



*Technical Report*

# **Streamlining Technical Regulations on the Department of Agriculture's SPS Administration: SPS Administration Manual, Department of Agriculture**

by Cesar Virata and Associates (CVAI)

**Prepared for**

**Undersecretary Segfredo Serrano  
Department of Agriculture  
Republic of the Philippines**

**Submitted for review to**

**USAID/Philippines OEDG**

**July 2007**



# Preface

This report is the result of technical assistance provided by the Economic Modernization through Efficient Reforms and Governance Enhancement (EMERGE) Activity, under contract with the CARANA Corporation, Nathan Associates Inc. and The Peoples Group (TRG) to the United States Agency for International Development, Manila, Philippines (USAID/Philippines) (Contract No. AFP-I-00-03-00020-00, Delivery Order 800). The EMERGE Activity is intended to contribute towards the Government of the Republic of the Philippines (GRP) Medium Term Philippine Development Plan (MTPDP) and USAID/Philippines' Strategic Objective 2, "Investment Climate Less Constrained by Corruption and Poor Governance." The purpose of the activity is to provide technical assistance to support economic policy reforms that will cause sustainable economic growth and enhance the competitiveness of the Philippine economy by augmenting the efforts of Philippine pro-reform partners and stakeholders.

Aware that the administration of Sanitary and Phytosanitary (SPS) regulations in the Department of Agriculture (DA) is characterized by several dysfunctions at the legal, organizational and procedural levels, DA Undersecretary Segfredo Serrano requested, by letter dated February 14, 2005, technical assistance (TA) from USAID's Economic Modernization through Efficient Reforms and Governance Enhancement (EMERGE) Project to help streamline DA SPS administration. Phase 1 of this effort produced 6 diagnostic reports, which were completed in draft form in early 2006. Based on this analysis, Usec Serrano then requested, by letter dated April 3, 2006, further assistance to help an Interim Board, composed of heads of DA agencies administering SPS regulations, and its Technical Working Group (TWG), which were to be charged to prepare and implement a plan of action, to draft "the required legal issuances, specific organizing arrangements, and harmonized and streamlined business processes so that the changes envisioned in the recommendations of the Diagnostic Studies and our Plan may be realized."

In response, EMERGE commissioned Cesar Virata and Associates (CVAI) to mobilize a team of four experts, one each in agricultural policy, organizational development, systems, and communication (Ms. Beulah de la Pena, Ms. Irene Villapando, Mr. Gerry Gazmen, and Mr. Benedicto Rayco), to provide the TA. Working with the DA Interim Board and its TWG, the team produced 8 final reports: 1) Completion Report, 2) Policy Statement on DA Technical Regulations, 3) Interim Organizing Arrangements, 4) DA Business Architecture for SPS Regulations, 5) Streamlining and Harmonizing SPS Import Processes, 6) Streamlining and Harmonizing SPS Export Processes, 7) SPS Administration Manual, Department of Agriculture, and 8) SPS Administration Manual, Bureau of Plant Industry, Department of Agriculture.

The views expressed and opinions contained in this publication are those of the authors and are not necessarily those of USAID, the GRP, EMERGE or the authors' parent organization.

**STREAMLINING TECHNICAL REGULATIONS  
ON THE DEPARTMENT OF AGRICULTURE'S  
SPS ADMINISTRATION**

**SPS ADMINISTRATION MANUAL  
DEPARTMENT OF AGRICULTURE**

**July 2007**

**SPS ADMINISTRATION MANUAL  
DEPARTMENT OF AGRICULTURE**

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## ACRONYMS AND ABBREVIATIONS

AO	Administrative Order
ASEAN	Association of Southeast Asian Nations
BAFPS	Bureau of Agriculture and Fisheries Product Standards
BAI	Bureau of Animal Industry
BFAR	Bureau of Fisheries and Aquatic Resources
BIR	Bureau of Internal Revenue
BOC	Bureau of Customs
BPI	Bureau of Plant Industry
CAC	Codex Alimentarius Commission
CC	Commodity Clearance
CCFICS	Codex Committee on Food Import and Export Inspection and Certification Systems
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CODEX	Codex Alimentarius Commission
CPA	Certified Pesticide Applicator
DA	Department of Agriculture
DABI	DA Border Inspector
DENR	Department of Natural Resources
EMERGE	Economic Modernization Through Efficient Reforms and Governance Enhancement
EO	Executive Order
EU	European Union
FAO	Fisheries Administrative Order Food and Agriculture Organization
FIDA	Fiber Industry Development Authority
FPA	Fertilizer and Pesticide Authority
FQS	Fisheries Quarantine Service
GMO	Genetically Modified Organism
HACCP	Hazard Analysis Critical Control Point
HC	Health Certificate
IHC	International Health Certificate
IPPC	International Plant Protection Convention
ISPM	International Standards for Phytosanitary Measures
ITR	Income Tax Return
IVC	International Veterinary Certificate
JAD	Joint Application Development
LRA	Licensing, Registration, Accreditation
LTO	License to Operate
MB	Methyl bromide
MC	Memorandum Circular
MO	Memorandum Order

NPPO	National Plant Protection Office
NVQS	National Veterinary Quarantine Services
OIE	Office International des Epizooties
OR	Official Receipt
PC	Phytosanitary Certificate
PCA	Philippine Coconut Authority
PD	Presidential Decree
PQS	Plant Quarantine Service
QAO	Quarantine Administrative Order
QPS	Quarantine and Pre-shipment
QTP	Quarantine Treatment Provider
RA	Republic Act
SPS	Sanitary and Phyto-sanitary Standard
TA	Technical Assistance
TC	Technical Committee
TIN	Tax Identification Number
VBP	Veterinary Biological Product
VBSS	Veterinary Biological Standardization Section
VDAP	Veterinary Drug and Product
VDAPE	Veterinary Drug and Product Establishment
VHC	Veterinary Health Certificate
VHT	Vapor Heat Treatment
VQC	Veterinary Quarantine Clearance
VQS	Veterinary Quarantine Service
WPM	Wood Packaging Material

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# **I. GENERAL INFORMATION**

## **A. Introduction**

### **1. Background and Objectives**

This document is a template for manuals that compile, in a user-friendly and comprehensive manner, the sanitary and phytosanitary (SPS) regulations being implemented by the Department of Agriculture (DA) agencies and bureaus. Being a template, it is expected to serve as a guide for the manual or manuals that each agency, bureau, or division charged with implementing SPS regulations on a specific group of commodities, will have to formulate. The manuals are meant to provide DA regulators in the various DA regulatory agencies and bureaus with practical guidelines for doing their work.

This document was drafted as part of the project “Streamlining SPS Administration in the Department of Agriculture,” which was supported by the Economic Modernization Through Efficient Reforms and Governance Enhancement (EMERGE) program of the United States Agency for International Development (USAID). It incorporates the recommendations and agreements made by the Technical Committee (TC) created by the DA with representatives from its regulatory agencies to implement the project. These recommendations and agreements focused on harmonizing the SPS processes undertaken at the DA.

That the agencies are still expected to formulate their own specific manuals despite the harmonization effort stems from the fact that the harmonization process was limited by legal and technical constraints. The DA regulatory agencies have their own legal frameworks and the commodity groups for which SPS regulations are to be applied have different technical requirements.

The manuals that need to be, and will be, generated using this template will be first edition manuals. Clearly, they will need to be updated as the agencies continue the harmonization effort after the project is terminated, and as the agencies continue with their own individual initiatives to improve and document their own SPS processes.

### **2. Organization**

The manual is organized as follows:

- I. General Information
- II. Registration of Products
- III. Accreditation of Establishments
- IV. Licensing of Importer/Exporter/Handler
- V. Issuance of SPS Import Clearance
- VI. Import Inspection

- VII. Issuance of International SPS Certificate
- VIII. Port of Exit Inspection

Most of the substantive material is presented in annexes attached to the above chapters. This will allow the agencies to update the annexes as changes in the processes are adopted or as documentation of the processes improve.

## **B. Policy Framework**

### **1. Policy Statement**

The DA regulatory framework is embodied in a policy statement attached as Annex I-1

### **2. Legal Basis**

The legal bases for the regulatory framework are listed in Annex I-2.

## **C. Specific SPS Regulations on Imports**

### **1. General Processes**

The regulatory processes that govern imports, in general, include the following:

- a) Registration of product
- b) Accreditation of establishment
- c) Licensing of importer
- d) Issuance of import clearance
- e) Inspection of imports at the border

The flow diagram of general regulatory processes for imports is shown in Annex I-3.

### **2. Commodity Coverage**

The commodity coverage of each of the regulatory processes for imports is shown in Annex I-4.

### **3. Agencies Responsible**

The competent agency or bureau for each of the regulatory processes by commodity is shown in Annex I-5.

## **D. Specific SPS Regulations on Exports**

### **1. General Processes**

The regulatory processes that govern exports, in general, include the following:

- a) Registration of product
- b) Accreditation of establishments
- c) Licensing of exporter
- d) Issuance of international SPS certificate
- e) Port of exit inspection

The flow diagram of general regulatory processes for exports is shown in Annex I-6.

### **2. Coverage**

The coverage of each of the regulatory processes is largely defined by importing countries and shown in Annex I-7.

### **3. Competent Agency/Bureau**

The responsible agency or bureau for each of the regulatory processes by product is shown in Annex I-8.

## **E. Other References**

### **1. International and Regional Guidelines and Standards**

A listing of regional and international guidelines and standards is shown in Annex I-9.

### **2. Relevant references and websites**

A listing of useful references and websites is shown in Annex I-10.

## Annex I-1 Policy Statement

1. The DA will strengthen its technical regulations in support of the following sector goals:
  - a. Increased agriculture and fishery productivity;
  - b. Increased export competitiveness; and
  - c. Enhanced quality of food and other agriculture and fishery products for consumers.
  
2. These technical regulations shall be for the following specific purposes:
  - a. To protect consumers from unsafe, unwholesome, mislabeled or adulterated food, feed and agricultural inputs<sup>1</sup>;
  - b. To prevent the entry and spread of plant, animal and fish pests and diseases;
  - c. To prevent the detention or rejection of Philippine agriculture and fishery products in the export market;
  - d. To protect the public and the environment from the risks in the use of chemical and biological production and post-harvest inputs<sup>2</sup>;
  - e. To safeguard animal welfare; and
  - f. To promote resource conservation.
  
3. The formulation and implementation of the technical regulations shall be consistent with following principles:
  - a. Science- and risk-based. The regulations shall be based solely on an evaluation of risks using current available scientific evidence.
  - b. Targeting. Regulations shall focus on managing the specific sources of risks. Different circumstances pose different risks; demonstrable differences should be accounted for in formulating and implementing regulations<sup>3</sup>.
  - c. Proportionality, Fitness and Efficiency: Regulations shall be proportionate to the risks they are addressing. These shall be kept to what is effective and necessary to manage risks and achieve an acceptable level

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<sup>1</sup> The regulations for this purpose shall include seed certification services and fertilizer, pesticides and veterinary biologics registration

<sup>2</sup> These include regulations on genetically-modified products.

<sup>3</sup> Based on risk profiling

of protection. Regulations shall consider the costs of regulation to consumers and businesses; and adopt the least-costly approach to managing risks.

- d. Transparency: Stakeholders shall be involved and allowed to make effective contributions in the formulation of regulations. Regulations shall be kept simple, user-friendly, and accessible to review.
  - e. Accountability: Regulations and decisions on regulatory action shall be explainable, justifiable, and subject to public scrutiny.
  - f. Equivalence. The regulations shall acknowledge and make provisions for alternative approaches to managing risks where it can be shown that the alternatives lead to the same level of protection for consumers.
  - g. Consistency. The various regulations shall be in harmony in purpose and intent.
  - h. Non-discrimination. The regulations shall be implemented fairly, avoiding unnecessary and unjustifiable distinctions in different circumstances<sup>4</sup>.
4. The following strategies and/or approaches shall be used in implementing the technical regulations:
- a. Vesting primary responsibility on industry. Businesses, from primary production to distribution, shall bear primary responsibility for managing risks and ensuring product safety and quality.
  - b. Comprehensively addressing risks, from the farm to the table. Regulations shall recognize that risks abound at the production, marketing, distribution, and consumption levels. These shall therefore use a farm-to-table approach wherein the producer, processor, transporter, vendor and consumer are persuaded to adopt proper safety and quality measures at critical points. The measures shall include features that will allow traceability of products to support the targeting of regulations and regulatory actions to specific sources of risks.
  - c. Using prevention rather than apprehension. A preventive approach that promotes appropriate risk-control measures at all relevant stages of the farm-to-table continuum shall be followed. The adoption of Hazard Analysis Critical Control Point (HACCP), Good Manufacturing Practices (GMP) and Good Agricultural Practices (GAP) shall be aggressively promoted.

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<sup>4</sup>Complying with this principle will allow the DA to account for national treatment.

- d. Maximizing private sector participation. The many opportunities for the private sector to participate in regulatory enforcement shall be explored fully, including but not limited to, accrediting non-government entities for laboratory and certification services.
  - e. Engendering partnership with LGUs and communities. The DA shall devolve or assign, as appropriate, aspects of technical regulations to Local Government Units (LGUs) and the communities, including, among others, information dissemination, monitoring and surveillance.
  - f. Promoting harmonization with international standards. Standards and recommendations of international institutions, such as the Codex Alimentarius Commission (CODEX), Office International des Epizooties (OIE), International Plant Protection Convention (IPPC), and Association of South East Asian Nations (ASEAN) shall be used, whenever appropriate, in formulating regulations.
5. The following methods shall be used in formulating and implementing technical regulations:
- a. Standards Setting. Separate standards shall be set for safety, which shall be mandatory, and for quality, which shall be voluntary.
  - b. Risk Analysis. Regulations shall be based on a systematic and objective assessment of risks; shall consider all options for risk management; and shall incorporate risk communication among the risk assessors, risk managers, regulation enforcers, consumers and other interested parties.
  - c. Monitoring and Surveillance. The results of monitoring and surveillance, among other methods, shall be used to guide the identification and assessment of risks.
  - d. Registration and accreditation. Registration and accreditation shall be required to pre-qualify products for use in regulated activities or business establishments for engaging in said activities.
  - e. Inspection and certification. Inspection and certification shall be employed at appropriate stages of the farm-to-table continuum to ensure that establishments and products satisfy relevant technical regulations. These services shall be especially made available to exporters in accordance with the requirements of the importing countries.

- f. Quarantine. Detention and confinement shall be used to allow for further inspection, testing or treatment. Controls in transport and movement shall be used to prevent the spread of pests and diseases.
  - g. Laboratory Testing. This shall provide the scientific evidence for deciding and justifying regulatory action.
  - h. Detention, Treatment, Recall, Destruction, and Re-export. These actions shall be used, as appropriate, on products showing non-compliance with documentary and technical requirements. Revocation of registration or accreditation shall be used for establishments showing non-compliance with technical regulations.
6. The DA shall, in implementing these regulations, collect service fees to cover costs for services where the recipient can appropriate the full benefits of said service. The DA shall retain such fees in accordance with existing legislation. The fees retained shall be used to sustain and continuously improve the regulatory service.

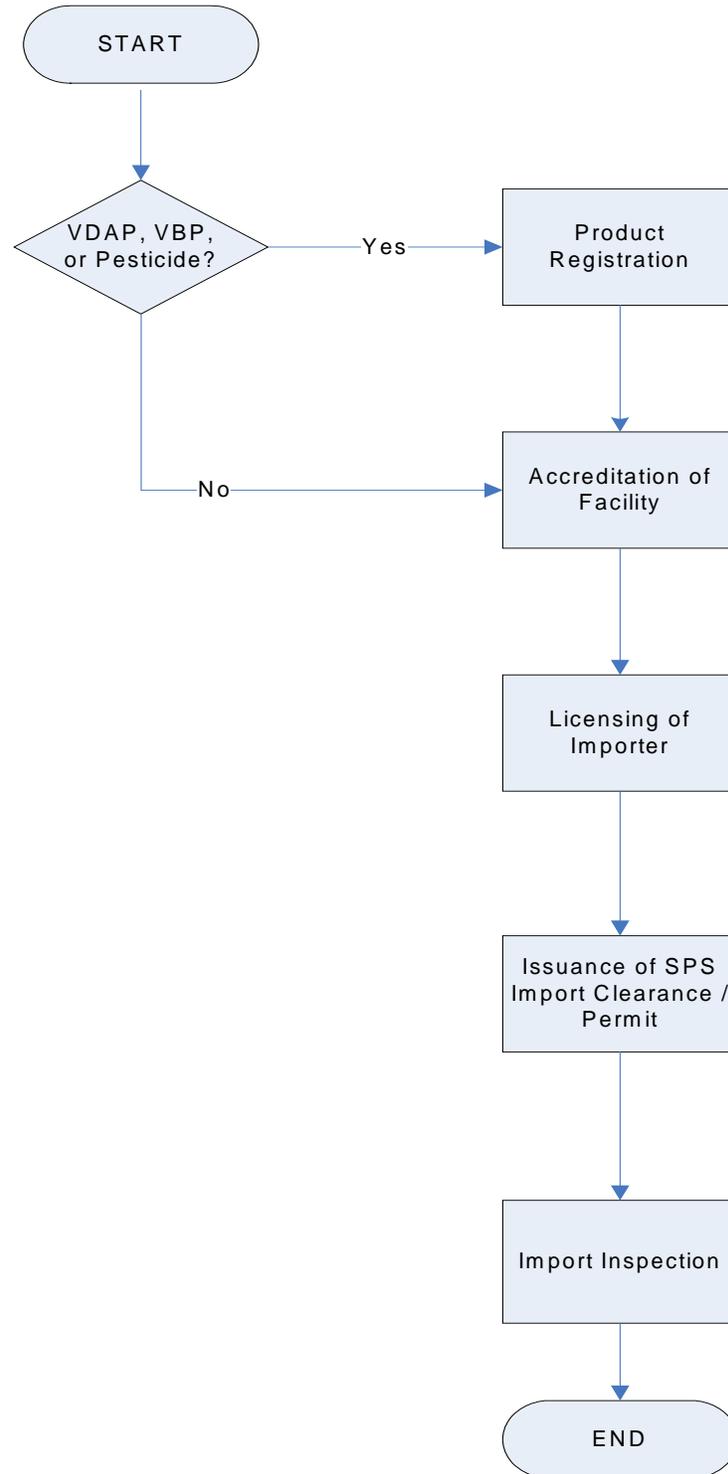
Fees shall not be collected for regulatory services designed for the benefit of the sector or general public. These services shall include surveillance and monitoring.

7. The DA shall institute appropriate controls to ensure that the formulation and implementation of technical regulations follow the principles and use the strategies and/or approaches discussed in items 3 and 4, respectively.

## Annex I-2. Legal Bases

- Act 3639 Creating the Bureau of Animal Industry,
- Act 3101 on regulation of biologics
- PD 1144 Creating the Fertilizer and Pesticide Authority,
- PD 1433 or the Plant Quarantine Law of 1978,
- RA 1556 on regulation of animal feeds
- RA 3720 on foods and drugs regulation
- Joint BFAD/BAI Memorandum of Agreement signed on September 25, 1991 on implementing RA 3720
- RA 7394 or the Consumer Act of the Philippines,
- RA 8435 or the Agriculture and Fisheries Modernization Act of 1998,
- RA 8485 or the Animal Welfare Act,
- RA 8550 or the Philippine Fisheries Code of 1998,
- RA 9296 or the Meat Inspection Code of the Philippines,
- EO 292 s 1987 or the Revised Administrative Code of 1987, and
- EO 197 s 2000 Directing all Departments, Bureaus, Commissions, Agencies, and Instrumentalities of the National Government, including Government Owned and Controlled Corporations, to Increase their Rates of Fees and Charges by not less than 20%:

### Annex I-3. Process Flow; Imports Regulations



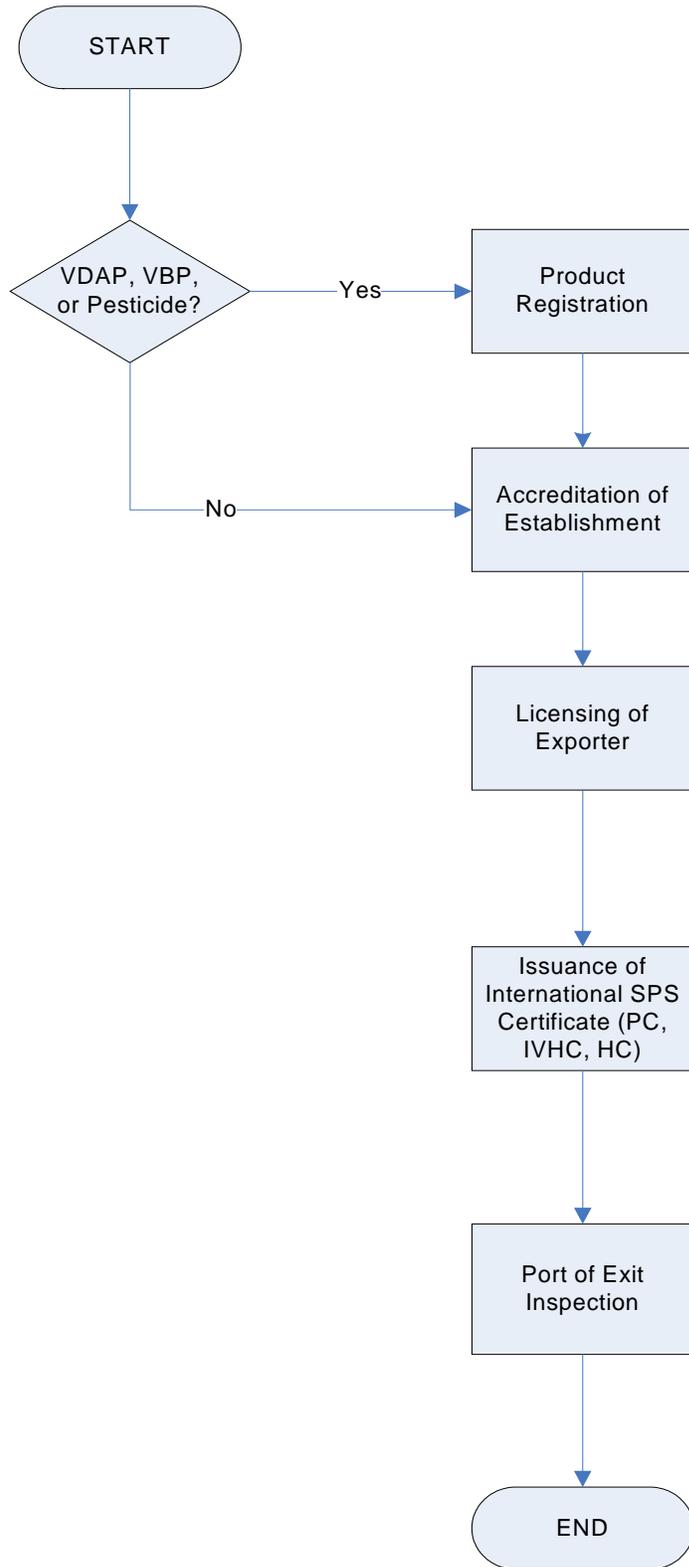
#### Annex I-4. Commodity Coverage; Imports Regulations

- A. Plant, plant products and other related materials capable of harboring plant pests as follows :
  - 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, rhizobal 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
- 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 and feed ingredients
- F. Meat and meat products
- H. Pet foods
- I. Veterinary drugs and biological products
- J. Microorganisms, sera, antigens, toxins, test kits or analogous products used for the treatment of domestic animals
- K. Products derived from modern technology including GMOs
- L. Processed agriculture and fishery products not elsewhere specified

**Annex I-5. Agency/Bureau Responsibility; Imports Regulations**

<b>Commodity</b>	<b>Competent Bureau/Agency</b>
animals, animal products and by-products including meat, animal feeds, feed ingredients or additives, veterinary drugs and biological products	BAI
fish, fishery/aquatic products	BFAR
plants, fruits, vegetables and other plant products, seeds and nuts or planting, phytopathogenic materials, plant cultures, soil and plant materials, small animals that are plant pests (concurrent jurisdiction together with BAI)	BPI
fibers including coconut coir	FIDA
fertilizers, pesticides, agricultural and fishery chemicals	FPA
Rice	NFA
meat and meat products	NMIS
Tobacco	NTA
coconuts, coconut products and by-products except coconut coir	PCA
Sugar	SRA

## Annex I-6. Process Flow; Exports Regulations



### Annex I-7. Coverage; Export Regulations

<b>Commodity</b>	<b>Importing Country</b>	<b>Export Regulation</b>
All agriculture and fishery commodities	Generally all countries	International SPS certificate
Pesticides, feeds, veterinary drugs and products	Generally all countries	Accreditation of Establishment Product Registration
Live animals	Generally all countries	Port of Exit Inspection
Meat and meat products	Generally all countries	Accreditation of Establishment Licensing of Exporter
Fish and fishery products	EU	Accreditation of Establishment Port of Exit Inspection
Selected fruits and vegetables	Selected countries	Accreditation of Establishment Licensing of Exporter (as defined by bilateral agreements)
Fiber; coconut products	Generally all countries	Accreditation of Establishment

**Annex I-8. Agency/Bureau Responsibility; Exports Regulations**

<b>Commodity</b>	<b>Competent Bureau/Agency</b>
animals, animal products and by-products including meat, feeds of purely animal origin, mixed feeds or with additives, veterinary drugs and biological products	BAI
fish, fishery/aquatic products	BFAR
plants, fruits, vegetables and other plant products (except coconut and fiber), seeds and nuts or planting, phytopathogenic materials, plant cultures, soil and plant materials	BPI
fibers including coconut coir	FIDA
fertilizers, pesticides, agricultural and fishery chemicals	FPA
rice	NFA
meat and meat products	NMIS
coconuts, coconut products and by-products except coconut coir	PCA
sugar	SRA

## Annex I-9. List of International and Regional Standards

- ISPM No. 1 Principles of Plant Quarantine As Related to International Trade (1995)
- ISPM No. 2 Guidelines for Pest Risk Analysis (1996)
- ISPM No. 3 Guidelines for the Export, Shipment, Import and Release of Biological Control Agents and Other Beneficial Organisms (2005)
- ISPM No. 4 Requirements for Establishment of Pest-free Area (1996)
- ISPM No. 5 Glossary of Phytosanitary Terms (2004)
- ISPM No. 6 Guidelines for Surveillance (1998)
- ISPM No. 7 Export Certification System (1997)
- ISPM No. 8 Determination Pest Status in an Area (1998)
- ISPM No. 9 Guidelines for Pest Eradication Program (1998)
- ISPM No. 10 Requirements for Establishment of Pest Free Places of Production Sites (1999)
- ISPM No. 11 Requirements for Quarantine Pests Including Analysis of Environmental Risk of Living Modified Organisms (2004)
- ISPM No. 12 Guidelines for Phytosanitary Certificates (2001)
- ISPM No. 13 Guidelines for the Notification of Non-Compliance and Emergency Action (2001)
- ISPM No. 14 The Use of Integrated Measures in a System Approach to Pest Risk Management (2002)
- ISPM No. 16 Regulated Non-quarantine Pests: Concept and Application
- ISPM No. 17 Pest Reporting (2002)
- ISPM No. 19 Guidelines on Lists of Regulated Pest (2003)
- ISPM No. 20 Guidelines for a Phytosanitary Import Regulatory System (2004)
- ISPM No. 21 Pest Risk Analysis for Regulated Non-quarantine Pests (2004)
- ISPM No. 23 Guidelines for Inspection (2005)
- CAC/GL 20-1995 - Principles for Food Import and Export Inspection and Certification
- CAC/GL 26-1997 – Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems
- CAC/GL 34-1999 – Guidelines for Development of Equivalence Agreements Regarding Food Import and Export Inspection and Certification Systems
- CAC/GL 19-1995 – Guidelines for Exchange of Information on Food Control Emergency Situation
- CAC/GL 25-1997 – Guidelines for Exchange Between Countries' Rejections of Imported Food

#### Annex I-10. List of Relevant References/Websites

- Aquatic Animal Health Code (2006)
- Terrestrial Animal Health Code (2006)
- FAO Digest of Plant Quarantine Regulations
- Animal and Plant Health Inspection Service, US  
<http://www.aphis.usda.gov>
- British Society for Plant Pathology  
<http://www.bspp.org.uk/>
- Caribbean Animal and Plant Health Information Network  
<http://infoagro.net.health/caraphin/>
- Descriptions of Plant Viruses  
<http://www.dpvweb.net/index.php>
- International Plant Protection Convention  
<http://www.ipfsaph.org>

## II. REGISTRATION OF PRODUCTS

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## **II. REGISTRATION OF PRODUCTS**

### **A. Legal Bases**

The legal bases for the Registration of Products is contained in Annex II-1

### **B. Coverage**

The importation, distribution, production and formulation of commodities listed in Annex II-1 require a registration of the product from the competent bureau or agency which are also shown in the same Annex.

### **C. Application Form and Documentary Requirements**

The application form for the Registration of Product is shown in Annex II-2. The documentary requirements for an application for the Registration of Product are contained in Annex II-3.

### **D. Fees**

The schedule of fees related to the acceptance and processing of applications for the Registration of Product is shown in Annex II-4.

### **E. Issuance Process**

Annex II-5 contains the process description for the issuance of the Registration of Product. The process diagram is shown in Annex II-6.

The registration process involves the submission of samples for testing by the concerned Bureau or Agency or by accredited laboratories and researchers. The tests on the samples are described in Annex II-7. The accredited laboratories and researchers are shown in Annex II-8.

### **F. Certificate of Product Registration: Standard Form and Numbering**

The standard form of the Certificate of Product Registration is shown in Annex II-9.

The Certificate is given a unique number. The system for numbering the Certificates is contained in Annex II-10.

## **G. Validity Period**

The Product Registration Certificate is valid for 1 year, provided the appropriate business permits from the local government and national agencies remain valid. It shall be the responsibility of the registration holder to submit new business permits as they lapse in order to update product registration records. The electronic system will also notify the issuing agency of the need to update business permits and the clearance of registration holders a month before these lapse.

## **H. Limitations**

The Product Registration Certificate allows the holder to commercially distribute the product in the country, provided that the following REQUISITES are complied with in importing, exporting, storing, and producing the product: (a) registration of importer, exporter, or handler; (b) accreditation of establishment; (c) SPS Import Clearance and (d) International SPS Certificate.

## **I. Revocation**

The issuing Bureau or Agency may revoke a Product Registration Certificate at any time for any of the reasons listed in Annex II-11 and following the process shown in the same annex.

**Annex II-1. Legal Basis and Coverage; Product Registration**

<b>Agency</b>	<b>Commodity</b>	<b>Legal basis</b>
BAI AFSD	feeds	RA 1556
	veterinary drugs and products	RA 3720
BAI LSD VBSS	veterinary biological products	Act 3101, March 16, 1923 AO 9, S. 1982
FPA	fertilizers and pesticides	PD 1144
BPI	Genetically Modified Products - Plants	AO 8 s 2002

## Annex II-2. Application Form; Product Registration

Form Code [code]

Agency Logo	Republic of the Philippines Department of Agriculture [Agency Heading (Name)] [Service Heading (Name)] [Agency TIN]	<b>Application for                  Registration of Product</b> [Legal Basis]
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**To be filled up by the Service**

1. Date Received	2. Control No. / Application No.
------------------	----------------------------------

**A. Applicant Details**

3. Application Type ? New ? New with 3 <sup>rd</sup> Party Authorization	? Renewal ? Resubmission ? Revalidation	4. LRA No. of Establishment / Facility	5. Product Registration No. (for renewal)	6. LRA No. of Importer / Handler (for renewal)
7. Business Name of Company				
8. TIN		9. Type of Organization		
10. Name of Owner/Chairman/President				
11. Business Address of Company				
12. Tel No.		13. E-mail Address		
14. Contact Person		15. Tel No. of Contact Person		
16. Name of Authorized Applicant		17. Tel No. of Authorized Applicant		

**B. Commodity Description / Specification Details**

18. Generic Name	19. Chemical Name of Active Ingredient	20. HS Code	21. Brand Name
22. Classification	23. Form/Type of Formulation Dosage Form	24. Patent Status (Branded & Patented & Off-Patent/Unbranded & Off-Patent)	

**C. Category Details**

25. Type	26. Use	27. No. of Active Ingredients
28. Proposed Application		29. Prescribing and Dispensing Regulations Applicable
30. Formulation / Composition: % Active Ingredients and Type		
31. Proposed Formulation / Composition: Brand Name of Each		
32. Percent Purity		

**D. Origin / Source Details**

33. Name of Supplier	34. Address of Supplier
35. Name Formulator	36. Address of Formulator

<b>E. Applicant Declaration</b>		
37. Signature over Printed Name of Authorized Representative of Company		
38. Sworn Statement		
SUBSCRIBED AND SWORN to before me this _____ day of _____, 20____.		
The Affiant exhibited to me his/her Community Tax Certificate No. _____		
issued at _____ on _____, 20____.		
Doc No. _____ Page No. _____ Book No. _____ Series of _____	Documentary Stamp	_____ Notary Public
[Address of Agency] [Agency website] [Agency Contact Number] [Distribution Instruction]		
<b>(back page)</b>		
<b>B. Tracking Box (To be filled up by the Service)</b>		
1. Date Received	2. Control No.	
3. Receiving Officer		
4. Requirements Submitted (Checklist)		
5. Date QC Tested		
6. QC Test Report attached		
7. Remarks (pass, fail, conditional, deficiencies)		
8. Date of First Registration		
9. Recommending Approval		
10. Approval (Signature)		
11. Certificate of Product Registration No.		
12. Date Issued (printed)		
13. Inspection Report attached		
14. Fees Paid	15. OR Nos.	16. Dates Issued
<b>Checklist of Requirements (Refer to Attachment)</b>		

### Annex II-3. Documentary Requirements; Application for Product Registration

#### Proof of Payment

- Official Receipt

#### Commodity-Specific Requirements

- For Veterinary Drugs and Products \ul>  - *Initial Registration*
    - Brand name clearance
    - List of all ingredients as a component of the product indicating the quantity and technical specification
    - Technical specification and physical description of the finished products (2 copies)
    - Full description of the methods used, the facilities and controls in the manufacture, processing and packaging of the products
    - Complete assay procedure for active ingredients, finished product and degradation products, if any
    - Stability studies of the product to justify claimed expiration date (accelerated/and or actual stability date-from at least three (3) elevated temperature and actual stability)
    - MRL and ADI of the product of the product, where available
    - Material Safety Data Sheet (MSDS), where applicable
    - Unattached generic labels or proposed and to be used for the product with actual color text
    - Certificate of Analysis of the batch/lot number of sample submitted (BAI/BAI Recognized Laboratory)
  - *Renewal of Registration*
    - Government Certificate of Clearance and Free Sale/Registration approval of the products from country of origin
    - Government certificate attesting to the status of the manufacturer's competency and reliability of the personnel and facilities
    - Copy of latest Certificate of Product Registration and License to Operate (LTO)
    - Contract of Agreement/Authorization between manufacturer and distributor
    - Copy of PRC license of Veterinary Medical Officer Actual commercial label and copy of previously BAI approved final printing label (3 copies)
  - *Change of Circumstance*
    - Duly accomplished declaration form for initial registration; for renewal as needed for any COC
- For Veterinary Biological Products
  - Government Certificate of Clearance and Free Sale/Registration approval of the product from the country of origin authenticated by the Philippine Consular Office

- Government certificate attesting to the status of the manufacturer's competency and reliability of the personnel and facilities (Authenticated by the Philippine Consular Office)
  - Copy of the license/registration issued by regulatory agency from the country of origin
  - Certificate of Agreement between manufacturer and distributor
  - Photocopy of PRC license of Veterinary Medical Officer
  - Duly notarized Technical Declaration Form
  - Copies of method of preparation, assay, test and experimental data (Product Dossier/Protocol)
  - Copies of studies, scientific manuscript or publication regarding the product
  - Copy of Certificate of Analysis of 3 batches (recent) issued by the regulatory agency
  - Unattached labels and product inserts and other labeling materials to be used for the product (2 copies)
- For Pesticides
    - Certification of the origin of samples
    - Proof of registration in other countries where relevant
    - Certificate of analysis of active ingredient, both analytical grade or technical material, and the formulated product
    - Information on the shelf life of the analytical and technical grades
    - Material Safety Data Sheet
    - Reviews of data done by other countries and international organizations especially US-EPA and European Union if available
    - Dummy label and labeling text
    - Consultants' evaluation reports

**Annex II-4. Schedule of Fees; Product Registration**

*FPA and BAI to attach schedule of fees*

## Annex II-5. Process Flow; Product Registration

- Step 1. The **applicant** submits a duly accomplished and notarized application form and the required documents to the concerned unit of the competent agency or bureau.
- Step 2. The **concerned unit** in the regulatory agency verifies whether the application form and documents are sufficient in form and substance.
- The application form is sufficient in form and substance if all the fields that have to be answered are filled up and the answers are in accordance with the instructions for filling up the forms. The accompanying documents are complete if all the requirements as specified are submitted.
- The attached documents are sufficient if the photocopies match the original, in which case the receiving clerk shall stamp the photocopies as “certified true copies.”
- Step 3. The **concerned unit** in the regulatory agency checks if the applicant is legally enabled to produce, distribute, or trade product being registered. The various legal documents are reviewed to ensure that these are current, consistent with each other, and allow the applicant to engage in the product submitted for registration.
- Step 4. The **concerned unit** in the regulatory agency determines whether or not to accept the application and informs the applicant of the decision.
- The application form and all the required documents must be sufficient in form and substance and the applicant must be legally enabled to do business with the product. If not, the **concerned unit** in the regulatory agency must NOT accept the application. It must return the application form and all the documents to the applicant, together with a checklist indicating the deficiencies in documents or an explanation of the deficiencies found in the accomplished application form. **Applicants** may resubmit application forms once they have corrected the deficiencies.
- Only those application forms, with the required legal documents, that are sufficient in form and substance and consistent with the application must be accepted and processed further.
- Step 5. For applications that are accepted, the concerned unit records the acceptance in a logbook maintained, or an electronic system installed, for the purpose. The **concerned unit** then issues an order of payment and the **applicant** pays the application fee. The **concerned unit** records the

official receipt (OR) number, date and amount of payment on the application form and stamps “received” and signs the same.

- Step 6. For feeds, drugs and pesticides, the **concerned unit** requests for samples of the product to be registered.
- Step 7. The **concerned unit** in the regulatory agency sends the application form and documents to an **evaluator(s)** and the product samples of feeds, local biologics, and pesticides to accredited **laboratory(ies) and researcher(s)**.
- Step 8. The **evaluator(s)** assesses the application form and documents submitted for proof of compliance with technical standards of safety and efficacy. He or she also looks at the validity and consistency of the documents.

The evaluator may require additional documents to assess the eligibility of the product. He or she shall inform the **concerned unit** to request the same from the applicant.

At the same time, the **laboratory/researcher** undertakes the tests to validate the eligibility of the product.

- Step 9. The **evaluator(s)/laboratory(ies)/researcher(s)** evaluates the application and submits its(their) report(s) to the concerned unit.
- Step 10. The **concerned unit** reviews the reports and decides on what action to take on the application.

In the case of applications for the registration of pesticides, the **concerned unit** decides on whether or not to grant the registration. It may also decide to grant a conditional registration for applications, the registration being conditional on the submission of additional requirements that are not considered critical.

In the case of applications for the registration of drugs, the **concerned unit** decides on whether or not to grant the registration. For applications that are granted, it gives a provisional registration.

In the case of applications for the registration of imported biologics, the **concerned unit** decides on whether or not to grant a provisional import permit.

In the case of applications for the registration of feeds, the **concerned unit** decides whether or not to grant the registration.

The **concerned unit** notifies the applicant on the action on its application.

Step 11. For applications for the registration of drugs granted a provisional registration, the **applicant** has to immediately submit the final label. Upon submission, the **concerned unit** reviews the same. If it is satisfied with the submission, the registration shall be granted. Otherwise, it asks the applicant to revise the label.

For applications for the registration of pesticides that are granted a conditional registration, the **applicant** has one year to comply with the additional requirements. Upon submission, the **concerned unit** reviews the same. If it is satisfied with the submission, the registration shall be granted.

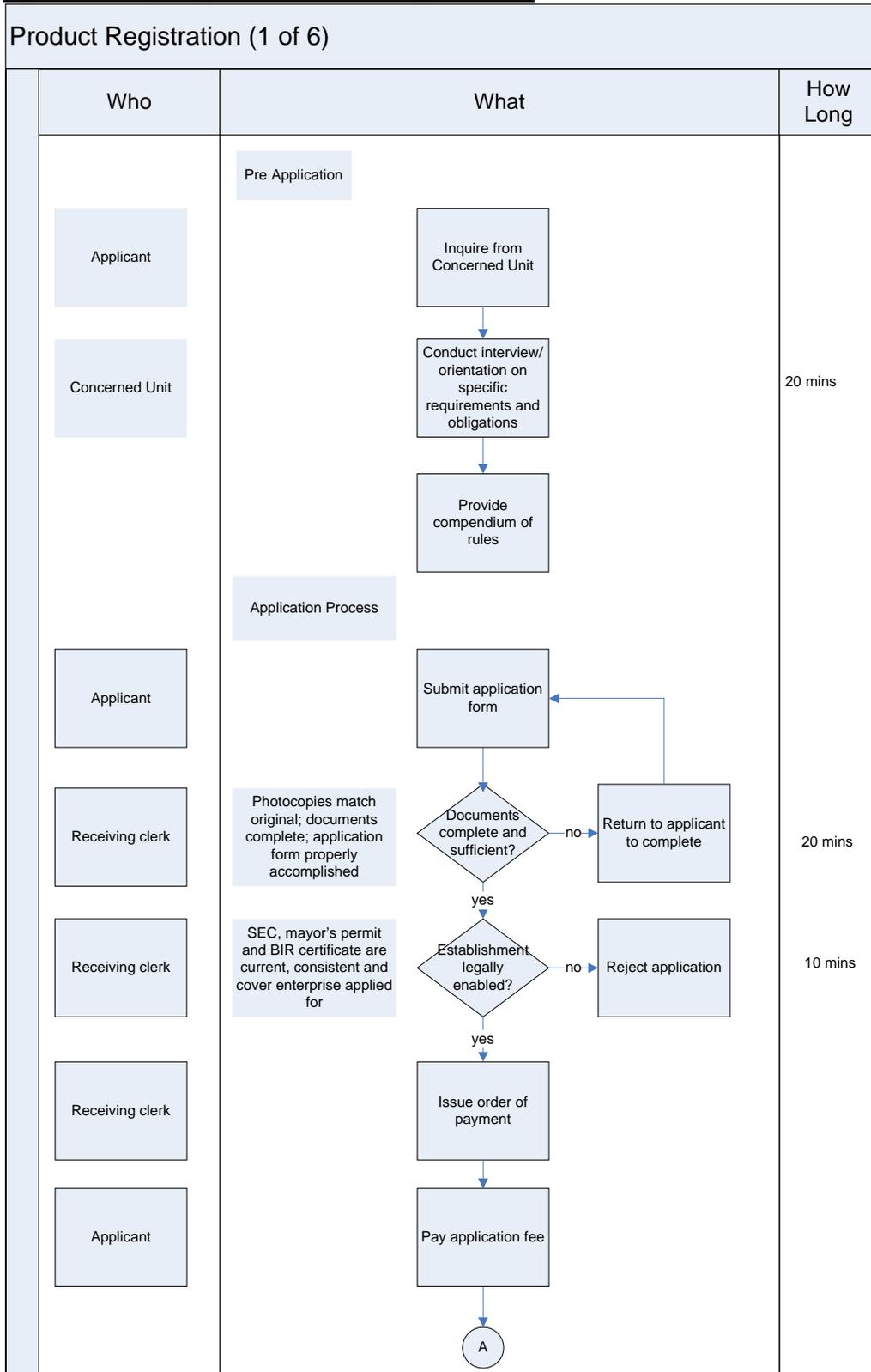
For applications for the registration of imported biologics granted a provisional import permit, the **applicant** imports a sample and submits the same to the concerned unit for testing. The **concerned unit** sends the sample to the laboratory. The **laboratory** tests the sample and submits a report to the concerned unit. The **concerned unit** reviews the report and decides whether or not to grant the registration.

The **concerned unit** notifies the applicant on the action on its action on the application.

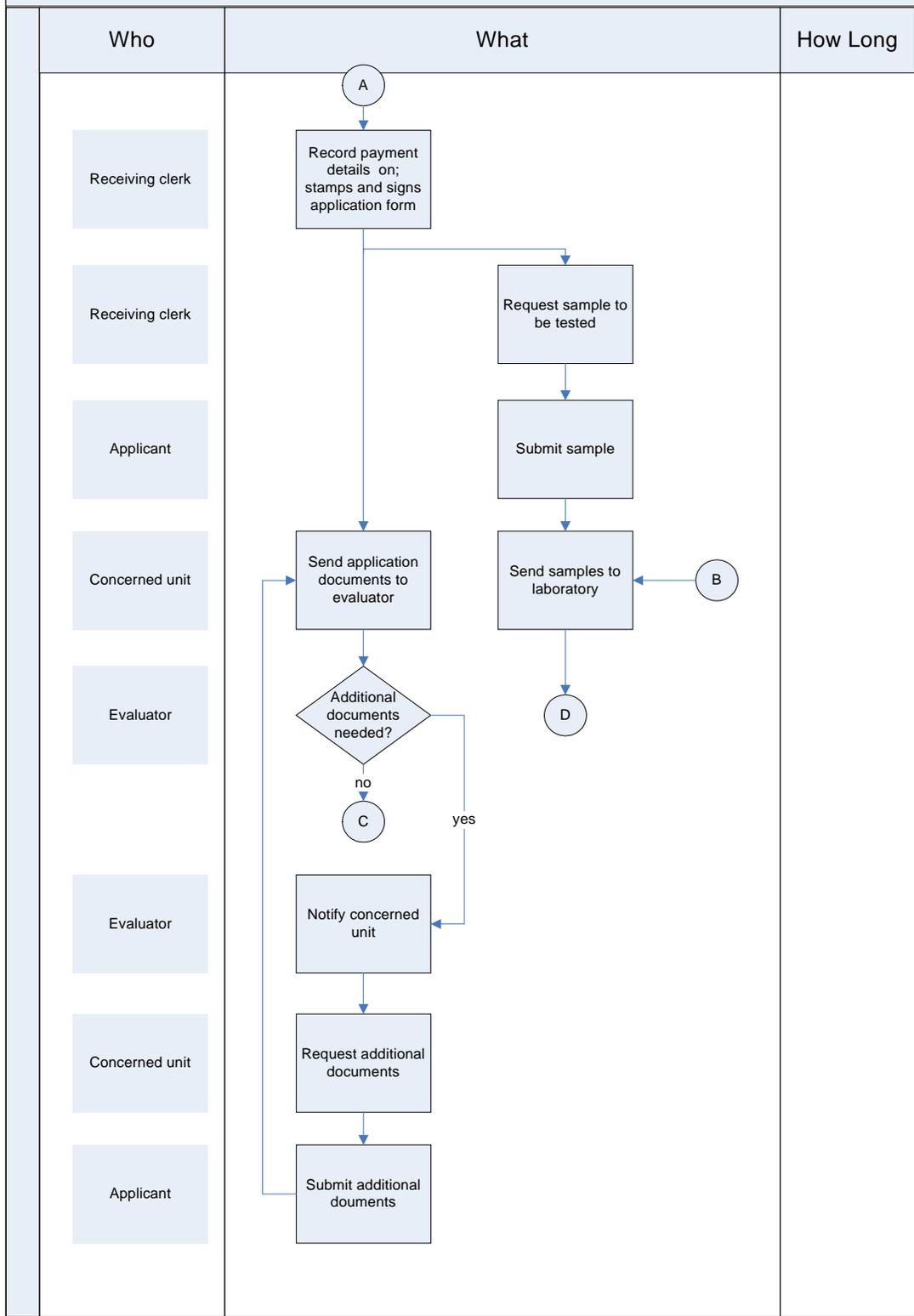
Step 12. For applications that are approved, the **concerned unit** prepares the Certificate of Product Registration and has this signed by the agency **Director** with recommendation from the chief of the concerned unit.

Step 13 The **concerned unit** authenticates, records, and releases the Certificate of Product Registration to the applicant.

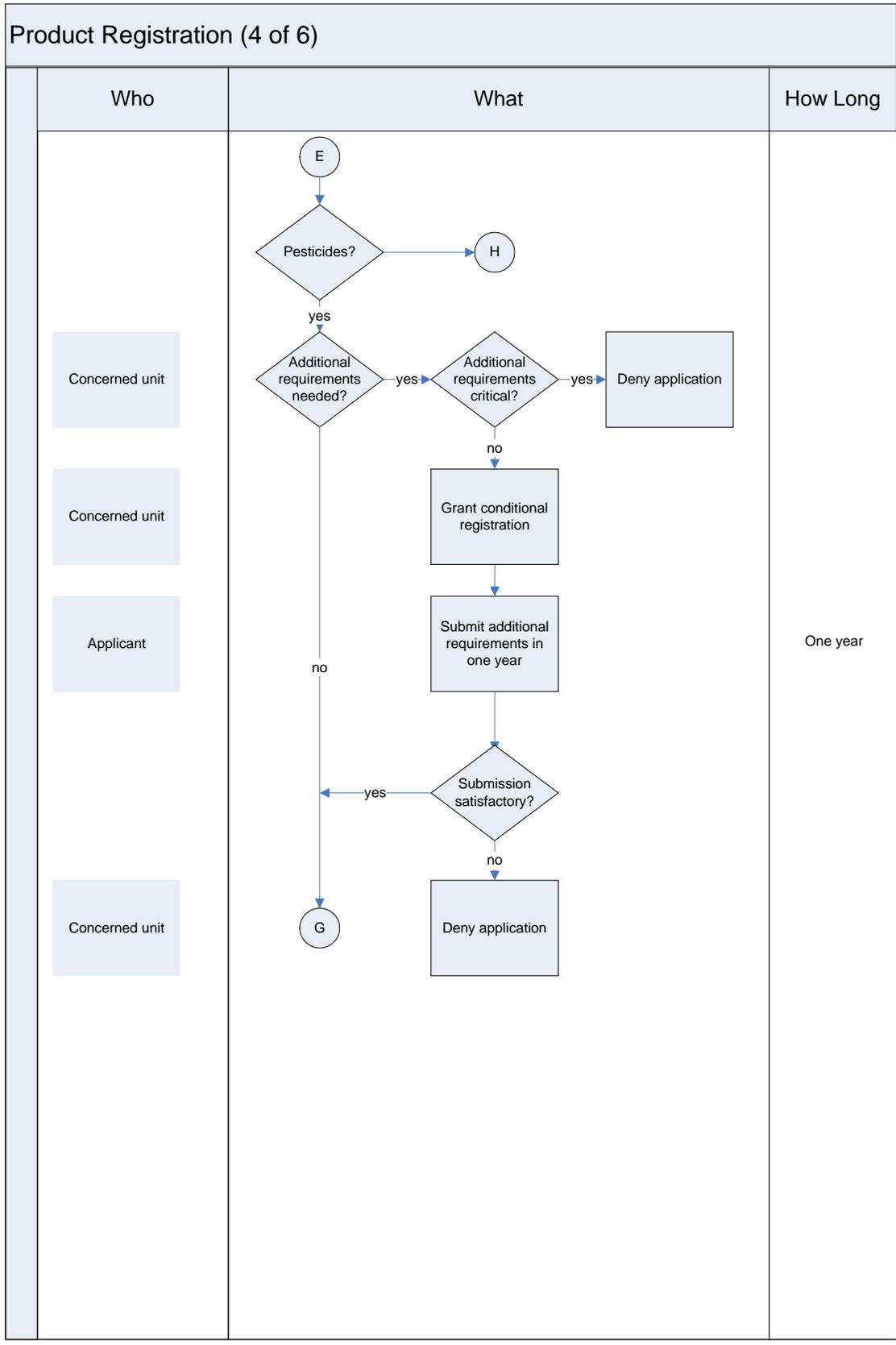
**Annex II-6. Process Diagram; Registration of Product**  
Agencies to specify who and how long columns



## Product Registration (2 of 6)



Product Registration (3 of 6)		
Who	What	How Long
<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Evaluator/ Laboratory</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Evaluator/ Laboratory</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Concerned unit</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Concerned unit</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Concerned unit</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Applicant</div> <div style="border: 1px solid black; padding: 5px;">Applicant</div>	<pre> graph TD     C((C)) --&gt; C1[Assess compliance]     D((D)) --&gt; D1[Assess compliance]     C1 --&gt; C2[Prepare report and submit to concerned unit]     D1 --&gt; D2[Prepare report and submit to concerned unit]     C2 --&gt; R[Review reports]     D2 --&gt; R     R --&gt; C3{Compliant?}     C3 -- no --&gt; D3[Deny application]     C3 -- yes --&gt; C4{Imported biologics?}     C4 -- no --&gt; E((E))     C4 -- yes --&gt; C5{Granted provisional import permit and sample tested?}     C5 -- no --&gt; C6[Grant provisional import permit]     C6 --&gt; C7[Import]     C7 --&gt; C8[Submit sample]     C8 --&gt; B((B))     C5 -- yes --&gt; G((G))   </pre>	<p>3 -6 months</p> <p>5 days</p> <p>5 days</p> <p>3 months</p>



Product Registration (5 of 6)

Who	What	How Long
<p>Concerned unit</p> <p>Applicant</p> <p>Concerned unit</p>	<pre> graph TD     H((H)) --&gt; D1{Veterinary drugs?}     D1 --&gt; A[Grant provisional registration]     A --&gt; B[Submit final label]     B --&gt; D2{Label satisfactory?}     D2 -- yes --&gt; G((G))     D2 -- no --&gt; C[Request that label be revised]     C --&gt; B             </pre>	<p>One month</p>

Product Registration (6 of 6)		
Who	What	How Long
<div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">Concerned unit</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">Chief of concerned unit</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">Director of Agency</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">Concerned unit</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">Concerned unit</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px;">Concerned unit</div>	<pre> graph TD     G((G)) --&gt; A[Prepare certificate]     A --&gt; B[Recommends approval]     B --&gt; C[Sign certificate]     C --&gt; D[Authenticate and record certificate]     D --&gt; E[Inform applicant]     E --&gt; F[Release certificate]   </pre>	5 mins

Annex II-7. Parameters for Testing: Application for Product Registration

***FPA and BAI to attach specific guidelines, checklists for evaluating product registration applications***

**Annex II-8. List of Accredited Researchers and Laboratories; Product Registration**

*BAI and FPA to attach respective lists of accredited researchers and laboratories*

**Annex II-9. Pro-forma Certificate of Product Registration**

Form Code [code]	
[DA, Agency Logo]	Republic of the Philippines Department of Agriculture [Agency Name, Location]
Product Registration Number [code]	
<b>Certificate of PRODUCT REGISTRATION</b>	
Pursuant to the provisions of [Legal Basis], the product particularly described here under has been found to conform with the standards and comply with the rules and regulations governing the registration of [ <i>choice of veterinary/pharmaceutical/biological/pesticide</i> ] products.	
<b>Commodity Description/ Specification Details</b>	<b>Category Details</b>
[Generic/Common Name] [Chemical Name of Active Ingredient] [Brand Name] [Classification] [Form/Type of Formulation Dosage Form]	[Type] [Use] [Formulation/Composition: % Active Ingredients and Type] [Claimed Stability]
<b>Packaging Details</b>	
Product Owner	<b>Origin / Source Details</b>
[Business Name of Applicant] [Company Address] [Plant Address] [LRA Number]	[Name of Supplier] [Address of Supplier] [Name Formulator] [Address of Formulator]
This certification shall expire on the [____] day of [_____] year [____] unless sooner cancelled, revoked or suspended for cause.	
[Name, Signature and Designation of Agency Certifying Officer]	
[Dry seal/Bar code]	

## Annex II-10. System for Numbering Product Registration

The numbering shall be an alpha-numeric code as follows

- 3 letters or code for type of certificate
- 3 letters or code for issuing agency
- 2 letters or code for product
- 2 numbers or year product is registered
- 3 numbers assigned consecutively by product, by year
- 2 control numbers as determined by issuing office or generated by electronic system

## **Annex II-11. Grounds and Process for Revocation of Product Registration**

A Product Registration 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. New information that indicate inconsistency with relevant SPS and biosafety concerns.

Revocation shall be made by the issuing agency following the process below:

1. The concerned unit notifies, in writing, the holder of the registration of reason(s) or justification(s) for a revocation.
2. The holder of registration is given 5 days to submit, in writing, reason(s) why a revocation is not justified.
3. The concerned unit reviews the arguments. It may do additional research or ask the registration holder for additional information.
4. The concerned decides on whether or not to revoke the registration.
5. The concerned unit recommends revocation to the agency director.
6. The agency director issues a revocation notice.
7. The holder of registration has 10 days to appeal with the DA Secretary the decision of the agency director.

### **III. ACCREDITATION OF ESTABLISHMENTS**

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### **III. ACCREDITATION OF ESTABLISHMENTS**

#### **A. Legal Basis**

The legal bases for the accreditation of establishments are listed in Annex III-1.

#### **B. Coverage**

The import or export of commodities listed in Annex III-2 requires the accreditation of establishments from the competent Bureau or Agency, which are also listed in the same Annex. For purposes of traceability, all domestic and some foreign establishments involved in the importation process are covered. Domestic establishments involved in the export of selected commodities to particular countries are also covered.

#### **C. Pre-Qualification Requirements**

Depending on the commodity to be imported or exported, the accreditation of establishments requires the prior registration of the product. It may also require a valid accreditation by another agency. The pre-qualification requirements for the accreditation of establishments are shown in Annex III-3.

#### **D. Application Form and Documentary Requirements**

The application form for the accreditation of establishments is shown in Annex III-4.

The documentary requirements for an application for the accreditation of establishments are contained in Annex III-5.

#### **E. Fees**

The schedule of fees related to the acceptance and processing of applications for the accreditation of establishments is shown in Annex III-6.

#### **F. Issuance Process**

The process description for the issuance of the accreditation is contained in Annex III-7 while the process diagram is in Annex III-8.

The accreditation of establishments generally involves a fixed facility. However, some establishments may have a moving facility (e.g. fishing or freezer vessel) while some may not have a facility (e.g. fumigator). The accreditation is specific to a facility for a commodity group (e.g. cold storage for meat).

The accreditation process involves the inspection of facilities by the representatives of the competent Bureau or Agency. The guidelines for the inspection of facilities and establishments are in Annex III-9

Separate accreditations are required for facilities with different addresses, regardless if the same person or company owns them. Moreover, if an establishment expands its facilities, it will need an accreditation for the new facility.

If a facility will be used for several commodities, the establishment will need separate accreditations by commodity type. The bureaus and agencies may however agree to mutually recognized accreditations issued, provided the technical requirements are the same (e.g. cold storage facilities accredited by NMIS and BFAR, animal holding facilities accredited by BAI and NMIS on animal safety).

In applying for accreditation for an expansion of scope of activities, facilities or commodities, a valid accreditation of establishment granted previously by a DA Bureau or agency may substitute for the requirements on proof of legal business and proof of tax payment.

### **G. Pro-forma Certificate**

The pro-forma Certificate of Accreditation of Establishments is shown in Annex III-10

### **H. Authentication**

The Certificate is authenticated by seal or bar-code. It is also given a unique number. The system for numbering the Certificates is described in Annex III-11.

### **I. Validity Period and Renewal**

The Certificate of Accreditation of Establishments is valid for one year, provided that the appropriate business permits and clearances from the local governments and national agencies remain valid.

Establishments need to renew their accreditation on or before the lapse of this validity period. Renewal is merely the submission of documentary requirements to show that the establishment remains legally enabled and its permits and clearances are current. However, the competent agency may inspect and evaluate facilities in the renewal process if its spot inspections/audit shows a history of violations of the technical requirements of the accreditation.

The surcharge for the late renewal of license is 50% of the renewal fee, if the renewal is 30 days or less overdue and 100% of the renewal fee if the renewal is overdue beyond 30 days.

If an establishment has been inactive for 3 years, it will have to file a new application for accreditation. If it has been inactive for less than 3 years, it can request for renewal, subject to the payment of surcharges. In effect, an establishment that is inactive for 2 years can file for renewal but it will pay a surcharge equivalent to renewal fees for 2 years.

For monitoring purposes, the certificate issued for a renewal will carry the number of the original certificate.

## **J. Amendment of Certificate/Change of Circumstance**

A certificate holder is required to report a change of circumstance to the issuing agency. It is required to submit an application for amendment using the application for accreditation form

If the amendment does not entail a change in the certificate in that the item changed does not appear in the certificate, the process ends with the agency's acceptance of the application form.

For a change in business name, the applicant will go through the accreditation process. It will also be issued a certification of change of name for use with trading partners.

For a change in location, the applicant will also go through the accreditation process as a new establishment. It will be issued a new certificate with the number in the original certificate retained..

## **K. Limitations**

The Certificate of Accreditation of Establishment allows the holder to import or export the product stated therein, provided that the following REQUISITES are complied with: (a) license as importer/exporter/handler, (b) SPS import clearance, and (c) international SPS certificate.

## **L. Suspension and Revocation**

The accreditation of an establishment may be suspended or revoked at any time for any of the reasons listed in Annex III-12 and following the process shown in the same annex. Establishments whose accreditations are revoked are also blacklisted. A suspension shall be for six months.

Establishments that are suspended shall be subjected to graduated penalty fees, depending on the nature of the offense. The same types of penalties shall be imposed for an establishment and an exporter/handler.

The establishment operator and the importer/exporter/handler using the establishment shall both be liable for offenses made by the other. The grounds for revocation or

suspension shall be the same, e.g. if smuggled goods are found in the storage facility of an importer/exporter/handler, both the importer/exporter/handler and the owner of the establishment shall be penalized.

Incorporators of blacklisted establishments shall also be blacklisted. A new company with a blacklisted incorporator shall not be given a license or accreditation.

There shall be mutual recognition of the revocation of accreditation and license among bureaus or agencies, e.g. If the accreditation of an establishment is revoked by one bureau or agency, the establishment's licenses and accreditations with the other bureaus or agencies shall also be revoked.

### Annex III-1. Legal Basis; Accreditation of Establishments

Agency	Commodity	Legal basis
BPI	Plants, planting materials, plant products, potential plant pests	<ul style="list-style-type: none"> <li>• PD 1433</li> <li>• BPI Quarantine AO No. 1 S. 1981</li> <li>• BPI Memorandum Order, September 12, 2006</li> </ul>
BAI NVQS	Meat and meat products <sup>1</sup>	<ul style="list-style-type: none"> <li>• DA AO 18, S 2000</li> <li>• DA SO 240 S 2000</li> <li>• BAI AO 1, S 2003</li> <li>• DA AO 26, S 2005</li> </ul>
	Live animals	<ul style="list-style-type: none"> <li>• Administrative Code of 1987 (EO 292)</li> <li>• BAI Memorandum Order, August 16, 2004</li> </ul>
NMIS	Meat and meat products	<ul style="list-style-type: none"> <li>• AO 1, S. 2007<sup>2</sup></li> </ul>
BAI AFSD	Feeds and feed ingredients	<ul style="list-style-type: none"> <li>• RA 1556</li> </ul>
	Veterinary drugs and products	<ul style="list-style-type: none"> <li>• RA 3720</li> </ul>
BAI LSD VBSS	Veterinary biological products	<ul style="list-style-type: none"> <li>• Act 3101, March 16, 1923</li> <li>• AO 9, S. 1982</li> </ul>
BFAR	All	<ul style="list-style-type: none"> <li>• RA 8550</li> </ul>
	Live fish and other aquatic products (seaweeds, shells, aquarium fishes and others)	<ul style="list-style-type: none"> <li>• FAO 221 S. 2003</li> </ul>
	Milkfish fry	<ul style="list-style-type: none"> <li>• FGMO 119, May 20, 2003</li> </ul>
	Fresh/chilled/frozen fish and fishery/aquatic products	<ul style="list-style-type: none"> <li>• FAO 195 S. 1999</li> </ul>
FPA	Fertilizers and pesticides	<ul style="list-style-type: none"> <li>• PD 1144</li> </ul>

<sup>1</sup> Per AO 1, S. 2007, NMIS is now responsible for the licensing of an importer of meat and meat products.

<sup>2</sup> Accreditation, Registration and Licensing of Meat Importers, Brokers, Exporters, Traders or Handlers

**Annex III-2. Coverage; Accreditation of Establishments**

<b>Commodity</b>	<b>Facility/Establishment</b>	<b>Agency</b>
Fresh fruits and vegetables	Domestic storage facilities, foreign (import source) establishment; Domestic quarantine treatment providers	BPI
Live animals	Foreign (import source) farms; Domestic quarantine farms	BAI
Feeds and feedstuffs	Foreign (import source) and domestic feed establishments	BAI
Veterinary drugs and products	Domestic veterinary drug and product establishments	BAI
Veterinary biological products	Veterinary biological products foreign (import source) and domestic establishments, domestic cold storage, distributor's warehouse	BAI
Meat and Meat Products	Foreign (import source) meat establishment, domestic meat establishment, cold storage	NMIS/ BAI
Live fish	Aquaculture farms	BFAR
Chilled/frozen fish	Domestic cold storage	BFAR
Pesticides and fertilizers	Warehouse	FPA

### **Annex III-3. Pre-Qualification Requirements; Accreditation of Establishments**

1. Product Registration for
  - a. Feeds and feedstuffs, with the BAI;
  - b. Veterinary drugs and biological products, with the BAI; and
  - c. Pesticides and fertilizers, with the FPA
2. Establishment certification as service provider with FPA those applying for accreditation with BPI as accredited fumigator

## Annex III-4. Application Form; Accreditation of Establishments

Application Form: page 1

Form Code [code]

DA and Bureau or Agency Logos	Republic of the Philippines Department of Agriculture [Bureau or Agency Name] [Service Name] [Bureau or Agency TIN]	<b>Application for Accreditation of an Establishment</b>
--	---	--

<b><i>To be filled up by the Bureau or Agency</i></b>	
1. Date Received	2. Application No.

***To be filled up by the Applicant***

### **A. Applicant Details**

3. Application Type <input type="checkbox"/> New without existing certificate <input type="checkbox"/> New with existing certificate <input type="checkbox"/> Renewal <input type="checkbox"/> Change of Circumstance without change in content of certificate <input type="checkbox"/> Change of Circumstance with change in content of certificate		4. Existing Accreditation No. of Establishment	5. Issuing Bureau or Agency
6. Business Name of Establishment			
7. TIN	8. Type of Organization <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Cooperative <input type="checkbox"/> Single Proprietorship		
9. Name of Owner / Chairman / President			
10. Business Address of Establishment			
11. Tel No.		12. E-mail Address	
13. Contact Person		14. Tel No. of Contact Person	
15. Name of Authorized Applicant		16. Tel No. of Authorized Applicant	

**B. Establishment Details**

17. Commodity Covered		
<input type="checkbox"/> Aquatic products <input type="checkbox"/> Aquatic derivatives <input type="checkbox"/> Biomolecules <input type="checkbox"/> Feeds and feedstuffs <input type="checkbox"/> Fertilizers <input type="checkbox"/> Fiber <input type="checkbox"/> Fish and fishery products <input type="checkbox"/> Live animal	<input type="checkbox"/> Live fish <input type="checkbox"/> Meat and meat products <input type="checkbox"/> Pesticides <input type="checkbox"/> Plants <input type="checkbox"/> Planting materials <input type="checkbox"/> Plant products <input type="checkbox"/> Potential plant pests <input type="checkbox"/> Products and by-products of animal origin	<input type="checkbox"/> Rice <input type="checkbox"/> Sugar <input type="checkbox"/> Veterinary drugs and products <input type="checkbox"/> Veterinary biological products <input type="checkbox"/> Others (specify) _____
18. Commodity Description		
<input type="checkbox"/> As is <input type="checkbox"/> Repacked <input type="checkbox"/> Fresh	<input type="checkbox"/> Semi-processed <input type="checkbox"/> Processed <input type="checkbox"/> Formulated Product	<input type="checkbox"/> Technical Grade Material <input type="checkbox"/> Others (specify) _____
19. Type of Establishment		
		<input type="checkbox"/> Foreign establishment <input type="checkbox"/> Domestic establishment
20. Type of Operation		
<input type="checkbox"/> Animal Facility <input type="checkbox"/> Pet shop <input type="checkbox"/> Clinic / Hospital <input type="checkbox"/> Zoo <input type="checkbox"/> Auction Market <input type="checkbox"/> Cold Storage	<input type="checkbox"/> Farm <input type="checkbox"/> Aquaculture farm <input type="checkbox"/> Hatchery <input type="checkbox"/> Livestock farm <input type="checkbox"/> Fishing/Freezer Vessel <input type="checkbox"/> Fish Port	<input type="checkbox"/> Ice Plant <input type="checkbox"/> Manufacturing <input type="checkbox"/> Outlet/ Retailing <input type="checkbox"/> Pre-processing plant <input type="checkbox"/> Processing plant
		<input type="checkbox"/> Quarantine Facility <input type="checkbox"/> Repacking <input type="checkbox"/> Warehousing <input type="checkbox"/> Others (specify) _____
21. Rated Capacity		22. Operational Information attached

**C. Origin/Source Details**

23. Name of Supplier	24. Address of Supplier	25. Country of Origin
----------------------	-------------------------	-----------------------

**D. Applicant Declaration**

26. Signature over Printed Name of Authorized Representative of Establishment		
27. Sworn Statement		
SUBSCRIBED AND SWORN to before me this _____ day of _____, 20____. The Affiant exhibited to me his/her Community Tax Certificate No. _____ issued at _____ on _____, 20____.		
Doc No. _____ Page No. _____ Book No. _____ Series of _____	Documentary Stamp	_____ Notary Public

Application Form: Continuation of page 1

<b>Tracking Box (To be filled up by the Bureau or Agency)</b>		
1. Date Received	2. Application No.	
3. Receiving Officer (Name and Signature)		
4. Requirements Submitted (Checklist)		
5. Date Validated / Inspected		
6. Name of Validating Officer		
7. Designation		
8. Remarks (pass, fail, conditional, deficiencies)		
9. Inspection Report attached		
10. Certificate of Accreditation No.	11. Date Issued	
12. Fee	13. OR No.	14. Date of OR
15. Remarks (new, amendment, renewal)		
<b>Checklist of Requirements (Refer to Attachment)</b>		

## **Annex III-5. Documentary Requirements; Application for Accreditation of Establishments**

### **A. REQUIREMENTS FOR ALL COMMODITIES**

#### **1. Proof of Application**

- Duly accomplished and notarized application form

#### **2. Proof of Legal Business or Valid Accreditation of Establishment Granted by a DA Bureau or Agency**

- Copy of CDA, DTI, EPZA or SEC Registration
- Mayor's Permit (current)
- Articles of Incorporation
- Company profile
- List of clientele during the last two (2) years
- Notarized Special Power of Attorney for all Importer's Representative

#### **3. Proof of Tax Payment or Valid Accreditation of Establishment Granted by a DA Bureau or Agency**

- Copy of Latest Income Tax Return or Certificate of Tax Registration
- Copy of VAT Registration Certificate
- Tax Identification Number (TIN)

#### **4. Proof of Existence of Facility**

- Notarized valid contract of lease of the space/building occupied, if the applicant does not own it
- Recent pictures taken from the inside and outside of the storage visibly showing all the equipment/facilities and the signage of the storage, and picture of additional facilities/improvements, if any for renewal
- Copy of the plant layout
- List of facilities and equipment
- Rated capacity
- Production schedule

#### **5. Proof of Inspection**

- Site and Facility Inspection and Evaluation Report
- Copy of the accomplished evaluation criteria

**6. Proof of Environmental Compliance**

- Environment Compliance Certificate/Certificate of Non-Coverage from DENR [for renewal, DENR permit to operate.]

**7. Proof of Compliance with Industry Practice**

- Certificate of GAP, GMP, HACCP or ISO compliance
- List of Technical Employees, their Qualification and License No.

**8. Proof of Payment**

- Official Receipt

**B. COMMODITY-SPECIFIC REQUIREMENTS**

*Fish and Fishery Products*

- BFAD Certificate / Sanitary Permit

*Veterinary Drugs and Products*

- Notarized and Accomplished Petition Form/Joint Affidavit of Undertaking
- Copy of Pharmacist/Veterinarian Registration/Board Certificate and PTR
- License to Operate (LTO) issued by DOH-Bureau of Food and Drugs (*BFAD*)

*Pesticide*

- FPA license/accreditation (*for fumigators*)

**Annex III-6. Schedule of Fees; Accreditation of Establishments**

<b>Agency</b>	<b>Name of Fee</b>	<b>Fee</b>
BPI	Accreditation	none
BAI NVQS	Accreditation fee (meat)	P1,000
	Dairy	P100
BAI NVQS	Accreditation of quarantine site (i.e. live animals, day-old chick, eggs)	none
	Accreditation	P2,000
NMIS MIEAID	Accreditation	P2,000
BAI AFSD	Registration (feed establishment)	P480
	Licensing, initial (VDAPE)	P2,400
	Licensing, renewal (VDAPE)	P4,800
BAI VBSS	Registration/Licensing, initial	P2,200
	Registration/Licensing, renewal	P2,200
BFAR	Accreditation	none
FPA	Filing fee	P2,000
	Licensing fee	P2,000 to P8,500 (based on capitalization) P1,000 to P5,000 (for additional activity)

## Annex III-7. **Process Description; Accreditation of Establishments**

- Step 1            The **concerned unit** of the competent agency or bureau orients the applicant on the application process and its requirements. It also informs the applicant of the privileges and responsibilities of accredited establishments.
- The concerned unit provides the applicant with the agency’s compendium of rules governing the accredited establishments and asks the applicant to familiarize itself with such rules (if applicable).
- Step 2.           The **applicant** submits a duly accomplished and notarized application form and the required documents to the concerned unit of the competent agency or bureau.
- Step 3.           The **concerned unit** verifies whether or not the application form and documents are sufficient in form and substance.
- The application form is sufficient in form and substance if all the fields that have to be answered are filled up and the answers are in accordance with the instructions for filling up the forms.
- The accompanying documents are complete if all the requirements as specified are submitted. They are sufficient if the photocopies match the original, in which case the concerned unit shall stamp and sign the photocopies as “certified true copies.”
- Step 4.           The **concerned unit** checks if the applicant is legally enabled to engage in the operation of the establishment being registered. The various business permits and clearances (SEC, mayors permit, tax papers, EEC) are reviewed to ensure that these are current, consistent with each other, and allow the applicant to engage in the operation of the establishment being registered.
- Step 5            The **concerned unit** determines whether or not to accept the application.
- The application form and all the required documents must be sufficient in form and substance and the applicant must be legally enabled to engage in the establishment. If not, the **concerned unit** in the regulatory agency must NOT accept the application. It must return the application form and all the documents to the applicant, together with a checklist indicating the deficiencies in documents or an explanation of deficiencies found in the accomplished application form. **Applicants** may resubmit application forms once they have corrected the deficiencies.

In cases where applications are received by mail, the **concerned unit** informs the applicant to submit missing documents and holds on to the application form and accompanying documents until these are completed.

Only those application forms that are sufficient in form and substance and accompanied by the required business permits and clearances that are consistent with the application must be accepted and processed further.

- Step 6 For applications that are accepted, the **concerned unit** issues an order of payment to the applicant.
- Step 7 The **applicant** pays the application fee to the cashier and shows the receipt to the concerned unit.
- Step 8 The **concerned unit** indicates the receipt details (number, date and amount) on the application form; accepts the application, and records its acceptance in a logbook or an electronic system installed for the purpose..
- Step 9. The **concerned unit** assesses the application form and documents submitted for proof of compliance with technical standards of safety and quality. It also looks at the authenticity and consistency of the documents.
- Step 10 The **concerned unit** notifies the applicant of the results of the document review. It may also require the applicant to submit additional or amended documents, in which case, the applicant is given a reasonable period of time to comply.
- Step 11 When the **concerned unit** is satisfied that the submitted documents comply with safety and quality standards, it schedules the inspection of the establishment and sends a request to the inspector to inspect any/the facility covered by the application. If no facility is required of the establishment (e.g .fumigators), the concerned unit proceeds to Step 14.
- Step 12 The **inspector** inspects the facility and conducts an exit meeting with establishment management to inform them of the results of the inspection.
- Step 13 The inspector prepares a site and facility inspection report and submits the same to the **concerned unit**.
- Step 14. The **concerned unit** reviews the reports and decides on what action to recommend on the application. It may also require the applicant to correct specific facility problems noted in the inspection report, in which case, the applicant is given a reasonable period of time to comply.

Only applicants that are eligible, compliant with all technical and documentary requirements, and pass the inspection are recommended for the granting of an establishment accreditation.

Step 15 The **Division Chief of the concerned unit/concerned Regional Director** reviews and confirms the recommendation. (*Ed's note: Suppose he does not or cannot confirm?*)

Step 16 The **concerned unit** notifies applicants on the action taken on their application.

Applicants that are not accredited may resubmit its application once it has taken steps to correct its deficiency/ies or ineligibility.

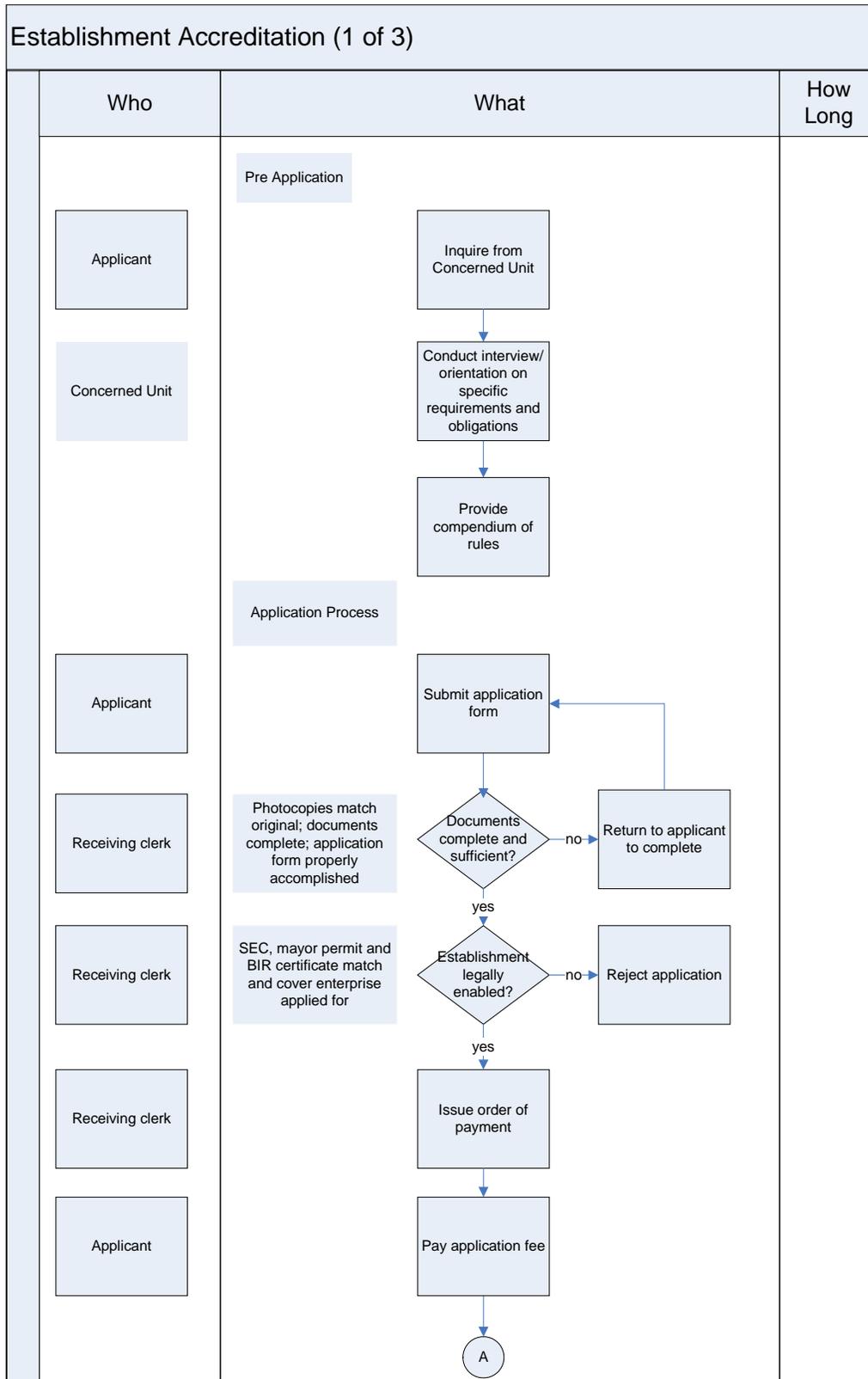
Step 17 For applications that are recommended for granting, the **concerned unit** prepares the Certificate of Accreditation of Establishment.

Step 18 The **concerned unit** transmits the certificate, with a recommendation from its chief, to the Director of the agency/Regional Executive Director for signature.

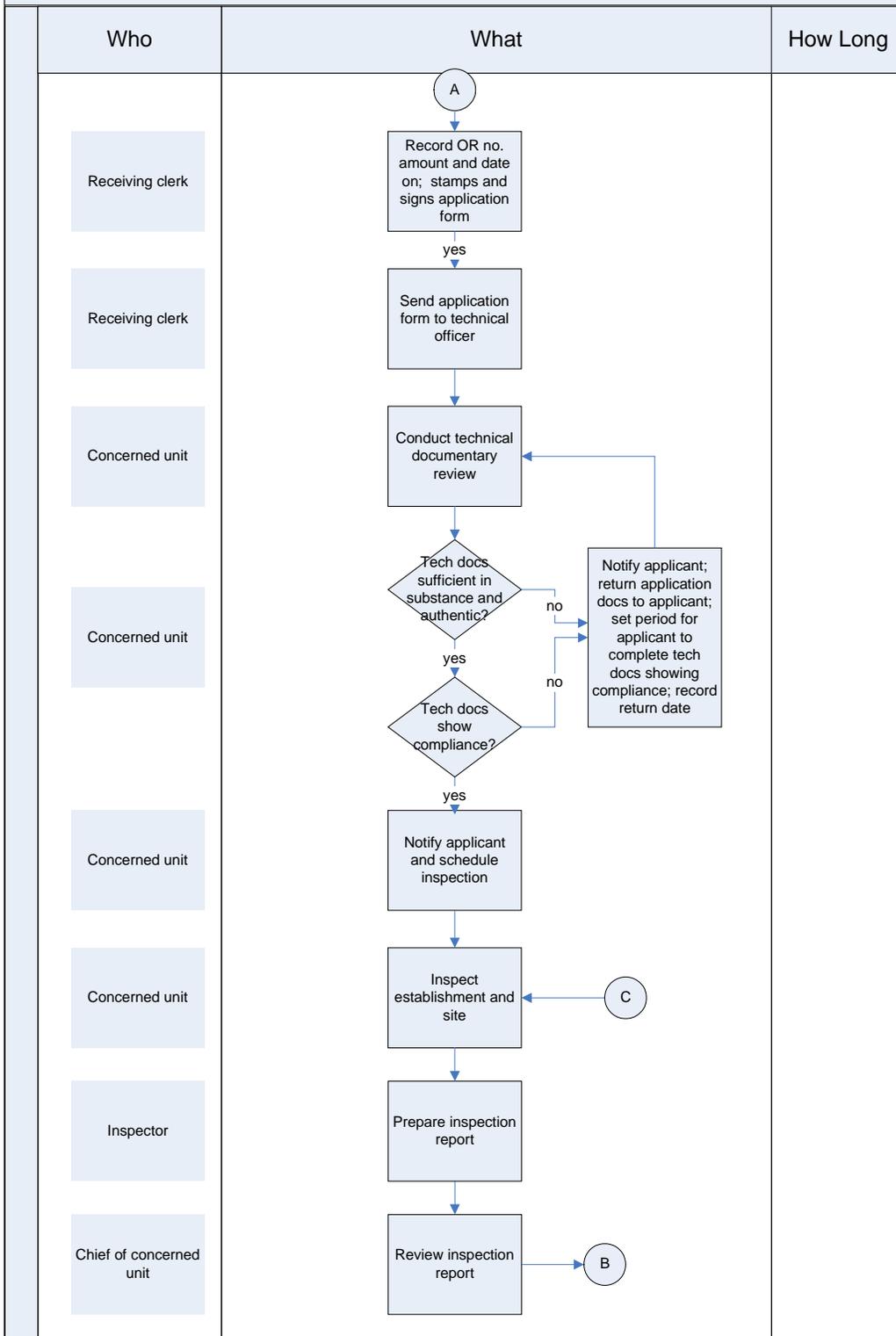
Step 19 The **concerned unit** authenticates the Certificate, by numbering and/or bar-coding it, records the certificate in a logbook or an electronic system for the purpose, orients the grantee on the roles and responsibilities of an accredited establishment, including reporting requirements, and releases the Certificate to the grantee.

Annex III-8. **Process Diagram: Accreditation of Establishments**

*Agencies to specify the who and how long columns*



Establishment Accreditation (2 of 3)



### Establishment Accreditation (3 of 3)

Who	What	How Long
Concerned unit	<pre> graph TD     B((B)) --&gt; D{Site and facility compliant?}     D -- no --&gt; N[Notify applicant; return application docs to applicant; set period for applicant to complete tech docs showing compliance; record return date]     D -- yes --&gt; P[Prepare certificate]     N --&gt; C((C))             </pre>	
Concerned unit	Prepare certificate	
Chief of concerned unit	Recomemnd approval	
Director of Agency	Sign certificate	
Concerned unit	Authenticate, record and notify applicant	
Concerned unit	Give orientation to awardee	
Concerned unit	Release certificate	

**Annex III-9. Guidelines for Inspection: Accreditation of Establishments**

*Agencies to attach guidelines, checklists and evaluation criteria by type of establishment/facility*

Annex III-10. **Pro-forma Certificate of Accreditation of Establishments**

Form Code [code]	
[DA and Bureau or Agency Logos]	Republic of the Philippines Department of Agriculture [Bureau or Agency Name, Location]
Accreditation Number [code]	
Certificate of Accreditation of Establishment	
This is to certify that	
[Business Name of Establishment]	
of	
[Address of Establishment]	
upon satisfying all the requirements set by the [agency], Department of Agriculture, is hereby allowed to operate as:	
[Type of Establishment]	
[Commodity Covered]	
with all the rights, privileges, and responsibilities thereto appertaining.	
This LRA is issued in accordance with the provisions of [Legal Basis] and shall expire on the [___] day of [_____] year [___] unless sooner cancelled, revoked or suspended for cause.	
[Name, Signature and Designation of Agency Certifying Officer]	
[Dry seal/Bar code]	

### Annex III-11. **System for Numbering Certificates of Accreditation of Establishments**

The numbering shall be an alpha-numeric code as follows

- 3 letters or code for issuing agency
- 3 letters or code for type of facility
- 2 numbers or year establishment is accredited
- 3 numbers assigned consecutively by type of facility, by year
- 2 control numbers as determined by issuing office or generated by electronic system

### Annex III-12. **Grounds for Revocation of Accreditation of Establishments**

The accreditation of establishments may be 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. Repeated non-compliance with technical standards for accredited establishments
3. Repeated violation of other relevant SPS and biosafety rules and regulations.
4. Storing, processing or harboring smuggled goods

The accreditation of establishments may be suspended at any time for any of the following grounds:

1. operating without complying with reporting and renewal requirements of accreditation
2. non-compliance with technical standards and other relevant SPS and biosafety rules and regulations

Suspension or revocation shall be made by the issuing agency following the process below:

1. The concerned unit notifies, in writing, the accredited establishment of reason(s) or justification(s) for a revocation/suspension.
2. The accredited establishment is given 5 days to submit, in writing, reason(s) why a revocation/suspension is not justified.
3. The concerned unit reviews the arguments. It may do additional research or ask the accredited establishment for additional information.
4. The concerned decides on whether or not to revoke/suspend the accreditation.
5. The concerned unit recommends revocation/suspension to the agency director.
6. The agency director issues a revocation/suspension order.
7. The accredited establishment has 10 days to appeal with the DA Secretary the decision of the agency director.

## IV. LICENSING OF IMPORTER/EXPORTER/HANDLER

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## **IV. LICENSING OF IMPORTER/EXPORTER/HANDLER**

### **A. Legal Basis**

The legal bases for the licensing of importer/exporter/handler are shown in Annex IV-1

### **B. Coverage**

The importation of the commodities listed in Annex IV-3 requires the licensing of these goods' importers/exporters/handlers by the competent Bureau or Agency which are also shown in the same Annex.

Some cases of importation do not require the licensing of importer but require the issuance of an SPS import clearance, the issuance of an international SPS certificate and/or the physical inspection at the port of entry. These cases are listed in Annex IV-4.

Exportation does not generally require the licensing of exporters unless there is a bilateral agreement with the importing country for such process to be required. Annex IV-5 contains the commodities and importing countries for which a registration of exporters is required.

### **C. Pre-Qualification Requirements**

Depending on the commodity to be imported or exported -- and the requirements of the importing country in the case of exports -- the licensing of importers /exporters/handlers requires the prior registration of the product and the accreditation of the establishment to be used. The importers/exporters/handlers need not own, but SHOULD USE, an accredited establishment. The pre-qualification requirements by commodity are shown in Annex IV-6.

An importer/exporter/handler that is also the owner of an establishment to be used may apply for the accreditation of its establishment and its license as an importer/exporter/handler at the same time.

### **D. Application Form and Documentary Requirements**

The application form for the licensing of an importer/exporter/handler is shown in Annex IV-7.

The documentary requirements for an application for the licensing of an importer/exporter/handler are shown in Annex IV-8.

Only applications that are sufficient in form and substance shall be accepted. Those that are deemed insufficient in form or substance shall immediately be returned to the applicant.

## **E. Fees**

The schedule of fees related to the acceptance and processing of applications for the licensing of importers/handlers is shown in Annex IV-9. There are no fees for the registration of exporters.

## **F. Issuance Process**

The process description for the issuance of the license as importer/exporter/handler is shown in Annex IV-10. The process diagram is shown in Annex IV-11.

The requirements for the approval of application for the licensing, registration or accreditation (LRA) of an importer are listed in Annex IV-12.

Importers/exporters that maintain establishments may apply at the same time for their license as importers/exporters/handlers and for the accreditation of their establishment. However, although the accreditation and licensing processes can be done concurrently, separate certificates shall be issued, these certificates being issued consecutively. The first certificate to be issued shall be the accreditation certificate for an establishment because it is a prerequisite of the licensing of an importer/exporter/ handler.

## **G. Limitations**

The license of an importer/exporter/handler is for a specific commodity. The license is granted by the competent bureau or agency.

An importer that wishes to import or export two or more commodities would need to secure a license as importer for each commodity it intends to import. An importer and exporter of the same commodity will need to apply for separate licenses as importer and as exporter. However, in applying for a license, the number of any VALID (a) license as importer/exporter/handler or (b) accreditation of establishment owned by the applicant that may be previously granted by any DA bureau or agency to the applicant may be given in lieu of the documents required as proof of the business being legal and proof of tax payment.

The LRA of Importer/Exporter allows the holder to engage in the importation or exportation of the product stated in the Certificate, provided that:

1. each shipment of imports/exports shall be covered by the SPS Import Clearance and International SPS Certificate, AS APPLICABLE;
2. the imported commodities shall pass through border inspection; and
3. the imported/exported commodities shall come from and go to accredited establishments, AS APPLICABLE.

## **H. Proforma Certificate**

The pro-forma Certificate of License as Importer/Exporter/Handler is shown in Annex IV-13.

## **I. Authentication**

The Certificate is authenticated by seal or bar-code. It is also given a unique number. The system for numbering the Certificates is in Annex IV-14.

## **J. Validity Period and Renewal**

The license is valid for one year provided the appropriate business permits and clearances from the local governments and from national agencies remain valid.

Importers/exporters/handlers need to renew their license on or before the lapse of the validity period. Renewal involves the mere submission of documentary requirements to show that the licensee remains legally enabled and its permits and clearances from other government entities are current.

The surcharge for the late renewal of license is 50% of the renewal fee if the renewal is 30 days or less overdue and 100% of the renewal fee if the renewal is overdue beyond 30 days.

If a licensee has been inactive for 3 years, it will have to file a new application for a license. If it has been inactive for less than 3 years, it can request for renewal, subject to the payment of surcharges. In effect, a licensee that is inactive for 2 years can file for renewal but it will pay a surcharge equivalent to renewal fees for 2 years.

For monitoring purposes, the certificate issued for a renewal will carry the number of the original certificate.

## **K. Amendment of Certificate/Change of Circumstance**

A licensee is required to report a change of circumstance to the issuing agency by submitting an application for amendment using the application for accreditation form. A change in circumstance means a change in information previously indicated in the application form.

If the amendment does not entail a change in the certificate in that the item changed does not appear in the certificate, the process ends with the agency's acceptance of the application form, unless there is reason for the agency to review the performance of the licensee.

For a change in business name, the applicant will go through the licensing process. It will be issued a new certificate with the old name appearing and the number in the original certificate retained. The licensee will also be issued a certification of change of name for use with trading partners.

For a change of business address, the applicant will also go through the accreditation process and will be issued a new certificate with the number in the original certificate retained.

## **L. Revocation and Penalties**

The license of an importer/exporter/handler may be suspended or revoked at any time for any of the reasons shown in Annex IV-15 and following the process shown in the same annex. Licensees with revoked licenses are also blacklisted. A suspension shall be for six months.

Licensees that are suspended shall be subjected to graduated penalty fees, depending on the nature of the offense. The same types of penalties shall be imposed for an establishment as those for a licensee.

The operator of an accredited establishment and the licensed importer/exporter/handler using the said establishment shall both be liable for offenses made by the other. The grounds for revocation or suspension shall be the same, e.g. if smuggled goods are found in the storage facility of an importer/exporter/handler, both the importer/exporter/handler and the establishment shall be penalized.

Incorporators of blacklisted licensees shall also be blacklisted. A new company with a blacklisted incorporator shall not be given a license.

There shall be mutual recognition of the revocation of accreditation and license among bureaus or agencies, e.g. if an establishment's accreditation is revoked by one bureau or agency, its licenses and accreditations with the other bureaus or agencies shall also be revoked.

**Annex IV-1. Legal Basis: Licensing of Importer/Handler**

<b>Agency</b>	<b>Commodity</b>	<b>Legal basis</b>
BPI	Plants, planting materials, plant products, potential plant pests	<ul style="list-style-type: none"> <li>• PD 1433</li> <li>• BPI Quarantine AO No. 1 S. 1981</li> <li>• BPI Memorandum Order, September 12, 2006</li> </ul>
BAI NVQS	Meat and meat products <sup>1</sup>	<ul style="list-style-type: none"> <li>• DA AO 18, S 2000</li> <li>• DA SO 240 S 2000</li> <li>• BAI AO 1, S 2003</li> <li>• DA AO 26, S 2005</li> </ul>
	Live animals	<ul style="list-style-type: none"> <li>• Administrative Code of 1987 (EO 292)</li> <li>• BAI Memorandum Order, August 16, 2004</li> </ul>
NMIS	Meat and meat products	<ul style="list-style-type: none"> <li>• AO 1, S. 2007<sup>2</sup></li> </ul>
BAI AFSD	Feeds and feed ingredients	<ul style="list-style-type: none"> <li>• RA 1556</li> </ul>
	Veterinary drugs and products	<ul style="list-style-type: none"> <li>• RA 3720</li> </ul>
BAI LSD VBSS	Veterinary biological products	<ul style="list-style-type: none"> <li>• Act 3101, March 16, 1923</li> <li>• AO 9, S. 1982</li> </ul>
BFAR	All	<ul style="list-style-type: none"> <li>• RA 8550</li> </ul>
	Live fish and other aquatic products (seaweeds, shells, aquarium fishes and others)	<ul style="list-style-type: none"> <li>• FAO 221 S. 2003</li> </ul>
	Milkfish fry	<ul style="list-style-type: none"> <li>• FGMO 119, May 20, 2003</li> </ul>
	Fresh/chilled/frozen fish and fishery/aquatic products	<ul style="list-style-type: none"> <li>• FAO 195 S. 1999</li> </ul>
FPA	Fertilizers and pesticides	<ul style="list-style-type: none"> <li>• PD 1144</li> </ul>

*Agencies to attach copies of relevant laws, administrative orders, memoranda in following pages*

<sup>1</sup> Per AO 1, S. 2007, NMIS is now responsible for the licensing of an importer of meat and meat products.

<sup>2</sup> Accreditation, Registration and Licensing of Meat Importers, Brokers, Exporters, Traders or Handlers

## Annex IV-2: Legal Basis: Licensing of Exporter

Agency	Commodity	Legal Basis
BPI	Banana	<ul style="list-style-type: none"> <li>• MO 1, S 2004<sup>3</sup></li> </ul>
	Okra	<ul style="list-style-type: none"> <li>• MO 84, S 2002<sup>4</sup></li> <li>• MO 86, S 2005<sup>5</sup></li> </ul>
PCA	Coconut products and by-products	<ul style="list-style-type: none"> <li>• PD 1468</li> <li>• PD 1644</li> <li>• PCA AO 003, S 1981<sup>6</sup></li> <li>• PCA AO 1, S 2003</li> <li>• MC 1-003-81, S 1981</li> </ul>
FIDA	Philippine commercial fiber	<ul style="list-style-type: none"> <li>• PD 652</li> <li>• EO 706</li> <li>• EO 116</li> <li>• FIDA Revised AO 1, S. 1999<sup>7</sup></li> </ul>
NMIS	Meat and meat products	<ul style="list-style-type: none"> <li>• AO 1, S. 2007<sup>8</sup></li> </ul>
BAI AFSD	Feeds and feed ingredients	<ul style="list-style-type: none"> <li>• RA 1556<sup>9</sup></li> </ul>
	Veterinary drugs and products	<ul style="list-style-type: none"> <li>• RA 3720<sup>10</sup></li> <li>• RA 6675<sup>11</sup></li> </ul>
FPA	Pesticides	<ul style="list-style-type: none"> <li>• PD 1144<sup>12</sup></li> </ul>

*Agencies to attach copies of laws, AOs, MOs in following pages*

<sup>3</sup> Revised Banana Export Protocol

<sup>4</sup> Revised Protocol for the Export of Fresh Okra to Japan

<sup>5</sup> Renewal of Accreditation of Okra Exporters and Farmers

<sup>6</sup> Rules and Regulations Governing the Export and Export Pricing, Marketing, Trading and Distribution of Copra, Coconut Oil and Other Coconut Products;

<sup>7</sup> Revised Rules and Regulations to Govern Licensing, Baling, Tagging, Marking, Inspection, Certification and Shipment of Philippine Commercial fibers

<sup>8</sup> Accreditation, Registration and Licensing of Meat Importers, Brokers, Exporters, Traders or Handlers

<sup>9</sup> Poultry and Livestock Feeds Act

<sup>10</sup> Food, Drugs and Devices and Cosmetics Act

<sup>11</sup> Generics Act of 1988

<sup>12</sup> Creating the Fertilizer and Pesticide Authority and Abolishing the Fertilizer Industry Authority

**Annex IV-3. Coverage; Licensing of Importer/Handler**

Commodity to be Imported	Concerned Bureau/Agency
animals, animal products and by-products including meat, pure animal feeds, mixed feeds or with additives, veterinary drugs and biological products	<b>BAI</b>
fish, fishery/aquatic products and pure fish product feeds	<b>BFAR</b>
fresh fruits and vegetables	<b>BPI</b>
fibers including coconut coir	<b>FIDA</b>
fertilizers, pesticides, agricultural and fishery chemicals	<b>FPA</b>
Rice	<b>NFA</b>
meat and meat products	<b>NMIS</b>
Tobacco	<b>NTA</b>
coconuts, coconut products and by-products except coconut coir	<b>PCA</b>
Sugar	<b>SRA</b>

#### **Annex IV-4. Imports Not Requiring the Accreditation of Importers**

1. agricultural commodities for personal consumption and in passenger-accompanied baggage
2. live animals for pets
3. biologics for agricultural research
4. veterinary drug samples to be needed for product registration
5. products under BPI regulatory mandate other than fresh fruits and vegetables

**Annex IV-5: Coverage: Licensing of Exporters**

<b>Commodities</b>	<b>Countries</b>
Fish, fishery/aquatic products	all
Okra, banana, mango, asparagus	Japan
Mango, Papaya	Korea, Australia, New Zealand, US, China
Coconut products, Philippine commercial fiber, Pesticides, Feeds and feed ingredients, Veterinary drugs and products	all

*Agencies to add commodities and countries as bilateral agreements are negotiated*

**Annex IV-6. Pre-Qualification Requirements; Licensing of Importer/  
Exporter/Handler**

<b>Commodity</b>	<b>Requirements</b>
animals, animal products and by-products	Accreditation of Establishment
pure animal feeds, mixed feeds or with additives, veterinary drugs and biological products	Accreditation of Establishment Registration of Product
fish, fishery/aquatic products and pure fish product feeds	Accreditation of Establishment
fresh fruits and vegetables	Accreditation of Establishment
fibers including coconut coir	Accreditation of Establishment
fertilizers, pesticides, agricultural and fishery chemicals	Accreditation of Establishment Registration of Product
Rice	Accreditation of Establishment
meat and meat products	Accreditation of Establishment
Tobacco	Accreditation of Establishment
coconuts, coconut products and by-products except coconut coir	Accreditation of Establishment
Sugar	Accreditation of Establishment
Genetically modified agricultural products	Accreditation of Establishment Registration of Product

## Annex IV-7. Application Form; Licensing of Importer/Exporter/Handler

Application form: front page

Form Code [code]

DA and Bureau or Agency Logos	Republic of the Philippines Department of Agriculture [Bureau or Agency Name] [Service Name] [Bureau or Agency TIN]	<b>Application for Licensing of an Importer / Handler</b>
----------------------------------	---	---

<i>To be filled up by the Bureau or Agency</i>	
1. Date Received	2. Application No.

<i>To be filled up by the Applicant</i>		
<b>Applicant Details</b>		
<b>3. Application Type</b> <input type="checkbox"/> New without existing certificate <input type="checkbox"/> New with existing certificate <input type="checkbox"/> Renewal <input type="checkbox"/> Change of Circumstance without change in content of certificate <input type="checkbox"/> Change of Circumstance with change in content of certificate	<b>4. Existing License No. of Importer/Handler</b>	<b>5. Issuing Bureau or Agency</b>
<b>6. Business Name of Importer / Handler</b>		
<b>7. TIN</b>	<b>8. Type of Organization</b> <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Cooperative <input type="checkbox"/> Single Proprietorship	
<b>9. Name of Owner / Chairman / President</b>		
<b>10. Business Address of Importer / Handler</b>		
<b>11. Tel No.</b>	<b>12. E-mail Address</b>	
<b>13. Plant / Warehouse / Storage Address</b>		<b>14. Tel. No.</b>
<b>15. Contact Person</b>		<b>16. Tel No. of Contact Person</b>
<b>17. Name of Authorized Applicant</b>		<b>18. Tel No. of Authorized Applicant</b>
<b>19. Nature of Business</b> <input type="checkbox"/> Importer <input type="radio"/> Indentor <input type="radio"/> Trader <input type="radio"/> Distributor <input type="radio"/> Processor <input type="radio"/> Institutional Buyer <input type="radio"/> Service Provider <input type="radio"/> Fumigator <input type="radio"/> Heat Treatment Provider <input type="radio"/> Toll Manufacturer/Packer <input type="checkbox"/> Others (specify) _____		

Application form: front page continued

**Commodity Details**

<b>20. Commodity Covered</b> <input type="checkbox"/> Aquatic products <input type="checkbox"/> Live fish <input type="checkbox"/> Potential plant pests <input type="checkbox"/> Aquatic derivatives <input type="checkbox"/> Meat and meat products <input type="checkbox"/> Products and by-products of <input type="checkbox"/> Biomolecules <input type="checkbox"/> Pesticides <input type="checkbox"/> Animal origin <input type="checkbox"/> Feeds and feedstuffs <input type="checkbox"/> Plants <input type="checkbox"/> Rice <input type="checkbox"/> Fertilizers <input type="checkbox"/> Planting materials <input type="checkbox"/> Sugar <input type="checkbox"/> Fiber <input type="checkbox"/> Plant products <input type="checkbox"/> Veterinary drugs and products <input type="checkbox"/> Fish and fishery/aquatic products <input type="checkbox"/> Fruits <input type="checkbox"/> Veterinary biological products <input type="checkbox"/> Live animals <input type="checkbox"/> Vegetables <input type="checkbox"/> Others (specify) _____ <input type="checkbox"/> Others _____		
<b>21. Commodity Description</b> <input type="checkbox"/> As is <input type="checkbox"/> Frozen <input type="checkbox"/> Semi-processed <input type="checkbox"/> Chilled <input type="checkbox"/> Processed <input type="checkbox"/> Technical Grade Material <input type="checkbox"/> Fresh <input type="checkbox"/> Repacked <input type="checkbox"/> Others (specify) _____ <input type="checkbox"/> Formulated Product _____		

**C. Origin/Source Details**

<b>22. Name of Supplier</b>  	<b>23. Address of Supplier</b>  	<b>24. Country of Origin</b>  
-------------------------------------	--	--------------------------------------

**D. Applicant Declaration**

<b>25. Signature over Printed Name of Authorized Representative of Importer / Handler</b>  		
<b>26. Sworn Statement</b>  SUBSCRIBED AND SWORN to before me this _____ day of _____, 20____. The Affiant exhibited to me his/her Community Tax Certificate No. _____ issued at _____ on _____, 20____.		
Doc No. _____ Page No. _____ Book No. _____ Series of _____	<div style="border: 1px solid black; padding: 5px; width: 80px; margin: 0 auto;">           Documentary Stamp         </div>	_____ Notary Public

[Bureau or Agency Address]  
 [Bureau or Agency Website]  
 [Bureau or Agency Contact Number]  
 [Distribution Instruction: 1-Applicant, 2-File]

Application form: back page

<b>Tracking Box (To be filled up by the Bureau or Agency)</b>			
1. Date Received		2. Application No.	
3. Receiving Officer			
4. Requirements Submitted (Checklist)			
5. Date Validated / Inspected			
6. Name of Validating Officer			
7. Designation			
8. Remarks (pass, fail, conditional, deficiencies)			
9. Inspection Report attached			
10. License Certificate No.		11. Date Issued	
12. Fee	13. OR No.		14. Date of OR
15. Remarks (new, amendment, renewal)			
<b>Checklist of Requirements (Refer to Attachment)</b>			

## Annex IV-8. Documentary Requirements; Licensing of Importer/Handler

### ❖ REQUIREMENTS FOR ALL COMMODITIES

- Proof of Application
  - Duly accomplished and notarized application form
- Proof of Legal Business
  - Copy of CDA, DTI, EPZA or SEC Registration
  - Mayor's Permit (current)
- Proof of Tax Payment
  - Copy of Latest Income Tax Return or Certificate of Tax Registration
  - Copy of VAT Registration Certificate
- Proof of Identification
  - Notarized Special Power of Attorney for Importer / Handler's Representative
- Proof of Eligibility
  - Copy of Certificate of Accreditation of Establishment
  - Agreement between the Importer / Handler and the Establishment Operator
- Proof of Payment
  - Official Receipt

### ❖ REQUIREMENTS FOR SPECIFIC COMMODITIES

- Plant and Plant Products
  - Foreign Agency Agreement
- Veterinary Drugs and Products
  - Foreign Agency Agreement
  - Product Registration
- Veterinary Biological Products
  - Product Registration
- Pesticides
  - Financial Statement
  - Product Registration
  - Copy of Contract with Manufacturer/Supplier (proprietary product)
  - Copy of Responsible Care Officer (ARCO) ID

**Annex IV-9. Schedule of Fees; Licensing of Importer/Handler**

<b>Agency</b>	<b>Name of Fee</b>	<b>Fee</b>
BPI	Accreditation	none
NVQS	Accreditation fee - meat	P1,000
	Accreditation fee - Dairy	P100
AFSD	Accreditation of quarantine site (for live animals, day-old chick, eggs)	none
	Registration - feed establishment	P480
	Licensing, initial (vdape)	P2,400
VBSS	Licensing, renewal (vdape)	P4,800
	Registration/Licensing, initial	P2,200
BFAR	Registration/Licensing, renewal	P2,200
	Accreditation	none
FPA	Filing fee	P2,000
	Licensing fee	P2,000 to P8,500 (based on capitalization) P1,000 to P5,000 (for additional activity)

#### Annex IV-10. **Process Flow; Licensing of Importer/Exporter/Handler**

Step 1. The **applicant** submits a duly accomplished and notarized application form and the required documents to the concerned unit of the competent agency or bureau.

Step 2. The **concerned unit** in the regulatory agency verifies whether or not the application form and documents are sufficient in form and substance.

The application form is sufficient in form and substance if all the fields that have to be answered are filled up and the answers are in accordance with the instructions for filling up the forms.

The accompanying documents are complete if all the requirements as specified are submitted. The attached documents are sufficient if the photocopies match the original, in which case the concerned unit shall stamp and sign the photocopies as “certified true copies.”

Step 3. The **concerned unit** checks if the applicant is legally enabled to engage in importing/exporting as indicated in the application form. It checks if (a) the product to be imported/exported is currently registered, if required; (b) the applicant has an current, updated accreditation of an establishment, if required, or (c) the applicant has any other current, updated accreditation as importer/exporter issued by a DA agency. If the applicant has no valid, updated registration of product, accreditation of establishment, or license as importer/exporter issued by a DA agency, the various business permits and clearances (SEC, mayors permit, tax papers, EEC) are reviewed to ensure that these are current and consistent with each other. It also checks the business permits to ensure that the applicant is allowed to engage in importing/exporting the product(s) indicated in the application form.

Step 4. The **concerned unit** determines whether or not to accept the application.

The application form and all the required documents must be sufficient in form and substance and the applicant must be legally enabled to engage in importing/exporting the product as indicated in application form. If not, the **concerned unit** in the regulatory agency must NOT accept the application. It must return the application form and all the documents to the applicant, together with a checklist indicating the deficiencies in documents or an explanation of deficiencies found in the accomplished application form. **Applicants** may resubmit their application forms once they have corrected the deficiencies.

In cases where applications are received by mail, the **concerned unit** informs the applicant by phone that it needs to submit missing documents

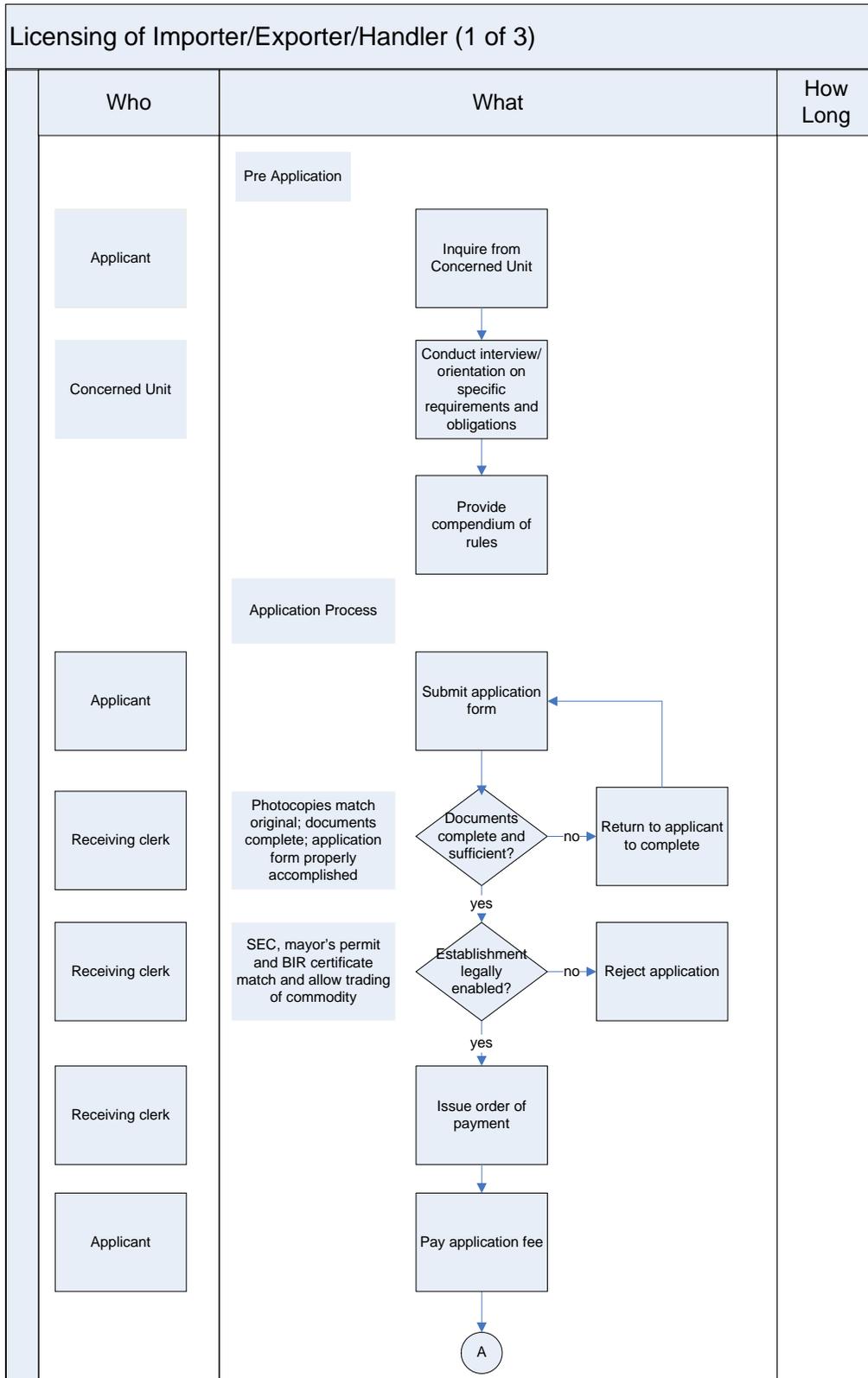
and holds on to the application form and accompanying documents until these are completed.

Only those application forms, that are sufficient in form and substance and with the **required** business permits and clearances, product registration, and/or facility accreditation that are consistent with the application must be accepted and processed further.

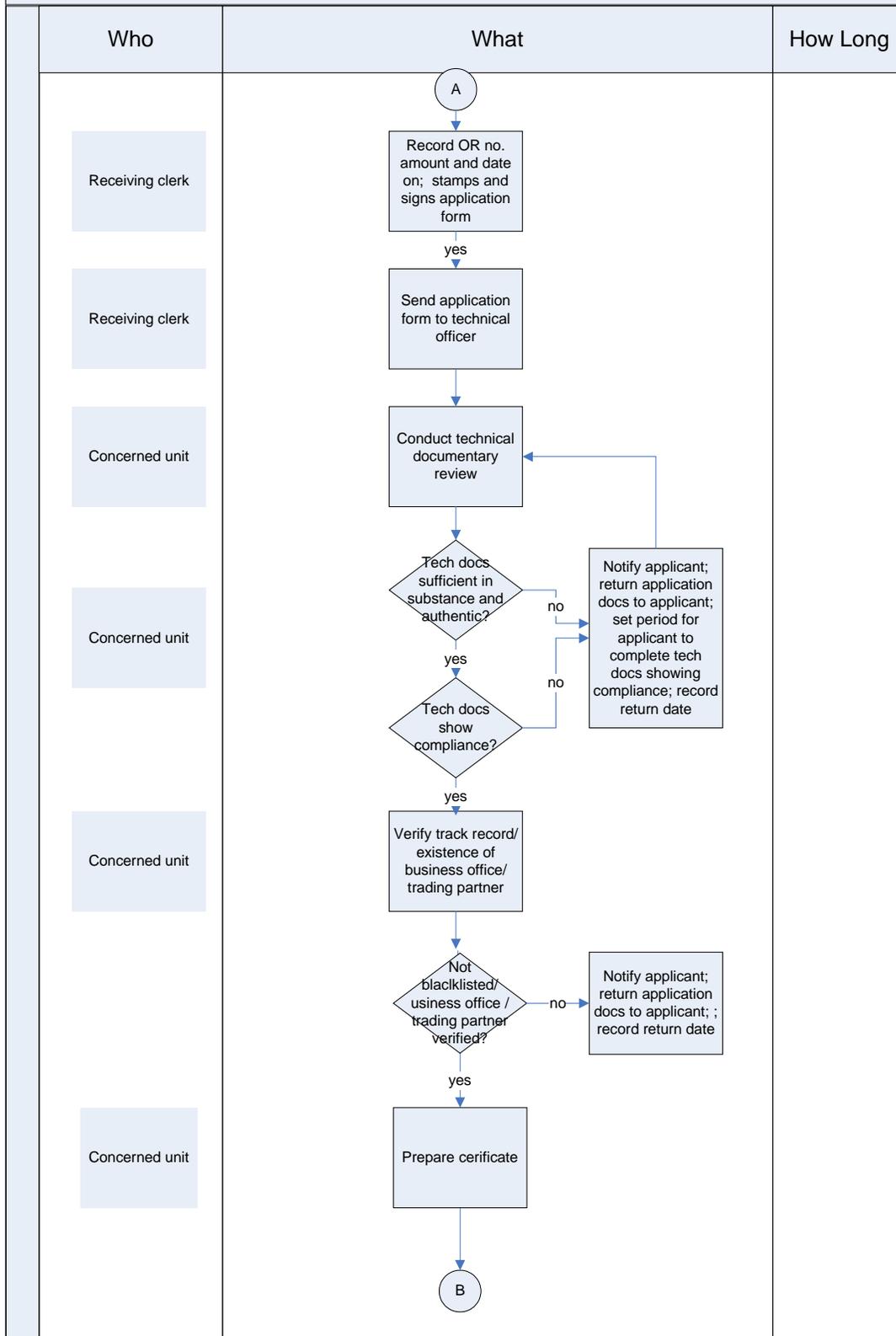
- Step 5 For applications that are accepted, the **concerned unit** issues an order of payment of the application fee, and gives this to the applicant.
- Step 6 The **applicant** pays the application fee to the cashier and shows the receipt to the concerned unit.
- Step 7 The **concerned unit** writes down the receipt details (number, date and amount) on the application form; accepts the application, and records its acceptance in a logbook or an electronic system installed for this particular purpose.
- Step 8. The **concerned unit** assesses the application form and documents submitted as proof of compliance with technical standards of safety and quality. It also looks at the authenticity and consistency of the documents and verifies that the domestic business address and partner foreign establishments indicated in the application exist. It also performs a compliance check (check for blacklisting) on all importer/exporter/handlers' license or establishment accreditations issued by the same agency or other DA agencies to determine the compliance history or track record of the applicant.
- Step 9 The **concerned unit** notifies the applicant of the results of the review. It may also require the applicant to submit additional or amended documents, in which case, the applicant is given a reasonable period of time to comply.
- Step 10 When the **concerned unit** is satisfied that the submitted documents are authentic and consistent and indicate technical compliance with requisite safety and quality standards, including training requirements (handlers), and that the business address and partner establishments exist, it recommends that the application be granted.
- Only applicants that are compliant with all technical and documentary requirements are recommended to be granted a license as importer/exporter/handler.
- Step 11 The **Division Chief of the concerned unit/concerned Regional Director** reviews and confirms the recommendation.

- Step 12      The **concerned unit** notifies applicants on the action on their application. Applicants that are not granted a license may resubmit their applications once they have taken steps to correct their deficiencies or ineligibility.
- Step 13      For applications that are recommended to be granted, the **concerned unit** prepares the Certificate of License as Importer/Exporter/Handler.
- Step 14      The **concerned unit** transmits, with a recommendation from its chief, the Certificate to the Director of the agency for signature.
- Step 15      The **concerned unit** authenticates the Certificate (numbering and/or bar-code), orients applicant on roles and responsibilities of a licensed importer/exporter/handler, including reporting requirements, and releases the Certificate to the applicant.

**Annex IV-11: Process Diagram: Licensing of Importer/Exporter/Handler**



## Licensing of Importer/Exporter/Handler (2 of 3)



### Licensing of Importer/Exporter/Handler (3 of 3)

Who	What	How Long
<p>Chief of concerned unit</p> <p>Director of Agency</p> <p>Concerned unit</p> <p>Concerned unit</p> <p>Concerned unit</p>	<pre> graph TD     B((B)) --&gt; A[Recomemnd approval]     A --&gt; B[Sign certificate]     B --&gt; C[Authenticate, record and notify applicant]     C --&gt; D[Give orientation to awardee]     D --&gt; E[Release license]             </pre>	

## **Annex IV-12. Requirements for Grant of License as Importer**

Applications for the LRA of Importer that shall only be approved upon determination of the following:

1. The applicant importer has the appropriate business permits and licenses current and is in “good standing”
2. The product to be imported is registered with the concerned DA bureau or agency, if applicable
3. The establishments to be used in importing are registered with the concerned DA bureau or agency, if applicable
4. The applicable risk management protocols are complied with.

Annex IV-13. **Pro-forma Certificate of License as Importer/Exporter/Handler**

Form Code [code]	
[DA, Agency Logo]	Republic of the Philippines Department of Agriculture [Agency Name, Location]
LRA Number [code]	
<b>Certificate of LRA of Importer / Handler</b>	
This is to certify that	
[Business Name of Importer / Handler]	
of	
[Address of Importer / Handler]	
upon satisfying all the requirements set by the [agency], Department of Agriculture, is hereby allowed to import:	
[Commodity]	
with all the rights, privileges, and responsibilities thereto appertaining.	
This LRA is issued in accordance with the provisions of [Legal Basis] and shall expire on the [____] day of [_____] year [____] unless sooner cancelled, revoked or suspended for cause.	
[Name, Signature and Designation of Agency Certifying Officer]	
[Dry seal/Bar code]	

#### **Annex IV-14. System for Numbering LRA of Importer**

The numbering shall be an alpha-numeric code as follows

- 3 letters or code for certificate type
- 3 letters or code for issuing agency
- 3 letters or code for commodity
- 2 numbers or year importer/exporter/handler is licensed
- 4 numbers assigned consecutively by commodity, by year
- 2 control numbers as determined by issuing office or generated by electronic system

## **Annex IV-15. Grounds for Revocation of LRA of Importer**

The LRA of Importer 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 in importing
3. Repeated violation of relevant SPS and biosafety rules and regulations or any conditions imposed in importing
4. Revocation of accreditation of owned establishments
5. Blacklisting by other government agencies

Suspension or revocation shall be made by the issuing agency following the process below:

1. The concerned unit notifies, in writing, the accredited establishment of reason(s) or justification(s) for a revocation/suspension.
2. The accredited establishment is given 5 days to submit, in writing, reason(s) why a revocation/suspension is not justified.
3. The concerned unit reviews the arguments. It may do additional research or ask the accredited establishment for additional information.
4. The concerned decides on whether or not to revoke/suspend the accreditation.
5. The concerned unit recommends revocation/suspension to the agency director.
6. The agency director issues a revocation/suspension order.
7. The accredited establishment has 10 days to appeal with the DA Secretary the decision of the agency director.

## V. ISSUANCE OF SPS IMPORT CLEARANCE

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## **V. ISSUANCE OF SPS IMPORT CLEARANCE**

### **A. Legal Basis**

The legal bases for the issuance of the SPS Import Clearance are contained in Annex V-1

### **B. Coverage**

Importers of commodities listed in Annex V-2 require an SPS Import Clearance from the competent Bureau or Agency, which are also listed in the same Annex.

### **C. Pre-Qualification Requirements**

Depending on the commodity to be imported, the issuance of an SPS Import Clearance requires the prior registration of the product, the accreditation of the establishment to be used, and/or the licensing of the importer and/or handler. The requirements by commodity are shown in Annex V-3.

### **D. Application Form and Documentary Requirements**

The application form for an SPS Import Clearance is contained in Annex V-4. The documentary requirements for an application for an SPS Import Clearance are shown in Annex V-5.

Only applications that are sufficient in form and substance shall be accepted. Those that are deemed insufficient in form or substance shall immediately be returned to the applicant.

### **E. Fees**

The schedule of fees related to the acceptance and processing of applications for SPS Import Clearance/Permit is shown in Annex V-6.

### **F. Issuance Process**

The process description for the issuance of an SPS Import Clearance is contained in Annex V-7, while the process diagram is in Annex V-8. The processing of applications shall be completed within five (5) working days after receipt of the application.

The requirements for the approval of application for an SPS Import Clearance are enumerated in Annex V-9. The same annex shows the cases where import clearance shall NOT be granted.

For imports that will arrive by air and for pesticide imports, the original copy of the SPS import Clearance/Permit shall immediately be given to the importer.

For imports that will arrive by sea, except pesticides, a duplicate copy of the SPS Import Clearance Certificate is first issued to the applicant for use in transacting with the exporter and shipper. The original copy of the SPS Import Clearance Certificate shall be given to the importer only after its submission of additional documents as indicated in Annex V-7.

### **G. Import Clearance Certificate**

The pro-forma SPS Import Clearance is shown in

Annex V-10.

Some agencies print the certificate on watermarked paper. The certificate is also authenticated by seal or bar-code. It is further given a unique number. The system for numbering the Certificates described in Annex V-11.

## **H. Validity**

The SPS clearance shall indicate the “must ship out date” or the latest date by which the actual product or consignment should leave the country of origin. The reckoning of the “must ship out date” is shown in Annex V-12.

Unless sooner revoked, the SPS clearance shall be valid as long as the import is loaded at the port of the country of origin on or before the “must ship out date” but not before the date of issuance of the SPS Import Clearance Certificate. It shall remain valid until the shipment arrives at any of the Philippine international ports which should be not more than ninety (90) days from the date of shipping.

For fish and fishery/aquatic products, the SPS Clearance shall be valid within thirty (30) days from date of issuance of the SPS clearance/permit in case of consignment by air and within sixty (60) days in case of consignment by sea. The imported goods must arrive by such dates.

An unused SPS clearance shall be considered automatically cancelled after its “must ship out by date”.

## **I. Limitations**

The SPS clearance allows the holder to import one particular shipment of the product stated therein subject to the holder (a) complying with the conditions of import also stated in the Clearance, the (b) presenting the required international SPS certificate, and (c) passing the applicable inspection process at the port of entry.

The SPS Clearance is not transferable.

## **J. Revocation**

The SPS Clearance may be revoked by the issuing Bureau or Agency at any time for any of the reasons shown in Annex V-13. Any revocation of the import clearance shall be immediately communicated by letter to the affected importer. The reason for the revocation shall be stated in the communication. The clearance holder may appeal such revocation to the DA Secretary within 10 days after receipt of the notice.

## Annex V-1. Legal Basis; SPS Import Clearance

Agency	Commodity	Legal basis
BPI	plants, planting materials, plant products, potential plant pests	PD 1433 BPI Quarantine AO No. 1 S. 1981 BPI Memorandum Order, September 12, 2006
BAI NVQS	meat and meat products	DA AO 18, S 2000 DA SO 240 S 2000 BAI AO 1, S 2003 DA AO 26, S 2005
	live animals	Administrative Code of 1987 (EO 292) BAI Memorandum Order, August 16, 2004
BAI AFSD	feeds	RA 1556 <sup>1</sup> AO 24 S. 1991 <sup>2</sup> LC 1 S. 1991 <sup>3</sup>
	veterinary drugs and products	RA 3720 <sup>4</sup> BFAD-BAI MOA of 1991 LC 1 S. 1991 <sup>15</sup>
BAI LSD VBSS	veterinary biological products	Act 3101, March 16 1923 <sup>5</sup> AO 9, S. 1982 <sup>6</sup>
BFAR	All	RA 8550 <sup>7</sup>
	live fish and other aquatic products (seaweeds, shells, aquarium fishes and others)	FAO 221 S. 2003 <sup>8</sup>
	milkfish fry	FGMO 119, May 20, 2003 <sup>9</sup>
	fresh/chilled/frozen fish and/or fishery aquatic products	FAO 195 S. 1999 <sup>10</sup>
FPA	fertilizers and pesticides	PD 1144
NMIS	Meat and meat products	RA 9296 EO 137

### *Agencies to attach copies of laws, AOs, MOs*

<sup>1</sup> An Act to Regulate and Control the Manufacture, Importation, Labeling, Advertising, and Sale of Livestock and Poultry Feeds and Providing Funds Thereof (Livestock and Poultry Feeds Act)

<sup>2</sup> Granting Authority to Bureau of Animal Industry to issue import permit for feeds and feed ingredients

<sup>3</sup> Guidelines on the Importation of Animal Feeds, Feed Ingredients, Feeds Additives, Feed Supplements and Veterinary Drug and Product Premixes and Water Solubles

<sup>4</sup> An Act to Ensure the Safety and Purity of Foods and Cosmetics, and the Purity and Safety, Efficacy, and Quality of Drugs and Devices being made available to the Public, vesting the Bureau of Food and Drugs with authority to administer and enforce the Laws pertaining thereto and for other purposes

<sup>5</sup> An Act Authorizing the Director of (Agriculture) Animal Industry, Subject to the Approval of the Secretary of Agriculture and Natural Resources, to Promulgate Regulations for the Preparation, Sale, Traffic in, Shipment, and Importation of Viruses, Serums, Toxins, or Analogous Products Used for the Treatment of Domestic Animals.

<sup>6</sup> Revised Rules and Regulations Governing the Production, Manufacture, Handling, Sale, Distribution, Shipment, Importation and Exportation of Veterinary Biological Products in the Philippines

<sup>7</sup> The Fisheries Code of 1998

<sup>8</sup> Further regulating the importation of live fish and fishery/aquatic products under FAO No. 135 s. 1981 to include microorganisms and biomolecules

<sup>9</sup> Guideline in the importation of milkfish (*bangus*) fry, *Chanos chanos*

<sup>10</sup> Rules and Regulations Governing the Importation of Fresh/Chilled/Frozen Fish and Fishery Aquatic Products

Annex V-2. **Commodity Coverage: SPS Clearance**

<b>Commodity</b>	<b>Concerned Bureau/Agency</b>
animals, animal products and by-products including meat, pure animal feeds, mixed feeds or with additives, veterinary drugs and biological products	BAI
fish, fishery/aquatic products and pure fish product feeds	BFAR
plants, fruits, vegetables and other plant products (except coconut and fiber), seeds and nuts or planting, phytopathogenic materials, plant cultures, soil and plant materials, small animals that are plant pests (concurrent jurisdiction together with BAI), pure plant feeds	BPI
Fibers including coconut coir	FIDA
fertilizers, pesticides, agricultural and fishery chemicals	FPA
Rice	NFA
meat and meat products	NMIS
Tobacco	NTA
coconuts, coconut products and by-products except coconut coir	PCA
Sugar	SRA

### Annex V-3. Pre-Qualification Requirements; SPS Import Clearance

Commodity	Requirement(s)
animals, animal products and by-products including meat,	Licensing of Importer Accreditation of Establishment
pure animal feeds, mixed feeds or with additives, veterinary drugs and biological products	Licensing of Importer Accreditation of Establishment Registration of Product
fish, fishery/aquatic products and pure fish product feeds	Licensing of Importer Accreditation of Establishment
plants, fruits, vegetables and other plant products (except coconut and fiber), seeds and nuts or planting, phytopathogenic materials, plant cultures, soil and plant materials, small animals that are plant pests (concurrent jurisdiction together with BAI), pure plant feeds	Licensing of Importer Accreditation of Establishment
Fibers including coconut coir	Licensing of Importer Accreditation of Establishment
fertilizers, pesticides, agricultural and fishery chemicals	Licensing of Importer Accreditation of Establishment Registration of Product Licensing of Handler
Rice	Licensing of Importer Accreditation of Establishment
meat and meat products	Licensing of Importer Accreditation of Establishment
tobacco	Licensing of Importer Accreditation of Establishment
coconuts, coconut products and by-products except coconut coir	Licensing of Importer Accreditation of Establishment
Sugar	Licensing of Importer Accreditation of Establishment

## Annex V-4. Application Form; SPS Import Clearance

Application form: front page

Form Code [code]

DA and Bureau or Agency Logos	Republic of the Philippines Department of Agriculture [Bureau or Agency Name] [Service Name] [Bureau or Agency TIN]	<b>Application for a SPS Import Clearance</b>
--	---	---

<b><i>To be filled up by the Bureau or Agency</i></b>	
1. Date Received	2. Application No.

<b><i>To be filled up by the Applicant</i></b>
--

### **A. Importer / Handler Details**

3. Name of Importer / Handler / Company	4. Importer/Handler's License No.
	5. Establishment Accreditation No.
	6. Product Registration No.
7. TIN	8. Business Address of Company
9. Contact No. of Importer / Handler / Company	
10. Name of Authorized Applicant	11. Designation of Authorized Applicant
12. Tel No. of Authorized Applicant	13. Email Address of Authorized Applicant

### **B. Exporter / Supplier Details**

14. Name of Manufacturer / Producer / Plant	15. Address of Manufacturer / Producer / Plant
16. Establishment No. of Manufacturer / Producer / Plant	
17. Name of Exporter / Supplier	18. Address of Exporter / Supplier

Application Form: front page, continued

**C. Commodity Details**

19. Country of Source	20. Country of Origin	via	21. Place of Origin
22. Purpose of Importation			
	Commodity A	Commodity B	Commodity C
23. Commodity Name			
24. Brand Name			
25. Common / Generic Name			
26. Scientific / Chemical Name			
27. Commodity Description / Specification / Classification			
28. Quantity and Unit of Measure			
29. Allowable Tolerance (% or qty)			
30. Total Value (FOB US\$)			

[Bureau or Agency Address]  
 [Bureau or Agency Website]  
 [Bureau or Agency Contact Number]  
 [Distribution Instruction: 1- Applicant, 2-File]

Application form: back page

	Commodity D	Commodity E	Commodity F
23. Commodity Name			
24. Brand Name			
25. Common / Generic Name			
26. Scientific / Chemical Name			
27. Commodity Description / Specification / Classification			
28. Quantity and Unit of Measure			
29. Allowable Tolerance (% or qty)			
30. Total Value (FOB US\$)			

Application Form: back page, continued

	Commodity G	Commodity H	Commodity I
23. Commodity Name			
24. Brand Name			
25. Common / Generic Name			
26. Scientific / Chemical Name			
27. Commodity Description / Specification / Classification			
28. Quantity and Unit of Measure			
29. Allowable Tolerance (% or qty)			
30. Total Value (FOB US\$)			

**D. Transport Details**

31. Must Ship Out by Date	32. Estimated Date of Arrival	33. Commercial Invoice No.
34. Means of Conveyance	35. Port of Entry (indicative)	
36. Quarantine Site for Live Plant / Animal / Fish		
37. Final Destination / Warehouse / Cold Storage / Plant		

**E. Importer Declaration**

38. Declaration / Sworn Statement	
39. Signature over Printed Name of Importer / Authorized Applicant	40. Date Signed
41. Name of Broker	42. Broker's License No.
43. Signature of Broker	44. Date Signed

## Annex V-5. Documentary Requirements; Application for SPS Import Clearance

### ❖ REQUIREMENTS FOR ALL COMMODITIES

- Proof of Application
  - Duly accomplished application form
- Proof of Business Transaction
  - Invoice (photocopy)
- Proof of Compliance to Agency Rules and Regulations
  - Notarized Affidavit of Undertaking
- Proof of Payment
  - Official Receipt

### ❖ COMMODITY-SPECIFIC REQUIREMENTS

- Plants and Plant Products
  - Pre-Border Requirement: Pest Risk Analysis (PRA) requirements
  - Location Map
  - Laboratory Analysis Report (for special cases)
- Feeds and Feedstuffs
  - Up-to-date Importation Report
- Veterinary Drugs and Products
  - Up-to-date Importation Report
- Veterinary Biological Products
  - Farm Request (*for special import*)
- Fish and Fishery Products
  - Packing List from supplier indicating the volume/pieces and source
  - Disposition Report of previously issued Import Permit
  - Up-to-date Importation Report or previous bill of lading
  - Laboratory Analysis Report (*for shrimp*)
- Pesticides
  - Up-to-date Importation Report or previous Bill of Lading
  - Disposition Report of previously issued Import Permit (*for methyl bromide*)

❖ SUPPLEMENTARY REQUIREMENTS TO SECURE THE ORIGINAL SPS IMPORT CLEARANCE

- Bill of Lading
- Invoice (original)
- International SPS Certificate
  - Plants, Planting Materials, Plant Products
    - Phytosanitary Certificate
    - Non-GM/GM Certification
    - Seed Certification
  - Veterinary Biological Products
    - Certificate of Product Registration and Analysis from the country of manufacture (*for initial importation under special import permit*)
  - Meat and Meat Products
    - Health Certificate (*if available*)
  - Fish and Fishery Products
    - Health Certificate

Annex V-6. Schedule of Fees; SPS Import Clearance

Agency	Name of Fee	Fee
BPI	Regulatory Fee for Import Permit (Fee for the Issuance of “Permit to Import”)	P20 (planting materials)
		P30 (plant products)
NVQS	Processing Fee, but called permit fee in AO 37 S 2000	P200 (cattle, horse, hogs, goats, hides/leather)
		P100 (other live animals and their products)
		P100/head (gamefowls)
AFSD	Import Permit Fee	P150
VBSS	Service Fee	P500 (regular IP)
		P250 (special IP)
		P250 (provisional IP)
BFAR*	Import Permit Fee	P1,500**
FPA	Processing fee	P750 (for category II, III or IV, or for general use pesticides)
		P3,000 (for red labeled or Cat I, and restricted use pesticides)

## Annex V-7. Process Flow; SPS Import Clearance

Step 1. The **applicant** submits a duly accomplished and notarized application form and the required documents to the concerned unit of the competent agency or bureau.

Step 2. The **concerned unit** in the regulatory agency verifies whether or not the application form and documents are sufficient in form and substance.

The application form is sufficient in form and substance if all the fields that have to be answered are filled up and the answers are in accordance with the instructions for filling up the forms.

The accompanying documents are complete if all the requirements as specified are submitted. The attached documents are sufficient if the photocopies match the original, in which case the concerned unit shall stamp and sign the photocopies as “certified true copies.”

Step 3. The **concerned unit** determines whether or not to accept the application form and required documents submitted by the applicant.

The application form and all the required documents must be sufficient in form and substance. If not, the concerned unit in the regulatory agency must NOT accept the application. It must return the application form and all the documents to the applicant, together with a checklist indicating the deficiencies in documents or an explanation of deficiencies found in the accomplished application form. Applicants may resubmit application forms once they have corrected the deficiencies.

Only those application forms, with the required documents, that are sufficient in form and substance can be accepted and processed further.

Step 4. The **concerned unit** reviews the submitted application form and documents for authenticity and consistency. It also determines the eligibility of the applicant, product, domestic or partner (exporting) facility or establishment, or exporting country (product source). It shall ensure that the product is registered, the establishment(s) is accredited, and the importer is licensed, as REQUIRED..

Step 5. Based on the findings in Step 4, the **concerned unit** decides whether or not to grant the application. Only applicants that are eligible and with authentic and consistent documents shall be granted an SPS Import Clearance.

For denied applications, the **concerned unit** notifies the applicant and informs it of the reason for the denial.

Step 6 For granted applications, the **concerned unit** defines the pre- and post-conditions for the importation.

Step 7 The **concerned unit** prepares the SPS Import Clearance Certificate.

Step 8 The **concerned unit** transmits the Certificate, with a recommendation from its chief, to the Director of the agency for signature.

Step 9 The **concerned unit** authenticates the Certificate (numbering and/or bar-code) and records the same in a logbook or an electronic system for the purpose. It informs the applicant of the grant of Clearance.

Step 10 For shipments arriving by air and for imports of pesticide or veterinary biologics products, the **concerned unit** releases the original copy of the Clearance Certificate to the applicant.

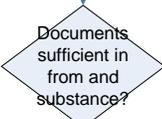
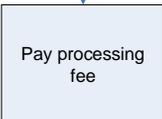
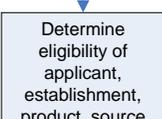
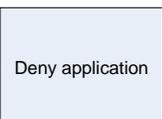
For shipments arriving sea, except pesticides and veterinary biologics products, the **concerned unit** releases a duplicate copy of the Clearance Certificate to the applicant.

Step 11 **Applicants** given only a duplicate copy of the Clearance Certificate, submits to the concerned unit copies of the bill of lading, invoice, and international SPS certificate for the subject imports.

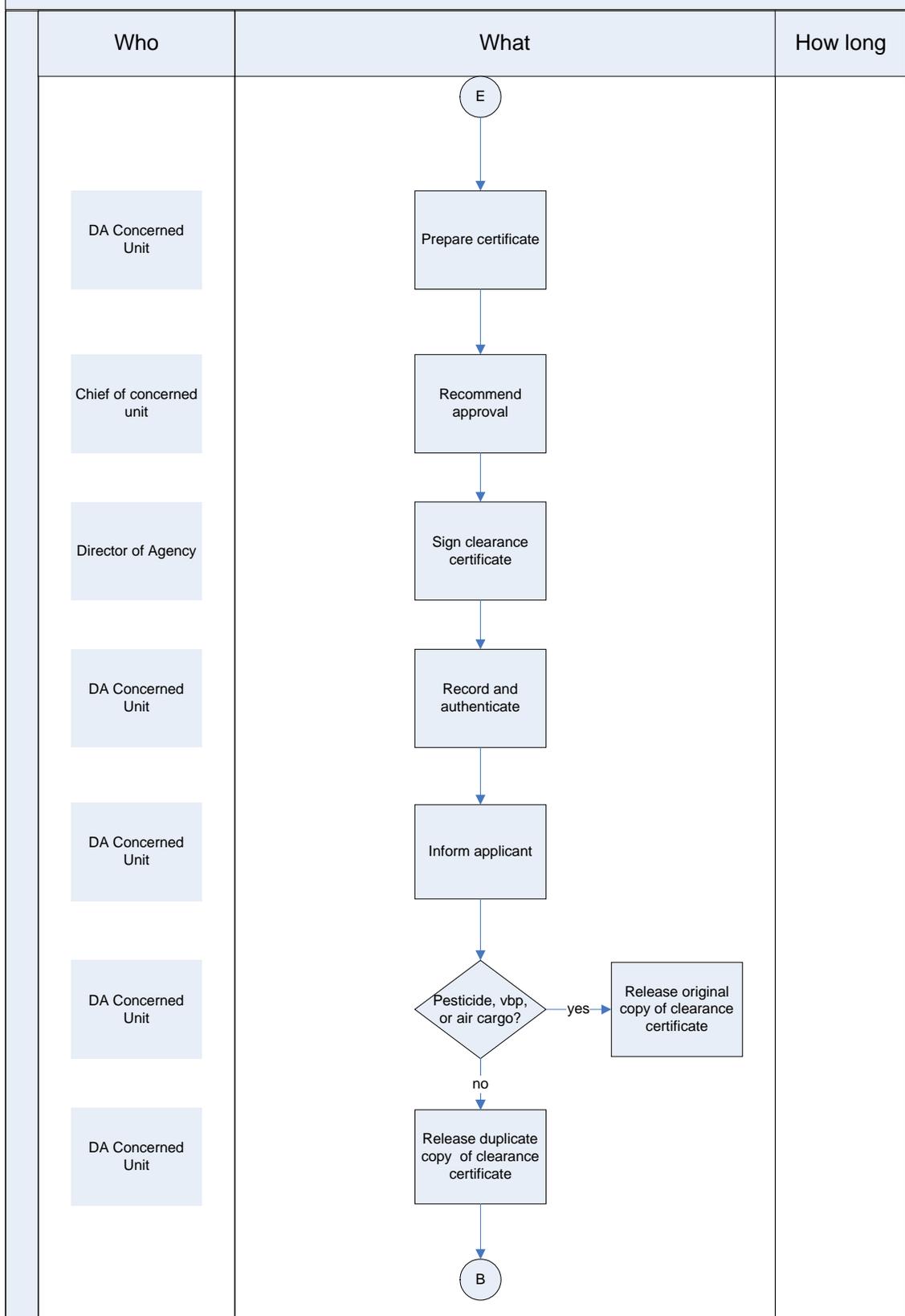
Step 12 The **concerned unit** releases the original copy of Clearance Certificate to applicant.

**Annex V-8. Process Diagram: Issuance of SPS Import Clearance**

# Issuance of SPS Import Clearance (1 of 3)

Who	What	How Long
Importer/ Authorized broker/ representative	Submit application for inspection and documentary requirements	
DA Concerned Unit		
DA Concerned Unit		
DA Concerned Unit		
DA Concerned Unit		
DA Concerned Unit		
DA Concerned Unit		
DA Concerned Unit		
DA Concerned Unit		
		
		
		

## Issuance of SPS Import Clearance (2 of 3)



Issuance of SPS Import Clearance (3 of 3)

Who	What	How long
<p data-bbox="302 445 464 569">Applicant</p> <p data-bbox="302 642 464 766">DA Concerned Unit</p>	 <pre> graph TD     B((B)) --&gt; A[Submit bill of lading, invoice and international SPS certificate]     A -- no --&gt; C[Release original copy of clearance certificate]             </pre>	

## **Annex V-9. Requirements for Grant of Import Clearance**

Applications for SPS Import Clearance that shall only be approved and issued a clearance/permit by the issuing 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 considered in “good standing”
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/registered/accredited by the concerned DA bureau or agency and is in “good standing”
4. The product is registered with the concerned DA bureau or agency, if applicable
5. The applicable risk management protocols that are to be prescribed including certifications of exporting governments are defined, if applicable; and
6. Other information pertinent to SPS concerns do not adversely affect the proposed importation.

## Annex V-10. Pro-forma SPS Import Clearance

Import Clearance: front page

Form Code [code]

DA and Bureau or Agency Logos	Republic of the Philippines Department of Agriculture [Bureau or Agency Name] [Service Name] [Agency TIN]	SPS Import Clearance [Legal Basis]
-------------------------------------	---	---------------------------------------

**This SPS Import Clearance is good for a single shipment only.**

1. SPS Import Clearance No.		2. Place Issued		3. Date Issued		4. Must Ship Out by Date	
5. Name of Importer / Handler / Company				6. Business Address of Importer / Handler / Company			
7. TIN		8. Contact No.					
9. Name of Manufacturer / Producer / Plant			10. Business Address of Manufacturer / Producer / Plant				
11. Establishment No. of Manufacturer / Producer / Plant							
12. Name of Exporter / Supplier			13. Address of Exporter / Supplier				
14. Country of Source		15. Country of Origin		via		16. Place of Origin	
17. Purpose of Importation							
	18. Product/Commodity Name 19. Brand Name 20. Generic / Common Name 21. Scientific / Chemical Name		22. Description / Specification / Classification		23. Quantity & Unit of Measure	24. Allowable Tolerance (% or qty)	25. Total Value (FOB US\$)
A							
B							
C							
D							
E							

F					
G					
H					
I					

26. Port of Entry (indicative)	
27. Quarantine Site for live plants / animals / fish	28. Final Destination / Warehouse / Cold Storage / Plant
29. Recommending Approval	31. Authentication
30. Approval	

Bureau or Agency Address]  
 [Bureau or Agency Website]  
 [Bureau or Agency Contact Number]  
 [Distribution Instruction: 1-Bureau or Agency, 2-Applicant, 3-BOC, 4-File

Import Clearance: back page

32. Import Conditions
-----------------------

33. Other Conditions / Requirements	
34. Import Clearance Fee	35. OR No.
36. Inspection fees (indicative; actual depending on actual volume imported and inspected)	
37. Conforme / Acceptance [Signature over Printed Name of Importer]	38. Date Signed
<b><i>To be Accomplished by the DA Border Inspector at the Port of Entry</i></b>	
39. Signature over Printed Name of Inspecting Officer	40. Date Inspected
	41. DA Border Inspector's Report No.
42. Inspector's Stamp	43. Fees Collected
	44. OR No.

## **Annex V-11. System for Numbering SPS Import Clearance**

The numbering shall be an alpha-numeric code as follows

- 3 letters or code for certificate type
- 3 letters or code for issuing agency
- 3 letters or code for commodity
- 2 numbers or year clearance is given
- 6 numbers assigned consecutively by commodity, by year
- 2 control numbers as determined by issuing office or generated by electronic system

## Annex V-12. Reckoning the “Must Ship Out Date”

The date is reckoned from the date of issuance of the SPS clearance as follows :

- a) 20 days for fresh and chilled fruits and vegetables;
- b) 30 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
- c) 60 days for live animals, fish and fishery/aquatic products, meat and meat products, fertilizers, pesticides and other agricultural chemicals
- d) 90 days for veterinary biological and related products
- e) 60 days for all other products

## Annex V-13. **Grounds for Revocation of SPS Import Clearance**

The SPS clearance may be 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 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.

## **VI. IMPORT INSPECTION MANUAL**

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## **VI. IMPORT (BORDER) INSPECTION MANUAL**

### **A. Purpose, Legal Bases and Coverage**

Import inspection is undertaken for the following purposes:

- a) To protect the Philippines against the entry of unsafe (food safety, plant and animal health) agricultural and fishery products;
- b) To deter the incidence of agricultural and fishery smuggling; and
- c) To facilitate the monitoring of actual imports.

The various legal bases for, and the coverage of, the inspection of imports at the border are listed in Annex VI-1.

### **B. Types of Inspection**

Depending on the commodity, the import inspection process consists of three types, namely: (a) documentation check, (b) consignment integrity check, and (c) physical examination. The types of inspection as well as their corresponding scope or examination methods are shown in Annex VI-2.

### **C. Points of Inspection and Competent Bureau or Agency**

A preliminary border inspection is conducted at the port of entry or first point of border control while a final border inspection is done at the imports quarantine site (cold storage or farm) or second point of border control. The points of inspection by commodity, type of inspection, and corresponding competent bureau or agency charged with undertaking the import inspections are shown in Annex VI-3.

### **D. Inspection Process Flow**

The inspection process is described in Annex VI-4 while the process diagram for import inspection is contained in Annex VI-5.

The import inspection process is made up of three events -- the application for inspection, the preliminary border inspection and the final border inspection.

The various guidelines for the conduct of the inspection are in Annex VI-6.

### **E. Inspection Findings and Recommendations**

Preliminary and final border inspection will result in the recommendation for either (a) release, (b) treatment, (c) further laboratory testing, (d) temporary hold, and (e)

confiscation and return or destruction. Recommendations after the preliminary border inspection may also be for the imports to undergo (a) final inspection at the second point of border control or (b) post-entry quarantine.

If the recommendation to temporarily hold is made at the preliminary border inspection (first point of border control), the commodities remain at the port. If the recommendation to hold is done at the final inspection (second point of border control), the commodities remain at the cold storage or designated quarantine site.

If the basis for the recommendation to hold at the port is addressed within 10 days, the imported commodities are given clearance at that point of inspection. Otherwise, the held commodities are confiscated and (a) destroyed, (b) returned to country of origin or (c) shipped to a third country.

The importer shall be responsible for the costs incurred in the holding, treatment confiscation, return, or destruction of the commodities.

The importer may appeal a recommendation to confiscate with the DA Secretary, who may hold summary hearings to address the appeal.

## **F. Forms**

The request for inspection and the various inspection reports at the two points of inspection are incorporated in one form shown in Annex VI-7. This form, called the DA Border Inspectors' Report (DABI) form, is structured based on the three events for import inspection.

## **G. Fees**

The various inspection fees are listed in Annex VI-8.

**Annex VI-1. Legal Basis for SPS inspection, by agency by commodity**

<b>Agency</b>	<b>Commodity</b>	<b>Legal Basis</b>
BPI	Plants	PD 1433
	Planting materials	PD 1433
	Plant products	PD 1433
	Biotech crops	DA AO 8, s 2002
	Potential plant pests	PD 1433
	Wood packaging materials	PD 1433 BPI Quarantine Admin Order No. 1, Series of 2004
BAI	Live animals	RA 3639
	Meat and meat products	DA AO 26, Series of 2005
	Feeds and feedstuffs	RA 1556
	Veterinary drugs and products	RA 3720
	Veterinary biological products	Act 3101 AO 9 S 1982
NMIS	Meat and meat products	RA 9296
		RA 7394
		DA AO 28, Series of 2005
		DA AO 26, Series of 2005
BFAR	Live fish	RA 8550
		FAO 221, Series of 2003
		FAO 192 Series of 1997
	Frozen fish and fishery/aquatic products	RA 8550
		FAO 195, Series of 1999
		FAO 192 Series of 1997
	inBiomolecules	RA 8550
		FAO 192 Series of 1997
	Aquatic products and derivatives	RA 8550
		FAO 192 Series of 1997

*Agencies to attach copies of laws, AOs, MOs in following pages*

## Annex VI-2. Import Inspection: Types and Scope

<b>Type</b>	<b>Scope</b>
Documentation check	<p>Examination of documents associated with a consignment - Import and export documents are examined to ensure that they are complete, consistent, accurate, valid and not fraudulent.</p> <p>The documents examined are the SPS Import Clearance issued by the competent DA agency, the International SPS Certificate issued by the competent agency of the exporting country, the bill of lading and the sales invoice for the consignment.</p>
Consignment integrity check	<p>Verification of consignment identity and integrity - The inspection for identity and integrity involves checking to ensure that the consignment is accurately described by its documents.</p> <p>The identity check verifies whether the type of product is in accordance with the accompanying international SPS certificate. The integrity check verifies if the consignment is clearly identifiable and the quantity and status is as declared in the accompanying international SPS certificate.</p> <p>Consignment verification may require a physical examination of the consignment to confirm the identity and integrity, including checking for seals, safety conditions and other relevant physical aspects of the shipment that may be of sanitary and phytosanitary concern.</p>
Physical inspection	<p>The physical examination includes sensory and laboratory (chemical and microbial) to determine whether the imported commodity complies with Philippine SPS standards of safety and quality.</p> <p>There are two types of physical inspection: routine and rigid. Routine inspection is sensory examination of the consignment involving either:</p> <ul style="list-style-type: none"> <li>- the collection of a sample of 10%-15% of the consignment for further sensory testing and/or laboratory examination; or</li> <li>- up to 100% unloading for sensory examination and/or to validate consignment integrity.</li> <li>-</li> </ul> <p>Rigid inspection is 100% unloading with laboratory examination of a random sample (10% - 15% based on international sampling method applicable to commodity).</p>

**Annex VI-3. Point of Import Inspection by Commodity and Competent Agency/Bureau**

Product	First Point of Border Control		Second Point of Border Control	
	Venue	Competent Agency	Venue	Competent Agency
Live animals	Port of entry	BAI	Accredited Quarantine farm	DA RFU under BAI technical guidelines
Small animals that may be plant pest	Port of entry	BAI and BPI		
Meat and meat products	Port of entry	BAI	Accredited cold storage establishment	NMIS
Planting materials	Port of entry	BAI	Accredited Quarantine Farm	DA RFU under BPI technical guidelines
Fish, fishery and aquatic products	Port of entry	BFAR		
Grains and cereals for food	Port of entry	BPI		
Grains and cereals for feed processing	Port of entry	BPI and BAI		

#### **Annex VI-4. Process Description: Import Inspection**

Step 1. The **applicant** submits a duly accomplished application for inspection, using the appropriate section in the **DA Border Inspectors' Report (DABI) form**, and the required documents to the DA Quarantine Office at the port of entry of the shipment.

Step 2. The **concerned unit** in the regulatory agency verifies whether or not the application form and documents are sufficient in form and substance.

The application form is sufficient in form and substance if all the fields that have to be answered are filled up and the answers are in accordance with the instructions for filling up the forms.

The accompanying documents are complete if all the requirements as specified are submitted. The attached documents are sufficient if the photocopies match the original. The DABI shall ensure the authenticity of the SPS Import Clearance and the International SPS Certificate. It shall also verify the consistency of the submitted documents.

Step 3. The **concerned unit** in the regulatory agency checks whether the application involves a commodity whose imports are banned (e.g. endangered species, potential pests).

Step 4. The **DA Border Inspector (DABI)** decides what action to take on the application based on Step 2 and Step 3.

The imports of applicants that submitted applications with missing documents or without the original copies of the SPS Import Clearance (when required) or International SPS Certificate shall be held until all required documents are submitted by the applicant.

The imports of applicants that submitted applications with invalid SPS Import Clearance (when required) and International SPS Certificate shall be recommended for confiscation. So will those of applicants who submitted applications with documents that do not match or are not consistent.

Banned commodities shall be recommended for rigid inspection.

Step 5. The **DABI** shall stamp all application forms with the phrase “okay for inspection” and release them to the applicants, unless the importation for which the application is made is being recommended for confiscation. For

imports recommended for confiscation, the **DABI** shall immediately notify the Bureau of Customs (BOC) of such recommendation.

Step 6. On arrival of the imports, the applicant presents the form marked “okay for inspection” to the **DABI**.

Step 7. The **DABI** checks if the container number matches that in the form and attached documents.

If the numbers in the container and the documents do not match, the **DABI** recommends that the shipment be held and subjected to rigid inspection.

Step 8. The **DABI** checks to ensure that the seal is present and intact.

If the seal is missing or tampered, the **DABI** shall recommend the 100% inspection of shipment.

Step 9. The **DABI** conducts a consignment identity and integrity examination to check if the shipment is as described in the documents.

If the shipment is not clearly identifiable or not accurately described in the accompanying documents, the **DABI** shall recommend its confiscation. If the shipment consists of mixed commodities or commodities of common interest to several DA agencies, the **DABI** shall ask other concerned bureaus and agencies to join in the inspection.

Step 10. The **DABI** conducts the physical inspection of the shipment.

The **DABI** shall recommend confiscation if the inspection indicates 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 Clearance and sanitary and/or phytosanitary measures; or 4) the product exhibits the presence of a dangerous communicable disease.

If imported plants and plant products show evidence of infestation or infection that may be treated, the **DABI** shall recommend treatment. If the infestation or infection is not treatable, the **DABI** shall recommend confiscation.

If there is evidence of mislabeling, the **DABI** shall recommend corrective action before final release and indicate said recommendation in the inspection report.

If the physical inspection yields no indication of any of above, the **DABI** stamps the phrase ‘inspected and passed’ on the inspection form.

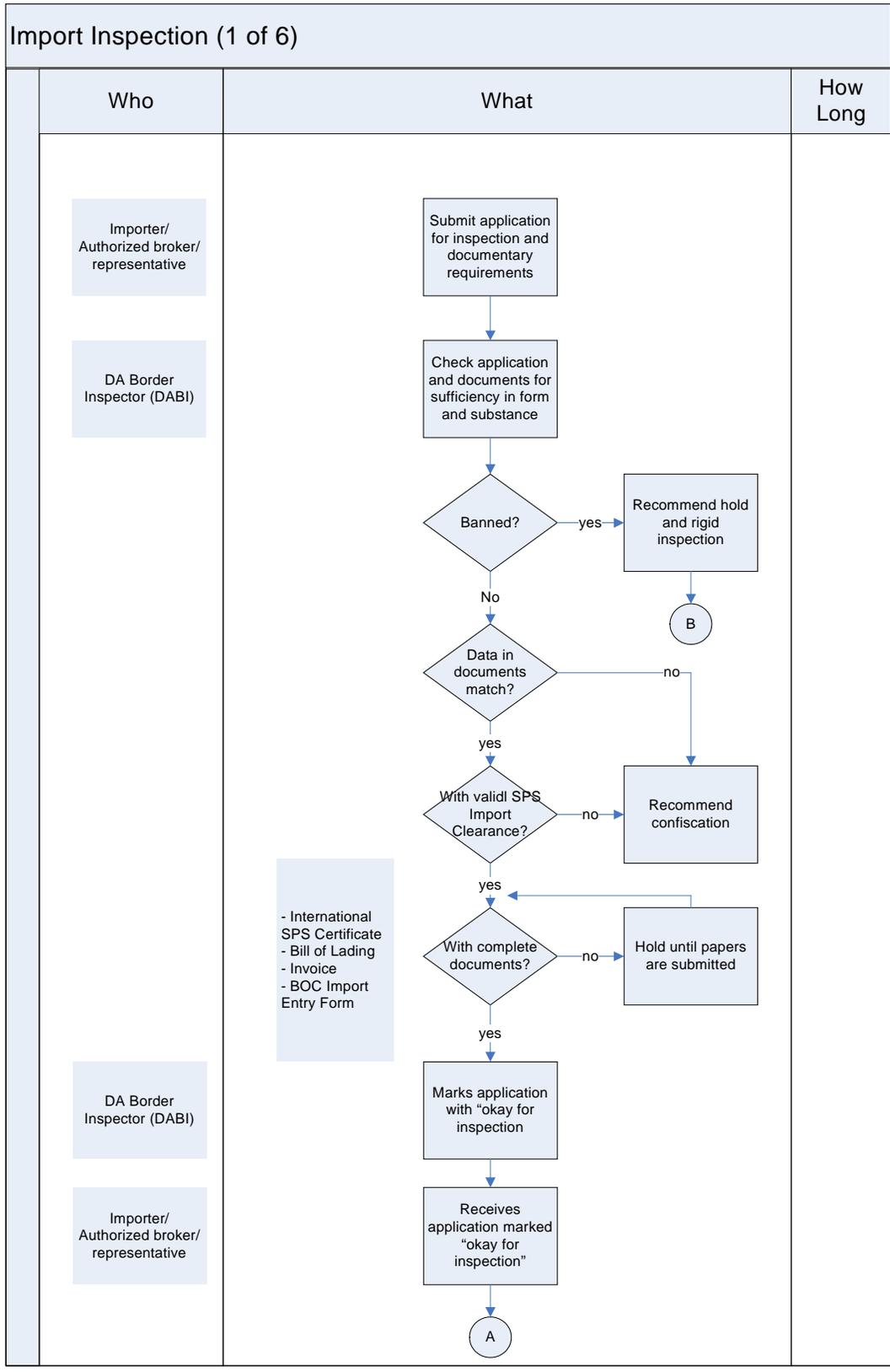
- Step 11. The **DABI** collects a sample of fish from restricted countries and plant and plant products for further sensory and/or laboratory testing.
- Step 12. Having completed Step 9 to Step 11, the **DABI** seals the container and stamps the BOC import entry form. Step 13. The **importer** pays the inspection fee to the Special Collecting Officer.
- Step 14. The **DABI** prepares the inspection report on part II of the DA Border Inspectors’ Report (DABI) form.
- Step 15. The **DABI** releases the stamped BOC import entry form to the importer. For shipments that need inspection at the second point of border control, the **DABI** endorses the consolidated import inspection form to the **DABI** at the second point.
- Step 16. The **DABI** endorses and releases the shipment to the BOC.
- Step 17. For shipments that do not require inspection at the second point of border control, the **BOC** releases the shipment to the importer. For shipments requiring inspection at the second point of border control, the **BOC** clears the shipment for transport to the second point of inspection.
- Step 18. At the second point of border control, the **DABI** of that border control verifies the completeness and accuracy of the inspection report vis-à-vis the other documents. If the information is incomplete or inaccurate, the **DABI** corrects and completes the information.
- Step 19. The **DABI** checks to ensure that the seal is present and intact.
- If the seal is missing or tampered, the **DABI** shall recommend the confiscation of the shipment.
- Step 20. The **DABI** breaks the seal and verifies the consignment identity and integrity.
- If the cargo is not clearly identifiable, the **DABI** shall consult an expert to identify the contents of the said cargo.
- If the cargo is not accurately described, the **DABI** shall recommend corrective action that depends on the commodity as well as the nature and extent of the problem encountered.

- Step 21. The **DABI** conducts a sensory examination of the shipment. It also collects samples for the chemical and microbial examination of the shipment and sends the samples to the accredited laboratory for testing.
- Step 22. The **DABI** prepares the inspection report on part III of the consolidated inspection form. The importer signs conforme on the report.
- Step 23. If the shipment passes inspection, the **DABI** releases a copy of the inspection report and the shipment to the importer.

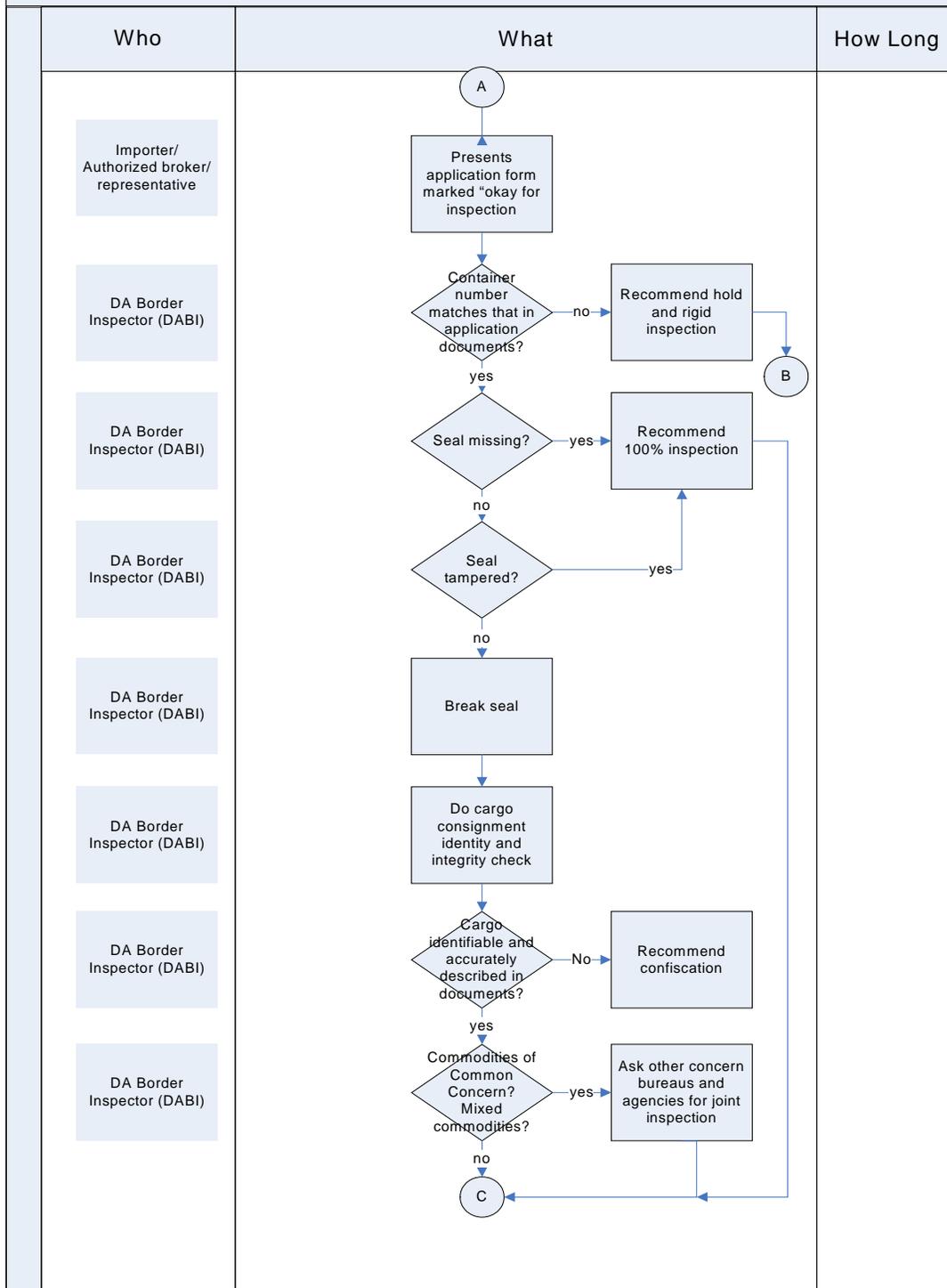
If the shipment does not pass inspection, the DABI recommends confiscation.

**Annex VI-5. Process Diagram: Import Inspection**

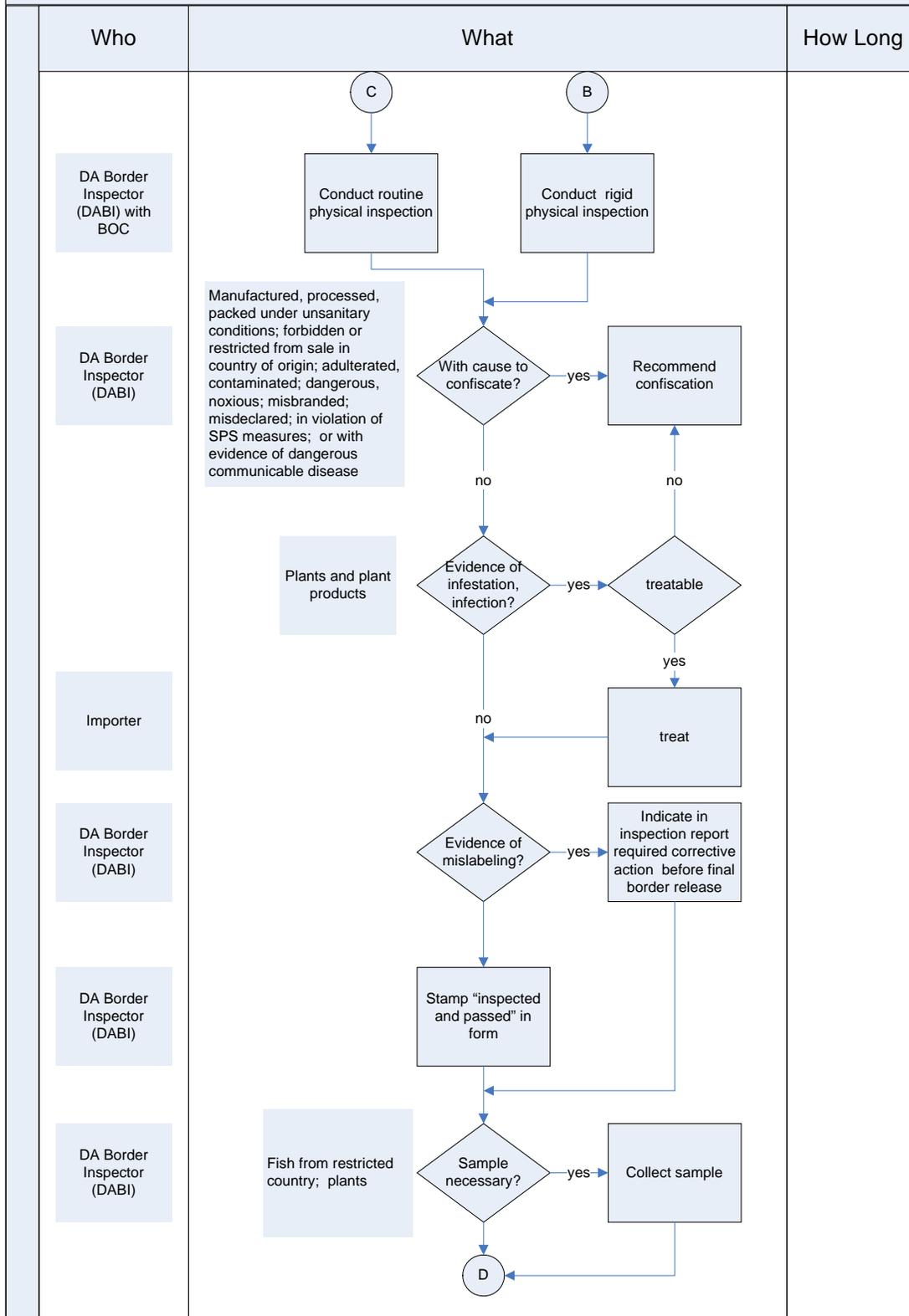
*Agencies to specify who and how long columns*



## Import Inspection (2 of 6)



# Import Inspection (3 of 6)



Import Inspection (4 of 6)		
Who	What	How Long
	<pre> graph TD     D((D)) --&gt; A[Seal containers]     A --&gt; B[Stamp BOC BOC import entry form]     B --&gt; C[Pay fees]     C --&gt; D1[Collect fees and issue OR]     D1 --&gt; E1[Prepares inspection report, part II of consolidated form]     E1 --&gt; F[Issue stamped BOC import entry form to importer]     F --&gt; G[Endorse and release shipment to BOC]     G --&gt; E((E))           </pre>	
DA Border Inspector (DABI)	Seal containers	
DA Border Inspector (DABI)	Stamp BOC BOC import entry form	
Importer	Pay fees	
Special Collecting Officer	Collect fees and issue OR	
DA Border Inspector (DABI)	Prepares inspection report, part II of consolidated form	
OIC DA Border Inspector (DABI)	Issue stamped BOC import entry form to importer	
DA Border Inspector (DABI)	Endorse and release shipment to BOC	

# Import Inspection (5 of 6)

Who	What	How Long
<p>BOC</p>	<p>Yes for meat, fish and fish products, live animals, planting materials</p>	
<p>Importer/ DA Border Inspector (DABI)</p>	<p>Need final border inspection?</p>	<p>Release shipment</p>
<p>BOC</p>	<p>Clear shipment at port of entry</p>	<p>Release copy of Inspector's Report to Importer</p>
<p>Importer/ DA Border Inspector (DABI)</p>	<p>Transfer to 2<sup>nd</sup> point of border control</p>	
<p>Importer</p>	<p>Show inspectors report and accompanying documents to 2<sup>nd</sup> point of border control</p> <ul style="list-style-type: none"> <li>- International SPS Certificate</li> <li>- Bill of Lading</li> <li>- Invoice</li> <li>- BOC Import Entry Form</li> </ul>	
<p>DA Border Inspector (DABI)/ Importer</p>	<p>Information complete and accurate?</p>	<p>complete</p>
<p>DA Border Inspector (DABI)</p>	<p>Break seal</p>	
<p>DA Border Inspector (DABI)</p>	<p>Verify consignment identity and integrity</p>	<p>F</p>

# Import Inspection (6 of 6)

Who	What	How long
DA Border Inspector (DABI)	<pre>                     graph TD                         Start((F)) --&gt; D1{Cargo clearly identifiable?}                         D1 -- no --&gt; A1[Consult expert to identify]                         A1 --&gt; D2{Cargo accurately described?}                         D1 -- yes --&gt; D2                         D2 -- no --&gt; A2[Decide action]                         D2 -- yes --&gt; B1[Do rigid inspection (sensory, chemical and microbial exam)]                     </pre>	
DA Border Inspector (DABI)		
BOC		
BOC		
BOC		

**Annex VI-6. Inspection Guidelines**

*Agencies to attach specific guidelines and checklist of inspection.*

## Annex VI-7. Inspection Forms

Form Code

DA and Bureau or Agency Logos	Republic of the Philippines Department of Agriculture [Bureau or Agency Name] [Service Name] [Port of _____] [Bureau or Agency TIN]	<b>DA                  BORDER INSPECTOR'S                  REPORT</b>
-------------------------------	--	---

*To be Filled up by the Bureau or Agency*

1. Date Received	2. Application No.
------------------	--------------------

### SECTION I: APPLICATION FOR IMPORT INSPECTION

*To be Filled up by the Applicant*

[The Bureau or Agency]  
 [Bureau or Agency Name]  
 [Location]

Sir/Madam:

I have the honor to apply for inspection of the cargo consignment described below:

#### A. TRADER DETAILS

3. Business Name and Address of Consignee	4. Tel No. of Consignee
5. Business Name and Address of Consignor	6. Tel No. of Consignor
7. Business Name and Address of Broker	8. Tel No. of Broker

#### B. TRANSPORT DETAILS

9. Name of Vessel/Plane	10. Voyage No. / Flight No.	11. Date of Arrival
-------------------------	-----------------------------	---------------------

#### C. CARGO CONSIGNMENT DETAILS

12. Commodity Name	13. Brand Name	14. Common / Generic Name
15. Scientific / Chemical Name	16. Commodity Description / Specification / Classification	
17. Quantity and Unit of Measure	18. Total Value (FOB US\$)	19. Allowable Tolerance (% or qty)
20. Purpose of Shipment: <input type="checkbox"/> Breeding <input type="checkbox"/> Propagation <input type="checkbox"/> Commercial <input type="checkbox"/> Manufacturing <input type="checkbox"/> Experimental <input type="checkbox"/> Samples <input type="checkbox"/> Consumption <input type="checkbox"/> Others _____		

Very truly yours,

\_\_\_\_\_  
 Applicant  
 (Signature over Printed Name)

## SECTION II: PRELIMINARY BORDER INSPECTION REPORT

*To be Filled up by the DA Border Inspector at the Port of Entry*

### A. CARGO CONSIGNMENT DETAILS

1. Examination Area: <input type="checkbox"/> Designated Examination Area <input type="checkbox"/> Container Yard <input type="checkbox"/> Others _____			
2. Shipping Line Seal No.	3. Marks	4. Number of Containers	5. Container Number/s
6. SPS Import Clearance No. and Date of Issuance			10. DA Seal Number/s
7. International SPS Certificate No.	8. BOC Entry No.	9. Bill of Lading No./Airway Bill No.	
11. Production and Expiry Date	12. Lot/ Batch Size		
13. FME Name		14. FME Number	

### B. INSPECTION DETAILS

<b>15. Documentary Checklist</b>			
a. SPS Import Clearance, original	<input type="checkbox"/> Yes <input type="checkbox"/> No	d. International SPS Certificate (PC / IVHC / HC), original	<input type="checkbox"/> Yes <input type="checkbox"/> No
b. Invoice, photocopy	<input type="checkbox"/> Yes <input type="checkbox"/> No	e. Bill of Lading, photocopy or original copy	<input type="checkbox"/> Yes <input type="checkbox"/> No
c. BOC Import Entry, original	<input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>16. Findings and Recommendations</b>			
<input type="checkbox"/> For release	<input type="checkbox"/> For temporary hold	<input type="checkbox"/> Prohibited	<input type="checkbox"/> Infested
<input type="checkbox"/> For treatment	<input type="checkbox"/> For confiscation	<input type="checkbox"/> Regulated	<input type="checkbox"/> Infected
<input type="checkbox"/> For further laboratory testing	<input type="checkbox"/> For return	<input type="checkbox"/> Misdeclared	
<input type="checkbox"/> For post-entry quarantine	<input type="checkbox"/> For destruction	<input type="checkbox"/> Others _____	
<input type="checkbox"/> For final inspection at 2nd pt of border control			
<input type="checkbox"/> Cleared for endorsement to BOC		<input type="checkbox"/> Not cleared for endorsement to BOC Reason _____	
17. Remarks			

### D. SAMPLING DETAILS

18. Specimen Collected by	19. Date Collected
20. Specimen Submitted by	21. Date Submitted
22. Specimen Received by	23. Date Received

### E. PAYMENT OF FEES

24. Charge Slip No.	25. Inspection Fee	26. OR No.	27. Issued On
---------------------	--------------------	------------	---------------

### F. SIGNATORIES

28. Inspected : _____ DA Border Inspector (Signature Over Printed Name)	29. Date Inspected	32.  [DABI Stamp]
30. Conformed: _____ Consignee/Authorized Representative (Signature Over Printed Name)	31. Date Signed	

### SECTION III: FINAL BORDER INSPECTION REPORT

*To be Filled up by DA Border Inspector at the Final Point of Border Control*

**A. ACCREDITED FACILITY DETAILS**

1. Name and Address of Accredited Establishment	2. Date of Arrival in Establishment	3. Time of Arrival in Establishment
---	-------------------------------------	-------------------------------------

**B. LABORATORY ANALYSIS DETAILS**

4. Date of Collection of Samples for Laboratory Analysis (when necessary)	5. Time of Collection of Samples for Laboratory Analysis (when necessary)
6. Date of Laboratory Report	7. Control No. of Laboratory Report
8. Date of Clearance	9. Time of Clearance

**C. FINDINGS and RECOMMENDATIONS**

10. <input type="checkbox"/> Approved		<input type="checkbox"/> Disapproved	
11. <input type="checkbox"/> For release	<input type="checkbox"/> For confiscation	<input type="checkbox"/> For destruction	<input type="checkbox"/> Others
<input type="checkbox"/> For treatment	<input type="checkbox"/> For temporary hold	<input type="checkbox"/> For further lab testing	_____
12. Remarks			

**E. SIGNATORIES**

13. Inspected: _____ DA Border Inspector (Signature Over Printed Name)	14. Date Inspected	17.          [DABI Stamp]
15. Conformed: _____ Consignee/Authorized Representative (Signature Over Printed Name)	16. Date Signed	

## Annex VI-8. Inspection Fees

Agency	Commodity	Fee	Name of Fee
BPI	Fresh fruits, vegetables, onion, garlic and other fresh spices	P20.00/MT or a fraction of a ton thereof	Inspection Fee
	Seeds, cuttings, rhizomes, bulbs, corms, scions and other planting/propagating materials	P10.00/MT or a fraction of a ton thereof	
	Living plants for shipment of ten (10) pieces or less in excess of ten, plus	P20.00 P2.00/pc	
	Grains and seeds for food and food processing	P10.00/MT or a fraction of a ton thereof	
	Logs, lumber, timber, veneer and other wood products	P10.00/MT or a fraction of a ton thereof	
	Other materials capable of harboring plant pests	P20.00/MT or a fraction of a ton thereof	
	Potential crop pest (small animals)	P20.00/hd	
	Potential crop pest (bees/small insects/others)	P200/PC	
	Cultures of fungi, bacteria, and the likes for scientific purposes	P200/PC	
	Seeds, cuttings, rhizomes, bulbs,		
	Cutflower, floricultures	P10.kg , P500 max	
BAI NVQS	Carabao, cattle, buffaloes	P100.00/head	Veterinary Quarantine Inspection Fee
	Horses	P500.00/head	
	Ponies, assess, mules and donkeys	P200.00/head	
	Swine, sheep and goats	P100.00/head	
	Dogs and cats	P250.00 for first 2 head, P300.00 for every head in excess of 2	
	Other domestic livestock	P50.00/head	
	Semen	P5.00/vial or dose	
	Monkeys, chimpanzees, baboons, macaques, gibbons, marmosels and other small non-human primates	P120.00/head	
	Antelopes, deer (except mouse deer), anthers, armadillos, sloths, tapirs, kangaroos, sallybys and other animals of the same size	P130.00/head	
	Rabbits, civets, skunks, porcupines, agoutins, coatmandis, oposums, kinkajous, mouse deer, minks, chinchills, and other animals of the same size	P150.00/head	
	Guinea pigs, hamsters, rats, gervils, mice, shrew, moles, squirrels and other animals of the same size	P150.00/head	

	Guinea pigs, hamsters, rats, and mice for experimental purposes	P12.00/head	
	Other mammals	P150.00/head	
BAI NVQS	Large-sized birds such as ostriches, emus, canaries, peafowls, vultures, eagles, flamingos, storks, pelicans, pheasants and other birds of the same size	P150.00/head	Veterinary Quarantine Inspection Fee
	Medium-sized birds such as owls, hornbills, herons, swans, parrots, cockatoos, macaws, gulls, birds of paradise and other birds of similar size	P100.00/head	
	Small birds such as love birds, kingfishes, orioles, finches, parakeet, lorikeels, warbles, jays, cuckoos, mynahs, sparrow, mayas or rice birds, ayadayals, canaries, crows, mocking birds, fly catchers, blackbirds, rashers, magpies and other birds of similar size	P50.00/head for the first 2 birds, P10.00 for every head in excess of 2	
	Meat and meat products whether fresh, frozen or in airtight containers Choice cuts (tenderloin, sirloin, all steak cuts)	P1.00/kg	
	Meat and meat products whether fresh, frozen or in airtight containers Low grade meat cuts	P0.50/kg	
	Meat and meat products in airtight containers	P0.30/kg	
	Other meat products including chicken soup packs, beef noodle packs, pork and mushroom soup packs, beef noodle packs, pork and mushroom soup packs, bird's nest soup packs	P5.00/ton or less	
	Animal products and by-products (hides and skins of large animals)	P100.00/ton or less	
	Animal products and by-products (hides and skins of small animals)	P50.00/ton or less	
	Animal products and by-products (commercial leather excluding finished leather)	P50.00/ton or less	
	Gluestock, animal tallows, wools, hair, bones, hooves, hides, splits and skin splits, dried ligaments, feathers	P50.00/ton or less	
	Serum samples	P1.00/vial	
	Stuffed animals and birds, mounted skeleton of birds and animals	P50.00/piece	
	Cheese, whey, butter, milk and other dairy products	P50.00/ton or less	
BFAR <sup>1</sup>	Fresh/frozen/chilled fish and fishery/aquatic products	-	-

<sup>1</sup> Does not charge inspection fee

## **VII. ISSUANCE OF INTERNATIONAL SPS CERTIFICATE**

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## **VII. ISSUANCE OF INTERNATIONAL SPS CERTIFICATE**

### **A. Types**

The types of International SPS Certificates are:

- a) International Veterinary Health Certificate or Veterinary Quarantine Certificate on the health of live animals,
- b) Phytosanitary Certificate on the presence/absence of disease and pests on plants and plant products, and
- c) Sanitary or Health Certificate on the safety of food and food additives.

### **B. Legal Bases**

The issuance of the International SPS Certificate is based on norms established by international bodies, namely the OIE for live animals, the IPPC for plant and plant products, and the CODEX for food and food additives as well as on the specific requirements of the importing country as may be detailed in bilateral agreements with the Philippines. The various domestic legal issuances that mandate and/or guide the issuance of the Certificates are listed in Annex VII-1. The legal issuances are also attached in the same annex.

### **C. Coverage and Competent Agency**

Exporters of commodities listed in Annex VII-2 are generally required to secure an International SPS Certificate from the competent Bureau or Agency, which are also shown in the same annex. The import clearance issued by the importing country generally indicates the need for and contents of the international SPS certificate.

However, countries that do not subscribe to the international bodies mentioned above may not require an International SPS Certificate. They may, however, require a commodity clearance. The commodity clearance only attests to the legality of exporting said commodity from the Philippines.

### **D. Pre-Qualification Requirements**

Depending on the commodity to be exported and the importing country, the issuance of an International SPS Certificate requires (a) an export clearance or permit and/or (b) prior licensing, registration or accreditation of the product, the facility or establishment used to produce, process or distribute the product, and the importer and/or handler. The requirements by commodity and country are shown in Annex VII-3.

## **E. Application Form**

The application form for an International SPS Certificate is shown in Annex VII-4.

The documentary requirements for an application for an International SPS Certificate vary depending on the requirements of the importing country. The documentary requirements by commodity and importing country are enumerated in Annex VII-5

## **F. Issuance Process**

The process for the issuance of an International SPS Certificate is described in Annex VII-6. The process diagram is shown in Annex VII-7.

The process includes the physical inspection of the product to be exported. The nature of the physical inspection depends on the product and importing country. The required physical inspection by product and importing country are shown in Annex VII-8.

The fees involved in the inspection and issuance of the Certificate is shown in Annex VII-9.

## **G. Certificate**

The International SPS Certificate varies in form and depends on the requirements of the importing country. Where the importing country has no specific requirements, model certificates from the OIE, IPPC, and CODEX are used. The contents of these model certificates are listed in Annex VII-10. The same annex shows the pro-forma certificates issued by the DA.

The International SPS Certificate is authenticated by dry seal, barcode and/or unique number. The certificates are currently printed on pre-numbered forms.

The validity of the certificates generally depends on the importing country. Thus, the certificates are valid as long as the importing country is willing to accept them.

## Annex VII-1. Legal Basis; International SPS Certificate

Agency	Commodity	Legal Basis
BPI	Plants/plant products	PD 1433 <sup>1</sup> BPI AO 1, S 1981 <sup>2</sup>
	Banana	MO No. 1, S 2004
	Okra	MO No. 84, S 2002 MO No. 85, S 2005 <sup>3</sup>
BFAR	Fresh/chilled/frozen fish and fishery/aquatic products	RA 8550 FAO 210, S 2001
BAI NVQS	Livestock, their meat and meat products	Memorandum, 16 Sept 2004 <sup>4</sup>
	Live animals except wild birds	MC No. 8, S 1980 <sup>5</sup>
	Wild birds	MC No. 4, S 1979 <sup>6</sup>
	Poultry (hatching eggs, day-old chicks, frozen poultry meat)	Memorandum, 30 Sept 2004 <sup>7</sup>
	Non-human primates	MC 2, S 2005 <sup>8</sup>
	Dogs and cats	Memorandum, 2 Nov 2004 <sup>9</sup>
BAI AFSD	feeds	RA 1556 <sup>10</sup> AO 24 S. 1991 <sup>11</sup> LC 1 S. 1991 <sup>12</sup>
BAI LSD VBSS	veterinary biological products	Act 3101, March 16 1923 <sup>13</sup> AO 9, S. 1982 <sup>14</sup>
FPA	fertilizers and pesticides	PD 1144
NMIS	Meat and meat products	RA 9296 EO 137

### *Additional Pages for Specific Agencies to attach copies of legal issuances*

<sup>1</sup> The Quarantine Law of 1978

<sup>2</sup> Rules and Regulations to Implement PD 1433

<sup>3</sup> Pesticide Residue Analysis for Fresh Okra to Japan

<sup>4</sup> Requirements and Procedures in the Export of Livestock, Their Meat and Meat Products

<sup>5</sup> Health Requirements for the Export of Live Animals (Except Wild Birds)

<sup>6</sup> Guidelines on the Quarantine of Wild Birds Intended for Export

<sup>7</sup> Requirements and Procedures in the Export of Poultry (Hatching eggs, day-old chicks, frozen poultry meat)

<sup>8</sup> Procedures for Quarantine and Conditioning of Non-human Primates

<sup>9</sup> Revision of Japanese Export Protocol for Dogs and Cats

<sup>10</sup> An Act to Regulate and Control the Manufacture, Importation, Labeling, Advertising, and Sale of Livestock and Poultry Feeds and Providing Funds Thereof (Livestock and Poultry Feeds Act)

<sup>11</sup> Granting Authority to Bureau of Animal Industry to issue import permit for feeds and feed ingredients

<sup>12</sup> Guidelines on the Importation of Animal Feeds, Feed Ingredients, Feeds Additives, Feed Supplements and Veterinary Drug and Product Premixes and Water Solubles

<sup>13</sup> An Act Authorizing the Director of (Agriculture) Animal Industry, Subject to the Approval of the Secretary of Agriculture and Natural Resources, to Promulgate Regulations for the Preparation, Sale, Traffic in, Shipment, and Importation of Viruses, Serums, Toxins, or Analogous Products Used for the Treatment of Domestic Animals.

<sup>14</sup> Revised Rules and Regulations Governing the Production, Manufacture, Handling, Sale, Distribution, Shipment, Importation and Exportation of Veterinary Biological Products in the Philippines

**Annex VII-2. Coverage and Competent Agency; International SPS Certificate**

<b>Commodity</b>	<b>Competent Bureau/Agency</b>
animals, animal products and by-products including meat, pure animal feeds, mixed feeds or with additives, veterinary drugs and biological products	BAI
fish, fishery/aquatic products and pure fish product feeds	BFAR
Fresh and semi-processed plants plant products (except coconut and fiber), and those commodities with PC required by importing country	BPI
meat and meat products	NMIS
Coconut and coconut products	PCA

**Annex VII-3. Pre-Qualification Requirements; International SPS Certificate/Permit**

<b>Commodity</b>	<b>Requirement(s)</b>
animals, animal products and by-products	CITES clearance for endangered species Registration of Exporter Accreditation of Establishment
pure animal feeds, mixed feeds or with additives, veterinary drugs and biological products	Commodity Clearance Registration of Exporter Accreditation of Establishment Registration of Product
fish, fishery/aquatic products and pure fish product feeds	CITES clearance for endangered species Registration of Exporter Accreditation of Establishment
plants plant products	CITES clearance for endangered species Registration of Exporter Accreditation of Establishment
fibers including coconut coir	Registration of Exporter Accreditation of Establishment
Rice	Export Permit from NFA Registration of Exporter Accreditation of Establishment
meat and meat products	Registration of Exporter Accreditation of Establishment
coconuts, coconut products and by-products except coconut coir	Registration of Exporter Accreditation of Establishment

The following products require a commodity clearance before the issuance of the Phytosanitary Certificate:

- |  |   |   |
|--|---|---|
| 1. Abaca seeds, seedlings suckers and rootstocks   | - | Fiber Industry Development Authority              |
| 2. Bakawan   | - | Office of the President                           |
| 3. Buri seeds and seedlings  | - | Bureau of Plant Industry                          |
| 4. Grains and grain by products  | - | National Food Authority                           |
| 5. Log, poles and piles including log core and flitchers/railroad ties   | - | Bureau of Plant Industry                          |
| 6. Matured coconuts and coconut seedlings  | - | Philippine Coconut Authority                      |
| 7. Raw materials for cottage industries of:<br>bamboo<br>buntal or buri fibers<br>monkey pods (acacia)<br>rattan (including poles) | - | National Cottage Industries Development Authority |
| 8. Orchids, cycads, fern tree and pitcherplant   | - | Bureau of Forest Development (Parks and Wildlife) |

## Annex VII-4. Application Form; International SPS Certificate

Application Form: Page 1

Form Code [code

DA and Agency Logos	Republic of the Philippines Department of Agriculture [Agency Heading (Name)] [Service Heading (Name)] [Agency TIN]	<b>Application for an Export Certificate</b>
---------------------------	---	--

**To be filled up by the Bureau or Agency**

1. Date Received	2. Application No.
------------------	--------------------

**A. Exporter Details**

3. Name of Exporter / Company	4. License No. of Exporter / Handler
	5. Accreditation No. of Establishment
	6. Product Registration No.
7. TIN	8. Address of Company
9. Contact No. of Exporter / Company	
10. Name of Authorized Applicant	11. Designation of Authorized Applicant
12. Contact No. of Authorized Applicant	13. Email Address of Authorized Applicant

**B. Importer Details**

14. Name of Importer	15. Address of Importer
16. Contact No. of Importer	17. E-mail Address of Importer
18. Name of Contact Person	19. E-mail Address of Contact Person

**C. Commodity Details**

20. Country of Destination	21. Purpose of Exportation		
	Commodity A	Commodity B	Commodity C
22. Commodity Name			
23. Brand Name			
24. Common / Generic Name			
25. Scientific / Chemical Name			
26. Commodity Description / Specification / Classification			
27. Quantity and Unit of Measure			
28. Allowable Tolerance (% or qty)			
29. Total Value (FOB US\$)			

[Address of Agency]  
 [Agency website]  
 [Agency Contact Number]  
 [Distribution Instruction]

Application Form; Page 2

	Commodity D	Commodity E	Commodity F
22. Commodity Name			
23. Brand Name			
24. Common / Generic Name			
25. Scientific / Chemical Name			
26. Commodity Description / Specification / Classification			
27. Quantity and Unit of Measure			
28. Allowable Tolerance (% or qty)			
29. Total Value (FOB US\$)			
	Commodity G	Commodity H	Commodity I
22. Commodity Name			
23. Brand Name			
24. Common / Generic Name			
25. Scientific / Chemical Name			
26. Commodity Description / Specification / Classification			

27. Quantity and Unit of Measure			
28. Allowable Tolerance (% or qty)			
29. Total Value (FOB US\$)			

**D. Transport Details**

30. Ship-out Date	31. Means of Conveyance	32. Port of Exit
-------------------	-------------------------	------------------

**E. Exporter Declaration**

33. Declaration / Sworn Statement	
34. Signature over Printed Name of Exporter / Authorized Applicant	35. Date Signed
36. Name of Broker	37. Broker's License No.
38. Signature of Broker	39. Date Signed

**Annex VII-5. Documentary Requirements; Issuance of International SPS Certificate**

*Agencies to attach documentary requirements by product and destination country*

## Annex VII-6. **Process Flow; Issuance of International SPS Certificate**

Step 1           The **applicant** submits a duly accomplished and notarized application form and the required documents to the concerned unit in the competent agency or bureau.

Step 2           The **concerned unit** verifies if the application form and documents are sufficient in form and substance. It verifies and certifies that the submitted copies of documents are true copies of the original.

The application form is sufficient in form and substance if all the fields that have to be answered are filled up and the answers are in accordance with the instructions for filling up the forms. The accompanying documents are complete if all the requirements as specified are submitted. These are sufficient if the photocopies match the original, in which case the concerned unit shall stamp and sign the photocopies as “certified true copies.”

If the application form and/or any of the documents are not sufficient in form and substance, the concerned unit rejects the application and informs the applicant of the decision and the basis for it.

Step 3           The **concerned unit** determines the eligibility of the product to be exported as well as the applicant and the establishment it will use to export. If any one of the product, the applicant or the establishment is not eligible, the concerned unit rejects the application and informs the applicant of the decision and the basis for it.

Step 4           The **concerned unit** conducts the technical inspection and evaluation of the product to be exported.

If the products are mislabeled, the concerned unit informs the applicant and holds the application until the labels are corrected.

If the products are assorted with some misdeclared items, the concerned unit asks the applicant to remove the misdeclared items.

If the product is infected or infested, the concerned unit recommends and supervises treatment.

The concerned unit denies the application if (a) all the items are misdeclared, (b) the packing is unsuitable, (c) the product does not pass the sensory and laboratory tests indicated in the import clearance issued by

the importing country, and/or (d) the product does not pass any known requirement of the importing country.

- Step 5 For applications that are granted, the **concerned unit** prepares the International SPS Certificate and has this signed by the agency **Director or Regional Executive Director** with endorsement from its chief.
- Step 6 The **concerned unit** authenticates (by number or bar-code) and records the grant of certificate, informs the applicant of the action it took, and releases the certificate to the applicant.

**Annex VII-7. Process Diagram; Issuance of International SPS Certificate**

*Agencies to fill up/specify items in columns who and how long*

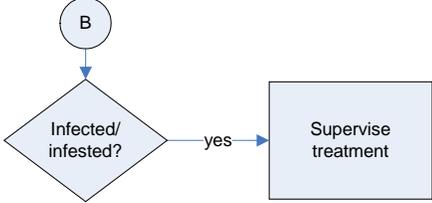
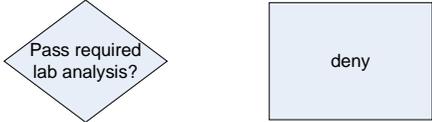
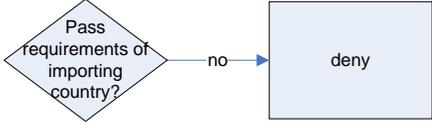
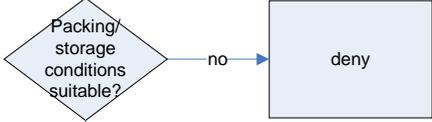
# Issuance of International SPS Certificate (1 of 3)

Who	What	How Long
Importer/ Authorized broker/ representative	Submit application for inspection and documentary requirements	
DA Concerned Unit	Check application and documents for sufficiency in form and substance	
DA Concerned Unit	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;">Complete?</div> <div style="margin-left: 10px;">             no → Hold application until complete           </div> </div>	
DA Concerned Unit	Determine eligibility of applicant, product, establishment	
DA Concerned Unit	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;">Restricted in destination country?</div> <div style="margin-left: 10px;">             yes → deny           </div> </div>	
DA Concerned Unit	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;">Applicant licensed?</div> <div style="margin-left: 10px;">             no → deny           </div> </div>	
DA Concerned Unit	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;">Product registered?</div> <div style="margin-left: 10px;">             no → deny           </div> </div>	
DA Concerned Unit	<div style="display: flex; align-items: center;"> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;">Product needs treatment?</div> <div style="margin-left: 10px;">             yes → Supervise treatment           </div> </div>	
	<div style="display: flex; align-items: center; justify-content: center;"> <div style="border: 1px solid black; border-radius: 50%; padding: 5px; margin-right: 10px;">no</div> <div style="margin-left: 10px;">             A           </div> </div>	

## Issuance of International SPS Certificate (2 of 3)

Who	What	How long
<div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">DA Concerned Unit</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">DA Concerned Unit</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">DA Concerned Unit</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">DA Concerned Unit</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">DA Concerned Unit</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">DA Concerned Unit</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px;">DA Concerned Unit</div>	<pre> graph TD     E((E)) --&gt; D1{Establishment accredited?}     D1 -- no --&gt; Deny1[deny]     D1 -- yes --&gt; A[Accept application]     A --&gt; P[Pay fee]     P --&gt; C[Conduct technical evaluation]     C --&gt; D2{Items mislabeled?}     D2 -- yes --&gt; H[Hold until label is corrected]     D2 -- no --&gt; D3{All items misdeclared?}     D3 -- yes --&gt; Deny2[deny]     D3 -- no --&gt; D4{Some items misdeclared?}     D4 -- yes --&gt; R[Remove misdeclared items]     D4 -- no --&gt; B((B))     R --&gt; B     </pre>	

## Issuance of International SPS Certificate (3 of 3)

Who	What	How long
DA Concerned Unit	Plant and plant products 	
DA Concerned Unit	All products 	
DA Concerned Unit	All products 	
DA Concerned Unit	All products 	
DA Concerned Unit		
DA Concerned Unit		
DA Concerned Unit		
DA Concerned Unit		

**Annex VII-8. Required Physical Inspection; Issuance of International SPS Certificate**

*Agencies to attach specific guidelines and checklists by commodity*

**Annex VII-9. Schedule of Fees: Export Certification Process**

Agency	Commodity	Name of Fee	Amount	
			Inspection	Export Certificate
BPI	Fresh fruits, vegetables, onion, garlic & other fresh spices	Regulatory Fee	4.00/MT or fraction of a ton thereof	
	Seeds, cuttings, rhizomes, bulbs, corns, scions & other planting/propagating materials		5.00/MT or fraction of a ton thereof	
	Living plants		10.00 shipment of 10 pieces or less In excess of 10 pieces, plus 1.00/pc	
	Other plant products and materials capable of harboring plants pests		5.00/MT or fraction of a ton thereof	
	Potential crop pest (small animals)		10.00/head	
	Potential crop pest (bees, small insects, and others)		-	100.00 / Certificate (PC)
	Cultures of fungi, bacteria and the likes for scientific purposes		-	100.00 / PC
BFAR	Ornamental shells/shellcraft articles; live fishes (aquarium fishes, fingerlings such as grouper, tilapia, eel); fishery products for human consumption (live grouper, live eel, live shells; dried fishery products such as sea cucumber, seaweeds, shark fins, others); crustaceans			
	Fresh/chilled/frozen fish and fishery products	Application Fee		P50.00
BAI	Carabao, cattle, buffaloes	Veterinary Quarantine Inspection Fee	P20.00/ head (hd)	P200.00
	Horses		P200.00/hd	P200.00
	Ponies, assess, mules and donkeys		P85.00/hd	P200.00
	Swine, sheep and goats	and	P10.00/hd	P10.00
	Dogs and cats	Fee for the issuance of export permit/ clearance	P50.00 for first 2 hd, P40.00 for every hd in excess of 2	P100.00
	Other domestic livestock		P15.00/hd	P100.00
	Semen		P2.00/vial or dose	P100.00
	Monkeys, chimpanzees, baboons, macaques, gibbons, marmosets and other small non-human primates		P20.00/hd	P100.00
	Antelopes, deer (except mouse deer), anthers, armadillos, sloths, tapirs, kangaroos, sallybys and other animals of the same size		P30.00/hd	P100.00
	Rabbits, civets, skunks, porcupines, agoutins, coatmandis, opossums, kinkajous, mouse deer, minks, chinchills, and other animals of the same size		P12.00/hd	P100.00
	Guinea pigs, hamsters, rats, gervils, mice, shrew, moles, squirrels and other animals of the same size		P12.00/hd	P100.00
	Guinea pigs, hamsters, rats, and mice for experimental purposes		P12.00/hd	P100.00
	Other mammals		P15.00/hd	P100.00

	Large-sized birds such as ostriches, emus, canaries, peafowls, vultures, eagles, flamingos, storks, pelicans, pheasants and other birds of the same size		P20.00/hd	P100.00
BAI	Medium-sized birds such as owls, hornbills, herons, swans, parrots, cockatoos, macaws, gulls, birds of paradise and other birds of similar size	Veterinary Quarantine Inspection Fee  and Fee for the issuance of export permit/clearance	P25.00/hd	P100.00
	Small birds such as love birds, kingfishes, orioles, finches, parakeet, lorikeels, warbles, jays, cuckoos, mynahs, sparrow, mayas or rice birds, ayadayals, canaries, crows, mocking birds, fly catchers, blackbirds, rashers, magpies and other birds of similar size		P15.00/hd for the first 2 birds, P5.00 for every hd in excess of 2	P100.00
	Meat and meat products whether fresh, frozen or in airtight containers Choice cuts (tenderloin, sirloin, all steak cuts)		P0.15/kg	P200.00
	Meat and meat products whether fresh, frozen or in airtight containers Low grade meat cuts		P0.10/kg	P200.00
	Meat and meat products in airtight containers		P0.10/kg	P200.00
	Other meat products including chicken soup packs, beef noodle packs, pork and mushroom soup packs, beef noodle packs, pork and mushroom soup packs, bird's nest soup packs		P10.00/ton or less	P200.00
	Animal products and by-products (hides and skins of large animals)		P10.00/ton or less	P200.00
	Animal products and by-products (hides and skins of small animals)		P10.00/ton or less	P300.00
	Animal products and by-products (commercial leather excluding finished leather)		P10.00/ton or less	P200.00
	Gluestock, animal tallows, wools, hair, bones, hooves, hides, splits and skin splits, dried ligaments, feathers		P10.00/ton or less	P200.00
	Serum samples		P0.50/vial	P100.00
	Stuffed animals and birds, mounted skeleton of birds and animals		P15.00/piece	P100.00
	Cheese, whey, butter, milk and other dairy products		P10.00/ton or less	P200.00

## Annex VII-10. Contents of the Model International SPS Certificates

### OIE Model Veterinary Health Certificate

1. Name of Owner
2. Address of Owner
3. Species of animal
4. Breed
5. Age or date of birth
6. Sex
7. Colour
8. Coat type and marking/Distinguishing marks
9. Identification Number (tattoo or other permanent method of identification)
10. Country of Origin
11. Countries visited over the past 2 years as declared by the owner (give dates)
12. Date (dd/mm/yy)
13. Certification re clinical examination (Rabies)
14. Certification re Vaccination (Rabies)
15. Certification re Serological testing (Rabies)
16. Name (in capital letters) and signature of the veterinarian
17. Name (in capital letters) and signature of the Official Veterinarian

## IPPC Model Phytosanitary Certificate

No. \_\_\_\_\_

Plant Protection Organization of \_\_\_\_\_

TO: Plant Protection Organization(s) of \_\_\_\_\_

### I. Description of Consignment

Name and address of exporter:

Declared name and address of consignee:

Number and description of packages:

Distinguishing marks:

Place of origin:

Declared means of conveyance:

Declared point of entry:

Name of produce and quantity declared:

Botanical name of plants:

This is to certify that the plants, plant products or other regulated articles described herein have been inspected and/or tested according to appropriate official procedures and are considered to be free from the quarantine pests specified by the importing contracting party and to conform with the current phytosanitary requirements of the importing contracting party, including those for regulated non-quarantine pests.

They are deemed to be practically free from other pests. (Optional clause)

### II. Additional Declaration

### III. Disinfestation and/or Disinfection Treatment

Date

Treatment

Chemical (active ingredient)

Duration and temperature

Concentration

Additional information

Place of issue

(Stamp of Organization)

Name of authorized officer

(Signature)

Date

No financial liability with respect to this certificate shall attach to (name of Plant Protection Organization) or to any of its officers or representatives. (Optional clause)

## **CODEX Generic Official Certificate**

Nature of the food  
Name of product  
Quantity, in the appropriate units

Lot identifier or date coding  
Identity and, as appropriate, the location of the production establishment

Name and contact details of the importer or consignee  
Name and contact details of the exporter or consignor  
Country of dispatch  
Country of destination

Certificates may also contain information on relevant transport and handling requirements, including appropriate temperature controls.

## VIII. PORT OF EXIT INSPECTION

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## **VIII. PORT OF EXIT INSPECTION**

### **A. Purpose, Legal Basis and Coverage**

Export inspection is undertaken to ensure the acceptance of Philippine exports in export markets.

The various legal bases for, and the coverage of, the inspection of exports at the border are shown in Annex VIII-1.

### **B. Competent Bureau or Agency**

The competent bureau or agency charged with undertaking port of exit inspection for exports are listed in Annex VIII-2. Only the BAI and the BFAR conduct port of exit inspection.

### **C. Inspection Process Flow**

The process for export inspection is described in Annex VIII-3 while the process diagram is shown in Annex VIII-4.

The inspection consists of (a) documentation check and (b) consignment integrity check. The scopes for each of these are shown in Annex VIII-5. Only live animals, fish and fishery and aquatic products undergo both checks. The rest of the products inspected by the BAI at the port of exit are only subjected to documentation check. The various guidelines for the conduct of the inspection are in Annex VIII-6 .

There are no fees related to port of exit inspection.

### **D. Form**

The form used to request for inspection is shown in Annex VIII-7.

### Annex VIII-1. Legal Basis: Port of Exit Inspection

Agency	Commodity	Legal Basis
BAI	animals, animal products	AO No. 4, S 1980 <sup>1</sup>
BFAR	fresh, chilled, frozen fish and fishery/aquatic products	RA 8550 <sup>2</sup>
		FAO No. 210, S 2001 <sup>3</sup>

*Agencies to attach copies of laws, AOs*

---

<sup>1</sup> Veterinary Quarantine Services at Philippine Ports; b. Examine animals, animal products and effects on board vessel docking/anchoring within the port of assignment for the purpose of determining their sanitary conditions and ascertain if same have complied with shipment import and/or export regulations.

<sup>2</sup> The Fisheries Code of 1998

<sup>3</sup> SEC. 6. Pre-shipment inspection. – Fish products shall be inspected prior to its shipment for proper verification, and to ensure completes of its accompanying documents.

**Annex VIII-2. Competent Agency/Bureau by Commodity**

<b>Commodity</b>	<b>Competent Bureau/Agency</b>
animals, animal products and by-products including meat, animal feeds, feed ingredients or additives, veterinary drugs and biological products	BAI
fish, fishery/aquatic products	BFAR

### Annex VIII-3. Process Description: Export Inspection

**Step 1.** The **applicant** submits a duly accomplished application for inspection and the required documents to the DA Quarantine Office at the port of exit of the shipment.

Step 2. The **DABI** verifies whether the application form and documents are sufficient in form and substance.

The application form is sufficient in form and substance if all the fields that have to be answered are filled up and the answers are in accordance with the instructions for filling up the forms.

The accompanying documents are complete if all the requirements as specified are submitted. The attached documents are sufficient if the photocopies match the original. The **DABI** shall ensure the authenticity of the SPS Import Clearance and the International SPS Certificate. He/she shall also verify the consistency of the submitted documents.

Step 3. The **DABI** in the regulatory agency checks whether the application involves a commodity whose import is banned in the country of destination or whose export is banned in the Philippines (e.g. endangered species, potential pests).

The DABI shall recommend the confiscation of the products whose export is banned in the Philippines. For products whose import is banned in the destination country, the DABI shall ask the exporter to withdraw the products.

Step 4. The **DABI** conducts a consignment identity and integrity examination to check if the shipment is as described in the documents.

If the cargo is not clearly identifiable or not accurately described in the accompanying documents, the DABI shall ask the exporter to withdraw the products.

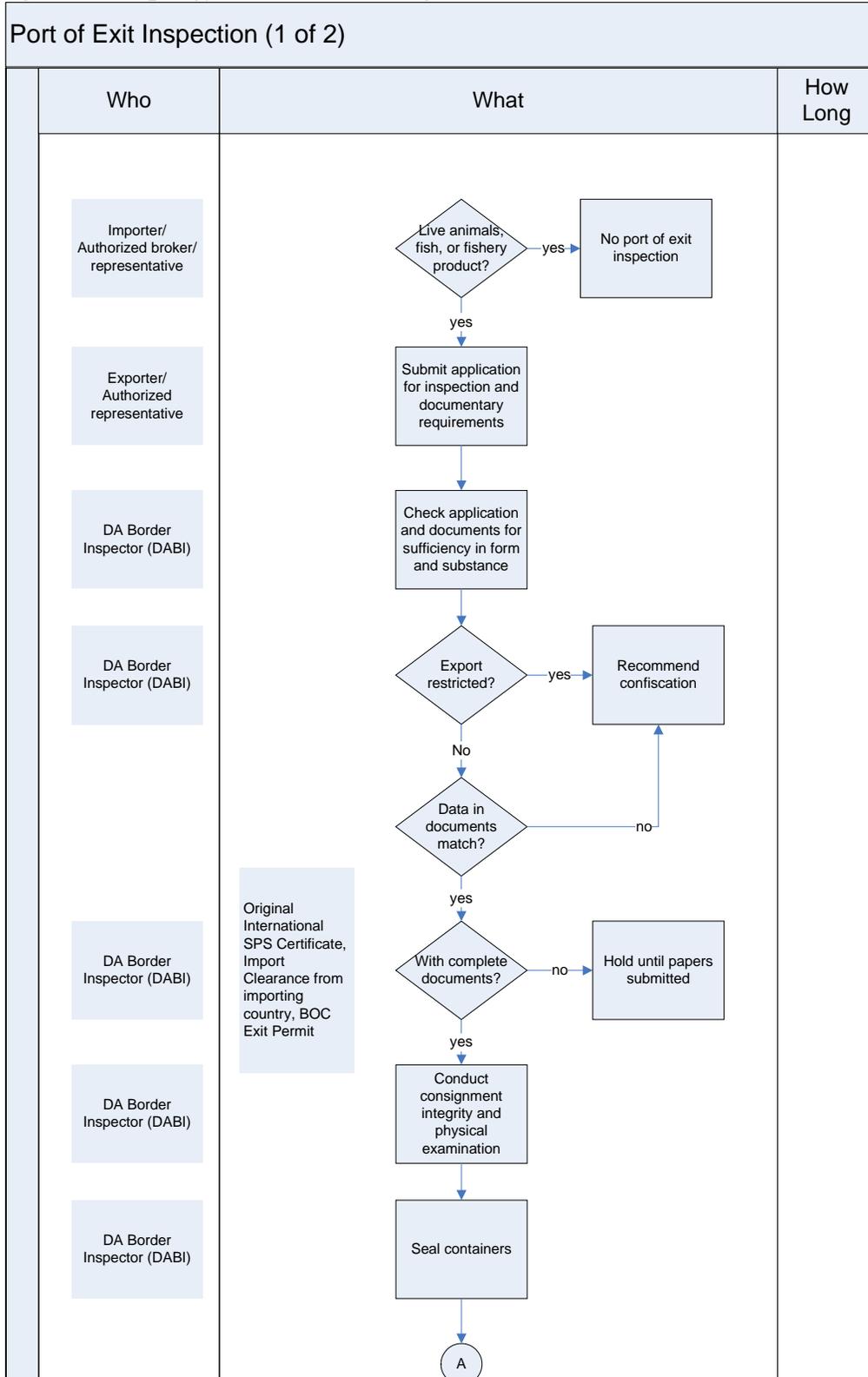
Step 5. If satisfied with the examination, the **DABI** seals the container.

**Step 6** The **DABI** stamps the BOC exit permit form.

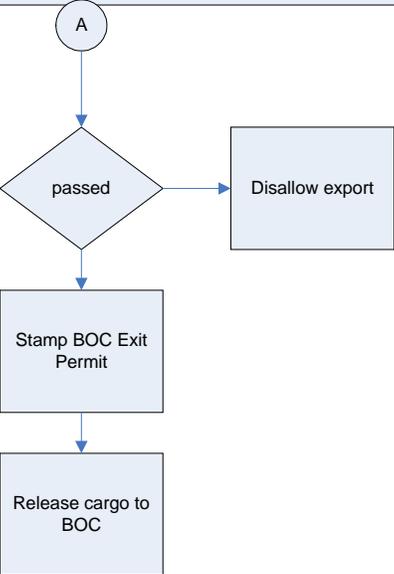
Step 7. The **DABI** releases the BOC exit permit cargo to the exporter and endorses the cargo to the BOC.

## Annex VIII-4. Process Diagram: Port of Exit Inspection

*Agencies to specify who and how long columns*



Port of Exit Inspection (2 of 2)

Who	What	How Long
<p>DA Border Inspector (DABI)</p> <p>DA Border Inspector (DABI)</p> <p>DA Border Inspector (DABI)</p>	 <pre> graph TD     A((A)) --&gt; D{passed}     D --&gt; E[Disallow export]     D --&gt; F[Stamp BOC Exit Permit]     F --&gt; G[Release cargo to BOC]             </pre>	

### Annex VIII-5. Export Inspection: Types and Scope

Type	Scope
Documentation check	<p>Examination of documents associated with a consignment - Import and export documents are examined to ensure that they are complete, consistent, accurate, valid and not fraudulent</p> <p>The documents examined are the SPS Import Clearance issued by the competent DA agency, the International SPS Certificate issued by the competent agency of the exporting country, the bill of lading and the sales invoice for the consignment.</p>
Consignment integrity check	<p>Verification of consignment identity and integrity - The inspection for identity and integrity involves checking to ensure that the consignment is accurately described by its documents.</p> <p>The identity check verifies whether the type of product is in accordance with the accompanying international SPS certificate. The integrity check verifies if the consignment is clearly identifiable and the quantity and status is as declared in the accompanying international SPS certificate.</p> <p>Consignment verification <b>REQUIRES A PHYSICAL EXAMINATION</b> of the consignment to confirm the identity and integrity, including checking for seals, safety conditions and other relevant physical aspects of the shipment that may be of sanitary and phytosanitary concern.</p>

**Annex VIII-6. Inspection Guidelines**

*Agencies to attach specific inspection guidelines by commodity*

## Annex VIII-7. Form: Request for Inspection Form

Form Code [code]

DA and Bureau or Agency Logos	Republic of the Philippines Department of Agriculture [Bureau or Agency Name] [Service Name] [Port of _____] [Bureau or Agency TIN]	<b>APPLICATION FOR PORT OF EXIT INSPECTION</b>
----------------------------------	--	--

*To be Filled up by the Bureau or Agency*

1. Date Received	2. Application No.
------------------	--------------------

*To be Filled up by the Applicant*

[The Bureau or Agency]  
[Bureau or Agency Name]  
[Location]

Sir/Madam:

I have the honor to apply for inspection of the cargo consignment described below:

### A. TRADER DETAILS

3. Business Name and Address of Exporter / Consignor	4. Tel No. of Consignor
5. Business Name and Address of Importer / Consignee	6. Tel No. of Consignee
7. Business Name and Address of Broker	8. Tel No. of Broker

### B. TRANSPORT DETAILS

9. Name of Vessel/Plane	10. Voyage No. / Flight No.	11. Date of Arrival
-------------------------	-----------------------------	---------------------

### C. CARGO CONSIGNMENT DETAILS

12. Commodity Name	13. Brand Name	14. Common / Generic Name
15. Scientific / Chemical Name	16. Commodity Description / Specification / Classification	
17. Quantity and Unit of Measure	18. Total Value (FOB US\$)	19. Allowable Tolerance (% or qty)
20. Purpose of Shipment: <input type="checkbox"/> Breeding <input type="checkbox"/> Propagation <input type="checkbox"/> Commercial <input type="checkbox"/> Manufacturing <input type="checkbox"/> Experimental <input type="checkbox"/> Samples <input type="checkbox"/> Consumption <input type="checkbox"/> Others _____		

Very truly yours,

\_\_\_\_\_  
Applicant  
(Signature over Printed Name)