

EMBASSY OF THE PHILIPPINES
ANKARA, TURKEY

PHL - 88 - 2013

The Embassy of the Republic of the Philippines presents its compliments to the Ministry of Foreign Affairs of the Republic of Turkey, and with reference to the applications for accreditation to export meat into the Philippines by Foreign Meat Establishments (FMEs) particularly from Turkey, has the honor to request the esteemed Ministry's assistance in informing relevant agencies/parties of the following activities which the Department of Agriculture (DA) of the Philippines has planned in order to address the issue:

1. Creation of DA Inter-Agency Pre-Inspection Committee for Accreditation of FMEs;
2. Review of outstanding country application (including those from Turkey); and
3. Visits of FMEs by the DA Inspection Mission.

The Embassy has the further honor to request the esteemed Ministry's assistance in forwarding the enclosed copies of DA Administrative Orders No. 26 (2005), 16 (2006) and 9 (2010) on the accreditation process to relevant agencies/parties.

The Embassy of the Republic of the Philippines avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Turkey the assurances of its highest consideration.

18 April 2013

Enclosures: as stated





DEPARTMENT OF AGRICULTURE
 Issued by the Office of the Secretary
 For Signature: S-02-05-0016
 Received: 08/31/2005 11:05 AM

31 August 2005

DA Administrative Order
 No. 26
 Series of 2005

REVISED RULES, REGULATIONS, AND STANDARDS GOVERNING THE IMPORTATION OF MEAT AND MEAT PRODUCTS INTO THE PHILIPPINES

WHEREAS, recent outbreaks of highly communicable diseases, e.g., Avian Influenza or "Bird Flu" that spread across countries in Asia and North America over a short period of time, have claimed a number of human lives and poultry populations;

WHEREAS, Bovine Spongiform Encephalopathy or "Mad Cow Disease" has spread across continents from Europe to Asia and now in North America and has remained a major international quarantine importance and public safety concern because of violations on Good Agricultural Practice (GAP) (e.g. milling into feeds infected bone and offal) thus its possible transmission to human beings due to entry of contaminated meat and/or meat products;

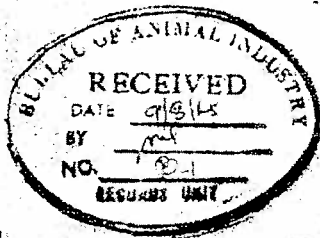
WHEREAS, violation of the country's laws, rules and regulations on consumer product safety and quality standards and animal quarantine measures through illegal entry of meat and meat products as well as non-compliance thereof poses serious threat to human and animal health/life;

WHEREAS, it is a paramount objective of the government to protect its borders and territories from the entry, establishment and spread of animal disease that may be introduced by the importation of disease-carrying, contaminated, and/or adulterated meat and/or meat products, which endanger the lives and safety/health of the consuming public and which could bring potentially serious economic consequences to the livestock, poultry and related industries;

WHEREAS, in order to effectively address the above, it is the responsibility of the government to issue a comprehensive, strengthened and transparent set of rules, regulations and standards governing the importation of meat and meat products to facilitate trade without compromising the safety and quality of imported meat and meat products and the viability of existing industries;

WHEREAS, the World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) reaffirms the right of a country to institute appropriate measures as it deems necessary to protect human and animal health/life, provided they are not undertaken to restrict trade;

NOW, THEREFORE, I, DOMINGO F. PANGANIBAN, Secretary of the Department of Agriculture (DA), in accordance with the powers vested in me by law, do hereby issue this Administrative Order (AO) governing the importation of meat and meat products into the Philippines:



BUREAU OF ANIMAL INDUSTRY
 OFFICE OF THE DIRECTOR
 RECEIVED
 DATE 8/31/05
 BY [signature]

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Section I
DEFINITION OF TERMS

The following terms, words and phrases herein used shall be construed as follows:

- A. *Accreditation* - refers to the authority of DA to evaluate firms and establishments based on a set of criteria with the objective of providing eligibility to conduct/undertake specified activities.
- B. *Accredited Importer* - refers to any natural or juridical person accredited by DA as eligible importer of meat and/or meat products for its own use, processing, wholesale and/or retail distribution.
- C. *Codex Alimentarius Commission (CODEX)* - refers to the international organization recognized by the WTO as the responsible body for establishing food standards, codes of practice, guidelines and recommendations aimed at protecting consumer health and ensuring fair food trade practices. Codex also refers to food standards and related texts elaborated and adopted by the Commission, which is recognized by the WTO as benchmark standards in relation to food quality and safety.
- D. *Country of Origin* - refers to the country source of meat and/or meat products being exported. When a product undergoes processing in another country which changes its nature, the country in which processing is performed shall be considered to be the country of origin for purposes of labeling. Conversely, when such product undergoes only minimal processing/physical change e.g., re-packing or re-branding in another country, the country of origin refers to the source of the original product.
- E. *Claim* - refers to any representation, which states, suggests or implies that a product has particular qualities relating to its origin, nutritional properties, nature, processing, composition or any other quality.
- F. *Date of Expiration* - refers to the latest date at which safety and/or acceptability of a product can still be assured, based on Codex or other internationally accepted standards, or as determined by the manufacturer or the appropriate government authority.
- G. *Date of Minimum Durability ("best before")* - refers to the earliest date under specified conditions beyond which a product is no longer marketable and cannot meet the quality required by DA which is based from either Codex or other internationally accepted standards for which claims have been based by the manufacturer or the government authority of the exporting country.
- H. *Foreign Meat Establishment (FME)* - refers to a DA-accredited facility in a foreign country engaged in slaughtering and dressing of food animals, and processing, cutting, packing, and storing of meat and meat products, and recognized by the NVA to export meat and meat products.
- I. *FME in "Good Standing"* - refers to DA-accredited FME which has established its credibility as sound exporter/supplier of a specific meat or meat product because in the course of its exportations of these to the Philippines over a number of years and/or shipments, this specific product has satisfactorily and consistently passed DA inspection and laboratory analysis.
- J. *Importer in "Good Standing"* - refers to a consignee whose accreditation as a legitimate importer of meat and/or meat products into the Philippines has been determined by DA to be still within the terms within which this accreditation was based with respect to its meat

- handling, distribution, and storage facilities (e.g. cold storage and processing plant) and compliance with applicable DA rules and regulations on meat and meat products.
- K. *International Veterinary Certificate (IVC)* - refers to the certificate issued by the NYA at the country of origin attesting that, among others, the shipment conforms to the specific veterinary/SPS requirements of the Philippines as prescribed in the Veterinary Quarantine Clearance (VQC) issued by the Bureau of Animal Industry (BAI) prior to shipment.
 - L. *Lot Identification* - refers to the name and identification firm number of the plant/factory and the serial number of the specified quantity of commodity produced from this plant/factory that is essentially subjected to the same production conditions on a specified timeframe.
 - M. *Meat* - refers to the fresh, chilled or frozen edible part of carcass, including offal derived from, but not limited to cattle, buffalo, pig, poultry, goat, sheep, horse, and other food animals under Philippine laws but excluding marine animals and prohibited animals under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
 - N. *Meat Product* - refers to meat, which has been subjected to physical change and/or treatment such as cooking, drying, salting, brining or smoking.
 - O. *National Veterinary Administration (NYA)* - refers to the national veterinary controlling authority having jurisdiction over the whole country for implementing the animal health measures based on OIE Animal Health Code and/or meat and meat products quality and safety measures based on Codex Standards.
 - P. *New Product Supplier (NPS)* - refers to DA-accredited FME which has yet to establish its credibility as safe/sound supplier/exporter of a specific meat or meat product into the Philippines as required.
 - Q. *Office International des Epizooties (OIE)* - refers to the international organization recognized by the WTO as the responsible body for establishing the animal veterinary health standards, guidelines and recommendations.
 - R. *One Shipment - Per VQC Policy* - refers to the 'one-time' validity and use of the VQC of imported meat and/or meat products boarded/loaded only to one vessel or aircraft. A used VQC shall be marked/stamped "USED" to avoid recycling.
 - S. *Port of Entry* - as defined under the Customs and Tariff Code and the Bureau of Customs (BOC).
 - T. *Port of Inspection* - an establishment authorized or designated by NMIS within a certain kilometer radius from the port of entry, wherein inspection and collection of samples are being conducted prior to its release for domestic distribution.
 - U. *Risk Management Measures/Policy (RMP)* - refers to the overall risk management measures being applied by DA based on OIE and Codex standards, which are deemed necessary to achieve the country's appropriate/acceptable level of protection (ALOP). Each measure required by DA herein is an integral part of the whole RMP which guarantees protection of the country from the entry, establishment and spread of foreign diseases and contaminations associated with the importation of meat and/or meat products into the country. The RMP includes all measures which have the effect of verifying controls at the country of origin, the country's customs areas, and post-entry areas, which take the form of, but not limited to, documentation requirements, certifications by appropriate bodies, packing and labeling requirements, transportation and handling conditions, marketing,

advertising, and distribution requirements, risk communication measures, and disease and contamination control measures.

- V. **Sanitary and Phytosanitary (SPS) Measures** - defined as measures applied (a) to protect human or animal life from risks arising from additives, contaminants, toxins or disease-causing organisms in their food; (b) to protect human life from plant or animal-carried diseases; (c) to protect animal or plant life from pests, diseases, or disease-causing organisms; and (d) to prevent or limit other damage to a country from the entry, establishment or spread of pests. This also includes SPS measures taken to protect the health of fish and wild fauna, as well as of forests and wild flora.
- W. **Veterinary Quarantine Clearance (VQC)/SPS Clearance** - refers to the document being issued by the Bureau of Animal Industry (BAI) prior to importation indicating that based on readily available information: (a) the source/s of meat and/or meat products are free from relevant diseases/contaminations; and (b) the accreditations of both the importer and the FME (exporter) are in 'good standing'. The VQC also prescribes the conditions and risk management measures necessary in the conduct of importation that are to be observed by the importer, exporter, and the NYA at the country of origin.
- X. **Veterinary Quarantine and Meat Inspection and Laboratory Certificate (VQMILC)** - refers to the certificate issued by the BAI Veterinary Quarantine Officer (DAVQO) and the National Meat Inspection Service (NMIS) Inspector to the BOC (copy furnish BAI and the importer) for customs processing, which certifies that the shipment of meat and/or meat products have been subjected to and passed veterinary quarantine documentation and meat inspection, and/or laboratory analysis and clearance.

Section II
SCOPE

- A. Only meat and/or meat products referred to in Annex "A" as defined in Section I (M) and (N) are covered by this Order.
- B. All importations of meat and/or meat products into the Philippines destined to be unloaded into the customs territories for direct consumption, repacking and relabelling/rebranding, processing and manufacturing, marketing and distribution and/or re-export are covered by this Order.
- C. Transshipped meat and/or meat products into the Philippines are not covered by this Order.

Section III
APPLICATION FOR AND ISSUANCE OF
VQC/SPS CLEARANCE

- A. Prior to the importation of meat and meat/or products from the country of origin, an accredited importer as defined in Section I (B) shall first secure a VQC/SPS Clearance from BAI. This provision shall be subject to review and modification by the DA depending on the compliance performance of importers and FMEs.
- B. The accredited importer (applicant) shall:
 - 1. Submit a duly accomplished application form to import (attached as Annex "5") indicating and certifying the nature of the import application and a disclosure that the

4/12

- meat and/or meat products are still at the country of origin and have not been boarded yet to a vessel/aircraft;
2. Submit the relevant pro-forma invoice; and
 3. Pay the necessary application fee/s to BAI.
- C. The application, processing, and receipt of VQC shall only be undertaken by the president/CEO/general manager of the firm or through its authorized representative/s.
- D. The BAI in consultation with NMIS as appropriate shall issue VQC upon determination of the following :
1. The absence of relevant diseases, pests, and/or contaminations at the relevant area/region/country of origin in/from which live animals are being domesticated, produced, slaughtered, processed, packed, canned, loaded/boarded, and transported including the route/s of the vessel/aircraft in which imported meat and meat products might be carried;
 2. The FME is in 'good standing' as defined in Section I (I);
 3. The accredited importer is in 'good standing' as defined in Section I (J);
 4. The appropriate and specific risk management conditions relevant to the importation of specific meat and/or meat products based on OIE and Codex; and
 5. Other factors necessary and pertinent to SPS concerns.
- E. Based on above considerations, BAI shall approve/disapprove the application within 5 working days from the receipt of complete application documents. The approved VQC shall contain the BAI seal and the signature of the BAI Director;
- F. Upon issuance of VQC, the accredited importer shall immediately provide the exporter with a copy (i.e. electronic copy, facsimile) of the approved VQC, which shall be the basis for health and safety for the issuance of IVC by the NVA at the country of origin.
- G. The VQC is valid for 60 days without extension from the date of issuance, within which meat and/or meat products are to be shipped out from the country of origin as indicated in the bill of lading or airway bill. Shipment made beyond the validity period shall render such shipment illegal and therefore shall be confiscated and disposed of in accordance with Section X herein.
- H. The VQC is not transferable and therefore shall only be used by the consignee for whom this was issued.
- I. Only the president/CEO/general manager of the importing firm and its authorized representatives are allowed to receive the approved VQC as provided in Section III (C).
- J. The One Shipment/BILL OF LADING-Per VQC Policy as defined in Section I (R) shall be strictly adhered to in the conduct of importation, such that a VQC can only be used relative to the shipment described therein. Any shipment made in violation of this provision shall render the same unlawful and subject the shipment to the disposition prescribed under Section X; furthermore the importation shall be deemed a violation of the herein Administrative Order subject to the Penalty Provisions as contained in Section XI hereunder.
- K. No VQC shall be issued after the shipment has left the port of origin and any misrepresentation of such fact shall render the VQC invalid and the importation illegal and subject to Section X hereof.

Section IV
PERSONAL AND NON-COMMERCIAL IMPORTATION

Importation of fresh, frozen, and uncooked meat products for personal and non-commercial consumption shall not be allowed unless covered by a valid VQC and IVC.

Section V
GENERAL REQUIREMENTS AND CONDITIONS

- A. Only FMEs as defined in Section I (H and I) recognized by the National Veterinary Administration of the exporting country are allowed to export into the Philippines. Recognition extended by the local, provincial, and/or regional veterinary administrations/authorities at the country of origin is not recognized by DA.
- B. Only accredited importers as defined in Section I (B) are allowed to file an application for VQC for the importation of meat and meat products and to import from FMEs.
- C. The accredited importer shall ensure that its exporter at the country of origin has received a copy (i.e. electronic copy, facsimile) of the approved VQC/SPS Clearance prior to the shipment/boarding of meat and/or meat products to the Philippines.
- D. The accredited importer shall ensure that the date of shipment of goods (as reflected in the Bill of Lading/Airway Bill) is not earlier than the date of the issuance of VQC.
- E. The seal of the container of imported meat and/or meat products must be maintained throughout the chain of importation. The fact that an imported meat or meat product is transhipped or made to pass through other ports other than original port of origin before arriving in the Philippines shall not invalidate the VQC and IVC, unless the original seal has been broken.

Section VI
ADDITIONAL MEASURE,
TEMPORARY IMPORT BAN AND RESUMPTION OF TRADE

- A. During emergency cases/situations, DA shall exercise its authority and powers under existing laws in the 'timely' imposition of a temporary import ban on the importation of relevant meat and/or meat products from relevant areas/regions/countries to ensure human and animal health/life are secured and protected. In the promulgation of an import ban, DA shall:
 1. Suspend the issuance of VQC for relevant applications;
 2. Cancel/revoke all relevant VQCs issued;
 3. Suspend all relevant shipments; and
 4. Confiscate all relevant shipments and dispose these shipments in accordance with Section X;
- B. Emergency cases/situations include the following:
 1. Outbreak of any relevant OIE notifiable disease;
 2. Danger/occurrence of contamination (e.g., dioxin contamination); and/or
 3. Other cases important to public health and safety as determined by DA.
- C. In the imposition of any import ban, DA shall consider the following:

1. The recommendations of OIE, World Health Organization (WHO), and/or Codex;
 2. The risk management and communication measures undertaken by the exporting government are not sufficient as may be determined through readily available information;
 3. The importance as to the presence in the source country or part of the country of the relevant diseases, contaminations and/or other cases important to public health and safety;
 4. The results of any risk assessment undertaken by DA based on readily available information; and/or
 5. Other circumstances which warrant the imposition of a ban.
- D. The temporary import ban shall be lifted based on the following considerations:
1. The recommendations of OIE, World Health Organization, and/or Codex;
 2. The risk management and communication measures undertaken by the exporting government are already sufficient;
 3. The results of any risk assessment undertaken by DA based on readily available information; and
 4. Other considerations that warrant the resumption of importation.
- E. In cases of emergency situations referred to in Section VI (B) which do not necessarily require immediate banning of meat and/or meat products, DA may institute extra/additional measure/s apart from the regular measures, standards and requirements necessary to ensure the safety and wholesomeness of any meat and/or meat products that may be imported from the relevant area/region/country where such emergency cases occur.

Section VII PACKING AND LABELING REQUIREMENTS

The accredited importer shall ensure that the shipment shall comply with the following packing and labeling requirements:

- A. The packing materials and containers in direct contact with the meat and/or meat products must be of food grade quality based on the standards set by Codex or equivalent standards as may be determined by DA.
- B. All wood packaging materials of imported meat/meat products shall be treated in accordance with the International Standards on Phytosanitary Measures No. 15 (ISPM No. 15).
- C. All food additives/preservatives shall be declared in the label as appropriate/applicable.
- D. The packaging must meet the minimum labeling requirement as follows:
 1. Registered trade name of the exporter or brand name of the product;
 2. Business name and address of the exporter;
 3. Country of origin;
 4. Lot identification;
 5. Product description and list of ingredients;
 6. Net quantity of contents, in terms of weight, measure or numerical count rounded to the nearest tenths (expressed in METRIC SYSTEM);
 7. Date of manufacture and packaging;
 8. Date of minimum durability ("best before") or expiration date; and

9. Handling and storage instructions

- E. The label on each box/packaging of the imported meat and/or meat products must be written in English or Filipino and each character of the text should not be less than 2.5 mm (for pre-printed or stamped) and 5 mm (for stenciled or hand painted).

Section VIII
BORDER CONTROL INSPECTION AND
CLEARANCE AND RELEASE PROCEDURES

- A. Border control shall be conducted strictly for all shipments of meat and/or meat products. To ensure timely initiation and completion of veterinary and meat inspection and clearance, the importer/consignee or his/her authorized representative shall submit to the Veterinary Quarantine Officer (VQO) all the required documents pertinent to the shipment as prescribed in Section VIII (C.1).
- B. Upon arrival of any shipment of meat and/or meat products at the port of entry as defined in Section I (5), this shall be subjected to documentary verification and evaluation, veterinary inspection by DA. Only upon completion of these mandatory activities and clearances shall the BOC release the shipment.
- C. At the port of entry, the VQO shall:
 - 1. Verify and evaluate the authenticity, validity and accuracy of VQC (original), IVC (original), Bill of Lading/Airway Bill and Packing List submitted by the importer/consignee;
 - 2. Subject the shipment to veterinary quarantine inspection and further documentation;
 - 3. Reseal the container van/s carrying the meat and/or meat products;
 - 4. Issue and sign the Veterinary Quarantine and Meat Inspection and Laboratory Certificate (VQMILC) (attached as Annex "C") and stamp "INSPECTED AND PASSED FOR TRANSFER TO NMIS ACCREDITED COLD STORAGE" on the authentic copy of the BOC import documents/entries;
 - 5. Issue official receipt for the payment of necessary DA inspection fees; and
 - 6. Endorse the original VQMILC and the shipment to NMIS for meat inspection and/or laboratory analysis, as required.
- D. Upon transfer of the shipment to any DA-accredited cold storage facility/warehouse/port of inspection, NMIS shall:
 - 1. Immediately designate and dispatch an NMIS inspector and conduct meat inspection within 24 hours;
 - 2. Check and verify the integrity of the VQMILC and BAI seal.

3. Complete the inspection and/or laboratory analysis within:

Duration	Supplier/Product/Situation
1. one(1)-day (inspection)	<ul style="list-style-type: none"> FME in "Good Standing" as defined in Section I (I)
2. five(5)-day (inspection and laboratory analysis)	<ul style="list-style-type: none"> New Product Supplier (NPS) as defined in Section I (P); When an FME is delisted as an FME in "Good Standing" by DA; or When there are any of the emergency cases referred to in Section VI (B) herein at the source or port/s of transshipment/ routes of the shipment.

4. Sign the VQMILC that was endorsed by BAI VQO if the NMIS inspection and/or laboratory test results are satisfactory; and
5. Give the completed VQMILC (original) to the BOC (copy furnish BAI and the importer), which shall then be the basis of the BOC for the final liquidation of the importation documents. The final liquidation of the importation documents does not preclude the importer from utilizing the shipment.

**Section IX
POST-BORDER SANITARY CONDITIONS**

All imported meat and/or meat products shall be subject to further relevant DA meat and meat products safety rules and regulations to ensure the consistency of quality and safety of the products and their traceability pursuant to Republic Act 9296, otherwise known as the Meat Inspection Code of the Philippines.

**Section X
CONFISCATION AND DISPOSITION**

- A. Imported meat and/or meat products without VQC shall be refused admission or entry (i.e. while still in the vessel prior to unloading) and exported. If for any reason whatsoever these products were able to gain entry into the customs territory, the same shall be seized and destroyed at the expense of the importer to protect public health and the local animal population.
- B. Imported meat and/or meat products shall be confiscated when any of the violations below is committed, as any of these violations is deemed as compromising the integrity of the country's Risk Management Measures/Policy (RMP) as defined in Section I (U) and/or directly posing serious health and safety risks.
 - B.1. At the port of entry, the BOC upon the recommendation of the quarantine officer, shall confiscate the imported products if:
 - a. The seal of the container of the shipment has been broken.

- b. The shipment lacks a valid VQC.
- c. The shipment has no IVC issued by NVA at the country of origin.
- d. The volume/quantity of goods imported exceeds the volume indicated in the approved VQC and IVC by more than three (3%) per item; provided, that only the volume/quantity which exceeds the allowable limit shall be confiscated.
- e. The shipment is not sourced from an accredited FME.
- f. The animals slaughtered are not from DA approved area, region, or country.
- g. False claims, misrepresentation, and misbranding as may be evidenced by mislabeling of meat and meat/products.
- h. The meat and/ meat products have arrived beyond the "date of minimum durability"/expiration date.
- i. The shipment has been labeled not in conformity with Section VII (C) (1 to 9) or absence of any of these labeling requirements;
- j. The shipment is found to be infected by any OIE lists A and/or B disease.
- k. Other deliberate violations of the provisions of this Order including refusal of the consignee/importer to access/secure pertinent documents relevant to the shipment.

B.2. At the cold storage/warehouse/port of inspection, the BOC upon the recommendation of the NMIS inspector, shall confiscate the imported products if:

- a. The BAI seal is broken/removed not by the NMIS inspector.
- b. Part of, or the entire shipment is utilized, processed, marketed and/or distributed without VQMILC.
- c. The shipment is found to be carrying any disease-causing organism.
- d. The shipment contains any toxic or deleterious substance, which may render it injurious to health.
- e. The shipment contain any added toxic or deleterious substance other than allowed (a) food additives, and (b) color additives (c) contaminants at levels beyond the prescribed/established tolerance.
- f. The shipment consists, in whole or part, of any filthy, putrid, rotten, decomposed substance or foreign matter, or otherwise unfit for human consumption.
- g. The container or packaging materials in direct contact with the meat and/or meat products are found to be composed of, in whole or part, of any poisonous or deleterious substance, which render the contents injurious to health.
- h. Other violations that pose risks to human and animal health/life.
- i. Other deliberate violations of the provisions of this Order including refusal of the consignee/importer to access/secure pertinent documents relevant to the shipment.

C. Shipment in violation of Section X (B.1.) shall be confiscated and destroyed jointly by BOC and DA.

D. The importer/consignee shall bear the expenses to be incurred in the confiscation and disposition of the shipment in view of Section X (A and B). These expenses include but are not limited to the destruction, storage, and labor.

E. Violations committed at the country of origin by FMEs shall be used as a basis for possible cancellation of their accreditation.

Section XI SEIZURE AND MODIFICATION

- A. Imported meat and/or meat products shall be seized and held in abeyance at the port of entry under the supervision of DA or at any DA accredited cold storage facility when the shipment of meat and/or products is inappropriately labeled based on the requirements in Section VII (C) (1 to 9). Provided that such violation does not constitute misrepresentation,

misbranding, false claims and other deliberate acts. Otherwise, such shipment shall be confiscated and disposed of in accordance with Section X.

- B. The release and utilization of such shipment are dependent on the consignee's compliance to further measures on modification that shall be required by DA, provided, however, that such shipment held in abeyance does not violate any of the provisions in Section X (B). Otherwise, such shipment shall be confiscated and disposed of accordingly.

Section XII
PENALTY PROVISIONS

- A. Non-compliance with Sections III (A to I), Sections VII (A to D), and shipments in contravention of Section III (K), is deemed violations of this Administrative Order, with the responsible shipper/consignor/importer subject to the application of these penalty provisions.
- B. Violators of the provisions of this Order shall be penalized under Article 19 (Penalty), Chapter I, Title II, of Republic Act No. 7394 otherwise known as the Consumer Act of the Philippines issued 13 April 1992 and/or in cases of fraudulent/unlawful importation, under Section 3601 of the Tariff and Customs Code.
- C. Public officials/ employees who shall directly or indirectly participate in the commission of an offense or any act resulting in the violation of the provision(s) of this Administrative Order, specifically, but not limited to violation of Sections III (D, E and I) and Sections VIII (B, C and D) shall be held administratively and/or criminally liable under the Anti-graft Law, Civil Service Law, Rules and Regulations and the Code of Conduct and Ethical Standards for Public Officials and Employees.

Section XIII
REPEALING CLAUSE

- A. All existing rules and regulations, which are inconsistent with this Order, are hereby modified, revoked or repealed accordingly.
- B. This Order repeals AO 16 (April 2000), AO 39 (October 2000), AO 56 (December 2000) which provide the rules, regulations, guidelines and standards governing the importation of meat and meat products into the Philippines.

Section XIV
SEPARABILITY CLAUSE

The provisions of this Order are hereby declared to be separable and in the event one or more of such provisions are held unconstitutional, the validity of the other provisions shall not be affected thereby.

Section XV
TRANSITORY PROVISIONS


- A. All in-transit shipments of meat and/or meat products which are shipped out from the country of origin prior to the effectivity of this Order shall be subjected to provisions of AO 39 and AO 56.
- B. All existing importers and exporters shall be subject to review and assessment of their accreditation status. For this purpose, DA shall be issuing supplementary guidelines, rules and regulations on the accreditation of both the importer and exporters.


This Order shall take effect 15 days after publication in two (2) newspapers of national circulation.

Done in the City of Quezon, this 31st day of August in the year of the Lord, 2005.

DOMINGO F. PANGANIBAN
Secretary

Recommending Approval:


Dr. Minda S. Manantan
OIC, Office of the Executive Director
National Meat Inspection Service


Dr. Davinto Catbagan
OIC, Office of the Director
Bureau of Animal Industry

ANNEX "A"

LIST OF MEAT AND MEAT PRODUCTS REFERRED TO IN
SECTION II OF DA AO NO. _____, SERIES OF 2005

Heading No.	Description
02.01	Meat of bovine animals, fresh or chilled
02.02	Meat of bovine animals, frozen
02.03	Meat of swine, fresh, chilled or frozen
02.04	Meat of sheep or goats, fresh, chilled or frozen
02.05	Meat of horses, asses, mules or hinnies, fresh, chilled or frozen
02.06	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen
02.07	Meat of edible offal, of poultry of heading no. 01.05 fresh, chilled or frozen
02.08	Other meat and edible meat offal, fresh, chilled or frozen
02.09	Pig fat, free of lean meat, and poultry fat, not rendered or otherwise extracted, fresh, chilled and frozen
02.10	Meat and edible meat offal, salted in brine, dried or smoked, edible flours and meals of meat or meat offal
15.02	Fat of bovine animals, sheep and goats other those of heading no. 15.03 (not processed)
16.01	Sausages and similar products; of meat, meat offal or blood; food preparations based on these
16.02	Other prepared or preserved meat, meat offal or blood

Based on the Harmonized Commodity Description and Coding System, Tariff and Customs Code of the Philippines (TCCP) issued in 2003.



Department of Agriculture
Bureau of Animal Industry
National Veterinary Quarantine Services
Diliman, Quezon City

Annex "B" of DA AO _____
Series of 2005

APPLICATION FOR VETERINARY QUARANTINE CLEARANCE TO IMPORT

INSTRUCTION TO IMPORTER: Complete and submit one notarized copy and Pro Forma Invoice / Sales Agreement to National Veterinary Quarantine Services, Bureau of Animal Industry

1. NAME AND ADDRESS OF IMPORTER		2. NAME AND ADDRESS OF EXPORTER /FOREIGN MEAT ESTABLISHMENT	
TELEPHONE/FAX NUMBER		FOREIGN MEAT ESTABLISHMENT NO.	
3. PORT OF LOADING (IF AVAILABLE)		4. COUNTRY OF ORIGIN	
5. MODE OF TRANSPORTATION		6. PHILIPPINES PORT OF ENTRY	
ITEM	DESCRIPTION	QUANTITY	
7. NAME AND ADDRESS OF COLD STORAGE WHERE DELIVERY WILL BE MADE		8. BAI ACCREDITATION NO. OF IMPORTER	

1. I declare that these products will be used in accordance with all Philippines quarantine requirements as may be specified in the VQC to be issued for the importation and other DA rules and regulations relevant thereto.
2. I subscribe and declare to follow all the applicable provisions of the DA rules, regulations, standards on the importation of meat and meat Products into the Country and other DA rules and regulations relevant thereto.
3. I declare that at the time of the filing of this application, the meat and/or meat products that are to be imported are still in the country of origin and have not yet boarded in a vessel/aircraft.
4. I declare that the information I have provided herein are true and accurate to the best of my knowledge and belief.

DATE SIGNED	SIGNATURE OF IMPORTER
SPACE FOR NOTARIZATION	

As per DA Admin. Order No. _____ Series of 2005, no meat and meat products may be imported without a valid Veterinary Quarantine Clearance issued by the Bureau of Animal Industry.



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Office of the Secretary
Elliptical Road, Diliman, Quezon City 1100

VQMILC No. _____

_____ Date

VETERINARY QUARANTINE AND MEAT INSPECTION AND LABORATORY
CERTIFICATE

This is to certify that the undersigned had inspected the shipment described below:

Under BAI:

Consignee:	
Commodity:	
VQC No.	
IVC No.	
Country of origin	
Volume:	
Number of containers	
Container No/s.:	
Port of arrival:	
Date of arrival:	
Date of Release to NMIS:	

Under NMIS:

Accredited cold storage/warehouse	
Date of arrival in cold storage/warehouse	
Date of inspection and sampling	
Date of clearance	
Date of release to BOC	

This further certifies that said importation complied with all the requirements of the National Meat Inspection Service (NMIS), Bureau of Animal Industry (BAI) and had been subjected to inspection and/or laboratory analysis by the National Meat Inspection Service and found to be fit for human consumption. This document serves as the basis of the Bureau of Customs (BOC) for the final release of the import documents to the Consignee.

BAI Veterinary Quarantine
Officer/Inspector

NMIS Meat Control Officer/Meat
Inspector



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Office of the Secretary
Elliptical Road, Dikitanan, Quezon City

TO THE HONORABLE DEPARTMENT OF AGRICULTURE
In compliance with the code
For Signature: DA-18-07-0120
Received: 10:50:00 0310 PM

October 13, 2006

10/23/06 H

ADMINISTRATIVE ORDER

No. 16
Series of 2006

SUBJECT: PRE-BORDER MEASURES FOR THE EXPORT OF MEAT AND MEAT PRODUCTS TO THE PHILIPPINES

WHEREAS, the spread of animal diseases and food-borne diseases among countries that continues as a consequence of increased global and inter-country trade of livestock and poultry and their products causes negative impacts on the domestic industry and economy;

WHEREAS, it is a paramount objective of the government to protect its borders and territories from the entry, establishment and spread of animal diseases that may be introduced by the importation of disease-carrying, contaminated, and/or adulterated meat and/or meat products, which endanger the safety/health and lives of the consuming public and which could bring potentially serious economic consequences to the livestock, poultry and related industries;

WHEREAS, the multilateral framework of rules and disciplines on international trade under the World Trade Organization (WTO) particularly the *Agreement on the Application of Sanitary and Phytosanitary Measures (SPS)* and the *Agreement of Technical Barriers to Trade (TBT)* reaffirm and guarantee the right of a country to institute appropriate measures as it deems necessary for the protection of human and animal health/life, or the prevention of deceptive practices, at the levels it considers appropriate, subject to the requirement that they are not applied in a manner that would constitute as a disguised restriction to trade;

WHEREAS, the Department of Agriculture (DA) recognizes and adopts international standards, guidelines and recommendations for (a) animal health and zoonoses prescribed under the *Terrestrial Animal Health Code of the Office International des Epizooties (OIE)*; and (b) food safety prescribed by the *Codex Alimentarius Commission*;

WHEREAS, Republic Act (RA) No. 9296 otherwise known as the *Meat Inspection Code of the Philippines* provides the general guidelines governing the sanitary regulations in handling, processing, distribution, marketing and trading of meat and meat products;

WHEREAS, Section 34 of RA 9296 provides that an exporter to the Philippines is required to secure accreditation of its Foreign Meat Establishments (FMEs) and to subject its relevant region/s and/or country to the DA's import risk analysis (IRA) before the export of meat and meat products to the Philippines can be commenced;

WHEREAS, the DA Administrative Order (AO) No. 26, Series of 2005, otherwise known as the *Revised Rules, Regulations, and Standards Governing the Importation of Meat and Meat Products into the Philippines* provides that pre-border measures (PBMs) are integral part of the country's risk management measures/policy (RMMs/RMP) to achieve the country's appropriate level of protection (ALOP);

WHEREAS, Section XV-B of AO 26, Series of 2005 provides that existing exporters of meat and/or meat products to the country shall be subject to review and assessment of their accreditation status;

WHEREAS, Section 35 of RA 9296 and Section V of DA AO 26, Series of 2005, mandate that only those FMEs recognized by, or under the inspection of the National Competent Authority (NCA) of the exporting country are qualified for DA accreditation to export to the Philippines;

WHEREAS, in the interest of transparency and clarity while ensuring that meat and meat products exported to the Philippines do not pose a threat to the health and safety of the consuming public and the domestic livestock and poultry industry, there is a need to issue a comprehensive set of rules, regulations and procedures governing pre-border measures particularly on the accreditation of FMEs that may be allowed to export meat and meat products to the Philippines;

NOW, THEREFORE, I, DOMINGO F. PANGANIBAN, Secretary of Agriculture, by the powers vested upon me by law do hereby issue this Order prescribing specific Pre-Border Measures governing the accreditation of Foreign Meat Establishments to export meat and meat products to the Philippines.

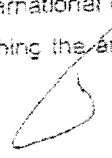
Section 1
DEFINITION OF TERMS

- 1.1 *Accreditation* – refers to the privilege granted by the DA to a country or FME to export its meat and meat products to the Philippines after due evaluation, validation, on-site inspection and conduct of import risk analysis based on a set of rules, regulations, recommendations, and standards to determine the soundness of the veterinary services, animal health surveillance/monitoring system and the meat inspection system of the government and the status and features of the FMEs.



- 1.2 *Accredited FME* – refers to a foreign meat establishment that has been assessed by the NCA of the Philippines and have been found to meet the requirements to export meat and meat products to the Philippines.
- 1.3 *Applicant country* – refers to a foreign country applying for accreditation either system or for individual FME accreditation to export meat and meat products to the Philippines.
- 1.4 *Application fee* – refers to the fee to be paid by applicant countries to cover processing and administrative expenses of their application.
- 1.5 *Audit* – is a systematic and functionally independent examination to determine whether activities and related results comply with planned objectives including, but not limited to, on-site inspection and evaluation of livestock farms, laboratories, government establishments, FMEs to ascertain conformity to the standards and compliance to regulations set by the DA in accordance with the international standards. General Considerations during the conduct of audit is stated in ANNEX A1.
- 1.6 *Certificate of FME Accreditation (CFMEA)* – refers to the legal instrument issued by the Secretary of Agriculture declaring and notifying the public that a particular FME has been accredited to export meat and meat products to the Philippines and has satisfied all the requirements set by the DA.
- 1.7 *Certificate of System Accreditation (CSA)* – refers to the legal instrument issued by the Secretary of Agriculture declaring and notifying the public that a particular country has been accredited by the DA as source of meat and/or meat products to the Philippines processed from its NCA accredited and guaranteed FMEs.
- 1.8 *Codex Alimentarius Commission* – refers to the international organization recognized by the WTO for establishing food standards, codes of practice, guidelines and recommendations aimed at protecting consumer health and ensuring fair food trade practices. Codex also refers to food standards and related texts elaborated and adopted by the Commission, which are recognized by the WTO as benchmark standards in relation to food quality and safety.
- 1.9 *DA Inspection Mission (DAIM)* – refers to the team of technical experts designated by the Secretary on border control, animal health and meat inspection.
- 1.10 *DAIM Report* – refers to the written document prepared by the DAIM upon completion of on-site inspection of FMEs and a country's system and of the IRA, which contains the relevant information, data and supporting documents referring to the scientific and

technical findings including its recommendations. Integral to this report are all supporting documents relevant throughout the accreditation process including those resulting from the IRA undertaken and the prescribed PBMs/RMMs.

- 1.11 *Foreign Meat Establishments (FMEs)* – refers to facilities in a foreign country engaged in slaughtering and dressing of food animals, and processing, cutting, packing and storing of meat and meat products, and are duly licensed by the NCA of that country to export meat and meat products.
- 1.12 *Hazard Analysis and Critical Control Point (HACCP)* – refers to the "HACCP System and Guidelines for its Application" issued by the Codex Alimentarius Commission [CAC / RCP 1 – 1969, Rev. 3 (1997)].
- 1.13 *Import Risk Analysis (IRA)* – refers to the assessment of the risks of importation based on the risks to human, animal, plant life or health, taking into account risk assessment techniques developed by international organizations.
- 1.14 *Individual FME* – refers to an applicant FME in a country which is not a system accredited.
- 1.15 *Inspection and Audit Fund* – refers to the fund collected from fees paid by the applicant relative to their application for accreditation to export meat and meat products to the Philippines, which shall be deposited in the NMIS Trust Fund as a special account for the sole purpose of expending on activities relevant to accreditation and audit.
- 1.16 *Meat* – refers to the fresh, chilled or frozen edible carcass or parts thereof including offal derived from food animals.
- 1.17 *Meat Product* – refers to meat, which has been subjected to physical change and/or treatment such as cooking, drying, salting, brining or smoking.
- 1.18 *National Competent Authority (NCA)* – refers to the national veterinary authority having jurisdiction over the whole country for implementing the animal health measures based on OIE Terrestrial Animal Health Code and/or meat and meat products quality and safety measures based on Codex standards.
- 1.19 *Office International des Epizooties (OIE)* – refers to the international organization recognized by the WTO as the responsible body for establishing the animal health standards, guidelines and recommendations.
- 

- 1.20 *Representative FME* – refers to an FME which has been randomly selected by the DA from among the list of FMEs submitted by the NCA of a country applying for system accreditation. It shall serve as an example of export FMEs in the applicant country for inspection and evaluation for physical structure and operations during on-site visits of the DA/IM. The total number of selected representative FMEs to be visited shall be based on the DA's evaluation on the submitted questionnaire and other available information not necessarily provided by the applicant country.
- 1.21 *Risk Management Policy (RMP)* – refers to the overall risk management measures (RfMIs) being applied by DA based on OIE and Codex standards and other science-based standards, which are deemed necessary to achieve the country's appropriate level of protection. Each measure required by DA herein is an integral part of the whole RMP, which guarantees protection of the country from the entry, establishment and spread of foreign diseases and contaminations associated with the importation of meat and/or meat products into the country. The RMP includes all measures which have the effect of verifying SPS controls at the country of origin, the country's customs areas, and post-entry areas, which take the form of, but not limited to, documentation requirements, certifications by appropriate bodies, slaughtering and processing standards, packing and labeling requirements, transportation and handling conditions, marketing, advertising, distribution requirements, risk communication measures, and disease and contamination control measures.
- 1.22 *System Accredited Country* – a country whose standards and system of monitoring, surveillance, inspection and control for animal and public health have been assessed by the NCA of the Philippines and have been found to meet the requirements to export meat and meat products to the Philippines.

Section II

SCOPE AND LIMITATIONS

This set of rules and regulations shall apply to a country or FME that intends to export HACCP (or equivalent standard) certified meat and meat products to the Philippines.

Section III

REQUIREMENTS FOR ACCREDITATION

1. The applicant country intending to export to the Philippines must be an OIE member.
2. The applicant country may apply either for a *SYSTEM ACCREDITATION* or *INDIVIDUAL FME ACCREDITATION*.

3. The NCA of the applicant country shall serve as the counterpart contact agency of the DA. It shall be responsible for endorsing and certifying the veracity of all documentary requirements submitted to the DA.
4. Applicant country for system accreditation shall submit documentary requirements referred to in this AO as the questionnaire on Information on Animal and Veterinary Public Health (ANNEX A) and a list of exporting FMEs from which the DA shall select representatives for inclusion in the onsite visits and validation.
5. A country that would qualify for system accreditation shall, through its NCA, submit the list of FMEs interested to export meat and meat products to the Philippines. These FMEs will not be subjected to onsite visits but shall be required to submit an accomplished ANNEX E for DA's reference and monitoring. Certificate of FME Accreditation (CFMEA) shall be issued prior to any exportation of meat and meat products to the Philippines.
6. Applicant countries seeking individual FME accreditation shall submit documentary requirements referred to in this AO as the questionnaire on Information on Animal and Veterinary Public Health (ANNEX A) and a list of exporting FMEs intending to export meat and meat products to the Philippines together with accomplished questionnaires on Information on the Foreign Meat Establishment (ANNEX B) of the said FMEs.
7. All documentary requirements shall be accomplished in English.

Section IV

APPLICATION PROCEDURES and PRELIMINARY EVALUATION

1. The applicant country seeking either system accreditation or individual FME accreditation shall submit a letter of intent and application to the Secretary of the Department of Agriculture. The letter shall be addressed to:

THE SECRETARY
Department of Agriculture
Elliptical Road, Diliman,
Quezon City 1101
Republic of the Philippines

2. The letter of intent and application shall be accompanied by an accomplished ANNEX A questionnaire for all applicant countries. Applicant countries seeking

accreditation for individual FMEs are further required to submit accomplished ANNEX B questionnaires of the FMEs wishing to export meat and meat products to the Philippines.

3. Additional information and materials may be attached to the questionnaire (ANNEX A) to support claims and statements made. Complete information must be provided to avoid delays in the processing.
4. All applications shall be coursed through the NOA of the applicant country.
5. The DA shall make a preliminary evaluation of the application and the information provided in the questionnaires.
6. In the conduct of the preliminary evaluation, the DA may require the applicant country to submit other pertinent information that may be needed apart from what have been already provided in the application and in the questionnaires.
7. Preliminary evaluation of the applicant country shall be completed within six (6) months provided all the necessary requirements are complied with.
8. The DA shall notify the applicant country of the results of the preliminary evaluation and the areas of interest for verification and validation of the DA. The applicant country shall be classified as either qualified for System Accreditation or Individual FME Accreditation.
9. Applicant country deemed qualified for system accreditation shall now propose an itinerary for the DAIM based on the areas of interest for verification and validation identified by DA. The applicant country shall also pay the application fee and shall coordinate with the DA regarding cost sharing arrangements on the on-site verification and validation activities.
10. Applicant country deemed qualified for individual FME accreditation shall propose an itinerary for the DAIM based on the areas of interest for verification and validation identified by DA. The applicant country shall also pay the application fee and shall coordinate with the DA regarding cost sharing arrangements on the on-site verification and validation activities.

Section V

ON-SITE INSPECTION AND VALIDATION

1. The Secretary of Agriculture shall designate the members of DAIM team, which shall undertake the validation of documents, select the representative FME in the case of

system accreditation or individual FME in the case of individual FME accreditation, the conduct of on-site inspection and other activities related to the IRA.

2. The DAIM shall be composed of but not limited to technical experts on border control, animal health and meat inspection. It shall have the following mandate:
 - a) Prepare the IRA design;
 - b) Conduct the on-site inspection and document validation;
 - c) Prepare and submit the DAIM Report to Accreditation Review Board (ARB) within 30 days from the completion of IRA, on-site inspection and validation; and
 - d) Undertake other activities relevant to the accreditation
3. The NCA of the applicant country shall extend full cooperation with the DAIM during the inspection by ensuring, among others, that the DA approved itinerary including the activities relevant thereto, are duly completed.
4. Individual FMEs from countries that do not qualify for system accreditation shall be evaluated based on the submitted questionnaire and additional information endorsed by the NCA of that country and findings of the DAIM during on-site visit and summary of IRA.

Section VI

THE ACCREDITATION REVIEW BODY (ARB)

1. The ARB shall be created and tasked to review the DAIM Report as defined in Section 1.10 and recommend to the Secretary the appropriate action on the application for accreditation.
2. The ARB shall be composed of the following:

- | | |
|-------------|---|
| Chairperson | DA Undersecretary; |
| Vice-Chair | Designated by the Chair from the members; |
| Members | Representative; |
- a) National Meat Inspection Service (NMIS)
 - b) Bureau of Animal Industry (BAI)
 - c) Livestock Development Council (LDC)
 - d) Bureau of Agriculture and Fisheries Products Standards (BAFPS)
 - e) DA Policy Research Service (DA-PRS)
 - f) DA-Legal Office



Section VII
ISSUANCE AND MAINTENANCE OF ACCREDITATION

1. The DA shall issue a Certificate of System Accreditation (CSA) to a country.
2. The DA shall issue CFMEA to FMEs under System Accredited Country.
3. CFMEA can only be issued to individual FMEs after all the requirements are complied with.
4. The accreditation shall be effective upon the issuance of the CSA or CFMEA and shall continue to be in effect provided the accredited country and FME conform to the provisions of this AO.
5. The NCA of all exporting countries regardless of accreditation status as system or individual shall submit a copy to the DA of its annual animal health status report, food safety concerns to include product recalls and current list of meat establishments licensed to export including the list of those that were delisted or suspended.

Section VIII
SUSPENSION AND/OR CANCELLATION OF ACCREDITATION

The accreditation shall be suspended and/or cancelled by DA if:

1. the accredited country violates relevant provisions of Philippine laws and DA issuances that pose risk to human, animal and plant health in the Philippines;
2. the accredited country / FME fails to meet audit requirements ;
3. Emergency situations in the exporting countries that may pose risk to human and animal health in the Philippines (e. g. outbreaks of zoonoses and important notifiable diseases);
4. Repeated rejection of consignments upon arrival due to evidence of serious food safety or public health issues in the exporting country;
5. Repeated occasions of serious misrepresentations or consumer fraud;
6. Repeated evidence of a serious failure in the inspection or control system in the exporting country reflected in the imported products;



Section VII

7. There are evidence of repeated failures of correctable nature (e.g. labeling errors, misrepresentation of documents etc); and
8. Failure or lack of interest on the part of the NCA to comply with commitments with the DA.

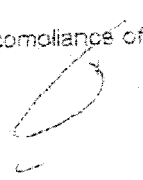
Section IX

INSPECTION AND AUDIT FUND

1. The inspection and audit expenses shall be shared by the DA and the applicant country and/or individual FME applicant.
2. All amounts collected relative to accreditation activities shall be deposited in the account of the NMIS Development Trust Fund created under Section 47 of RA 9296.
3. The funds are to be disbursed for the purpose of undertaking the activities pertinent to accreditation and audit of exporting countries, subject to government accounting and auditing rules and regulations.
4. Supplemental fees may be required subject to the mutual agreement of the DA and the applicant country if additional on-site or follow-up inspection is required.

Section X

REVIEW AND AUDIT OF EXPORTERS OF MEAT AND MEAT PRODUCTS

1. FMEs or countries, which have been exporting meat and/or meat products to the Philippines prior to the issuance of this AO, shall be subject to review and audit following the standards and procedures prescribed under this regulation. Failure of FMEs or countries to comply with this provision one (1) year from the approval of this AO shall lead to suspension of export.
 2. FMEs or countries accredited after the issuance of this AO shall be audited two years from the approval of the accreditation and every three years thereafter. Audits can be done earlier as may be warranted by circumstances e.g. animal health and food safety conditions.
 3. The frequency of audit may be modified in accordance with the history of compliance of the individual FMEs.
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Section XI
REPEALING CLAUSE

All existing rules and regulations, which are inconsistent with this Order, are thereby modified, revoked or repealed accordingly.

Section XII
SEPARABILITY CLAUSE

The provisions of this Order are hereby declared to be separable and in the event one or more of such provisions are held unconstitutional, the validity of the other provisions shall not be affected thereby.


Section XIII
EFFECTIVITY


This order shall take effect 15 days after its publication in two (2) newspapers of national circulation.

Done in the City of Quezon, this ^{16th} day of October in the year of the Lord, 2008


DOMINGO F. PANGANIBAN
Secretary 

Recommending Approval:


DR. MINDA S. MANANTAN
OIC, Office of the Executive Director
National Meat Inspection Service


DR. DAVINO P. CATBAGAN
OIC, Office of the Director
Bureau of Animal Industry

ACCREDITATION QUESTIONNAIRE

Information on Animal and Veterinary Public Health
(To be filled up by the National Competent Authority (NCA) of the Exporting Country)

Applicant Country: _____

1. GENERAL INFORMATION

Geographical issues:

- Site of the main and extension offices of the national veterinary authority on all matters pertaining to meat and meat product inspection and hygiene. Include the territorial jurisdiction of the main and extension offices and their respective official representative.
- Site of the main and extension meat laboratories of the NCA involved in the analysis of meat and meat product samples and include the territorial jurisdiction.

2. LEGISLATION:

Give the title of the national legislation considered providing equivalence to meat and meat product inspection and hygiene of the Philippines. Include also local legislations pertaining to public health. Copies of the above should be provided.

PART II: Animal Health Program

1. Organization and Structure of Veterinary Services

a. National Veterinary Services

Organizational chart including number of personnel and positions

b. Sub-national (State or Provincial) Veterinary Services

Organizational charts including number of personnel and positions

c. Other providers of Veterinary Services

Description of any linkage with other providers of Veterinary Services.

2. National Information on Human Resources

a. Veterinarians

i) Total numbers of:

- a) Veterinarians registered in the country.
- b) Graduate veterinarians (of other veterinary schools) who are not included in the above list.

At

ii) Numbers of:

- a) Full time government veterinarians: national and sub-national;
- b) Part time government veterinarians: national and sub-national;
- c) Private veterinarians authorized by the NCA to perform official veterinary functions (Describe accreditation standards, responsibilities and/or limitation applying to these private veterinarians.)

iii) Animal health:

Numbers associated with farm livestock sector on a majority time basis in a veterinary capacity, by geographical area (Show categories and numbers to differentiate staff involved in field service, laboratory, administration, import/export and other functions, as applicable.):

- a) Full time government veterinarians: national and sub-national;
- b) Part time government veterinarians: national and sub-national;
- c) Privately employed veterinarians.

Pl

iv) Veterinary public health:

Numbers employed in meat inspection on a majority time basis, by commodity (Show categories and numbers to differentiate staff involved in inspection, laboratory and other functions, as applicable.):

- a) Full time government veterinarians: national and sub-national;
- b) Part time government veterinarians: national and sub-national;
- c) Privately employed veterinarians.

v) Numbers of veterinarians relative to certain national indices:

- a) Per total human population.
- b) Per farm livestock population, by geographical area;
- c) Per livestock-farming unit, by geographical area.

vi) Veterinary education:

- a) Number of veterinary schools,
- b) Length of veterinary course (years);
- c) International recognition of veterinary degree (if applicable).

b. Graduate staff (non-veterinarian)

Details to be provided by category (including biologists, biometricians, economists, engineers, lawyers, other science graduates and others) on numbers within national Veterinary Services and available to national Veterinary Services.

c. Technical assistants employed by the Veterinary Services

i) Animal health:

- a) Numbers involved with farm livestock on a majority time basis, by geographical area:

- Proportional to numbers of field Veterinary Officers in the Veterinary Services, by geographical area.

b) Education/training details

3. Financial Management Information

- a. Total budgetary allocations to the Veterinary Services for the current and past two fiscal years:
- b. Sources of the budgetary allocations and amount
- c. Proportional allocations of the amounts in 3.a for operational activities and for the program components of Veterinary Services.
- d. Total allocation proportionate of national public sector budget (this data may be necessary for comparative assessment with other countries, which should take into account the context of the importance of the livestock sector to the national economy and of the animal health status of the country.).
- e. Actual and proportional contribution of animal production to gross domestic product.

4. Administration Details

a. Accommodation

Summary of the numbers and distribution of official administrative centers of the Veterinary Services (national and sub-national) in the country.

b. Communications

Summary of the forms of communication systems available to the Veterinary Services on a nation-wide and local area bases.

c. Transport

- i) Itemized numbers of types of functional transport available on a full-time basis for the Veterinary Services. In addition provide details of transport means available part-time.

5. Laboratory Services

a. Diagnostic laboratories (laboratories engaged primarily in diagnosis)

- i) Descriptive summary of the organizational structure and role of the government veterinary laboratory service in particular its relevance to the Veterinary Services.
- ii) Numbers of veterinary diagnostic laboratories operating in the country;
- government operated laboratories;
 - private laboratories accredited by government for the purposes of supporting official or officially-endorsed animal health control or public health testing and monitoring programs and import/export testing.
- iii) Descriptive summary of accreditation procedures and standards for private laboratories
- iv) Human and financial resources allocated to the government veterinary laboratories, including staff numbers, graduate and post-graduate qualifications and opportunities for further training.
- v) List of diagnostics methodologies available against major diseases of farm livestock (including poultry)
- vi) Details of collaboration with external laboratories including international reference laboratories and details on numbers of samples submitted.
- vii) Details of quality control and assessment (or validation) programs operating within the veterinary laboratory services.
- viii) Recent published reports of the official veterinary laboratory services which should include details of specimens received and foreign animal disease investigations made.
- ix) Details of procedures for storage and retrieval of information on specimen submission and results.
- x) Reports of independent reviews of the laboratory services conducted by government or private organizations (if available)

xii) Strategic and operational plans for the official veterinary laboratory service (if available)

c. Research Laboratories (laboratories engaged primarily in research)

i) Numbers of veterinary research laboratories operating in the country:

- government operated laboratories;
- private laboratories involved in full time research directly related to animal health and veterinary public health matters involving production animal species.

ii) Summary of human and financial resources allocated by government to veterinary research.

iii) Published programs of future government sponsored veterinary research.

iv) Annual reports of the government research laboratories

6. Functional Capabilities and Legislative Support

a. Animal health and veterinary public health

i) Assessment of the adequacy and implementation of relevant legislation (national or sub-national) concerning the following:

- animal and veterinary public health controls at national frontiers;
- control of endemic animal diseases, including zoonoses;
- emergency powers for control of exotic disease outbreak, including zoonoses;
- registration and use of veterinary pharmaceutical products including vaccines

7. Assessment of Ability of Veterinary Services to Enforce Legislation

a. Export and Import Inspection

i) Assessment of the adequacy and implementation of relevant national legislation concerning:

- Animal health and veterinary public health controls of the export and import of animals, animal genetic material, animal products, animal feedstuffs and other products subject to veterinary inspection;
- Animal health controls of the importation, use and bio-containment of organisms which are etiological agents of animal diseases, and of pathological materials;

- Animal health controls of importation of veterinary biological products including vaccines.
- Administrative powers available to Veterinary Services for inspection and registration of facilities for veterinary control purposes (if not included under other legislation mentioned above);
- Documentation and compliance.

ii) Assessment of ability of Veterinary Services to enforce legislation.

b. Animal Health Controls

i) Description of and sample reference data from any national animal disease reporting system controlled and operated or coordinated by the Veterinary Services.

ii) Description of and sample reference data from other national animal disease reporting systems controlled and operated by other organizations which make data and results available to Veterinary Services.

iii) Description and relevant data of current official control programs including:

- epidemiological surveillance of monitoring programs;
- officially approved industry-administered control or eradication programs for specific diseases.

iv) Description and relevant details of animal disease emergency preparedness and response plans.

v) Recent history of animal disease status.

- animal diseases eradicated nationally or from defined sub-national zones in the last ten years;
- animal diseases of which the prevalence has been controlled to a low level in the last ten years;
- animal diseases introduced to the country or to previously free sub-national regions in the last ten years;
- emerging diseases in the last ten years;
- animal diseases of which the prevalence has increased in the last ten years.

8. Membership to the OIE

State if the applicant country is a member of the OIE and brief history of its membership.

Part II: Veterinary Public Health Program

1. National Competent Authority (NCA) Control Systems

a. Management Structures

- i) Give the details of the NCA (for meat inspection and meat hygiene) to include main responsibilities and contact details of the key officials.
- ii) Describe the structure of the NCA and provide an organizational chart from the national to sub-national. Indicate the address of each office.
- iii) Indicate to whom the head of the NCA reports to. Describe the linkages of the NCA with other related government agencies.

b. Independence of the NCA

- i) Procedure to ensure the independence of the NCA
- ii) Links existing between the NCA and the industry, consumer groups and other private bodies.
- iii) Powers of investigation and enforcement given to the NCA

c. Resources

i) Financial

- Indicate the budget for the operation of the NCA (include those provided by the government and other sources)

ii) Personnel

- Give the total number of official veterinarians employed directly by the NCA for the inspection of meat and meat products for export and domestic consumption.
- Give the total number of official non-veterinary meat inspectors employed directly by the NCA for the inspection of meat and meat products for export and domestic consumption including the education requirements for these inspectors
- Give the total number of personnel in the national meat laboratories and its extension laboratories and their specific functions.
- Give the number of sub-national meat laboratories, their functions and personnel.

d. Personnel Conduct

- i) Rules that apply to the private/professional conduct of government officials outside their official duties
- ii) Code of discipline for Meat Inspection Officers.

e. Recruitment and training

- i) Give the minimum qualifications/requirements for veterinarians.
- ii) Give the minimum qualifications/requirements for non-veterinary meat inspectors.
- iii) Give the details of the initial and continuing training programs for newly recruited and regular veterinary and non-veterinary meat inspectors in relation to their duties and functions. Include also the continued professional development.

f. Enforcement powers

- i) Indicate powers of enforcement and sanctions in the event of non-compliance with existing rules and regulations.
- ii) Indicate the power of NCA to require data or information from a particular meat establishment.

g. Control programs

- i) Describe any formal written system for the identification and prioritization of food safety controls operated by the NCA. Explain how regular reviews are undertaken of the control program.

h. Documentation of controls

- i) Provide details of written official control programs and provide examples of documented results. What actions are taken in response to these results?

2. Certification

- a. Describe the system of printing, storage, maintaining and distribution of certificates to include the entity responsible for it.
- b. Describe the procedure for the completion of certificates (attach flow chart).
- c. Provide the lists of authorized controlling officer signatories for health certificates and who are authorized to sign / issue health certificates for export.
- d. Procedure in the recall and amendment of signed certificates (attach flow chart) and the authorized signatory.

3. Import Controls

This section relates to control of operation over imports from a third country

- a. Describe the general controls over the import of meat and meat products (legislation, approved countries and meat plant establishments, issuance of import permits, public health guarantees, certification, post-import testing, etc).
- b. Describe the type and frequency of checks carried out on imports of meat and meat products at the point of entry.
- c. Indicate the status and responsibility of the officer in charge of import controls at the border inspection posts.
- d. Describe the action available under legislation and actually taken when an illegal import is detected that is related to public health safety.

4. Laboratory Services

- a. Describe the management structure of the NCA laboratory service (include the organizational structure)
- b. State if the laboratory is certified by an international body. If yes, specify.
- c. Indicate if it accredits private laboratories to perform laboratory testing
- d. Give and describe any links with international reference laboratories.
- e. Give details of the type of tests undertaken by the laboratories in respect to food hygiene with the test results reported (e.g. Microbial, residue, etc.)
- f. Describe the laboratory participation in the conduct of proficiency testing
- g. Give details of internal quality management systems (e.g. ISO GLP etc.) that exist in the laboratory.
- h. Describe qualifications and academic credential of laboratory staff.
- i. Give training programs for laboratory staff in relation to their duties and functions.

5. Food Safety Standards

- a. Give details of the national meat safety and quality assurance program. Documentation of this program and its result should be provided.

- b. Give the frequency of visit/inspection and nature of regulatory controls of the NCA over the operation of meat establishments
- c. Describe the procedures for the granting, suspension and withdrawal of accreditation/registration for meat establishments. Describe the notification/communication procedures in the issuance of the registration list of meat establishments. Where are these published?
- d. Give the frequency/standard of medical check-up of food handlers and how the health status of the employees is addressed.
- e. Describe if any, the quality assurance management system that meat establishment operators are required to implement and include the role of the NCA.
- f. Describe the product traceability system.
- g. Describe the product recall system in place.
- h. Describe the required labeling official health mark used on carcasses, and labels of packaged meat, to indicate that the meat and meat products were prepared in registered or accredited meat establishment. Its reproduction (manufacture of stamps, printing of labels) and control to prevent unauthorized use.
- i. Provide details of categories of products other than that passed for human consumption, in establishments registered for export for meat and meat products. (e.g. for pet food, for rendering for feed manufacture, etc.)

6. HACCP (or equivalent international standard) Program

- a. Describe the system that firmly establishes the NCA's requirement pertaining to the adoption of a meat safety and quality assurance program by meat establishments.
- b. Describe the NCA's audit system to ensure the effective enforcement of the program.

7. Residue Plan

- a. Provide a copy of regulations used in the control of agricultural/industrial chemical residues and veterinary drugs, providing the list of respective tolerances and withdrawal program.
- b. Describe the residue-monitoring program.
- c. Describe system of approving use of pesticides and herbicides for crops used as animal feeds. Include a list of the approved chemicals.

8. Sub-National Veterinary Authority (State or Province)

- a. Describe levels of control over meat inspection and meat hygiene to cover the whole range of supply to retail trade. Is there legislation attendant to the functional arrangement.
- b. Describe in detail supervisory authority of national veterinary authority over sub-national control systems/organizations.

ACCREDITATION QUESTIONNAIRE

Information on the Foreign Meat Establishment
(To be filled up by the applicant FME and information must be written in English)

(A) PARTICULARS OF THE FME

1. Name of the FME:
2. Address.
3. Establishment Number
4. Year Constructed:
5. Total Land Area:
6. Total Building Area
7. Types of Products Manufactured:
8. Products Intended for Export to the Philippines:
9. Source of Livestock/Poultry/Other Animals:
 - List part of the country from where animals are sourced for slaughter/processing
 - Whether company owned or contracted
 - Brief description of the animal sourcing marketing plan and policy of the FME
10. FME exportation record:
 - List the countries, dates of approval, types of products approved for export, year of first export, dates of most recent exports. Attach copy of Veterinary Health Certificate that accompanied latest shipment to each country.
11. State whether FME is a service facility or used exclusively by the company.

(B) LOCATION AND LAYOUT OF THE FME

1. Description of the Area where FME is located
 - Attach a location plan to show clearly the surroundings where the FME is located.
 - attach a country map to show the town or city where the FME is located.

2. Layout Plan of FME

- Attach layout plan(s) showing the following in color indicated by arrows

- rooms for different operations.
- Entrance and exit of personnel.
- process and product flow

3. Materials Used and Design

Describe briefly

- Floor:
- Walls:
- Ceilings and superstructures:
- Lighting:
- Ventilation system:
- Footbaths or similar disinfection areas for entrance into slaughter/processing areas

(C) WATER SUPPLY / ICE1. Source of Water2. Chlorination: (YES / NO)

If yes, state level in ppm

3. Bacteriological Examination:

- Method:
- Frequency:
- Records availability: (YES/ NO)

4. Ice making machine in the premises: (YES / NO)

If YES, state capacity of machine, describe the ice storage and its capacity

If NO, but using ice, state information on the source

(D) MANPOWER1. Staff information

List the number, qualifications and names of professional, technical, general workers, etc employed by the FME.

4. Medical Examination and History

Are employees medically examined and certified fit to work in a food preparation establishment prior to employment? (YES / NO)

Annual health check and records for workers: (YES / NO)

Medical record of employees available? (YES / NO)

3. Uniforms/attire

Uniforms: (YES / NO)

Boots: (YES / NO)

Gloves and facemasks: (YES / NO)

Laundry (in-plant or contracted):

(E) SLAUGHTERING PREMISES1. Equipment

Attach list of equipment (types, brand and manufacturer) used.

2. Slaughtering Procedures

- Attach process flow charts of livestock/poultry/other animals slaughtered.
- Brief description of process
- Line speed:

3. Food safety programs

List of HACCP (or equivalent international standard) Certified Products intended for export to the Philippines

Whether based on HACCP concepts (or equivalent international standard) (YES / NO)
If YES, attach HACCP (or equivalent international standard) Plan

State whether testing done in-house or provided by a service laboratory

If in-house, list the facilities and tests:
Attach copy of manual

Sampling and testing procedures

Criteria for rejection/ acceptance of products and raw materials:

4. Product Recall and Traceability System

Brief description

5. Sanitation Standards Operating Procedures (SSOP)

Brief description

Name and designation of individuals implementing and maintaining SSOP activities

Attach manual and copies of the latest daily records of cleaning and sanitizing treatment

6. Daily Throughput

- Number of shifts:
- Slaughter capacity (Tonnes) per shift:
- Number of working days per week:

7. Capacity

Total annual slaughter/production capacity (tonnes):

8. Meat Inspection

- By government or company:
- Total number of inspectors, qualification and training:
- Number of inspectors per shift:
- Inspection Procedures:
Attach copy of the inspection Manual
- Criteria for judgment: (disposition)
Attach copy of the past condemnation record

9. Boning/Cutting Room

- Temperature control features (YES / NO)

if YES, state temperature

- Production capacity:

10. Storage Facilities

Brief description

- For packing/ canning materials
- For dry ingredients
- For chemicals, disinfectants and other cleaning agents

(Attach copy of the latest records)

11. Chillers/Freezers

Numbers, type (static, air blast, etc/ammonia or freon), capacity:

12. Offal Handling and Cooling Procedures

Brief description

13. Waste Treatment/Disposal

- System of delivery of inedible/condemned products for treatment
- System of waste treatment/disposal
- System of effluent treatment/disposal
- Designated disposal area/center
- Daily frequency of disposal for waste and effluent

14. Pest Control System

Brief description

(F) WELFARE/WASHING FACILITIES

Brief description

- Staff canteen(s)
- Toilets
- Lockers
- Changing rooms
- Shower facilities
- Hands free operated features for taps and toilet flush
- Disposal towels and hand disinfectant

(G) PHOTOGRAPHS, VIDEO TAPES, BROCHURES, ANNUAL REPORTS AND OTHER RELEVANT INFORMATION ON THE FME to support information provided may be submitted together with this questionnaire.

(H) DECLARATION BY ESTABLISHMENT

I declare that the information given above is true and correct.

Name and designation of person who submitted above information

Signature and Company Stamp

Date

(I) VERIFICATION BY THE NATIONAL COMPETENT AUTHORITY

I have verified the above information given by the company and certified that they are true and correct.

Name and designation of veterinarian who verified above information

Signature and Official Stamp of NCA

Date

The FME application and accomplished questionnaire (ANNEX B) must be submitted through the National Competent Authority of the exporting country.



Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Office of the Secretary
Elliptical Road, Diliman, Quezon City 1100
Telephone: (02) 9289742-46, loc. 2222 Website: <http://www.dag.gov.ph>

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
ELLIPITICAL ROAD, DILIMAN, QUEZON CITY 1100
TELEPHONE: (02) 9289742-46, loc. 2222
WEBSITE: <http://www.dag.gov.ph>

12 April 2010

DA - Administrative Order
No. 09
Series of 2010.

**SUBJECT: DEPARTMENT OF AGRICULTURE ADMINISTRATIVE ORDER NO. 08,
SERIES OF 2009, AS AMENDED**

WHEREAS, it is the paramount objective of the government in view of trade liberalization to adopt and enforce rules and regulations necessary to protect human, animal or plant life or health, ensuring that the agricultural and fishery products are safe for consumers and to prevent the introduction, establishment and spread of pests or diseases among animals or plants;

WHEREAS, smuggled agricultural and fish and fishery/aquatic products, fertilizers, pesticides and other agricultural chemicals, veterinary drugs and biological products pose serious threat to human, animal or plant life or health;

WHEREAS, the World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary (SPS) Measures recognizes that member-countries have the right to make SPS measures necessary to protect human, animal or plant life or health;

WHEREAS, the Department's various bureaus and agencies have their own set of rules and regulations on the importation of various products under their coverage;

WHEREAS, there is a need to streamline, harmonize and strengthen these various rules and regulations to enhance transparency and in order to facilitate trade without compromising safety of human, animal or plant life or health or causing damage to the environment;

WHEREAS, the automation of the harmonized business processes of the regulatory agencies particularly in the application and issuance of the SPS Import Clearance will enhance the delivery of services which will lead to the adoption of best practices in the global trade;

WHEREAS, there is a need to establish and maintain an effective and comprehensive regulatory system to ensure that the required sanitary and phytosanitary measures are met.

NOW THEREFORE, I, BERNIE G. FONDEVILLA, Secretary of the Department of Agriculture, in accordance with the powers vested in me by law, do hereby issue this Administrative Order governing the rules and regulations on the importation of agricultural and fish and fishery/aquatic products, fertilizers, pesticides and other agricultural chemicals, veterinary drugs and biological products into the Philippines for the information, guidance and compliance of all concerned.

SECTION I
DEFINITION OF TERMS

A. Definitions. As used in this Order, the following words, terms and phrases shall be construed to mean as follows:

1. Accredited importer - refers to an institutional buyer individual or entity directly engaged in agricultural and fishery products
2. Agricultural products - products enumerated in Annex I of the WTO Agreement on Agriculture.
3. Animal by-products - includes hides, horns, skin, bones, hooves, feathers and other parts or products animals
4. Animal products - fresh meat, meat products gelatin, eggs, egg products, milk, milk products and honey when intended for human consumption, meat-meal, liver-meal, bone-meal, blood-meal, feather meal, pork fat and milk products when intended for use in animal feeding, animal organs, tissues and organic fluids to be used in the preparation of pharmaceutical products or of surgical devices, products of animal origin for agricultural or industrial use, except those intended for food for human consumption, pharmaceutical or surgical purposes and animal feeding
5. Animals as potential agricultural crop pests - certain species of animals that are liable to become crop pests in all life stages such as insects, monkeys, rodents, bats, birds, snails and other forms of animal life capable of causing injury to agricultural crops
6. Bill of lading - document evidencing receipt of goods for shipment issued by person engaged in business of transporting or forwarding goods and it includes airway bill. It is receipt for goods, contract for their carriage and is documentary evidence of title to goods
7. Biomolecules - organic molecules and their synthetic forms occurring in living organisms
8. Competent authority - bureau or agency, mandated by law, with having responsibility and competence for ensuring and supervising the implementation of SPS measures or other standard codes
9. Condemnation - declaration after due examination and judgment of the products according to the approved protocols by a competent authority as being non-compliant to the SPS measures including the determination of unsafe or unsuitable products for human consumption and requiring appropriate disposal thereof
10. Confiscation - taking into custody of products by the competent authority for the proper disposal for having been the subject of violation of herein rules and regulations or any pertinent law or rule or regulation
11. Consignment - quantity of agricultural or fish, fishery/aquatic products, fertilizers, pesticides or other agricultural chemicals, veterinary drugs or biological products bound for a customer into the country and conveyed by one means of transportation
12. DA Border Inspector - includes BFAR Fisheries Quarantine Officer, BAF Animal Quarantine Officer, NMIS Meat Control Officer and Meat Inspector and BPI Plant Quarantine Officer stationed

in every international seaport and airport and inspection area/facility in the Philippines who perform quarantine and product safety/quality inspection, documentation and clearance

13. Feed -- a mixture of feed ingredients by specific formula as food for animals
14. Feed ingredient -- any single article, raw material or feeding stuff which enters into the composition of a feed or a ration, concentrate, supplement or additive
15. Fertilizer -- includes any substance, solid or liquid or any nutrient element or elements organic or inorganic singly or in combination with other materials, applied directly to the soil or to the plant for the purpose of promoting plant growth, increasing crop yield or improving their quality
16. Final border inspection -- last form of inspection and clearance of agricultural products, fish and fishery products including agricultural inputs being undertaken by the Department of Agriculture Border Inspectors (DABI) assigned at the final point of border control to ensure that such imported products/commodities have finally satisfied the DA safety, quality and environmental requirements before their distribution for domestic use
17. Fish and fishery/aquatic products -- products enumerated in the World Customs Organization (WCO) Harmonized Tariff System including finfish, mollusks, crustaceans, echinoderms, marine mammals and all other species of aquatic flora and fauna and all other products of aquatic living resources in any form.
18. Genetically Modified Organisms (GMO) -- living organisms, the genetic material of which have been altered or modified by any of the varieties of modern molecular biology to make them capable of producing new substances or perform new functions.
19. Importation -- act of bringing into the country by sea, land or air foreign products intended for planting, consumption, manufacturing, trading, distribution, domestication, formulation, repacking or by any other purposes
20. Importer -- owner or consignee or clientele of shippers of merchandise or for whose account or benefit the consignment is made
21. Import Permit -- written certificate issued by the concerned authority stating the volume of consignment. This includes the minimum access volume (MAV) import certificate
22. International SPS Certificate -- a written guarantee issued by a competent authority from the country of origin, certifying that the products have been handled, processed and packed in a hygienic manner and do not contain microorganisms, harmful substances that may pose food safety hazard and endanger human, animal or plant life or health and includes international health certificate, international phytosanitary certificate and international veterinary health certificate
23. Meat -- fresh, chilled or frozen edible carcass including offal derived from food animals
24. Meat product -- any product capable of use as human food which is made wholly or in part from any meat or other portion of the carcass of any food animals, except products which contain meat or other portions of such carcasses only in a relatively small proportion or historically have not been considered by consumers as products of the meat industry and which are exempted from definition as a meat product by the Secretary under such conditions as he may prescribe to assure

that the meat or other portions of such carcasses contained in such product are not adulterated and that such products are not represented as meat products

25. Microorganisms - include but not limited to viruses, bacteria, fungi, parasites and other similar organisms and their products in any form

26. Must ship out by date - the prescribed time [period] within which the actual product/consignment must have left the country of origin, the reckoning of which is based on the date of issuance of the SPS Import Clearance

27. Other agricultural chemicals - chemicals, chemical inputs and chemical compounds not covered under the definition of fertilizer and pesticide but utilized by the agricultural sector

28. Packaging - procedure of protecting the products by a wrapper, container or any other suitable device

29. Packing materials - includes leaves, straw, wood, bark and other plant materials used as wrapping, packing or covering and are capable of harboring plant pests to pack any imported products

30. Person - any natural or juridical person such as corporation, partnership, society, association, firm, company and other legal entity

31. Pesticide - any substance or product or mixture thereof, including active ingredients, adjuvants and pesticide formulations intended to control, prevent, destroy, repel or mitigate directly or indirectly any pest. The term shall be understood to include insecticide, fungicide, bactericide, nematocide, herbicide, molluscicide, avicide, rodenticide, plant regulator, defoliant, desiccant and the like

32. Plants - living plants and parts thereof including seeds, cuttings, rhizomes, bulbs and corms, grafts, leaves, roots, scions and other plant parts that are capable of propagation

33. Plant pest - any form of plant or animal life or any pathogenic agent injurious or potentially injurious to plants or plant products

34. Plant products - products derived from plants either in their natural state or in manufactured or processed form and are capable of harboring plant pests

35. Preliminary border inspection - initial inspection and examination of agricultural products, fish and fishery products including agricultural inputs being undertaken by the DA Border Inspectors (DABI) assigned at the ports of entry to ensure that such imported products/commodities have satisfied the DA quarantine and inspection requirements prior to their release to the final point of border control

36. Sanitary and Phytosanitary Measures - measures relating to food safety and quality, and animal and plant safety and quality standards, rules and regulations including documentary and certification requirements in the production, handling, transport, importation, exportation and marketing and distribution of all agricultural and fishery products as well as the DA quarantine and product safety/quality inspection and clearance

37. Secretary - means the Secretary of the Department of Agriculture

38. Smuggling - importation of prohibited commodities (outright smuggling) as well as the misdeclaration/misclassification/undervaluation of imported goods/products in violation of the Tariff and Customs Code of the Philippines and related laws. It also refers to the illegal entry of imported agricultural or fish, fishery/aquatic products, fertilizers, pesticides or other agricultural chemicals, veterinary drugs or biological products into Philippine territories including special economic and free-port zones without the required SPS clearance/import permit and/or without undergoing the mandatory DA border control measures which include quarantine and product safety/quality inspection and clearance.

39. SPS Import Clearance - document issued prior to importation by the concerned bureau or agency to ensure that the products being imported meet standards to protect human, animal or plant life or health, ensuring that the agricultural and fishery products are safe for consumers and to prevent the spread of pests or diseases among animals or plants. Such document also prescribes the conditions to be complied with by the importer for the maintenance of quality and suitability of the product for the intended purpose.

40. Veterinary biological products - viruses, bacteria, live micro-organisms, killed micro-organisms, component or products of micro organism, anti-sera sera, antigens, antibodies, toxins, test kits, or analogous products and other homologous substances whether of natural or synthetic origin, intended for use in the diagnosis, treatment and prophylaxis of diseases of animals or for the identification of the causative organisms of a disease of animals and for research purposes

41. Veterinary drugs and products - any substance, including biological products, applied or administered to food producing, companion, aquatic, laboratory and exotic animals, whether used for therapeutic, prophylactic or diagnostic purposes or for modification of physiological functions or behaviors

B. Acronyms used in this Order shall refer to :

- 1. BAI - Bureau of Animal Industry
- 2. BFAR - Bureau of Fisheries and Aquatic Resources
- 3. BOC - Bureau of Customs
- 4. BPI - Bureau of Plant Industry
- 5. DA - Department of Agriculture
- 6. DABI - DA Border Inspector
- 7. FIDA - Fiber Industry Development Authority
- 8. FPA - Fertilizer and Pesticide Authority
- 9. GMO - Genetically Modified Organisms
- 10. NFA - National Food Authority
- 11. NMIS - National Meat Inspection Service
- 12. NTA - National Tobacco Administration
- 13. PCA - Philippine Coconut Authority
- 14. RFU - Regional Field Unit
- 15. SPS - Sanitary and Phytosanitary Measures
- 16. SRA - Sugar Regulatory Administration

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- 15. SPS - Sanitary and Phytosanitary Measures
- 16. SRA - Sugar Regulatory Administration

SECTION II. COVERAGE

Scope - This Order covers the importation of:

- A. Plant, plant products and other related materials capable of harboring plant pests to include:
 - 1. living plants
 - 2. nursery stocks, including vegetative parts thereof used as propagating materials
 - 3. seeds and nuts for planting
 - 4. fresh fruits, vegetables and other plant products which have been declared as prohibited/restricted import under special quarantine orders because of being known host of dangerous plant pest or originating from restricted areas.
 - 5. pure culture of fungi, bacteria, virus, nematodes and other phytopathogenic materials
 - 6. mushroom cultures including spawn
 - 7. algae cultures, rhizobial cultures as legume inoculants
 - 8. soil and plant materials for isolation or organism
 - 9. other plant cultures
 - 10. wood packaging materials and other packing materials capable of harboring plant pests
 - 11. frozen/chilled fruits and vegetables including diced vegetables and processed fruits
 - 12. grains and cereals
 - 13. other plant products
- B. Animals, animal products and by-products
- C. Live/fresh/chilled/frozen fish and fishery and aquatic products including microorganisms and biomolecules
- D. Fertilizers, pesticides and other agricultural chemicals
- E. Feeds, feed ingredients, and other feed products
- F. Meat and meat products
- H. Pet foods
- L. Processed agriculture and fishery products not elsewhere specified
- J. Veterinary biological products
- K. Veterinary drugs and products

SECTION III.
APPLICATION AND ISSUANCE
FOR SPS IMPORT CLEARANCE

A. Any accredited importer who desires to import any of the products enumerated in Section II except Sec. II. A. 10 hereof, must secure an SPS Import Clearance (Annex "A" hereof) from any of the following:

1. Issuing bureau or agency
 - a. BAI - for animals (including small animals that are plant pests except insects), animal feeds and feed ingredients, animal products and by-products including meat and meat products, eggs, milk, dairy, veterinary drugs and biological products
 - b. BFAR - for fish, fishery/aquatic products as enumerated in Section I.A.16, fish intended for feed and products used in fish propagation
 - c. BPI - for plants and plant products as enumerated in Section II.A
 - d. FPA - for fertilizers, pesticides and other agricultural chemicals

2. The application form can be secured from and submitted to the concerned agencies, or submitted electronically through any service provider authorized by the Department of Agriculture with the following attached documents:

1. Pro-forma invoice
2. Notarized affidavit of undertaking as required by the concerned bureau or agency, to be included in the accreditation process
3. Official Receipt, for manual application
4. Other commodity specific requirements, including permits/clearances from other concerned agencies

B. Application shall undergo automated validation for compliance to the submission of mandatory data, and manual review for compliance to the requirements and attached documents. It shall be placed "under review" status. If it is sufficient in form and substance, the reviewer shall endorse to the recommending officer. If the application is incomplete or not in the proper format, the application shall be rejected and the applicant shall be informed accordingly with the additional requirement.

C. If the recommending officer found the application sufficient in form and substance, it shall be forwarded to the approving authority.

D. The approving authority approves the application and the applicant can view and print the approved SPS Import Clearance. The application shall only be approved and issued a SPS Import Clearance by the concerned bureau or agency upon determination of the following:

1. The exporting company or country/zone is registered/accredited by the concerned DA bureau or agency and is in "good standing"

54

2. Latest advisory of the relevant international bodies (OIE, IPPC, Codex and other DA recognized bodies) and/or the exporting government on the "absence" of relevant disease/pest outbreaks, contaminations and other SPS-related risks
3. The applicant importer is licensed by the concerned DA bureau or agency and is in "good standing", except when the concerned bureau or agency determines that importer licensing is not required
4. The product is registered with and/or included in the list of allowable commodities of the concerned DA bureau or agency, if applicable
5. The applicable risk management protocols that are to be prescribed including certifications of exporting governments, if applicable; and
6. Other information pertinent to SPS concerns.

E. Close coordination/consultation shall be observed in processing the issuance of SPS clearances for products involving more than one DA bureau/agency, as follows:

1. BPI with BAI (unprocessed feeds and feed ingredients of plant origin such as grains), FIDA (for fibers including coir), PCA (for coconuts, coconut products and by-products, including processed coconut coir, and oil palm and its by-products), NFA (for tobacco), SRA (for sugar beet and sugar cane), NFA (for palay and rice), and BFAR (for seaweeds and aquatic plants)
2. BAI with NMIS (for meat and meat products), BPI (for small animals that are plant pests) and BFAR [for brine shrimp (artemia cyst)]
3. FPA with BFAR (for agro chemicals for fishery and aquatic use) and BPI and BAI (for other agricultural chemicals)

F. Must ship out by date -- The SPS Import Clearance shall indicate the period for which the actual product/consignment should have left the country of origin which period is reckoned from the date of issuance of the SPS Clearance as follows:

1. 15 days for live milk fish
2. 30 days for other live, fresh, chilled or frozen fish and fishery/aquatic products
3. 20 days for fresh and chilled fruits and vegetables
4. 60 days for eggs, milk and dairy products, animal feeds and feed ingredients and other products of animal origin i.e. embryos and semen, frozen fruits and vegetables
5. 30 days for live animals, meat and meat products, veterinary drug and products, fertilizers, pesticides and other agricultural chemicals
6. 90 days for veterinary biological products
7. 60 days for all other products not specified immediately above

The SPS Import Clearance shall be valid for a period specified above unless sooner revoked for any of the reasons set forth in this Section I. An unused SPS Import Clearance shall be considered automatically expired/cancelled after its must ship out by date.

A particular consignment of a product shall be loaded at the port of the country of origin on or before the last day of the "Must Ship Out by Date" of the corresponding SPS Import Clearance. Only such a consignment that is shipped not later than this date shall remain having a valid SPS Import Clearance once it arrives at any date in any of the Philippine international ports otherwise it shall be subjected to confiscation procedures as provided for under Section VII hereof.

In no case shall the date of loading at the port of the country of origin as specified in the bill of lading be earlier than the date of issuance of the SPS Import Clearance otherwise it shall be subjected to confiscation procedures as provided for under Section VII hereof.

G. However, the fish, fishery/aquatic products must arrive within thirty (30) days from date of issuance of the SPS Import Clearance in case of consignment by air and within sixty (60) days in case of consignment by sea.

H. The SPS Import Clearance shall be good for one shipment and is not transferable to other persons.

I. The SPS Import Clearance may be suspended or revoked at any time for any of the following grounds:

1. Providing false information in the application form or in any of the accompanying documents to the application
2. Misdeclaration of consignment
3. Violation of relevant SPS and biosafety rules and regulations or any conditions imposed in the SPS Import Clearance
4. Refusal to allow the inspection of the physical containment facility or intermediate destination of the product
5. Legal authority to commercially distribute the product in the country of origin has been suspended or revoked; or
6. New technical information becomes available to the concerned bureau or agency indicating that the product, if allowed for its intended use will result to risks to human, animal or plant health or life and the environment.

J. Modification, revocation or cancellation of the SPS Import Clearance shall be without prejudice to being further subjected to penalties.

**SECTION IV.
APPEAL**

Decision of the concerned bureau or agency head may be appealed to the DA Secretary within ten (10) days from notice of the action.

**SECTION V.
FEES AND CHARGES**

The current amount of fees and charges being imposed and collected by the concerned bureau or agency shall continue to be observed.

**SECTION VI.
INSPECTION AT THE PORT OF ENTRY**

A. Forty-eight (48) hours before the arrival of a consignment at the preliminary border inspection site (port of entry), the importer or his authorized representative shall notify the concerned DA Border Inspector by completely filling out Section 1 -- Application for Import Inspection as contained in the DA Border Inspector's Report Form (Annex "B" hereof) and submitting the same. After the products have been inspected and before removing them from the place of landing, the

importer shall also indicate in the said form, the type and route of transport, the complete name and address of the ultimate consignee and the exact location of the final place of destination.

B. The products and if included, their packing materials shall not be removed or transferred from the place of landing nor released to the importer without the written approval of the DA Border Inspector. Provided, that official covering document issued by the BOC allowing transfer of such cargoes to bonded warehouses, container yards and other places outside the customs zone shall first be coursed to the DA Border Inspector for notation and/or approval before actual transfer commences.

C. A consignment may be in bulk or consist of a number of packages, crates or cartons containing either uniform or various unit sizes of the product containers, arriving all at one time in one port of entry or in several portions or batches, all arriving in one port provided the whole consignment is covered only by one (1) bill of lading/airway bill.

D. Upon arrival, the consignment shall be subjected to the following DA border inspection requirements:

1. Documentation - The SPS Import Clearance, original International SPS Certificate from competent authority of the country of origin, airway bill/ bill of lading and invoice and if applicable other supporting documents that may be required by the concerned agency must be presented and surrendered to the DA Border Inspector. In the absence of an International SPS Certificate, the consignment shall be kept in a storage facility for a period not exceeding ten (10) days to allow the importer to submit said document, provided the date of the SPS certificate is not earlier than the date of the SPS Import Clearance. Failure to comply with the same within the specified period, the consignment shall be returned to the country of origin or disposed of with the expenses involving storage, return to origin or disposition of the consignment being borne by the importer.

2. Preliminary border inspection - The DA Border Inspector, together with the BOC examiner at the port shall conduct routine inspection of the consignment. Depending on the result of the routine inspection which essentially involves sensory-based examination, the DA Border Inspector may perform rigid inspection of the consignment which covers chemical and microbial examination. Preliminary border inspection shall be conducted by the DA Border Inspector in the presence of the importer or his authorized representative. Thereafter the DA Border Inspector shall place a stamp as "USED" on the SPS Import Clearance, and stamped as "INSPECTED AND PASSED" on the BOC Import Entry Declaration to indicate whether the consignment is cleared for final release/ on hold, for consignment or transfer to an accredited establishment for final border inspection and clearance. Likewise, the DA Border Inspector shall tag electronically in the DA system the SPS Import Clearance as "USED" and input any findings during the preliminary inspection.

3. Final border inspection - A final border inspection shall be conducted and/or consignment integrity is initially checked at the port and a detailed examination, i.e., sampling and laboratory analysis is further required to ensure compliance with health and safety requirements.

4. The DA Border Inspector shall electronically tag in the DA system as CONFISCATED the SPS Import Clearance used for confiscated shipment during the preliminary and final border inspection.

E. In case inspection of some products/commodities or consignment may involve two or more bureaus or agencies, the concerned bureaus or agencies shall coordinate/consult with each other in clearing said products/commodities or consignment.

SECTION VII.
CONFISCATION AND DISPOSAL
OF REFUSED ENTRY PRODUCTS/COMMODITIES

A. If it appears from the examination of subject product/commodity that (1) the product/commodity has been manufactured, processed or packed under unsanitary conditions or (2) product/commodity is forbidden or restricted from sale in the country in which it was produced or from which it was exported or (3) the product/commodity is adulterated, contaminated, dangerous, noxious, misbranded, misdeclared, unregistered or in violation of the terms and conditions embodied in the SPS Import Clearance; this Order and sanitary and/or phytosanitary measures; 4) arriving without the required SPS Import Clearance and International SPS Certificate; 5) using a fake SPS Import Clearance then the DA Border Inspector shall so inform the BOC examiner and such product/commodity shall be seized, confiscated or refused admission, unless such product/commodity is exported under regulations prescribed by the Bureau of Customs within ninety (90) days of the date of notice of such refusal or within such time as may be permitted pursuant to such regulations. If the product/commodity arrives at a port of entry other than Metro Manila, the collection of such samples shall be the responsibility of the regional office having jurisdiction over the port of entry.

B. Any product or commodity, at the preliminary border inspection, found to be deficient, damaged, adulterated, injurious or in violation of this order, shall be confiscated after the DA Border Inspector informs the BOC district collector of his decision for the latter's appropriate action. The same procedure shall be followed should the product/commodity be in transit. In case of final border inspection, the DA Border Inspector shall be the one to take appropriate action after his findings and decision to confiscate the consignment. In all cases, the impounding and disposition shall be at the expense of the importer.

The Secretary or his duly authorized representative may formally investigate the case and conduct a summary hearing on the proper disposition of the product/commodity. If the disposition shall have been finally decided, the same shall be at the expense of the importer.

C. A Notice of Confiscation shall state the reason/s for the confiscation, a copy of said Notice is hereto attached as Annex "C". Three (3) copies of the same shall be issued as follows: one (1) copy shall be given to the BOC district collector; one (1) copy to the importer and one (1) copy shall be retained by the DA Border Inspector. Further, the notice shall indicate the date of condemnation and disposal of the products or commodities.

D. All products or commodities covered by this AO imported or brought into the Philippines unlawfully shall be disposed of in any of the following manners:

- 1. Confiscated and destroyed
- 2. Returned to the country of origin