct. The threat of civil liability, administrative penalties, and criminal prosecution compels producers to account for risks ^[12]. Vietnam's 2023 revision of the Law on

⁴ China. Product Quality Law of the People's Republic of China. Adopted February 22, 1993, and amended July 8, 2000. Accessed August 25, 2025. https://en.most.gov.cn/policies/regulations/200501/t20050105_18422.htm.

⁵ China. Law of the People's Republic of China on Protection of Consumer Rights and Interests. Amended October 25, 2013. Effective March 15, 2014. Accessed August 25, 2025.

<https://www.wipo.int/wipolex/en/legislation/details/14091>.

⁶ Mary Ip & Brenda Marshall, "Evolution of Chinese Consumer Protection: Through the Lens of Product Quality Laws," *Bond Law Review* 26, no. 2 (2014): 3–28.

<https://classic.austlii.edu.au/au/journals/BondLawRw/2014/8.pdf>.

⁷ SNB Law, "Product Liability Regulation in Vietnam," March 2022, [https://en.snb-](https://en.snb-law.de/files/snb/content/Aktuelles/2022/SNB%20LAW%20Vietnam%20-%20Product%20Liability%20March%202022.pdf)

[law.de/files/snb/content/Aktuelles/2022/SNB%20LAW%20Vietnam%20-%20Product%20Liability%20March%202022.pdf](https://en.snb-law.de/files/snb/content/Aktuelles/2022/SNB%20LAW%20Vietnam%20-%20Product%20Liability%20March%202022.pdf).

⁸ Vietnam National Assembly, Law on Protection of Consumer Rights No. 59/2010/QH12, Nov. 17, 2010.

⁹ Vietnam Competition Authority, "Overview of the Law on Protection of Consumer Rights," https://www.aseanconsumer.org/file/post_image/Overview%20of%20CP%20Viet%20Nam.pdf.

¹⁰ Nguyen Thi Que Anh & Bich Thao Nguyen, "Product Liability Law: From Theory to Practice in Vietnam," *VNU Journal of Science: Legal Studies* 36, no. 3 (2020), <https://js.vnu.edu.vn/LS/article/view/4310>.

¹¹ Vietnam National Assembly, Law on Protection of Consumer Rights No. 19/2023/QH15, June 20, 2023, <https://apolatlegal.com/wp-content/uploads/2025/05/Law-On-Protection-of-Consumer-Rights-2023.pdf>.

¹² Le, Ha Thanh, Dung Phuong Hoang, Thang Ngoc Doan, Chuong Hong Pham, and Thanh Trung To. "Global economic sanctions, global value

Protection of Consumer Rights exemplifies this deterrent function. By expanding trader obligations and mandating stricter recall protocols, domestic law is more closely aligned with international practice. However, deterrence depends on enforcement, which remains uneven. Limited prosecutorial follow-through and inconsistent oversight dilute the credibility of these measures.

Corrective and restorative aims are equally significant. Sanctions ensure the removal of unsafe goods, the redesign of defective products, and the recall of hazardous items. The 2025 amendment to the *Law on Product and Goods Quality* marks a significant shift in Vietnam's regulatory philosophy, introducing a risk-based model that aligns with international standards, such as ISO 31000. This model categorizes products into three risk tiers low, medium, and high based on their potential harm to human health, environmental impact, and supply chain control^[13]. It also legalizes digital product passports and mandates traceability for high-risk goods, reflecting Vietnam's commitment to modernizing its quality infrastructure and aligning with WTO/TBT principles^[14]. These innovations enable more targeted interventions; however, persistent weaknesses in recall infrastructure and fragmented coordination among agencies continue to hinder effective implementation^[15]. In cases of egregious misconduct, such as the production of counterfeit pharmaceuticals or the deliberate distribution of substandard goods, sanctions take on a retributive dimension. Vietnam's Criminal Code (2015)^[16], as amended in 2017^[17], addresses such acts under Article 195 (offenses related to counterfeit goods) and Article 235 (violations causing serious harm to public health or safety)^[18]. However, criminal enforcement remains rare and often selective, raising concerns that retributive justice in this domain may be more symbolic than substantive^[19]. Finally, sanctions facilitate institutional learning. Enforcement actions can reveal systemic failures, prompt legislative reform, and update technical standards to ensure compliance. Yet Vietnam's enforcement landscape remains fragmented, spread across ministries, provincial authorities, and regulatory agencies. Without stronger coordination and data sharing, opportunities for policy learning are lost. The 2023 revision of the *Law on Protection of Consumer Rights*

(LPCR) acknowledges this challenge by introducing provisions aimed at improving inter-agency cooperation and prioritizing the protection of vulnerable consumers^[20]. However, enforcement remains uneven, and the lack of centralized oversight continues to hinder effective implementation^[21]. A peer-reviewed analysis of Vietnam's enforcement practices highlights the need for institutional reform, noting that enforcement capacity varies significantly across provinces and that dispute resolution mechanisms remain underutilized^[22]. Vietnam has made progress in aligning its system with global norms, particularly through its adoption of risk-based regulation and technical conformity standards^[23]. Still, the effectiveness of sanctions depends less on their statutory design than on their consistent and transparent application, which requires both legal refinement and stronger institutional capacity^[24].

2.2. Vietnam's Legal Framework: A Fragmented Architecture: Vietnam's legal framework for product safety and liability is marked by a fragmented and multi-tiered structure, dispersed across numerous statutes and institutions with overlapping and, at times, competing mandates. The Civil Code of 2015 establishes the foundational principles of tort liability, enabling compensation for damages caused by defective goods. The *Law on Protection of Consumer Rights* (2010, revised in 2023) extends this regime by strengthening consumer entitlements, introducing mandatory product recall mechanisms, and enhancing trader accountability. In parallel, the *Law on Product and Goods Quality* (amended in 2025) presents a risk-based regulatory approach, reflecting an effort to align with international standards of product safety governance. At the punitive end of the spectrum, the Criminal Code (2015, amended 2017) imposes criminal liability on the production and distribution of counterfeit or hazardous goods, signaling a commitment to deterrence through stringent sanctions. The enforcement of Vietnam's legislative instruments governing product safety and consumer protection is distributed across a wide array of regulatory bodies, including the Ministry of Industry and Trade (MOIT), the Directorate for Standards, Metrology and Quality (STAMEQ), the Ministry of Health, provincial Market Surveillance Departments, and the Vietnam Competition and Consumer Authority (VCA)^[25]. While each institution

chains and institutional quality: Empirical evidence from cross-country data." *The Journal of International Trade & Economic Development* 31, no. 3 (2022): 427-449.

¹³ ExtendMax, "Law on Product Quality of Goods 2025: Revised from the Core," <https://extendmax.vn/law-on-product-quality-of-goods-2025>.

¹⁴ Nguyen, Thi Que Anh, and Bich Thao Nguyen. "Product Liability Law: From Theory to Practice in Vietnam." *VNU Journal of Science: Legal Studies* 36, no. 3 (2020). <https://js.vnu.edu.vn/LS/article/view/4310>.

¹⁵ SNB Law. "Product Liability Regulation in Vietnam." March 2022. <https://en.snb-law.de/files/snb/content/Aktuelles/2022/SNB%20LAW%20Vietnam%20-%20Product%20Liability%20March%202022.pdf>.

¹⁶ Vietnam National Assembly, Criminal Code No. 100/2015/QH13, November 27, 2015, English translation via Policing Law, https://www.policinglaw.info/assets/downloads/2015_Criminal_Code_of_Vietnam_%28English_translation%29.pdf.

¹⁷ WIPO Lex, Law No. 12/2017/QH14 Amending the Criminal Code, June 20, 2017, <https://www.wipo.int/wipolex/en/legislation/details/20940>.

¹⁸ Tilleke & Gibbins. "Vietnam's New Consumer Protection Law: Key Changes." *Mondaq*. June 2023. <https://www.mondaq.com/vietnam/consumer-protection/1328016/vietnams-new-consumer-protection-law-key-changes>.

¹⁹ Vietnam Competition Authority. "Overview of the Law on Protection of Consumer Rights." ASEAN Consumer. Accessed August 26, 2025. https://www.aseanconsumer.org/file/post_image/Overview%20of%20CP%20Viet%20Nam.pdf.

²⁰ Tilleke & Gibbins, "Significant Aspects of Vietnam's New Consumer Protection Law," Tilleke & Gibbins Insights, November 3, 2023, <https://www.tilleke.com/insights/significant-aspects-of-vietnams-new-consumer-protection-law/>.

²¹ Vietnam National Assembly, Law on Protection of Consumer Rights No. 19/2023/QH15, June 20, 2023, https://www.aseanconsumer.org/file/pdf_file/Vietnam%20Legislation%20-%20Law%20on%20Protection%20of%20Consumer%20%28english%29.p df.

²² Nguyen Trong Diep, Dinh Tran Ngoc Huy, and Le Huong Hoa, "Discussing Enforcement of the Consumer Protection Law in Vietnam," *International Journal of Ecosystems and Ecology Science* 12, no. 2 (2022): 567-574, <https://dinhtranngochuy.com/Vol%2012.2.%202022-.pdf>.

²³ ExtendMax, "Law on Product Quality of Goods 2025: Revised from the Core," <https://extendmax.vn/law-on-product-quality-of-goods-2025>.

²⁴ SNB Law, "Product Liability Regulation in Vietnam," March 2022, <https://en.snb-law.de/files/snb/content/Aktuelles/2022/SNB%20LAW%20Vietnam%20-%20Product%20Liability%20March%202022.pdf>.

²⁵ Vietnam Competition and Consumer Authority, "General Introduction of Consumer Protection," January 18, 2021,

plays a distinct role ranging from technical standard-setting to market surveillance, their overlapping jurisdictions and lack of systemic coordination contribute to regulatory fragmentation^[26]. This diffusion of authority complicates enforcement, obscures lines of accountability, and weakens institutional capacity to address systemic risks effectively^[27]. Recent reforms, particularly the 2023 revision of the Law on Protection of Consumer Rights, demonstrate an incremental yet significant shift toward greater coherence and international convergence. The law introduces clearer mandates for inter-agency cooperation and aligns Vietnam's consumer protection framework with global norms such as those promoted by ASEAN and the OECD^[28]. However, the persistence of dispersed mandates underscores a structural weakness: Vietnam's legal system has yet to reconcile its diverse objectives compensatory, deterrent, corrective, punitive, and institutional learning within a truly integrated regulatory framework^[29]. Without stronger institutional coordination and centralized oversight, enforcement risks remain uneven and reactive, rather than strategic and preventive.

2.3. Civil liability in practice

Within the broader Vietnamese legal architecture, civil liability for defective products occupies a central yet contested role. The regime reflects a hybrid model that combines fault-based tort principles with sector-specific obligations. The Civil Code provides the overarching legal basis, allowing victims to seek compensation under the general provisions of tort law. Meanwhile, consumer protection statutes impose additional duties on traders and manufacturers, such as warranties and product conformity requirements^[30]. In theory, this layering of obligations enhances consumer protection; in practice, however, it exposes systemic weaknesses. A key limitation lies in the burden of proof, which remains firmly with the claimant. Victims must demonstrate defect, causation, and fault or breach, a demanding evidentiary threshold, especially in cases involving technically complex products^[31]. The

difficulty of marshaling expert evidence, coupled with resource constraints, significantly reduces the accessibility and effectiveness of remedies^[32]. Even where claims succeed, judicial practice reveals inconsistencies. While remedies include compensatory damages for medical costs, lost income, and property damage, courts may also award non-pecuniary damages; however, the scope and scale of such awards vary considerably across cases^[33]. Limitation periods further restrict access, as statutory deadlines may expire before harm becomes apparent, particularly in cases of latent injury^[34]. These dynamics highlight a tension within Vietnam's liability system: although the framework aims to provide redress and deterrence, structural barriers often undermine its protective and corrective functions. As such, civil liability remains an underdeveloped pillar into the broader safety and regulatory regime. Meaningful reform would require recalibrating evidentiary standards, potentially through presumptions of defect or burden-shifting in consumer claims, harmonizing judicial practice to ensure consistency in remedies, and revisiting limitation rules to address latent harm. Without such adjustments, the civil liability system risks reinforcing, rather than resolving, the fragmentation that already characterizes Vietnam's broader product safety framework.

2.4. Administrative Sanctions and Recall Mechanisms

Beyond civil remedies, administrative enforcement constitutes a primary instrument of product safety governance. Sanctions available to regulators range from warnings and administrative fines to confiscation of non-compliant goods, suspension of sales or production, removal of misleading labels, and, in more severe cases, the revocation of business licenses^[35]. In principle, these measures provide flexible and rapid responses to product safety risks. However, recall mechanisms remain fragmented. Sector-specific rules mandate recalls in industries such as pharmaceuticals, medical devices, and certain foodstuffs, but Vietnam lacks a single, well-resourced national product safety authority with comprehensive recall powers across all consumer products^[36]. As a result, recalls are frequently ad hoc, often voluntary, and sometimes triggered more by media exposure or consumer complaints than by systematic regulatory intervention^[37]. While enforcement agencies do publish

<https://en.vcc.gov.vn/?page=consumer&do=detail&id=fdb761a-72cc-492e-9846-ad18ceb92e4f>.

²⁶ Generis Online, "Understanding Consumer Rights in Vietnam: Protections, Remedies, and Agencies," December 1, 2024, <https://generisonline.com/understanding-consumer-rights-in-vietnam-protections-remedies-and-agencies/>.

²⁷ ASEAN Consumer, "Country Profile: Vietnam," <https://www.aseanconsumer.org/selectcountry=Vietnam>.

²⁸ Vietnam National Assembly, Law on Protection of Consumer Rights No. 19/2023/QH15, June 20, 2023, https://www.aseanconsumer.org/file/pdf_file/Vietnam%20Legislation%20-%20Product%20on%20Protection%20of%20Consumer%20%28English%29.pdf.

²⁹ Nguyen Thi Que Anh and Bich Thao Nguyen, "Product Liability Law: From Theory to Practice in Vietnam," VNU Journal of Science: Legal Studies 36, no. 3 (2020), <https://js.vnu.edu.vn/LS/article/view/4310>.

³⁰ SNB Law, "Product Liability Regulation in Vietnam," March 2022, <https://en.snb-law.de/files/snb/content/Aktuelles/2022/SNB%20LAW%20Vietnam%20-%20Product%20on%20Liability%20March%202022.pdf>.

³¹ Le Truong Son and Nguyen Xuan Quang, "Fault Is Not a Condition for Determination of Liability for Non-Contractual Damage: A Development in Human Rights Protection in Vietnam," Vietnamese Journal of Legal Sciences 8, no. 1 (2023): 99–109, https://www.researchgate.net/publication/372579844_Fault_is_Not_a_Condition_for_Determination_of_Liability_for_Non-Contractual_Damage_-_A_Development_in_Human_Rights_Protection_in_Vietnam/fulltext/64e4fd250acf2e2b520bde9c/Fault-is-Not-a-Condition-for-Determination-of-Liability-for-Non-Contractual-Damage-A-Development-in-Human-Rights-Protection-in-Vietnam.pdf.

³² Cao Dinh Lanh, Ho Ngoc Hien, and Le Lan Anh, "Liability for Product Recall in Vietnam: Legal Provisions and Practice," Journal of Positive School Psychology 6, no. 5 (2022): 8610–8620, https://csdlkhoahoc.hueuni.edu.vn/data/2022/10/CBQT_caodinhlanh.pdf.

³³ Nguyen Thi Que Anh and Bich Thao Nguyen, "Product Liability Law: From Theory to Practice in Vietnam," VNU Journal of Science: Legal Studies 36, no. 3 (2020), <https://js.vnu.edu.vn/LS/article/view/4310>.

³⁴ Vietnamese Civil Code No. 91/2015/QH13, Article 588–604, <https://thuvienphapluat.vn/van-ban/Dan-su/Bo-luat-dan-su-2015-298096.aspx>.

³⁵ Vietnam National Assembly, Law on Protection of Consumer Rights No. 19/2023/QH15, June 20, 2023, https://www.aseanconsumer.org/file/pdf_file/Vietnam%20Legislation%20-%20Law%20on%20Protection%20of%20Consumer%20%28English%29.pdf.

³⁶ LawNet Vietnam, "Regulations on Recall of Defective Products and Goods in Vietnam as of July 1, 2024," February 27, 2024, <https://lawnet.vn/thong-tin-phap-luat/en/tu-van-luat/regulations-on-recall-of-defective-products-and-goods-in-vietnam-as-of-july-1-2024-133346.html>.

³⁷ Cao Dinh Lanh, Ho Ngoc Hien, and Le Lan Anh, "Liability for Product Recall in Vietnam: Legal Provisions and Practice," Journal of Positive School Psychology 6, no. 5 (2022): 8610–8620, https://csdlkhoahoc.hueuni.edu.vn/data/2022/10/CBQT_caodinhlanh.pdf.

specific recall and sanction information, inconsistency in disclosure practices and institutional fragmentation limit transparency and reduce consumer awareness^[38]. The 2023 revision of the Law on Protection of Consumer Rights introduces clearer obligations for traders to announce recalls publicly and coordinate with relevant authorities, but implementation remains uneven^[39]. These dynamics underscore the need for stronger institutional integration and regulatory clarity to ensure that administrative enforcement fulfills its protective and corrective functions.

2.5. Criminal sanctions

At the more severe end of the enforcement spectrum, criminal liability is available under the Criminal Code for producing and trading counterfeit or substandard goods, as well as engaging in related fraudulent conduct. Criminal liability generally applies when intentional acts are involved or when defective products cause serious injury or death. Prosecutors must often establish *mens rea* or gross negligence, thereby raising the threshold for criminal enforcement^[40]. Sanctions range from imprisonment and fines to confiscation of illicit gains.⁴¹ In practice, however, recourse to criminal law is selective, with prosecutions largely confined to large-scale or high-profile cases, which diminishes the deterrent effect of the criminal provisions^[42].

2.6. Institutional Challenges

Taken together, Vietnam's overlapping systems of civil, administrative, and criminal enforcement reveal more profound institutional weaknesses. Fragmentation across multiple agencies, including the Ministry of Industry and Trade (MOIT), the Ministry of Health (MOH), and provincial Market Surveillance Departments, hampers coordination and slows regulatory responses^[43]. Limited laboratory infrastructure and forensic capacity further undermine effective product testing and evidence collection^[44]. Moreover, modest administrative fines often fail to deter large corporate actors, resulting in a misalignment between regulatory sanctions and the economic incentives that drive non-compliance^[45]. For consumers, judicial processes

remain costly, slow, and procedurally demanding, particularly given the evidentiary burdens associated with proving product defects^[46]. These features highlight the uneven development of Vietnam's product safety and liability regime. On paper, the system encompasses a full spectrum of civil, administrative, and criminal remedies. In practice, however, fragmentation, capacity constraints, and procedural barriers dilute its effectiveness. Addressing these weaknesses will require not only the harmonization of substantive laws and recall procedures, but also institutional reforms aimed at clarifying mandates, enhancing technical capacity, and recalibrating sanctions to ensure credible deterrence. Without such measures, Vietnam's framework risks remaining more symbolic than functional, leaving both consumers and markets inadequately protected.

3. Legal Framework on Sanctions against Producers in China:

China's legal framework governing sanctions against producers of defective goods has developed in tandem with its broader economic transformation. In the early decades of the People's Republic, consumer protection was virtually nonexistent. The planned economy prioritized production quotas and state distribution over market accountability, leaving little room for legal remedies against defective goods. The concept of consumer rights, and by extension producer liability, only began to take shape in the 1980s as China embarked on market reforms under Deng Xiaoping's leadership. The first significant legislative milestone was the enactment of the Product Quality Law in 1993, which marked a foundational shift toward regulating the safety and reliability of goods sold in the Chinese market. This law imposed obligations on producers and sellers to ensure product conformity and safety, and introduced administrative penalties for violations. It was amended in 2000 and again in 2018 to strengthen enforcement mechanisms and align with international standards^[47].

In 1994, China adopted the Law on the Protection of Consumer Rights and Interests (LPCRI), which codified fundamental consumer rights, including the right to safety, information, and redress. The LPCRI was significantly revised in 2013 to expand the scope of consumer protections, introduce punitive damages for fraudulent practices, and enhance the role of administrative agencies in enforcement.⁴⁸ These reforms were driven by rising consumer awareness, high-profile product safety scandals, such as the 2008 melamine-tainted milk crisis, and China's desire to build trust in its domestic and export markets. The evolution of China's product liability regime continued with the adoption of the Civil Code in 2021, which consolidated prior laws on contracts and torts into a unified legal framework. The Civil Code reinforces liability for defective products under its tort provisions, providing clearer standards for compensation and judicial remedies^[49].

³⁸ Vietnam Competition and Consumer Authority, "General Introduction of Consumer Protection," January 18, 2021, <https://en.vcc.gov.vn/?page=consumer&do=detail&id=fdb761a-72cc-492e-9846-ad18ceb92e4f>.

³⁹ Baker McKenzie, "Vietnam: Product Liability – Proposed Changes to Product Liability and the Consumer Protection Regime," Global Litigation News, March 8, 2022, <https://globallitigationnews.bakermckenzie.com/2022/03/08/vietnam-product-liability-proposed-changes-to-product-liability-and-the-consumer-protection-regime-under-the-draft-law-on-protection-of-consumers-rights/>.

⁴⁰ Vietnam National Assembly, Criminal Code No. 100/2015/QH13, November 27, 2015, https://www.policinglaw.info/assets/downloads/2015_Criminal_Code_of_Vietnam_%28English_translation%29.pdf.

⁴¹ WIPO Lex, Law No. 12/2017/QH14 Amending the Criminal Code, June 20, 2017, <https://www.wipo.int/wipolex/en/legislation/details/20940>.

⁴² DCNH Law, "How Are Counterfeit Goods Handled in Vietnam?" November 13, 2024, <https://dnh-law.com/how-are-counterfeit-goods-handled-in-vietnam/>.

⁴³ Generis Online, "Understanding Product Safety and Labeling Standards in Vietnam," December 1, 2024, <https://generisonline.com/understanding-product-safety-and-labeling-standards-in-vietnam/>.

⁴⁴ World Bank, "Food Safety Risk Management in Vietnam: Challenges and Opportunities," <https://www.worldbank.org/en/country/vietnam/publication/food-safety-risk-management-in-vietnam-challenges-and-opportunities>.

⁴⁵ iGuide, "Penalties for Counterfeit Goods in Vietnam," November 20, 2024, <https://iguide.ai/en/legal-guidances/penalties-for-counterfeit-goods-in-vietnam>.

⁴⁶ Nguyen Thi Que Anh and Bich Thao Nguyen, "Product Liability Law: From Theory to Practice in Vietnam," VNU Journal of Science: Legal Studies 36, no. 3 (2020), <https://js.vnu.edu.vn/LS/article/view/4310>.

⁴⁷ Chambers and Partners, "Product Liability & Safety 2025 – China," Global Practice Guides, June 19, 2025, <https://practiceguides.chambers.com/practice-guides/product-liability-safety-2025/china>.

⁴⁸ ICLG, "Consumer Protection Laws and Regulations Report 2025 – China," International Comparative Legal Guides, <https://iclg.com/practice-areas/consumer-protection-laws-and-regulations/china>.

⁴⁹ Ibid 12

Complementary laws such as the Food Safety Law, Pharmaceutical Administration Law, and E-Commerce Law further regulate sector-specific risks and digital commerce, reflecting the complexity of modern supply chains and consumer transactions ^[50].

China's approach to sanctions is characterized by a relatively centralized enforcement architecture, with agencies such as the State Administration for Market Regulation (SAMR) overseeing product recalls, quality inspections, and administrative penalties. The country has also developed specialized regulations for automotive and medical device recalls and introduced interim measures for consumer product recalls in 2020 ^[51]. China's legal framework on sanctions against producers has evolved from a rudimentary system rooted in state control to a sophisticated regime that blends civil, administrative, and criminal liability. This transformation has been shaped by economic liberalization, public demand for accountability, and international legal harmonization.

3.1. Legal objectives of Sanctions

China's product safety and liability regime has evolved with dual objectives: protecting consumers from defective and hazardous goods, and reinforcing public trust in markets through credible sanctions. Sanctions serve multiple functions: compensatory, deterrent, corrective, punitive, and educational. Civil remedies ensure restitution for victims; administrative enforcement mandates recalls and corrective actions; criminal sanctions punish egregious misconduct; and centralized oversight promotes institutional learning ^[52]. The integration of these objectives reflects China's strategic use of legal instruments to shape producer behavior and enhance systemic responsiveness.

3.2. Legal framework and centralized oversight

China's statutory landscape provides a comprehensive basis for product safety governance. The Civil Code of 2020 codifies product liability provisions and establishes the contours of civil redress for victims of defective products. This is complemented by the Product Quality Law, the Law on the Protection of Consumer Rights and Interests, the Food Safety Law, and specialized statutes governing pharmaceuticals, medical devices, automobiles, and other sensitive sectors ^[53]. Collectively, these instruments create a multifaceted regulatory environment designed to strike a balance between prevention, accountability, and consumer protection ^[54]. A critical institutional reform was the creation of the State Administration for Market Regulation (SAMR) in 2018, which consolidated several previously

fragmented agencies. SAMR wields expansive authority over product safety, market supervision, standardization, and recall powers ^[55].

3.3. Civil Liability in Practice

China's civil liability regime demonstrates a marked shift toward strict liability in product liability cases. Under the Civil Code, producers and sellers are generally held liable for harm caused by defective products. Plaintiffs benefit from statutory presumptions that alleviate evidentiary barriers. Once a causal link between the product and injury is established, liability is presumed unless the producer can prove the defect did not exist at the time of sale or arose from subsequent alteration or misuse ^[56]. This framework creates a more favorable litigation environment for claimants compared to fault-based models. Remedies are relatively comprehensive, covering medical costs, loss of income, and property damage, with recognition of emotional distress damages in some instances. Moreover, aggravated compensation is available where intentional misconduct is demonstrated, further reinforcing the punitive and deterrent dimensions of the liability system ^[57]. This evolution reflects China's commitment to strengthening consumer protection while embedding legal certainty and predictability in its civil justice system.

3.4. Administrative Sanctions and Recall Mechanisms

Administrative enforcement is the cornerstone of China's product safety regime, with SAMR at the center of regulatory authority. SAMR may order mandatory recalls, impose corrective measures, levy substantial fines, suspend or revoke business licenses, seize unsafe goods, and publicize its findings. The agency's nationwide mandate ensures that interventions can be both centralized and rapid, minimizing the scope for regional variation. The recall regime is particularly significant ^[58]. A statutory framework and detailed administrative guidance govern recall powers, procedures, reporting obligations, and public notification requirements. Recall enforcement in China is highly institutionalized, with high-profile cases triggering swift, mandatory recalls and corrective measures. Transparency is an explicit regulatory objective: SAMR routinely discloses sanctions, recall notices, and investigation outcomes, thereby reinforcing deterrence and informing consumers ^[59]. This emphasis on disclosure underscores the government's use of reputational sanctions as a complementary tool alongside financial and corrective penalties.

⁵⁰ Ibid 13

⁵¹ Mary Ip & Brenda Marshall, "Evolution of Chinese Consumer Protection: Through the Lens of Product Quality Laws," *Bond Law Review* 26, no. 2 (2014): 3–28, <https://classic.austlii.edu.au/au/journals/BondLawRw/2014/8.pdf>.

⁵² Chambers and Partners, *Product Liability & Safety 2025 – China*, Global Practice Guides, June 2025, <https://practiceguides.chambers.com/practice-guides/product-liability-safety-2025/china>.

⁵³ DeHeng Law Offices, "Civil Code Promotes Product Liability Insurance," July 24, 2020, <https://www.dehenglaw.com/EN/tansuocontent/0008/019133/7.aspx?MID=0902>.

⁵⁴ American Bar Association, "Antitrust Enforcement in China: 15 Years in Review," 2024, <https://www.americanbar.org/content/dam/aba/publications/antitrust/magazine/2024/vol-39-issue-1/antitrust-enforcement-in-china.pdf>.

⁵⁵ Lexology, "SAMR Publishes Official Review on China's Antitrust Enforcement in 2024,"

<https://www.lexology.com/library/detail.aspx?g=c599b907-8ed7-4dca-867a-23db60d515e9>.

⁵⁶ Civil Code of the People's Republic of China (2020), English translation, https://www.dirittocomparato.org/wp-content/uploads/2020/12/Civil_Code_of_the_People_s_Republic_of_China.pdf.

⁵⁷ Lowy Institute, "China's Food Safety Crises: Some Oils Just Shouldn't Mix," November 26, 2024, <https://www.lowyinstitute.org/the-interpreter/china-s-food-safety-crises-some-oils-just-shouldn-t-mix>.

⁵⁸ MMLC Group, "Interpretation of SAMR's Announcement on Online Recalls," June 19, 2025, <https://mmlcgroup.com/china-online-recalls-190625/>.

⁵⁹ Legal 500, "China: Product Liability – Country Comparative Guides," <https://www.legal500.com/guides/chapter/china-product-liability/>.

3.5. Criminal Sanctions

At the most severe level, China deploys criminal law to sanction intentional or grossly negligent violations that cause widespread harm. Notable examples include food safety scandals, where prosecutions have resulted in lengthy prison sentences for responsible individuals and significant penalties for corporate entities. Criminal liability thus functions not only as a punitive instrument but also as an obvious deterrent mechanism^[60]. The deterrent impact of criminal sanctions in China has been pronounced, particularly given the government's willingness to criminalize high-profile incidents and publicize enforcement outcomes. Such measures have catalyzed tighter internal compliance mechanisms within industries and reinforced regulatory vigilance at the institutional level. By deploying criminal law selectively yet forcefully, Chinese authorities signal both their intolerance of egregious violations and their commitment to upholding consumer trust.

3.6. Institutional Strengths and Limitations

China's framework demonstrates notable institutional strengths. The consolidation of authority within SAMR has reduced regulatory fragmentation, enhanced coordination, and provided the capacity for uniform enforcement across sectors and regions. The availability of expansive recall powers, coupled with improving technical infrastructure, has enabled more systematic product safety oversight. Statutory rules governing liability are comparatively clear, providing predictability for both consumers and businesses. Nonetheless, limitations remain. Local protectionism can impede consistent enforcement, particularly where local governments prioritize economic interests over consumer protection. Regional disparities in institutional capacity persist, resulting in variations in how effectively national rules are applied. Ensuring the uniform implementation of civil liability rules, recall procedures, and sanctions across China's vast and diverse jurisdictions remains a continuing challenge^[61]. These weaknesses highlight the tension between centralization and decentralization: while SAMR provides national oversight, effective consumer protection relies on the consistent application of regulations at the local level.

4. Comparative Analysis and Recommendations

4.1 Comparative analysis

A comparative examination of civil liability regimes in China and Vietnam reveals both convergence and divergence in how the two systems conceptualize producer responsibility, enforce sanctions, and respond to product safety failures. While both countries have undertaken significant legal reforms, China's trajectory reflects a stronger movement toward strict liability, centralized enforcement, and systemic reform catalyzed by public scandals. In contrast, Vietnam remains anchored in fault-based liability, fragmented institutional frameworks, and incremental enforcement practices^[62]. This divergence

highlights broader questions of regulatory capacity, institutional design, and the role of public accountability in shaping consumer protection.

At the level of liability doctrines, China has progressively embraced statutory strict liability for defective products, thereby easing the evidentiary burden on consumers^[63]. This approach reflects international trends in consumer protection, where strict liability reduces barriers to compensation while maintaining statutory defenses for producers in cases involving unforeseeable risks or post-sale alterations. Vietnam, by contrast, continues to rely mainly on fault-based tort principles. Victims often must demonstrate that a producer breached a duty or acted negligently, a requirement that significantly raises litigation costs and discourages claims. Although sector-specific laws impose stricter obligations in certain industries, Vietnam has yet to establish a comprehensive strict liability regime. The difference highlights how China's legal framework prioritizes consumer access to remedies, whereas Vietnam's reliance on fault imposes a heavier burden on claimants. Evidentiary rules further accentuate this divergence. China's Civil Code and related product liability provisions incorporate presumptions that shift the burden of proof to producers once claimants establish a *prima facie* case of causation^[64]. This procedural innovation not only facilitates access to remedies but also aligns with China's broader goal of strengthening consumer trust in its regulatory institutions. Vietnam, by contrast, imposes on consumers the task of gathering technical evidence, including production records and expert testing, much of which may be inaccessible without producer cooperation. The procedural imbalance significantly constrains the effectiveness of remedies, as courts are often limited in their technical capacity to assess complex product liability disputes.

China and Vietnam diverge sharply in their approaches to administrative sanctions, recall mechanisms, and enforcement infrastructure^[65]. China's centralized oversight under the State Administration for Market Regulation (SAMR) enables swift and uniform recall enforcement, imposing substantial and publicized sanctions that enhance deterrence. Vietnam's fragmented system, spread across multiple ministries and provinces, results in sectoral and often voluntary recalls, modest fines, and inconsistent public communication, weakening regulatory credibility. Criminal accountability also differs: China actively prosecutes high-profile cases of gross negligence, reinforcing deterrence and public trust. In contrast, Vietnam's criminal enforcement is rare due to evidentiary burdens and higher prosecutorial thresholds. Structurally, China's investment in laboratory networks and standards-setting institutions supports rapid, evidence-based interventions. Vietnam's limited technical capacity and diffuse authority hinder the coherence of

dragon's underbelly: Dynamics and dilemmas in vietnam's economy and politics (2022): 139-170.

⁶³ Thang, Nguyen, Pham Minh Thai, Vu Hoang Dat, and Vu Thi Van Ngoc. "Agricultural exports from Vietnam to China." *Agric. Trade between China and the Greater Mekong Subregion Countries: A Value Chain Analysis* (2022): 256.

⁶⁴ Reimann, Mathias. "Liability for defective products at the beginning of the twenty-first century: Emergence of a worldwide standard." *Am. J. Comp. L.* 51 (2003): 751.

⁶⁵ Dang, Quyen Thao, Hussain Gulzar Rammal, Pervez N. Ghauri, Pavlina Jasovska, and Santiago Velasquez. "'Caught in the middle': Effects on and reactions of Vietnamese timber exporters in the context of US-China economic sanctions." *Journal of World Business* 59, no. 6 (2024): 101583.

⁶⁰ Supreme People's Court of China, "Typical Cases on Crimes against Food Safety," November 29, 2023, https://english.court.gov.cn/2023-11/29/c_945278.htm.

⁶¹ Clifford Chance, "Merger Control in China: A Practical Guide," May 2025, https://www.cliffordchance.com/content/dam/cliffordchance/briefings/2025/05/merger_control_in_china_practical_guide_May%202025.pdf.

⁶² Oh, Yoon Ah. "Vietnam's economic dependence on China: Understanding vulnerability through a typology of trade shocks." *The*

enforcement. These contrasts underscore the institutional advantages of centralization and highlight Vietnam's need for harmonized mandates, enhanced infrastructure, and recalibrated sanctions to strengthen its product safety regime.

The role of media and public pressure offers an essential lens for comparison. In both countries, media exposure and NGO activism have played pivotal roles in drawing attention to product safety failures and compelling state responses. Yet China's centralized apparatus enables rapid nationwide interventions once scandals break, while Vietnam's fragmented system produces more patchwork responses^[66]. This dynamic was evident in China's 2008 melamine scandal, which led to sweeping institutional reforms, the centralization of oversight, and stricter recall powers^[67]. By contrast, Vietnam's repeated food safety and consumer product incidents have typically led to administrative fines and localized product withdrawals, but have not resulted in systemic transformation. Ultimately, China and Vietnam illustrate two distinct approaches to addressing defective goods and consumer harm. China's adoption of strict liability, centralized regulatory authority, and active criminal enforcement reflects an assertive approach that leverages both legal and institutional capacity. Vietnam's system, constrained by fault-based liability, resource limitations, and fragmented governance, tends to favor incremental reforms and case-specific responses. While both models aim to protect consumers, China's trajectory underscores the capacity of legal crises to catalyze systemic change. In contrast, Vietnam's experience highlights the limitations of fragmented enforcement in achieving structural improvements.

4.2. Policy Recommendations for Vietnam

Vietnam should adopt a calibrated reform package that strengthens deterrence while preserving fairness and administrative feasibility. The priority is to clarify producer responsibility through targeted strict liability for high-risk categories, pharmaceuticals, infant products, and electrical appliances with fire or explosion risk, while preserving narrowly tailored defenses for post-sale alterations, unforeseeable misuse, and state-of-the-art compliance. This blend lowers barriers to compensation where consumer vulnerability is greatest, yet avoids chilling innovation across the broader economy. Access to remedies must improve through modernized evidentiary rules. Once a claimant demonstrates plausible causation, producers, who control design, testing, and production data, should bear the burden of rebutting the defect and causation. Publicly accessible expert panels or specialized technical courts can standardize methods for evaluating complex scientific evidence, shorten time to resolution, and promote consistency in judicial outcomes. These procedural tools realign information asymmetries without sacrificing due process.

Recall governance requires centralization. A national product-safety authority with cross-sectoral jurisdiction should coordinate market surveillance, issue binding recall

orders, and manage public communication. Standardized recall procedures, mandatory reporting by manufacturers and importers, and a single, searchable recall registry would deliver faster and more precise responses to hazards, reducing the current patchwork of sectoral practices. Administrative sanctions should be recalibrated to ensure proportional deterrence. Higher base fines, aggravated penalties for concealment and repeat violations, and complementary non-monetary measures, such as temporary suspension, certificate revocation, and public disclosure, will raise compliance incentives beyond a "cost of doing business." At the same time, criminal liability should be reserved for intentional deception, deliberate concealment, or gross negligence that causes serious harm or death. It should be supported by prosecutorial guidance and specialist investigative capacity to handle technically complex cases. Lowering transaction costs for consumers is essential. Representative actions or class-type procedures, along with administrative compensation schemes for low-value, mass-harm events, can deliver timely redress where individual litigation is impractical. Dedicated consumer tribunals or fast-track tracks within existing courts would further streamline claims while preserving procedural fairness. Implementation should be phased and safeguarded. Clear statutory thresholds for culpability protect against over-criminalization; independent oversight, transparency requirements, and stakeholder consultation reduce risks of regulatory overreach; and staged compliance minimizes competitiveness shocks. With this package, Vietnam can transition from a fragmented enforcement regime to a coherent, consumer-oriented system that is credible, proportionate, and sustainable. This transition will be facilitated by targeted strict liability, evidence reforms, centralized recall authority, calibrated sanctions, criminal law restraint, technical capacity, transparency, collective redress, SME support, and compliance incentives.

5. Conclusion

Protecting consumers from defective goods requires more than isolated punitive measures; it depends on a coherent mix of civil liability, administrative enforcement, criminal sanctions, and institutional capacity. The comparative analysis of China and Vietnam underscores how differences in liability doctrines, evidentiary burdens, recall mechanisms, and enforcement structures determine the effectiveness of consumer protection regimes. China's trajectory from fragmented oversight to centralized enforcement under the SAMR, the adoption of strict liability, and the active deployment of criminal law in high-profile cases demonstrates how institutional consolidation, technical investment, and public disclosure can restore trust and strengthen deterrence. Vietnam, while making notable progress through the 2023 Law on Consumer Protection and recent quality-control reforms, continues to rely heavily on fault-based liability, fragmented authority, and modest sanctions that weaken both access to remedies and regulatory credibility. To move beyond incremental enforcement, Vietnam must codify targeted strict liability for high-risk products, recalibrate evidentiary rules to ease consumer claims, centralize recall authority, strengthen technical capacity, and adopt sanctions that are proportionate yet sufficiently deterrent, while supporting SMEs through transitional measures. In doing so, Vietnam can adapt the most valuable lessons from China without

⁶⁶ Wang, Frances Yaping, and Brantly Womack. "Jawing through crises: Chinese and Vietnamese media strategies in the South China Sea." *Journal of Contemporary China* 28, no. 119 (2019): 712-728.

⁶⁷ Ghazi-Tehrani, Adam Kavon, and Henry N. Pontell. "Corporate crime and state legitimacy: the 2008 Chinese melamine milk scandal." *Crime, Law and Social Change* 63, no. 5 (2015): 247-267.

replicating its shortcomings, transforming sanctions from reactive instruments into proactive tools of governance that safeguard consumer rights, reinforce market integrity, and consolidate institutional legitimacy.

References

1. American Bar Association. Antitrust Enforcement in China: 15 Years in Review [Internet]. 2024. <https://www.americanbar.org/content/dam/aba/publications/antitrust/magazine/2024/vol-39-issue-1/antitrust-enforcement-in-china.pdf>.
2. ASEAN Consumer. Country Profile: Vietnam [Internet]. [cited 2025 Aug 26]. <https://www.aseanconsumer.org/selectcountry=Vietnam>
3. Baker McKenzie. Vietnam: Product Liability - Proposed Changes to Product Liability and the Consumer Protection Regime. Global Litigation News [Internet]. 2022 Mar 8. <https://global litigationnews.bakermckenzie.com/2022/03/08/vietnam-product-liability-proposed-changes-to-product-liability-and-the-consumer-protection-regime-under-the-draft-law-on-protection-of-consumers-rights/>.
4. Cao DL, Ho NH, Le LA. Liability for Product Recall in Vietnam: Legal Provisions and Practice. J Posit Sch Psychol. 2022;6(5):8610-8620.
5. Chambers and Partners. Product Liability & Safety 2025 - China. Global Practice Guides [Internet]. 2025 Jun 19. <https://practiceguides.chambers.com/practice-guides/product-liability-safety-2025/china>.
6. China. Product Quality Law of the People's Republic of China [Internet]. 1993. [cited 2025 Aug 25]. https://en.most.gov.cn/policies/regulations/200501/t20050105_18422.htm.
7. China. Law of the People's Republic of China on Protection of Consumer Rights and Interests [Internet]. 2013. [cited 2025 Aug 25]. <https://www.wipo.int/wipolex/en/legislation/details/14091>.
8. Civil Code of the People's Republic of China [Internet]. 2020. https://www.dirittocomparato.org/wp-content/uploads/2020/12/Civil_Code_of_the_People_s_Republic_of_China.pdf.
9. Clifford Chance. Merger Control in China: A Practical Guide [Internet]. 2025 May. https://www.cliffordchance.com/content/dam/cliffordchance/briefings/2025/05/merger_control_in_china_practical_guide_May%202025.pdf.
10. Dang QT, Rammal HG, Ghauri PN, Jasovska P, Velasquez S. 'Caught in the middle': Effects on and reactions of Vietnamese timber exporters in the context of US-China economic sanctions. J World Bus. 2024;59(6):101583.
11. DCNH Law. How Are Counterfeit Goods Handled in Vietnam? [Internet]. 2024 Nov 13. <https://dcnh-law.com/how-are-counterfeit-goods-handled-in-vietnam/>.
12. DeHeng Law Offices. Civil Code Promotes Product Liability Insurance [Internet]. 2020 Jul 24. <https://www.dehenglaw.com/EN/tansuocontent/0008/019133/7.aspx?MID=0902>.
13. ExtendMax. Law on Product Quality of Goods 2025: Revised from the Core [Internet]. [cited 2025 Aug 26]. <https://extendmax.vn/law-on-product-quality-of-goods-2025>.
14. Ghazi-Tehrani AK, Pontell HN. Corporate crime and state legitimacy: the 2008 Chinese melamine milk scandal. Crime Law Soc Change. 2015;63(5):247-267.
15. Generis Online. Understanding Consumer Rights in Vietnam: Protections, Remedies, and Agencies [Internet]. 2024 Dec 1. <https://generisonline.com/understanding-consumer-rights-in-vietnam-protections-remedies-and-agencies/>.
16. ICLG. Consumer Protection Laws and Regulations Report 2025 - China. Int Comp Legal Guides [Internet]. <https://iclg.com/practice-areas/consumer-protection-laws-and-regulations/china>.
17. iGuide. Penalties for Counterfeit Goods in Vietnam [Internet]. 2024 Nov 20. <https://iguide.ai/en/legal-guidances/penalties-for-counterfeit-goods-in-vietnam>.
18. Ip M, Marshall B. Evolution of Chinese Consumer Protection: Through the Lens of Product Quality Laws. Bond Law Rev [Internet]. 2014;26(2):3-28. <https://classic.austlii.edu.au/au/journals/BondLawRw/2014/8.pdf>.
19. LawNet Vietnam. Regulations on Recall of Defective Products and Goods in Vietnam as of July 1, 2024 [Internet]. 2024 Feb 27. <https://lawnet.vn/thong-tin-phap-luat/en/tu-van-luat/regulations-on-recall-of-defective-products-and-goods-in-vietnam-as-of-july-1-2024-133346.html>.
20. Le HT, Hoang DP, Doan TN, Pham CH, To TT. Global economic sanctions, global value chains and institutional quality: Empirical evidence from cross-country data. J Int Trade Econ Dev. 2022;31(3):427-449.
21. Le TS, Nguyen XQ. Fault Is Not a Condition for Determination of Liability for Non-Contractual Damage: A Development in Human Rights Protection in Vietnam. Viet J Legal Sci [Internet]. 2023;8(1):99-109. https://www.researchgate.net/publication/372579844_Fault_is_Not_a_Condition_for_Determination_of_Liability_for_Non-Contractual_Damage_-_A_Development_in_Human_Rights_Protection_in_Vietnam/fulltext/64e4fd250acf2e2b520bde9c/Fault-is-Not-a-Condition-for-Determination-of-Liability-for-Non-Contractual-Damage-A-Development-in-Human-Rights-Protection-in-Vietnam.pdf.
22. Legal 500. China: Product Liability - Country Comparative Guides [Internet]. <https://www.legal500.com/guides/chapter/china-product-liability/>.
23. Lexology. SAMR Publishes Official Review on China's Antitrust Enforcement in 2024 [Internet]. <https://www.lexology.com/library/detail.aspx?g=c599b907-8ed7-4dca-867a-23db60d515e9>.
24. Lowy Institute. China's Food Safety Crises: Some Oils Just Shouldn't Mix [Internet]. 2024 Nov 26. <https://www.lowyinstitute.org/the-interpreter/china-s-food-safety-crises-some-oils-just-shouldn-t-mix>.
25. MMLC Group. Interpretation of SAMR's Announcement on Online Recalls [Internet]. 2025 Jun 19. <https://mmlcgroup.com/china-online-recalls-190625/>.
26. Nguyen TQA, Nguyen BT. Product Liability Law: From Theory to Practice in Vietnam. VNU J Sci Legal Stud. 2020;36(3).

27. Nguyen TD, Huy DTN, Hoa LH. Discussing Enforcement of the Consumer Protection Law in Vietnam. *Int J Ecosystems Ecol Sci* [Internet]. 2022;12(2):567-574. <https://dinhtranngochuy.com/Vol%2012.2,%202022-.pdf>.
28. Oh YA. Vietnam's economic dependence on China: Understanding vulnerability through a typology of trade shocks. In: *The dragon's underbelly: Dynamics and dilemmas in vietnam's economy and politics*. 2022. p. 139-170.
29. Reimann M. Liability for defective products at the beginning of the twenty-first century: Emergence of a worldwide standard. *Am J Comp L*. 2003;51:751.
30. SNB Law. Product Liability Regulation in Vietnam [Internet]. 2022 Mar. <https://en.snb-law.de/files/snb/content/Aktuelles/2022/SNB%20LAW%20Vietnam%20-%20Product%20Liability%20March%202022.pdf>.
31. Supreme People's Court of China. Typical Cases on Crimes Against Food Safety [Internet]. 2023 Nov 29. https://english.court.gov.cn/2023-11/29/c_945278.htm.
32. Tilleke & Gibbins. Vietnam's New Consumer Protection Law: Key Changes. *Mondaq* [Internet]. 2023 Jun. <https://www.mondaq.com/vietnam/consumer-protection/1328016/vietnams-new-consumer-protection-law-key-changes>.
33. Thang N, Thai PM, Dat VH, Ngoc VTV. Agricultural exports from Vietnam to China. In: *Agric Trade between China and the Greater Mekong Subregion Countries: A Value Chain Analysis*. 2022. p. 256.
34. Vietnam Competition Authority. Overview of the Law on Protection of Consumer Rights [Internet]. https://www.aseanconsumer.org/file/post_image/Overview%20of%20CP%20Viet%20Nam.pdf.
35. Vietnam Competition and Consumer Authority. General Introduction of Consumer Protection [Internet]. 2021 Jan 18. <https://en.vcc.gov.vn/?page=consumer&do=detail&id=fbdb761a-72cc-492e-9846-ad18ceb92e4f>.
36. Vietnam National Assembly. Law on Protection of Consumer Rights No. 19/2023/QH15 [Internet]. 2023 Jun 20. <https://apolatlegal.com/wp-content/uploads/2025/05/Law-On-Protection-of-Consumer-Rights-2023.pdf>.
37. Vietnam National Assembly. Criminal Code No. 100/2015/QH13 [Internet]. 2015 Nov 27. https://www.policinglaw.info/assets/downloads/2015_Criminal_Code_of_Vietnam_%28English_translation%29.pdf.
38. Vietnam National Assembly. Law on Protection of Consumer Rights No. 59/2010/QH12. 2010 Nov 17.
39. Vietnam. Law on Protection of Consumer Rights No. 19/2023/QH15. Hanoi: National Assembly of the Socialist Republic of Vietnam; 2023.
40. Vietnam. Law on Protection of Consumers' Rights No. 59/2010/QH12. Hanoi: National Assembly of the Socialist Republic of Vietnam; 2010.
41. Vietnamese National Assembly. Civil Code No. 91/2015/QH13 [Internet]. <https://thuvienphapluat.vn/van-ban/Dan-su/Bo-luat-dan-su-2015-298096.aspx>.
42. Vision & Associates. Legal Update Paper - New Law on Protection of Consumers' Rights [Internet]. 2023 Aug 11. <https://vision-associates.com/wp-content/uploads/2023/11/LEGAL-UPDATE-PAPER-New-Law-on-Protection-of-Consumers-Rights.pdf>.
43. Wang FY, Womack B. Jawing through crises: Chinese and Vietnamese media strategies in the South China Sea. *J Contemp China*. 2019;28(119):712-728.
44. WIPO Lex. Law No. 12/2017/QH14 Amending the Criminal Code [Internet]. 2017 Jun 20. <https://www.wipo.int/wipolex/en/legislation/details/20940>.
45. World Bank. Food Safety Risk Management in Vietnam: Challenges and Opportunities [Internet]. <https://www.worldbank.org/en/country/vietnam/publication/food-safety-risk-management-in-vietnam-challenges-and-opportunities>.