



Technical Report

Streamlining Technical Regulations on the Department of Agriculture's SPS Administration: SPS Administration Manual, Bureau of Plant Industry, Department of Agriculture

by Cesar Virata and Associates (CVAI)

Prepared for

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

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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
BUREAU OF PLANT INDUSTRY
DEPARTMENT OF AGRICULTURE**

July 2007

**SPS ADMINISTRATION MANUAL
BUREAU OF PLANT INDUSTRY
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

I. GENERAL INFORMATION

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I. GENERAL INFORMATION

A. Introduction

1. Background and Objectives

This manual is meant to provide regulators of the Bureau of Plant Industry (BPI) with practical guidelines in doing their work. It uses a template for manuals that compile the regulations on SPS currently being implemented by the Department of Agriculture (DA) agencies and bureaus in a manner that is comprehensive and user-friendly. Each agency or bureau, or division charged with a specific group of commodities, will have its own manual following said template.

The template and this document was drafted as part of the project “Streamlining SPS Administration in the Department of Agriculture,” supported by the EMERGE program of the 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.

This is a first edition manual. Clearly, it will be updated as the DA agencies continue the harmonization effort after the project and the BPI continues separately to improve and document its own processes.

2. Organization

The manual is organized as follows:

- I. Introduction
- 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

Two chapters in the template, namely II on Registration of Products and VIII on Port of Exit Inspection are not included in this edition of the BPI manual because BPI currently does not implement these regulatory processes.

Following the template, most of the substantive material is presented in annexes attached to the above chapters. This will allow the BPI 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 II-1.

However, the BPI does not currently require any registration of product.

2. Commodity Coverage

The commodity coverage of each of the regulatory processes for imports is shown in Annex II-2.

3. Agencies Responsible

The competent agency or bureau for each of the regulatory processes by commodity is shown in Annex II-3.

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

However, the BPI does not currently enforce any registration of product for exports. It also does not conduct port of exit inspection.

The flow diagram of general regulatory processes for exports is shown in Annex II-4.

2. Coverage

The coverage of each of the regulatory processes is largely defined by importing countries and shown in Annex II-5.

3. Competent Agency/Bureau

The responsible agency or bureau for each of the regulatory processes by product is shown in Annex II-6.

E. Other References

1. International and Regional Guidelines and Standards

A listing of regional and international guidelines and standards is shown in Annex II-7.

2. Relevant references and websites

A listing of useful references and websites is shown in Annex II-8.

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 inputs¹;
 - 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 inputs²;
 - 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 regulations³.
 - 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

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

² These include regulations on genetically-modified products.

³ 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 circumstances⁴.
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.

⁴Complying 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%:

II. PRESIDENTIAL DECREE NO. 1433

June 10, 1978

PROMULGATING THE PLANT QUARANTINE LAW
OF 1978, THEREBY REVISING AND CONSOLIDATING EXISTING PLANT
QUARANTINE LAWS TO FURTHER IMPROVE
AND STRENGTHEN THE PLANT QUARANTINE SERVICE OF THE BUREAU OF
PLANT INDUSTRY

WHEREAS, economic losses due to injury on agricultural crops brought about by plant pests have become increasingly significant;

WHEREAS, the prevention of introduction, incursion, establishment and subsequent spread of plant pests by regulating the international and domestic movements of plants and plant products, is considered more practical and economical than any other method of plant pest control;

WHEREAS, modern means of transportation and handling of imports and exports have favored the expeditious and extensive movements of plants and plant products, thereby, increasing the risk of plant pest introduction and/or incursion;

WHEREAS, plant quarantine is basically and essentially a preventive measure, it being the actual frontline defense against the introduction or incursion into the country of plant pests which are destructive to our agricultural crops;

WHEREAS, some of the provisions of Act No. 3027 dated March 8, 1922, entitled, "*AN ACT TO PROTECT THE AGRICULTURAL INDUSTRIES OF THE PHILIPPINE ISLANDS FROM INJURIOUS PLANT PESTS AND DISEASES EXISTING IN FOREIGN COUNTRIES AND FURTHER TO REGULATE THE DOMESTIC MOVEMENT OF THE PLANT MATERIALS IN ORDER TO MINIMIZE THE INJURY FROM PESTS AND DISEASES ALREADY INTRODUCED*" And Act No. 3767, dated November 26, 1930, entitled "*AN ACT REGULATING THE IMPORTATION, BRINGING OR INTRODUCTION INTO THE PHILIPPINE ISLANDS OF LIVING ANIMALS, SUCH AS INSECTS, BIRDS, CRUSTACEANS, BATS, MOLLUSKS, REPTILES, MAMMALS, AND OTHER ANIMALS, NOT FALLING WITHIN THE SCOPE OF THE TERM 'DOMESTIC ANIMALS' AS PROVIDED AND DEFINED IN SECTION FOUR OF ACT NUMBERED THIRTY-SIX HUNDRED AND THIRTY-NINE, IN ORDER TO PROTECT THE AGRICULTURAL INDUSTRIES OF THIS COUNTRY AND FOR OTHER PURPOSES*" are no longer relevant and applicable to the protection of plant industries of this country, and therefore, require urgent and immediate modification and updating;

WHEREAS, the Plant Quarantine rules and regulations of the Philippines must be compatible with those of other countries and with the provisions of the Food and Agriculture Organization - International Plant Protection Convention of the United

Nations to which the Philippines is a signatory;

WHEREAS, the attainment of the foregoing objectives require the necessary improvement and strengthening of the Plant Quarantine Services of the Bureau of Plant Industry by providing adequate laws; regulations; resources and facilities; and incentives to Plant Quarantine Officers.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution do hereby decree and order the following:

SECTION 1. This Decree shall be known as the "*Plant Quarantine Decree of 1978.*"

SEC. 2. *Definition of Terms.* — The following terms used in this Decree shall mean as follows:

- a. "Person" — any natural or juridical person such as corporation, partnerships, societies, associations, firms, companies and other legal entities.
- b. "Director" — The Director of Plant Industry.
- c. "Plant Quarantine Officer" — any person so appointed and/or designated by the Director of Plant Industry.
- d. "Country" — any independent political unit or sovereign nation, territory, colony and political or territorial subdivision.
- e. "Carrier" — includes any sort or craft or other artificial contrivance used, capable of being used as means of transportation in land, water or air.
- f. "Plants" — shall compromise living plants and parts thereof, including seeds, cuttings, rhizomes, bulbs and corns, grafts, leaves, roots, scions and others that are capable of propagation.
- g. "Plant Products" — shall mean products derived from plants, either in their natural state or in manufactured or processed form and are capable of harboring plant pests.
- h. "Potential Animal Pest" — shall compromise certain species of animal that are liable to become agricultural crop pests such as insects, monkeys, rodents, bats, finches, rabbits, snails and other forms of animal life capable of causing injury to agricultural crops.
- i. "Packing Materials" — includes leaves, straw, bark and other plant materials used as wrapping, packing, or converting and are capable of harboring plant pests.

j. "Plant Pest" — any form of plant or animal life, or any pathogenic agent, injurious or potentially injurious to plants and/or plant products.

k. "Quarantine Orders" — shall mean those Administrative Orders promulgated and issued by the Director of Plant Industry to implement the provision of this Decree.

l. "Commodity Treatment" — any form of treatment applied to plants, plant products, and other materials capable of harboring plant pests, for the purpose of destroying or eliminating any infection/infestation caused by plant pests.

m. "Port of Entry" — is a port open to both foreign and domestic trade. The term includes principal ports of entry and subports of entry.

n. "Importation" — is the act of bringing into the country the foreign commodities mentioned under Section 3 and 4 of this Decree for planting, consumption, manufacturing, domestication or for any other purpose.

o. "Plants — Plant Products in Transit" — shall refer to plants/plant products brought into any port in the country but are not intended for landing at the said port.

p. "Exportation" — is the act of transporting commodities mentioned under Sections 3, 4, and 6 hereof, from a local port to a foreign port.

q. "Phytosanitary Certification" — shall mean plant health certification.

SEC. 3. *Importation of plants and plant products.* — The importation and/or introduction into the Philippines of plants, plant products, soil, packing materials of plant origin capable of harboring and are a source of medium of infection/infestation of plant pests, is hereby restricted subject to such quarantine orders, rules and regulations as may be promulgated, from time to time, by the Director with the approval of the Secretary of Agriculture.

SEC. 4. *Importation of potential animal pests.* — The importation of certain species of animals which are liable to become agricultural crop pests and are capable of causing injury to agricultural crops, is hereby prohibited. However, importation in limited quantities for a justifiable purpose and upon a written permit from the Director of Plant Industry, may be allowed.

SEC. 5. *Commodities in transit.* — Commodities mentioned under Section 3 and 4 of this Decree, as well as, food provisions of plant origin and plant ornaments on board carriers, that are in transit shall be required of a clearance from the Plant Quarantine Officers assigned at the port concerned.

SEC. 6. *Exportation of plants and plant products.* — The Director and/or Plant Quarantine Officers shall cause the inspection and phytosanitary certification of all

plants, plant products and other related materials capable of harboring plant pests, if the importing country so requires.

SEC. 7. Inspection of plants/plants products, potential animal pests, and other materials. — The Director shall cause the appropriate inspection, of the commodities mentioned in Sections 3, 4 5 and 6 and to apply the necessary plant quarantine measures in order to attain the objectives of this Decree.

SEC. 8. Domestic Quarantine of plants and plant products. — In order to prevent and arrest the spread to other areas, of injurious plant pests existing in certain localities within the Philippines, the Director, and/or the Plant Quarantine Officers shall cause the inspection; treatment, if necessary; and certification of plants and plant products involved in the movement from one locality to another within the country.

In cases where it is necessary to contain plant pest(s) the Director may limit the movement of certain plants and/or plant products.

SEC. 9. Appointment and/or designation of Plant Quarantine Officers. — The Director shall cause the appointment and/or special designation of Plant Quarantine Officers, who shall act as his representatives, in implementing and enforcing the provisions of this Decree. Provided, however, that such special designation shall be in written form.

SEC. 10. Powers and Duties of Plant Quarantine Officers. —

- a. To inspect all carriers, crew/passenger luggage and incoming mails, in order to determine the presence of plants, plant products, and other materials capable of harboring plant pests, as well as, potential animal pests.
- b. To enter into the plant and inspect any and all areas where plants, plant products, and other materials capable of harboring plant pests are landed, stored, and/or grown.
- c. To examine imported plants, plant products, and other materials capable of harboring plant pests as well as potential animal pests and to administer necessary measures to ensure effective implementation of the provisions of this Decree.
- d. To inspect, administer treatment, if necessary; and issue phytosanitary certificates on plants, plant products, and other related materials intended for export, if the improving country so requires.
- e. To confiscate and destroy or refuse entry of plants, plant products and potential animal pests involved in prohibited importations, as well as prohibited plants and plant products which exportation is, likewise, prohibited.
- f. To perform such other related duties which maybe assigned to him, from time to time.

In the exercise of the powers and duties herein vested to Plant Quarantine Officers, they are hereby given police power and authority.

SEC. 11. *Non-liability Clause.* — All charges for storage, demurrage, cartage, labor and delays incident to inspection, cost of disinfection or disinfestation and other post-entry requirements shall be the responsibility of the importer or the exporter, as the case may be. Provided, that the Bureau of Plant Industry and/or its authorized representative shall not be held liable for damages to the commodity in the course of the implementation of the provisions of this Decree.

SEC. 12. *Duties of the Importer and Exporter.* — The importers, exporters, or their authorized representatives shall submit a declaration to the Director of Plant Industry or his authorized representatives at, or before the time of entry/embarkation of commodities mentioned under Sections 3, 4 and 6 hereof, for importation/exportation. Such declaration shall indicate the name and address of the consignor/consignee; the purpose; kind, nature and quantity of said commodities; the country or locality where the same was grown; place and date of unloading or embarkation; and the registered name of carrier carrying the consignment.

SEC. 13. *Entrance and Clearance of Carriers.* — The owner, operator, agent or master of carriers flying international and/or domestic routes are hereby required to serve a notice of arrival and departure and to provide inward and outward cargo manifests and other declarations of said carriers to the Plant Quarantine Officer at the port. Prior to departure, the agent or master of said carrier must secure a clearance from the Plant Quarantine Officer thereat.

The Collector of Customs or his authorized agents shall, require the owner, agent or master of carrier to submit a copy of the certificate of Plant Quarantine Clearance as a pre-requisite to the issuance of the Customs Clearance.

SEC. 14. *Collection of Fees.* — The Director shall promulgate rules and regulations governing the collection of nominal regulatory fees for inspection, certification, import permits, commodity treatment and other, on commodities mentioned under Section 3, 4 and 6. Provided, that said collections shall constitute the Revolving Fund of the National Plant Quarantine Service, to augment the existing appropriations therefor, subject to government accounting and auditing regulations. Provided, however, that importations and exportations of all government agencies; government owned or controlled corporations; donations to and for the account of any duly registered relief-organizations; or any charitable institution certified by the Department of Social Services and Development; embassies of foreign governments; and those that may be declared by the President, upon the recommendation of the National Economic and Development Authority, in the interest of economic development, are exempted from payment of such fees excluding, however, the expenses incurred in commodity treatment.

SEC. 15. *Overtime Services.* — The services of Plant Quarantine Officers, fumigators and helpers performed outside office hours and reimbursement of meal, transportation,

lodging and other incidental expenses shall be chargeable to party or parties served at rates to be prescribed by the Secretary of Agriculture upon recommendation of the Director.

SEC. 16. *Cooperating Agencies.* — The Director may, when necessary, call upon other government agencies (military, civil, national or local) in the implementation of plant quarantine regulation and dissemination of information to the general public.

SEC. 17. *Authority to promulgate Special Quarantine Orders, Rules and Regulations.* — The Director, with the approval of the Secretary of Agriculture, is hereby authorized to promulgate such Special Quarantine Orders, rules and regulations to implement the provisions of this Decree.

SEC. 18. *The Plant Quarantine Board.* — For the purpose of carrying out the provisions of this Decree, a Plant Quarantine Board is hereby created composed of the following:

- | | |
|---|-----------|
| a. The Director of Plant Industry | -Chairman |
| b. Commissioner of Customs or Representative | -Member |
| c. General Manager or representative of Philippine Ports Authority | - Member |
| d. Director, Bureau of Quarantine or representative | -Member |
| e. Director, Bureau of Animal Industry or Representative | -Member |
| f. Representative from the National Economic and Development Authority | -Member |
| g. Representative from the Central Bank of the Philippines | -Member |
| h. Administrative or representative of the Philippine Coconut Authority | - Member |
| i. Director of Forestry or representative | - Member |
| j. Bureau of Plant Industry Legal Office | -Member |
| k. Representative from the Importers' and Exporters' Confederation | -Member |

- l. Chief, Crop Protection Division, Bureau of Plant Industry -Member
- m. Postmaster-General or representative -Member
- n. Chief, Plant Quarantine Section, Bureau of Plant Industry -Secretary

SEC. 19. *Duties of the Board.* — The Plant Quarantine Board shall be the advisory body to assist the Director of Plant Industry in formulating orders, rules and regulations for the effective implementation of the revisions of this Decree.

SEC. 20. *Board Meeting.* — The Board shall meet once every quarter, or may call special meetings when necessary, provided, that such special meetings shall not be held more than four (4) times annually. The members of the Board shall receive a per diem of Two Hundred Pesos (P200.00) each per meeting.

SEC. 21. *Quorum.* — A majority of the members of the Board shall constitute a quorum.

SEC. 22. *Appropriation of the Plant Quarantine Board.* — The sum of P300,000.00 annually is, hereby appropriated for the expenses of the Plant Quarantine Board. Provided, that any unexpected amount of the said sum shall be reverted to the Plant Quarantine Revolving Fund.

SEC. 23. *Penalty Clause.* — Any person, company or corporation who violates the provisions of this Decree, or forges, counterfeits, alters, defaces and destroys any document issued by virtue of this Decree shall be fined not more than Twenty Thousand Pesos (P20,000.00) or by imprisonment from prison correctional to prison mayor, or both, at the discretion of the Court.

SEC. 24. *Separability Clause.* — If any of the provisions of this Decree shall be invalid, the remainder shall be operative.

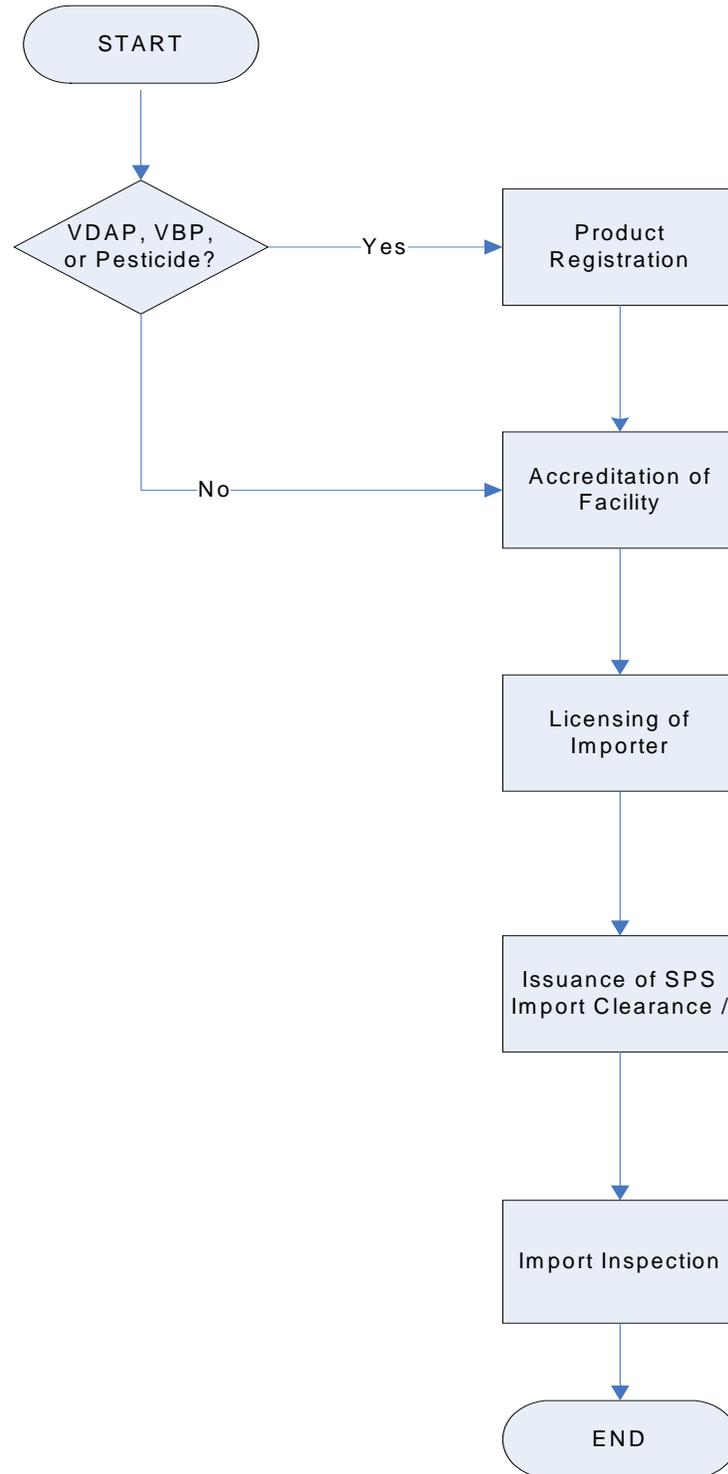
SEC. 25. *Repealing Clause.* — All laws, rules and regulations inconsistent with the provisions of this Decree are, hereby superseded or revoked accordingly.

SEC. 26. *Effectivity.* — This Decree shall take effect immediately upon approval.

Done in the City of Manila, this 10th day of June, in the year of Our Lord, Nineteen Hundred and Seventy-Eight.

FERDINAND E. MARCOS
President of the Philippines

Annex II-1. Process Flow; Imports Regulations



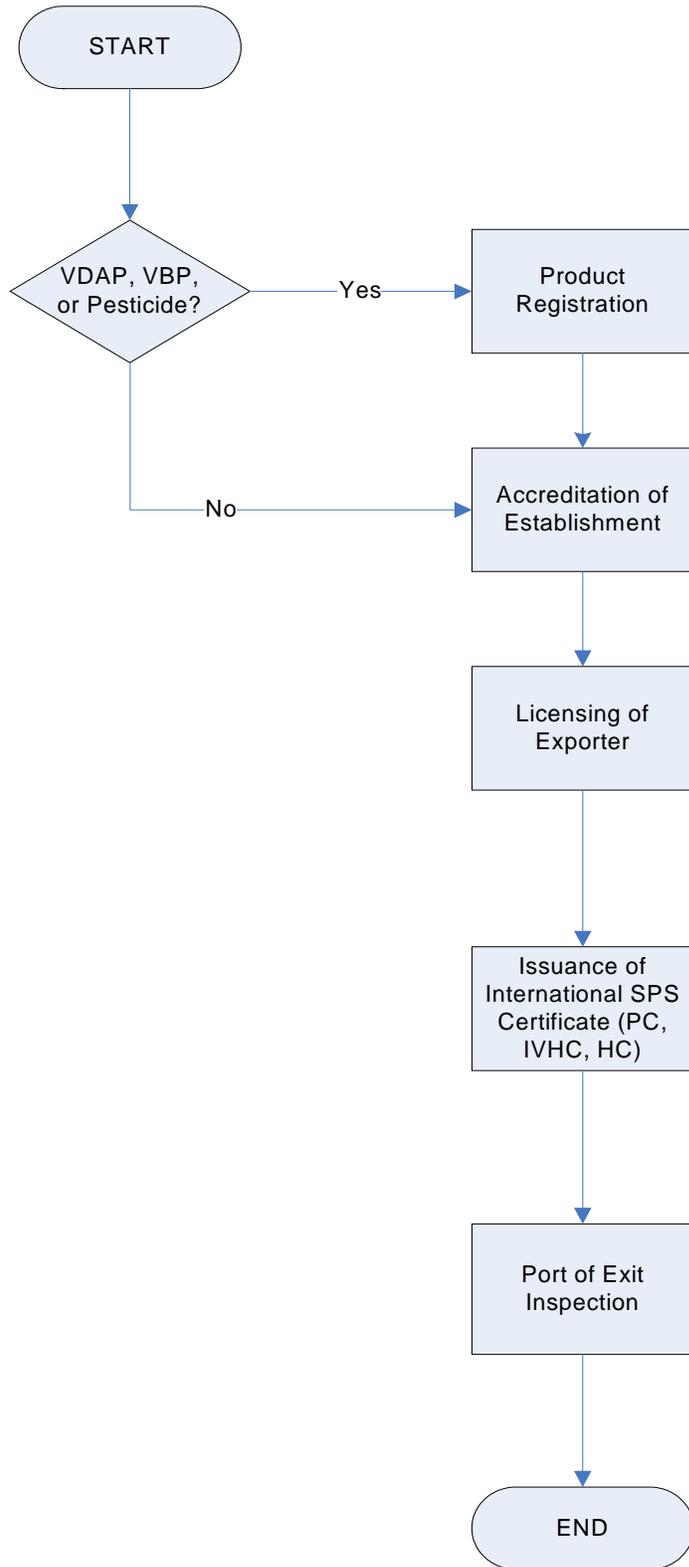
Annex II-2. Commodity Coverage; Imports Regulations

- 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 II-3. Agency/Bureau Responsibility; Imports Regulations

Commodity	Competent Bureau/Agency
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 II-4. Process Flow; Exports Regulations



Annex II-5. Coverage; Export Regulations

Commodity	Importing Country	Export Regulation
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 II-6. Agency/Bureau Responsibility; Exports Regulations

Commodity	Competent Bureau/Agency
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 II-7. 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 II-8. 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>

- WTO Sanitary and Phytosanitary Measures Gateway
http://www.wto.org/English/tratop_e/sps_e/sps_e.htm

- International Phytosanitary Portal
<https://www.ippc.int/IPP/En/default.jsp>

- CODEX Alimentarius website
http://www.codexalimentarius.net/web/index_en.jsp

- Food and Agriculture Organization of the United Nations
<http://www.fao.org/>

- CITES website
<http://www.cites.org/>

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"> • PD 1433 • BPI Quarantine AO No. 1 S. 1981 • BPI Memorandum Order, September 12, 2006
BAI NVQS	Meat and meat products ¹	<ul style="list-style-type: none"> • DA AO 18, S 2000 • DA SO 240 S 2000 • BAI AO 1, S 2003 • DA AO 26, S 2005
	Live animals	<ul style="list-style-type: none"> • Administrative Code of 1987 (EO 292) • BAI Memorandum Order, August 16, 2004
NMIS	Meat and meat products	<ul style="list-style-type: none"> • AO 1, S. 2007²
BAI AFSD	Feeds and feed ingredients	<ul style="list-style-type: none"> • RA 1556
	Veterinary drugs and products	<ul style="list-style-type: none"> • RA 3720
BAI LSD VBSS	Veterinary biological products	<ul style="list-style-type: none"> • Act 3101, March 16, 1923 • AO 9, S. 1982
BFAR	All	<ul style="list-style-type: none"> • RA 8550
	Live fish and other aquatic products (seaweeds, shells, aquarium fishes and others)	<ul style="list-style-type: none"> • FAO 221 S. 2003
	Milkfish fry	<ul style="list-style-type: none"> • FGMO 119, May 20, 2003
	Fresh/chilled/frozen fish and fishery/aquatic products	<ul style="list-style-type: none"> • FAO 195 S. 1999
FPA	Fertilizers and pesticides	<ul style="list-style-type: none"> • PD 1144

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

² Accreditation, Registration and Licensing of Meat Importers, Brokers, Exporters, Traders or Handlers

Annex III-2. Coverage; Accreditation of Establishments

Commodity	Facility/Establishment	Agency
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

Establishments requiring Accreditation from the Bureau of Plant Industry

- a. Domestic Quarantine Treatment Providers for importers and exporters
 - i. Heat Treatment Providers
 - ii. Fumigators

- b. Farms and packing plants of exporters³ of:
 - i. Bananas⁴
 - ii. Mango for Japan, Korea, Australia, New Zealand, US, China
 - iii. Okra for Japan
 - iv. Pineapple for Australia Dole only farm and exporter
 - v. Asparagus for Japan (draft)
 - vi. Papaya for Japan, Korea, Australia, New Zealand,

- c. Cold Storage/Processing (packing) Facilities for fresh fruits and vegetables in Australia and Pakistan exporting to the Philippines

- d. Domestic cold storage and warehouse for imports of fresh fruits and vegetables (part of accreditation of importers)

³ The accreditation of the exporter covers the accreditation of farms that are sources for the exports and packing plants used for the exports

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]	Application for Accreditation of an Establishment
--	---	--

<i>To be filled up by the Bureau or Agency</i>	
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

Tracking Box (To be filled up by the Bureau or Agency)		
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)		
Checklist of Requirements (Refer to Attachment)		

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

Agency	Name of Fee	Fee
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 **Plant Quarantine Service (PQS)** of the Bureau of Plant Industry orients the applicant on the application process and its requirements. It also informs the applicant of the privileges and responsibilities of accredited establishments.
- The **PQS** 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 **PQS** 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 **PQS** 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 **PQS** 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 **PQS** 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 **PQS** informs the applicant to submit missing documents and holds on to the application form and accompanying documents until these are completed.

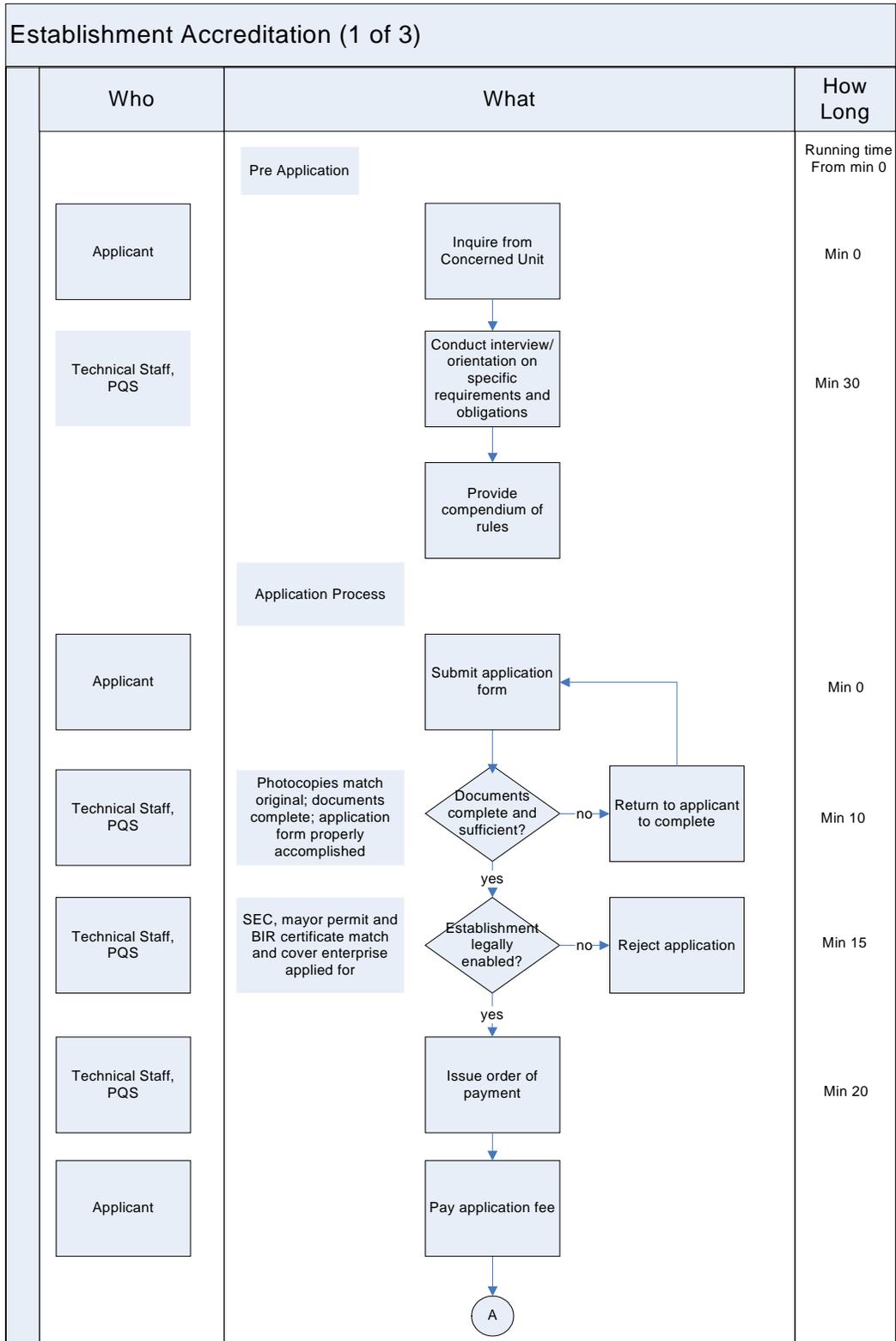
Only those application forms that are sufficient in form and substance and accompanied by the required business permits and clearances that are consistent with the application must be accepted and processed further.

- Step 6 For applications that are accepted, the **PQS** 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 **PQS** 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 **PQS** 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 **PQS** 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 **PQS** 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 **PQS**.
- Step 14. The **PQS** 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 PQS** reviews and confirms the recommendation.
- Step 16 The **PQS** 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 **PQS** prepares the Certificate of Accreditation of Establishment.
- Step 18 The **PQS** transmits the certificate, with a recommendation from its chief, to the Director of the Bureau of Plant Industry for signature.
- Step 19 The **PQS** 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



Establishment Accreditation (2 of 3)

Who	What	How Long
<p>Technical Staff, PQS</p>	<p>(A)</p> <p>Record OR no. amount and date on; stamps and signs application form</p>	<p>Running time From Min 0</p>
<p>Technical Staff, PQS</p>	<p>Conduct technical documentary review</p>	
<p>Technical Staff, PQS</p>	<p>Tech docs sufficient in substance and authentic?</p> <p>no</p> <p>no</p> <p>Notify applicant; return application docs to applicant; set period for applicant to complete tech docs showing compliance; record return date</p>	<p>Day 2</p>
<p>Technical Staff, PQS</p>	<p>Tech docs show compliance?</p> <p>yes</p> <p>Notify applicant and schedule inspection</p>	<p>Day 2</p>
<p>Technical Staff, PQS</p>	<p>Inspect establishment and site</p> <p>(C)</p>	<p>Day 4</p>
<p>Inspector</p>	<p>Prepare inspection report</p>	<p>Day 4</p>
<p>Chief, PQS</p>	<p>Review inspection report</p> <p>(B)</p>	

Establishment Accreditation (3 of 3)

Who	What	How Long
<p>Technical Staff, PQS</p>	<pre> graph TD B((B)) --> D{Site and facility compliant?} D -- no --> N[Notify applicant; return application docs to applicant; set period for applicant to complete tech docs showing compliance; record return date] N --> C((C)) D -- yes --> P[Prepare certificate] </pre>	<p>Running time From min 0</p>
<p>Technical Staff, PQS</p>	<p>Prepare certificate</p>	<p>Day 5</p>
<p>Chief, PQS</p>	<p>Recomemnd approval</p>	<p>Day 5</p>
<p>Director, BPI</p>	<p>Sign certificate</p>	<p>Day 6</p>
<p>Technical Staff, PQS</p>	<p>Authenticate, record and notify applicant</p>	<p>Day 6</p>
<p>Technical Staff, PQS</p>	<p>Give orientation to awardee</p>	
<p>Technical Staff, PQS</p>	<p>Release certificate</p>	<p>Day 6</p>

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

BPI Assessment Checklist for Quarantine Service Provider Accreditation

A. Methyl Bromide Fumigation Equipment

Fumigation Equipment	Actual Inspected Unit
Circulator (fans)/Aerator	
Vaporizer with fittings	
CH3Br Applicator/Distribution hose	
Gas Monitoring hose/tubes	
Appropriate detection units	
Detector pump	
Detector tubes	
Leak detector unit	
Fogging machine	
Measuring tape	
Polyethylene plastic sheets	
Packaging tape	
Sandsnakes	
Cloth-rugs	
Flashlight	
Warning signs	
Yellow warning sign	
Stickers	
Warning posts/barriers	
Fire Extinguisher	
Safety Equipment	
Self-Contained Breathing Apparatus (SCBA)	
Full Mask Canister Respirator	
Reflectorized vests	
Protective gloves	
Safety shoes	
Headgear	
Safety harnesses and ropes	
First Aid kit	
Others:	

B. Site Location for those with fixed chamber (narrative report)

C. Actual Fumigation Demonstration (narrative report)

D. Recommendation

Procedure for Accreditation: Banana Exporters Farms and Packing House

1. All interested exporters must file an application for accreditation to the nearest BPI-PQS.
2. Whenever necessary, the BPI-PQS will conduct an interview specially for applicants who still do not have track record of fresh banana exports. Interview will cover Plant Quarantine Law, rules and regulations and the Protocol for Banana Export.
3. BPI-PQS shall validated and evaluate the operational and cultural management practices, packinghouse standards and operations of listed banana producers' the disposal and sanitation programs of each packinghouse shall also be evaluated.
4. Upon completion of items 1-3 above, BPI-PQS will issue a Certificate or Accreditation.
5. Any accredited exporter who violates the Plant Quarantine Law, rules and regulations of this protocol will be delisted as an accredited exporter and its Certificate of Accreditation shall be revoked. Re-accreditation shall only be possible upon compliance of all corrective measures based on thorough plant quarantine investigation.

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

Accredited establishments may be asked to suspend operations 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

The recommendation to suspend operations may be made by the PQS inspector following an inspection of the accredited facility.

The revocation of accreditation 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.
2. The accredited establishment 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 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

Agency	Commodity	Legal basis
BPI	Plants, planting materials, plant products, potential plant pests	<ul style="list-style-type: none"> • PD 1433 • BPI Quarantine AO No. 1 S. 1981 • BPI Memorandum Order, September 12, 2006
BAI NVQS	Meat and meat products ¹	<ul style="list-style-type: none"> • DA AO 18, S 2000 • DA SO 240 S 2000 • BAI AO 1, S 2003 • DA AO 26, S 2005
	Live animals	<ul style="list-style-type: none"> • Administrative Code of 1987 (EO 292) • BAI Memorandum Order, August 16, 2004
NMIS	Meat and meat products	<ul style="list-style-type: none"> • AO 1, S. 2007²
BAI AFSD	Feeds and feed ingredients	<ul style="list-style-type: none"> • RA 1556
	Veterinary drugs and products	<ul style="list-style-type: none"> • RA 3720
BAI LSD VBSS	Veterinary biological products	<ul style="list-style-type: none"> • Act 3101, March 16, 1923 • AO 9, S. 1982
BFAR	All	<ul style="list-style-type: none"> • RA 8550
	Live fish and other aquatic products (seaweeds, shells, aquarium fishes and others)	<ul style="list-style-type: none"> • FAO 221 S. 2003
	Milkfish fry	<ul style="list-style-type: none"> • FGMO 119, May 20, 2003
	Fresh/chilled/frozen fish and fishery/aquatic products	<ul style="list-style-type: none"> • FAO 195 S. 1999
FPA	Fertilizers and pesticides	<ul style="list-style-type: none"> • PD 1144

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

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

² 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"> • MO 1, S 2004³
	Okra	<ul style="list-style-type: none"> • MO 84, S 2002⁴ • MO 86, S 2005⁵
PCA	Coconut products and by-products	<ul style="list-style-type: none"> • PD 1468 • PD 1644 • PCA AO 003, S 1981⁶ • PCA AO 1, S 2003 • MC 1-003-81, S 1981
FIDA	Philippine commercial fiber	<ul style="list-style-type: none"> • PD 652 • EO 706 • EO 116 • FIDA Revised AO 1, S. 1999⁷
NMIS	Meat and meat products	<ul style="list-style-type: none"> • AO 1, S. 2007⁸
BAI AFSD	Feeds and feed ingredients	<ul style="list-style-type: none"> • RA 1556⁹
	Veterinary drugs and products	<ul style="list-style-type: none"> • RA 3720¹⁰ • RA 6675¹¹
FPA	Pesticides	<ul style="list-style-type: none"> • PD 1144¹²

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

³ Revised Banana Export Protocol

⁴ Revised Protocol for the Export of Fresh Okra to Japan

⁵ Renewal of Accreditation of Okra Exporters and Farmers

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

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

⁸ Accreditation, Registration and Licensing of Meat Importers, Brokers, Exporters, Traders or Handlers

⁹ Poultry and Livestock Feeds Act

¹⁰ Food, Drugs and Devices and Cosmetics Act

¹¹ Generics Act of 1988

¹² Creating the Fertilizer and Pesticide Authority and Abolishing the Fertilizer Industry Authority

Annex IV-3. Coverage; Licensing of Importer/Exporter/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	BAI
fish, fishery/aquatic products and pure fish product feeds	BFAR
fresh fruits and vegetables	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 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

Commodities	Countries
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

The BPI licenses exporters above simultaneous with accrediting the exporter's farms and packing plants.

Agencies to add commodities and countries as bilateral agreements are negotiated

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

Commodity	Requirements
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]	Application for Licensing of an Importer / Handler
----------------------------------	---	---

<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>		
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 License No. of Importer/Handler	5. Issuing Bureau or Agency
6. Business Name of Importer / Handler		
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 Importer / Handler		
11. Tel No.	12. E-mail Address	
13. Plant / Warehouse / Storage Address		14. Tel. No.
15. Contact Person		16. Tel No. of Contact Person
17. Name of Authorized Applicant		18. Tel No. of Authorized Applicant
19. Nature of Business <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

20. Commodity Covered		
<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		
21. Commodity Description		
<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

22. Name of Supplier	23. Address of Supplier	24. Country of Origin

D. Applicant Declaration

25. Signature over Printed Name of Authorized Representative of Importer / Handler		
26. 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

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

Application form: back page

Tracking Box (To be filled up by the Bureau or Agency)			
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)			
Checklist of Requirements (Refer to Attachment)			

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

Agency	Name of Fee	Fee
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 **Plant Quarantine Service (PQS) of the Bureau of Plant Industry** 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 **PQS** 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 **PQS** 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 **PQS** 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 **PQS** 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.

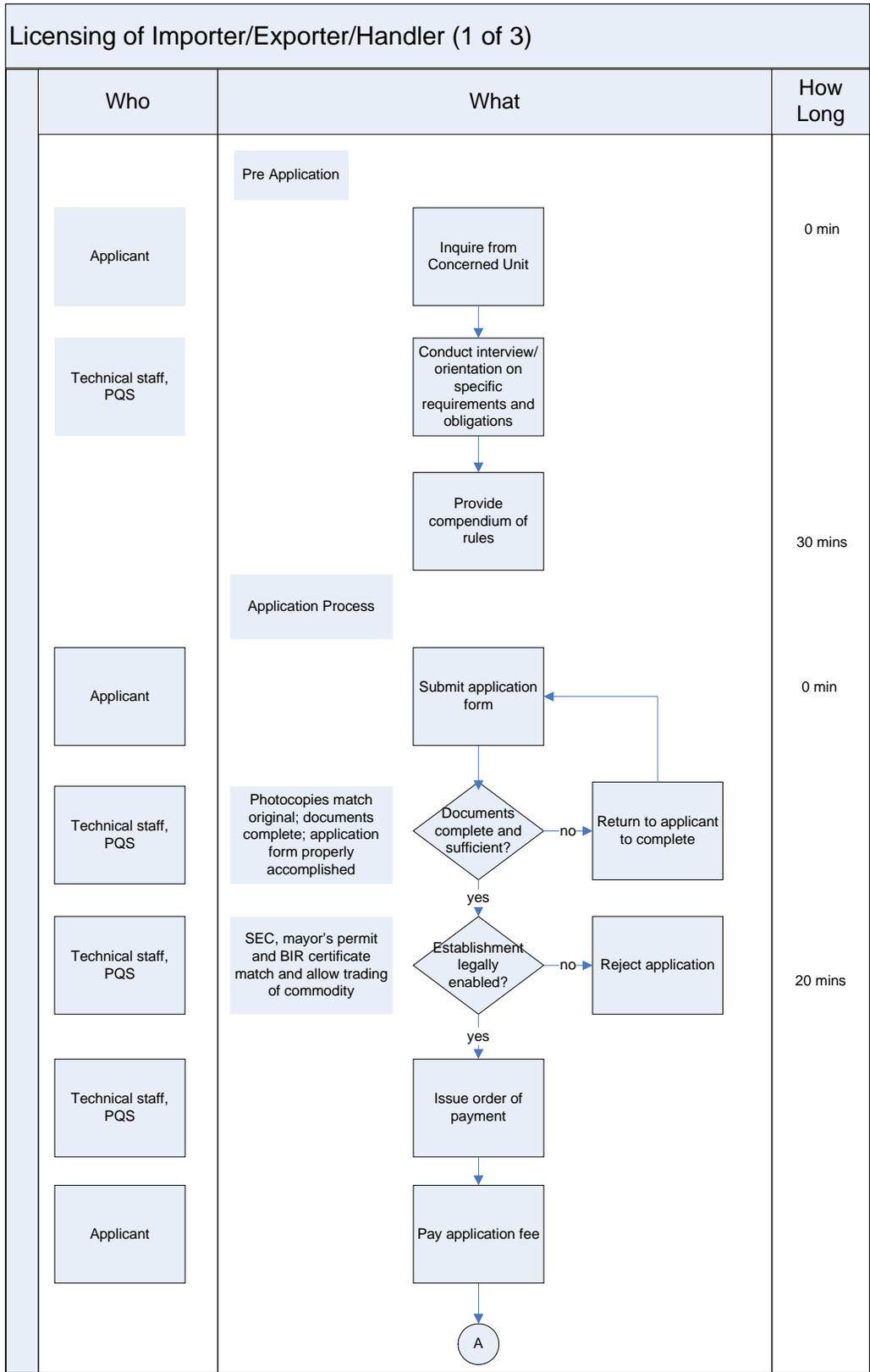
Only those application forms, that are sufficient in form and substance and with the **required** business permits and clearances, product registration, and/or facility accreditation that are consistent with the application must be accepted and processed further.

- Step 5 For applications that are accepted, the **PQS** 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 **PQS** 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 **PQS** 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 **PQS** 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 **PQS** 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 PQS** reviews and confirms the recommendation.
- Step 12 The **PQS** 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 **PQS** prepares the Certificate of License as Importer/Exporter/Handler.
- Step 14 The **PQS** transmits, with a recommendation from its chief, the Certificate to the Director of the Bureau of Plant Industry for signature.
- Step 15 The **PQS** 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)

Who	What	How Long (running time from 0 min)
<p>Technical staff, PQS</p>	<p style="text-align: center;">A</p> <p>Record OR no. amount and date on; stamps and signs application form</p>	
<p>Technical staff, PQS</p>	<p>Conduct technical documentary review</p>	
<p>Technical staff, PQS</p>	<p>Tech docs sufficient in substance and authentic?</p> <p>no</p>	
<p>Technical staff, PQS</p>	<p>Tech docs show compliance?</p> <p>no</p>	<p>3 days</p>
<p>Technical staff, PQS</p>	<p>Verify track record/ existence of business office/ trading partner</p>	
<p>Technical staff, PQS</p>	<p>Not blacklisted/ business office / trading partner verified?</p> <p>no</p>	<p>4 days</p>
<p>Technical staff, PQS</p>	<p>Prepare certificate</p> <p style="text-align: center;">B</p>	

Licensing of Importer/Exporter/Handler (3 of 3)		
Who	What	How Long (running time from 0 min)
	<pre> graph TD B((B)) --> A[Recomemnd approval] A --> B[Sign certificate] B --> C[Authenticate, record and notify applicant] C --> D[Give orientation to awardee] D --> E[Release license] </pre>	
Chief, PQS		
Director, BPI		
Technical staff, PQS		
Technical staff, PQS		
Technical staff, PQS		
		5 days

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]

Certificate of LRA of Importer / Handler

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 ¹ AO 24 S. 1991 ² LC 1 S. 1991 ³
	veterinary drugs and products	RA 3720 ⁴ BFAD-BAI MOA of 1991 LC 1 S. 1991 ¹⁵
BAI LSD VBSS	veterinary biological products	Act 3101, March 16 1923 ⁵ AO 9, S. 1982 ⁶
BFAR	All	RA 8550 ⁷
	live fish and other aquatic products (seaweeds, shells, aquarium fishes and others)	FAO 221 S. 2003 ⁸
	milkfish fry	FGMO 119, May 20, 2003 ⁹
	fresh/chilled/frozen fish and/or fishery aquatic products	FAO 195 S. 1999 ¹⁰
FPA	fertilizers and pesticides	PD 1144
NMIS	Meat and meat products	RA 9296 EO 137

Agencies to attach copies of laws, AOs, MOs

¹ 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)

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

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

⁴ 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

⁵ 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.

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

⁷ The Fisheries Code of 1998

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

⁹ Guideline in the importation of milkfish (*bangus*) fry, *Chanos chanos*

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

SERIES OF 1981

SUBJECT: *Rules and Regulations to Implement Presidential Decree No. 1433, Entitled “PROMULGATING THE PLANT QUARANTINE LAW OF 1978, THEREBY REVISING AND CONSOLIDATING EXISTING PLANT QUARANTINE LAWS TO FURTHER IMPROVE AND STRENGTHEN THE PLANT QUARANTINE SERVICE OF THE BUREAU OF PLANT INDUSTRY.”*

RULE II*

IMPORTATION OF PLANTS, PLANT PRODUCTS AND OTHER MATERIALS CAPABLE OF HARBORING PLANT PESTS

SECTION 1. The importation of plants, plant products and other materials capable of harboring plant pests or which may be a source of infection/infestation or a medium for the introduction of noxious weeds are subject to certain quarantine restrictions and shall not be removed or transferred from the place of landing unless authorized by the Plant Quarantine Officer assigned at the port of entry. Such consignments shall promptly be subjected to quarantine inspection or verification to determine their phytosanitary condition.

Importations that have been verified to be free from maladies of quarantine significance shall be released to the importer or to his authorized representative upon compliance with the requirements of the Plant Quarantine Service, Bureau of Customs and Philippine Ports Authority relative to such importations and/or shipment.

Imported plants, plant products and other materials found infected/infested with plant pests shall be subjected to a prescribed commodity treatment, or destroyed or returned to the country of origin at the expense of the importer.

The discharge from the carrier or even the use therein of certain classes or general of plants and plant products is restricted, whether visibly infested / infected or not, when information has been received that dangerous plant pests exists in the countries of origin (including not only where the materials were produced but also where they had been transhipped or gone through) and the presence of such plant pests cannot be readily and economically determined.

SECTION 2. *Plants, Plant Products and Other Materials which a “Permit to Import” is required.* — The following materials, as a condition of their entry, must be covered by a “Permit to Import” issued by the Director of Plant Industry.

* (Section 3, P.D. 1433)

- ☞ Living plants.
- ☞ Nursery stocks, including vegetative parts thereof used as propagating materials.
- ☞ Seeds and nuts for planting.
- ☞ Fresh fruits, vegetables and other plant products which have been declared as prohibited / restricted imports under Special Quarantine Orders by virtue of their being known hosts of certain plant pests, or because they originate from restricted areas.
- ☞ Pure cultures of fungi, bacteria, virus, nematode and other phytopathogenic materials.
- ☞ Mushroom cultures including spawn.
- ☞ Algae cultures, rhizobial cultures as legume inoculants.
- ☞ Soil and plant material for isolation of organism.
- ☞ Other plant cultures.

The importation of the abovementioned materials may be allowed under “permit” subject to such reasonable conditions that the Director of Plant Industry may impose in the national interest.

SECTION 3. Application for “Permit to Import”. – Any person who desires to import the materials enumerated in Section 2 hereof, shall submit an “Application for Permit to Import” (**BPI “Q” Form No. 1**), to the Director of Plant Industry. Upon approval by the Director of such application, a “permit to import” (**BPI “Q” Form No. 2**) shall be issued in quadruplicate. The original shall be given to the Permittee for presentation to the Plant Quarantine Officer at the Port of Entry; the duplicate shall be sent to the shipper in the country of origin by the Permittee for their guidance relative to the terms and conditions imposed in the “permit”; the triplicate shall be furnished to the Collector of Customs at the Port of Entry, and the fourth copy shall be filed with the application.

PROVIDED, however, that before the issuance of the “Permit to Import”, the Director of Plant Industry may require the “permittee” to file a bond in the amount equal to estimated invoice cost of the materials to be imported, but in no case shall it be less than One Hundred Pesos (₱100.00) to ensure compliance with the conditions in the “permit”.

SECTION 5. *Revocation of Permit to Import.* – Permits may be revoked and further permits refused for the importation of materials mentioned in Section 2 hereof, from any country where:

- a. a. inspection and certification have been found and / or verified by the Bureau of Plant Industry to be merely superficial;
- b. failure of the “Permittee” to give the “notice” required in Section 4 hereof;
- c. false “notice” has been given;
- d. shipment has been misdeclared; and
- e. violation of the plant quarantine rules and regulations and conditions imposed in the permit.

SECTION 6. *Materials for which “Permit to Import” is not required.* – The following materials may be imported or brought into the country without the necessity and/or to a prescribed commodity treatment before being released:

- a. “Plant Products” such as fruits, vegetables and stored products intended for food or animal feed purposes, or those for processing or manufacturing and when not governed by any plant quarantine restriction / prohibition.
- b. Properly dried or sterilized, or poisoned botanical specimens or herbaria when free from soil, sand or earth.
- c. “Plants” in crew and/or passenger hand baggage or by mail, for ten (10) pieces and when not governed by any quarantine restrictions/prohibitions.
- d. Fresh flowers, bouquets, etc. when free from soil, sand or earth.

RULE III*

IMPORTATION OF POTENTIAL ANIMAL PESTS

SECTION 1. The importation of certain species of animals such as insects, birds, monkeys, rodents, bats, finches, rabbits, snails and other forms of animal life that are capable of causing injury to agricultural crops or are liable to become agricultural crop pests, is hereby prohibited. Provided, however, the importation of such animal in limited

* (Section 4, P.D. 1433)

quantity for a justifiable purpose may be allowed upon a written permit from the Director.

SECTION 2. *Application for “Permit to Import” Potential Animal Pests.* – Any person who desires to import or bring into the country live animals mentioned in Section 1 hereof must first file an application with the Director of Plant Industry (**BPI “Q” Form No. 5**). Upon approval by the Director of Plant Industry, a “permit to import” (**BPI “Q” Form No. 6**) shall be issued in quadruplicates. The original copy shall be given to the permittee for presentation to the Plant Quarantine Officer at the designated port of entry; the duplicate shall be sent by the permittee to the shipper in the country of origin for their guidance relative to the conditions embodied in the permit; the third copy shall be sent to Collector of Customs at the port of entry by the Bureau of Plant Industry; the fourth copy shall be filed with the application; and fifth copy for the Philippine Ports Authority.

Before the issuance of the “permit to import” however, the Director, to ensure compliance with the conditions imposed therein, may require the Permittee to file a bond in the amount equal to the estimated invoice cost of the live animals proposed to be imported, but in no case shall such bond be less than One Hundred Pesos (₱100.00).

SECTION 4. *Revocation of “Permit to Import”* – “Permit to Import” previously issued may be revoked and further permit refused for the importation of animals mentioned in Section 1 hereof when the permittee or the person bringing in the consignment has violated the terms and conditions embodied in the permit; or when the permittee had given false or incomplete information relative to the importation.

Annex V-2. Commodity Coverage: SPS Clearance

Commodity	Concerned Bureau/Agency
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

For the Bureau of Plant Industry, The following materials, as a condition of entry, may be imported only upon issuance of SPS Import Clearance:

- Living plants.
- Nursery stocks, including vegetative parts thereof used as propagating materials.
- Seeds and nuts for planting.
- 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. Soft, fleshy fruits and vegetables from all countries where dangerous species of fruitflies are known to exist are prohibited, except if required commodity treatment can be made and provided for under specific bilateral agreement.
- Pure culture of fungi, bacteria, virus, nematodes and other phytopathogenic materials.
- Mushroom cultures including spawn.
- Algae cultures, rhizobial cultures as legume inoculants.
- Soils and plant material for isolation of organism.
- Other plant cultures.

The importation of the abovementioned materials may be allowed subject to such reasonable conditions that the Director of the Bureau of Plant Industry may impose.

The following imports may be allowed to enter the country without securing SPS Import Clearance. However, they are subject to inspection/verification and prescribed treatment and payment of regulatory fees and charges.

- Plant Products not governed by any plant quarantine restriction/prohibition such as fruits and vegetables in limited quantity and plant products intended for food or animal feed or those for processing or manufacturing purposes.
- Properly dried or sterilized, or poisoned botanical specimens or herbaria, provided, free from soil or sand.
- Fresh flowers, bouquets and other floral arrangements when free from soil, sand and other prohibited materials

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]	Application for a SPS Import Clearance
--	---	---

<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>
--

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 **Plant Quarantine Service (PQS) of the Bureau of Plant Industry** 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 **PQS** 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 **PQS** 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 **PQS** 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 **PQS** notifies the applicant and informs it of the reason for the denial.

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

Step 7 The **PQS** prepares the SPS Import Clearance Certificate.

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

Step 9 The **PQS** 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.

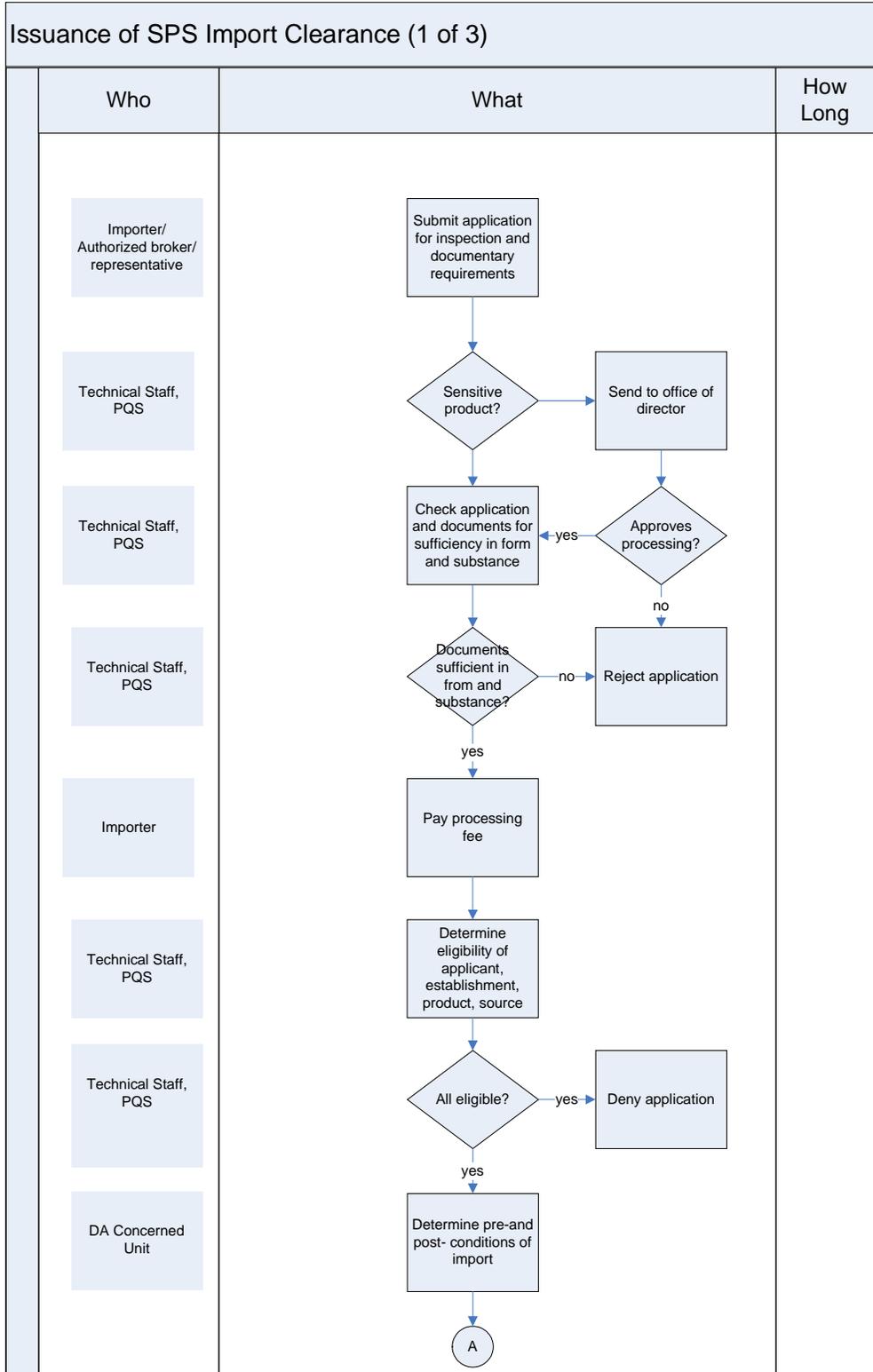
Step 10 For shipments arriving by air and for imports of pesticide or veterinary biologics products, the **PQS** releases the original copy of the Clearance Certificate to the applicant.

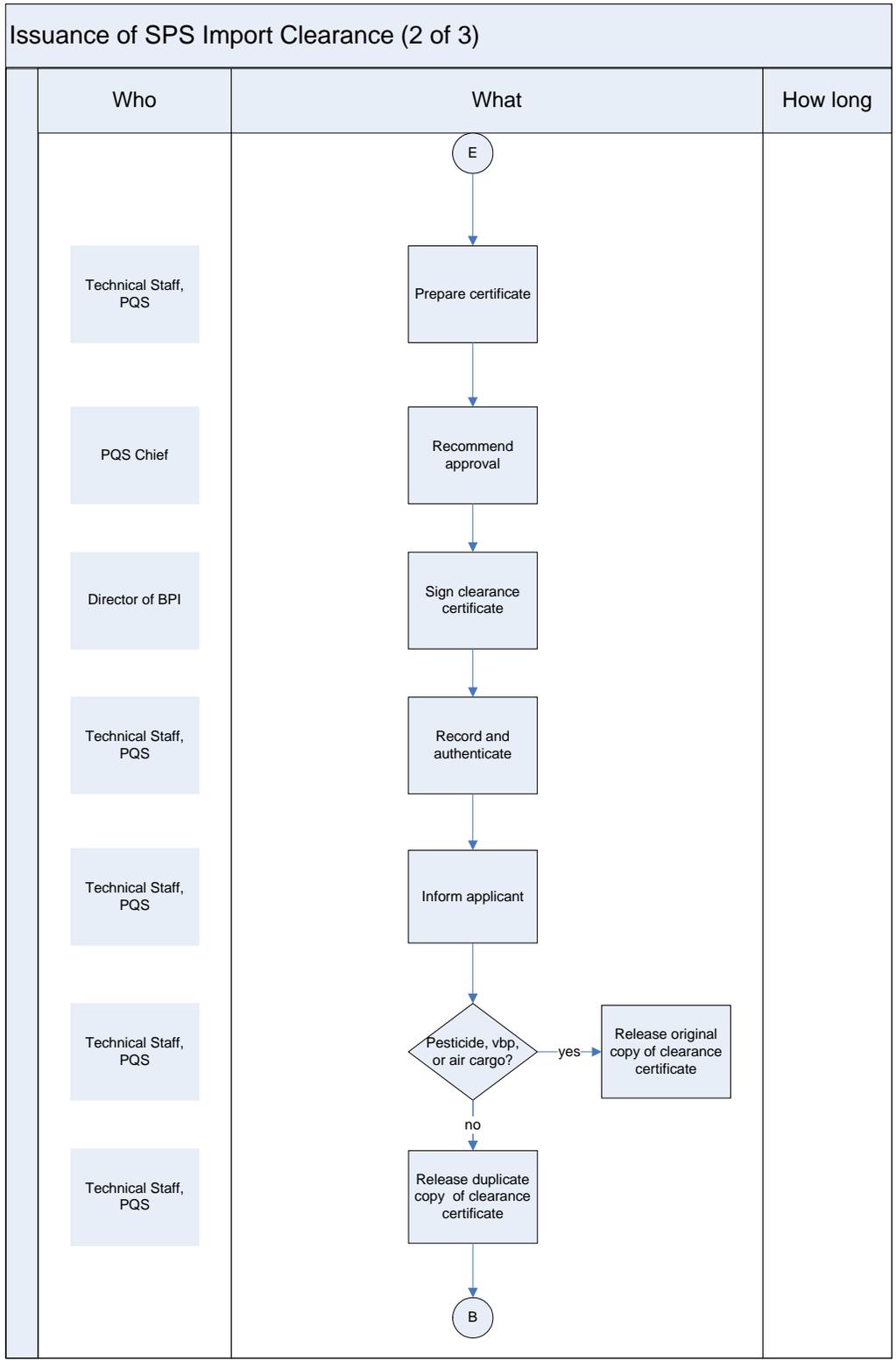
For shipments arriving sea, except pesticides and veterinary biologics products, the **PQS** releases a duplicate copy of the Clearance Certificate to the applicant.

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.

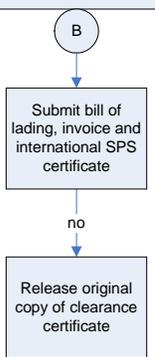
Step 12 The **PQS** releases the original copy of Clearance Certificate to applicant.

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





Issuance of SPS Import Clearance (3 of 3)

Who	What	How long
<p data-bbox="292 409 430 514">Applicant</p> <p data-bbox="292 577 430 682">Technical Staff, PQS</p>	 <pre> graph TD B((B)) --> A[Submit bill of lading, invoice and international SPS certificate] A -- no --> 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.

An import clearance shall NOT be granted for:

- A. Plants and parts thereof including seeds, cuttings, rhizomes, bulbs and corms, grafts, leaves, roots, scions and others capable of propagation:

Plants/Plant Products for Propagation	Reasons for Prohibitions/Restrictions	Places / Origin
Bamboo (<i>Bambusa</i> spp.)	Smut (<i>Ustilago</i> spp.)	All countries
Cacao (<i>Theobroma</i> spp.)	Swollen shoot (virus complex)	West Africa Sri Lanka Indonesia Colombia Venezuela
	Witches’ broom (<i>Marasmius pernicius</i>)	West Indies South America
Citrus (<i>Citrus</i> spp.)	Nematode and virus diseases	All countries
Coconut (<i>Cocos nucifera</i>)	Lethal yellowing diseases (<i>mycoplasma</i>)	Caribbean Region Florida, USA West Africa
Kenaf (<i>Hibiscus cannabinus</i>)	Virus diseases	South America Florida (USA)
Mango (<i>Mangifera indica</i>)	Malformation or Bunchy Top disease (unknown)	India, Egypt Bangladesh Pakistan
	Scaly bark or Woody gall disease (unknown)	Colombia Hawaii

Plants/Plant Products for Propagation	Reasons for Prohibitions/Restrictions	Places / Origin
Musaceae (Banana, Abaca and all plants Belonging to the Genus Musa)	Virus and nematode disease	All countries
Maguey (<i>Agave cantala</i>)	Virus diseases and pests	All countries
Rice (<i>Oryza sativa</i>)	Virus diseases	All countries
	Water weevil (<i>Lissorhoptus oryzophilus</i>)	Burma, India Japan, USA
Rubber (<i>Hevea brasiliensis</i>)	South American Leaf Blight (<i>Microcyclus ulei</i>)	Mexico, Central & South America West Indies
Sisal (<i>Agave sisalina</i>)	Pests and diseases	All countries
Sugarcane (<i>Saccharum officinarum</i>)	Virus diseases	All countries
	Stalk borer (<i>Diatraea spp.</i>)	Southern USA West Indies Mexico, Central & South America
Tobacco (<i>Nicotiana tabacum</i>)	Blue mold (<i>Peronospora tabacina</i>)	Australia Europe North & South America
Vegetable and Other Fruits	Host of many pests and / or diseases	All countries

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

Plant Products in natural state, manufactured, or processed forms	Reasons for Prohibitions/Restrictions	Places / Origin
Fresh fruits and vegetables capable of harboring fruitflies	Meditarranean fruitfly (<i>Ceratitis capitala</i>)	All countries Where the insect exists
	Queensland fruitfly (<i>Dacus tryoni</i>)	Australia
Fresh fruits of chicos, limes, guavas, mangoes, oranges, peaches and plums.	Mexican fruitfly (<i>Anastrepha ludens</i>)	Mexico, Texas Central America
Dried or unprocessed Bamboo	Carrier of many pests ad / or diseases	All countries
Packing materials Such as rice straw, rice chaffs, coconut leaves, sugarcane, wheat straw, grasses or weeds	Carrier of many pests and / or diseases	All countries

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
<i>To be Accomplished by the DA Border Inspector at the Port of Entry</i>	
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

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VI. IMPORT (BORDER) INSPECTION

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 AnnexT VI-7. This form, called the DA Border Inspectors' Report (DABI), 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 Bases for SPS inspection, by agency by commodity

Agency	Commodity	Legal Basis
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
	Biomolecules	RA 8550
		FAO 192 Series of 1997
	Aquatic products and derivatives	RA 8550
	FAO 192 Series of 1997	

**Excerpts of BPI QUARANTINE ADMINISTRATIVE ORDER NO. 1
SERIES OF 1981**

SUBJECT: *Rules and Regulations to Implement Presidential Decree No. 1433,
Entitled “PROMULGATING THE PLANT QUARANTINE LAW OF
1978, THEREBY REVISING AND CONSOLIDATING EXISTING
PLANT QUARANTINE LAWS TO FURTHER IMPROVE AND
STRENGTHEN THE PLANT QUARANTINE SERVICE OF THE
BUREAU OF PLANT INDUSTRY.”*

RULE II*

**IMPORTATION OF PLANTS, PLANT PRODUCTS AND
OTHER MATERIALS CAPABLE OF HARBORING PLANT PESTS**

SECTION 4. *Notice of Arrival and Shipment to Final Destination by the Permittee.* – Upon arrival of the materials for which “Permit to Import” is required, the Permittee or person bringing them into the country shall immediately notify the Plant Quarantine Officer at the Port of Entry (**BPI “Q” Form No. 3**) stating the serial number of the “permit”, name of carrier, date of arrival, the country of origin, name of shipper, name and address of the importer, the kind, character and quantity of materials imported. After the materials have been inspected and before removing them from the place of landing, the importer shall also indicate in the said BPI Form the type and route of transport, the completed name and address of the ultimate consignee and the exact location of the final place of destination.

SECTION 7. *Inspection/Verification of Plants, Plant Products and Other Materials Capable of Harboring Plant Pests.* – Any “person” who desires to import or bring into the country plants and plant products either in their natural state, or in manufactured or processed form but are still capable of harboring plant pests, shall submit to the BPI-Plant Quarantine Officer at the port of entry a duly accomplished “application for Inspection” (**BPI “Q” Form No. 4**). Except as otherwise provided, such importations shall be subjected to 10% - 15% random inspection.

All plants, plant products and other materials found to be substantially free from plant pests and verified to be same materials applied for shall be released to the importer or his authorized representatives, upon payment of prescribed Plant Quarantine Fees and Charges.

Importations found infested or infected by plant pests shall either be subjected to a prescribed commodity treatment or returned to the country of origin or destroyed at the

* (Section 3, P.D. 1433)

Port of Entry and all fees, charges and other expenses relative to such quarantine action shall be borne by the importer.

SECTION 8. *Submission of Phytosanitary or Plant Health Certificate by the Importer.* – Importation of plants, plant products and other materials capable of harboring plant pests must be accompanied by a Phytosanitary or Health Certificate issued by the Plant Quarantine Service or its equivalent technical entity in the country of origin stating among others that the materials are free from “plant pests”.

In countries where the government does not maintain Plant Quarantine and/or Phytosanitary Certification Service, the Certificate of Inspection required in this Section must be accomplished by the exporter or shipper concerned in an affidavit form duly subscribed and sworn to by him before a person legally authorized to administer oath in the country of origin. Such documents shall contain among others, a statement to the effect that the materials shipped to the Philippines did not originate from an area where “plant pests” are prevalent; that they have not been kept or stored in places infested by injurious insects or infected by disease pathogens; and that whatever commodity treatment and/or other pre-shipment conditions required by the BPI Plant Quarantine Service had been satisfied prior to the loading of the shipment.

The presentation of the “Phytosanitary Certificate” or sworn statement by the shipper mentioned in the preceding subsection shall not preclude quarantine inspection/verification or treatment of the imported plants, plant products and other materials capable of harboring “plant pests” as provided in Section 7 hereof.

SECTION 9. *Imported Plants, Plant Products and Other Materials Capable of Harboring “Plant Pests” Arriving without the Required “Phytosanitary Certificate” or its Equivalent Documents.* – Imported “Plants, “Plant Products” and other related materials in commercial quantity arriving without the required “phytosanitary certificate” or its equivalent document mentioned in Section 8 hereof, may be subjected to 100% inspection and if deemed necessary, to “Commodity Treatment”, and/or held under “post-entry quarantine observation” and/or subjected to other quarantine safeguard measures.

Imported “plants”, “plant products” and other materials in passenger baggage or mail in *limited quantity* arriving without the required Phytosanitary Certificate shall be subjected to 100% inspection and to such other plant quarantine action as may be deemed necessary; provided however, that the requirement of submitting an affidavit or sworn statement promising the surrender of the Phytosanitary Certificate may be waived.

SECTION 10. *Commodity Treatment.* – For the purpose of destroying or eliminating any infection or infestation caused by plant pests in or amongst such imported plants, plant products and such other related materials which are capable of harboring such plant pests, the Plant Quarantine Officer may, as a condition of its entry and release, subject said plants, plant products and other related materials to fumigation, disinfection or other forms of commodity treatment, as is necessary. Provided, that expenses incurred on account of such treatments shall be charged to the importer thereof.

SECTION 11. *Freedom of Imported Plants, Plant Products and Other Related Materials from Soil, Sand or Earth.* – All imported plants, plant products and other related materials, including their packing or containers must be free from soil, sand, earth and other similar materials which could harbor “plant pests”. All plant roots, rhizomes, tubers, etc. must be washed thoroughly to free them from sand, soil, or earth, and must be so certified by the duly authorized officer of the country of origin. Provided, that sand, soil or earth, may be employed for the packing of bulbs, corns, etc. when they have been sterilized or rendered safe in accordance with the methods of treatment prescribed by the Bureau of Plant Industry and this fact is so certified by the authorities concerned from the country of origin.

Used vehicles, earth moving equipment as well as container vans brought into the country shall be subjected to plant quarantine inspection to determine that they are free from soils, sand or earth and those found contaminated with the abovementioned prohibited materials shall be required to be disinfected or washed and cleaned thoroughly. All expenses incurred in connection with the implementation of this requirement shall be borne by the importer or owner thereof.

SECTION 12. *Approval of Packing Materials.* – Packing materials employed in the importation of plants, plant products and such other restricted materials shall be inspected or verified by the Plant Quarantine Officer at the Port of Entry to ensure safety for such use. Packing materials used in any importation must not include rice straw, rice chaffs, coconut leaves, sugar cane leaves, bamboo leaves; wheat straw, grasses or weeds, and such other materials which may hereafter be declared prohibited under Special Quarantine Orders.

All prohibited packing materials associated in any importation shall be removed and destroyed under Plant Quarantine supervision and control and all incidental expenses to be incurred in such undertakings shall be borne by the importer.

For the destruction of prohibited packing materials, a fee of Ten Pesos (₱10.00) for the first ten kilos or fraction thereof and twenty centavos (₱0.20) for every kilo thereafter shall be imposed on the importer or owner of such importation.

SECTION 13. *Post Entry Quarantine Requirements.* – Imported “plants” and “plant products” may be placed under post entry quarantine observation during such period as may be determined by the Plant Quarantine Office in order to fully satisfy the requirements of being freed from exotic “plant pests” in or amongst the imported materials, which may not be detectable at the time of inspection. The Director of Plant Industry may seek assistance, through formal agreements, from such other research institutions such as The Institute of Plant Breeding, University of the Philippines at Los Baños, International Rice Research Institute, etc. in order to fully ascertain or establish that such plants are free from exotic “plant pests”.

SECTION 14. *Plants, Plant Products and Other Materials Held Under Quarantine.* – Any package, case, box or parcel containing plants, plant products and such other materials so marked by the Plant Quarantine Officer as being *held subject to quarantine inspection and clearance* (Held Under Quarantine), shall not be removed or transferred from the place of landing nor released to the importer without the written approval and the sanction of the Plant Quarantine Officer. Provided, that official covering document issued by the other Port Authorities allowing transfer of such cargoes to bonded warehouses, container yards and other places outside the Customs zone shall first be coursed to the Plant Quarantine Officer for notation and/or approval before actual transfer commences.

SECTION 15. *Imported Plants, Plant Products and Other Materials Capable of Harboring “Plant Pests” Arriving through the Post Office.* – The Importation of plants, plant products and other related materials capable of harboring plant pests, through the mail services shall be inspected by the Plant Quarantine Officer upon notification of the presence of such materials by the Postal Service officials. Such materials shall be treated like those coming through the Customs’ House. Plant Quarantine Inspection shall be made in the presence of the consignee, a Postal Official and/or Customs Officials.

RULE III*

IMPORTATION OF POTENTIAL ANIMAL PESTS

SECTION 3. *Notices of Arrival and Final Destination of the Imported Animals by the Importer-Permittee.* – Immediately upon the arrival of the animals, the importer-permittee or the person bringing in the consignment shall formally notify the Plant Quarantine Officer at the Ports of Entry upon (**BPI “Q” Form No. 7**), indicating therein the Permit number and date of issue, the kind and quantity of the animals imported, the registered name of the carrier, the country of origin, the name and address of the consignee and the final destination.

SECTION 5. *Quarantine Inspection and/or Verification of Potential Animal Pests.* – Any person who imports or brings into the country live animals shall submit a duly accomplished application for inspection of imported animals, upon (**BPI “Q” Form No. 8**), on or before the arrival of the shipment to the Plant Quarantine Officer at the Port of Entry. All such imported animals shall be inspected/verified as to their kind and quantity and condition. Provided, further, that imported animals governed by this Rule must not be accompanied by feeds or animal effects that are infested/infected by plant pests or containing noxious weeds. In case such feeds are found to be infested/infected by “plant pests”, the required quarantine action shall be administered.

SECTION 6. *Potential Animal Pests Arriving Without “Permit”.* – The release from plant quarantine of animals falling within the purview of this Rule, arriving without

* (Section 4, P.D. 1433)

“Permit” shall be withheld. For record purposes and for the imposition of certain requirements governing such importations, the importer or the person bringing in such animals shall be required to secure from the Director of Plant Industry the “permit to import” required in this Rule before the release of the “potential animal pests” from quarantine is effected. However, if the plant Quarantine Officer believes that the entry and release of such animals might be detrimental to the best interest of Philippine agriculture, such shall be ordered destroyed or returned to the country of origin. In either case, the cost shall be borne by the importer.

It shall be unlawful for anyone in any manner or by any means to remove or carry away any imported “potential animal pests”, including the animal effects and feeds from the place of landing before the same shall have been passed upon by the Plant Quarantine Service.

RULE IV*

COMMODITIES IN TRANSIT

SECTION 1. *Direct Transit Cargo.* – Cargoes of “plants, “plant products” and other related materials capable of harboring plant pests, as well as “potential animal pests” including the accompanying animal feedstuffs, on a *direct transit* scheme whereby the carrier laden with exports of a foreign country berths in any port of the Philippines without breaking bulk (without unloading), shall be subjected to quarantine inspection/verification for the purpose of evaluating the quarantine risk that may be associated with such in-transit cargo. If the inspection reveals positive signs of infection/infestation by “plant pests” of plant quarantine significance, proper safeguard measures shall be instituted to preclude the entry into the country of the plant pests that are present in the shipment.

SECTION 2. *Indirect Transit Cargo.* – In the case of cargoes of “plants, “plant products” and other related materials capable of harboring plant pests, as well as “potential animal pests”, including the accompanying animal feedstuffs, on an *indirect transit* scheme, in which the goods are discharged from the carrier and which may be unpacked or repacked in the port and/or transferred to another carrier for reshipment to the country of destination or reconsigned elsewhere, the same shall be considered as an importation into the Philippines and shall be subject to plant quarantine inspection and/or treatment as prescribed in Section 7 Rule II of this Administrative Order.

SECTION 4. *Responsibility of the Owner Operator of Agent of Carriers Laden with In-Transit Cargo.* – It shall be the duty of the owner, operator or agent of carriers bringing in of laden with in-transit cargo that are subject to Plant Quarantine to notify

* (Section 5, P.D. 1433)

promptly the Plant Quarantine Officer at the port of entry about the arrival and particulars of such in-transit cargo and all expenses relative to the quarantine inspection and clearance of such shipments shall be borne by the owner, operator and/or agent of the Carrier.

RULE V*

RULE VII*

ENTRANCE AND CLEARANCE OF CARRIERS

SECTION 1. *Inspection and Clearance of Vessels Engaged in the International Trade shall be governed by the following procedures:*

- a. a. *Submission of "Notices of Arrival" of Vessels.* The owner, operator or agent of vessel plying the international trade routes, desiring to call at any Philippine Port of Entry shall serve "Notices of Arrival" their subject vessels to the Plant Quarantine Officer at the initial port of entry within the country thereafter that the vessel may desire to call, at least twenty four (24) hours before the estimated time of arrival of the vessels at the port.
- b. b. *Quarantine Inspection/Verification of Vessels and Cargoes.* Vessels calling at Philippine Ports of Entry shall be boarded and inspected upon arrival thereat by the Plant Quarantine Officer for the purpose of determining the cargoes laden on board, including the ship's food provisions and plant furnishings. For this purpose, the ship's Agent or Master of the vessel shall furnish the Plant Quarantine Officer with a copy each of the Voyage Itinerary, Inward Cargo Manifest, Baggage Declarations of disembarking crew or passengers, Parcel List, Stores List, Plant and Animal List and such other ship's document and/or information that the Plant Quarantine Officer may require.
- c. c. Vessels coming from or passing through plant quarantine restricted areas or "open ports" ("free ports") shall be subjected to more rigid plant quarantine action including guarding of the vessel and/or supervision on use and disposal of quarantinable food provisions on board the vessel, as well as prevent the unlawful landing of certain commodities or provisions the importation of which are controlled, prohibited or banned under this Order or under such other Orders that may hereafter be promulgated.

* (Section 6, P.D. 1433)

* (Section 13, P.D. 1433)

- d. d. The storage chambers of vessels mentioned in sub-section hereof which contain fresh fruits, vegetables and other plant products *shall be sealed* if and when such provisions originate from plant quarantine restricted areas or territories. Provided, however, that when the vessel desires to utilize such restricted provision for the consumption of the crew members and passengers, the master or any responsible officer on board shall submit a formal request on the matter to the Plant Quarantine Officer. Upon submission and approval of such request said storage chamber shall be opened and disposal of said provisions or parts thereof shall be under the supervision of the Plant Quarantine Officer on board the vessel. Provided, further that after withdrawal of such provisions, the said storage chambers shall be resealed under similar supervision.
- e. e. The utilization or consumption of fresh fruits, vegetables and other plant products originating from non-restricted areas shall be allowed on board the vessel without the imposition of any quarantine restriction, provided, they are verified upon inspection to be substantially free from “plant pests” of plant quarantine significance.
- f. f. Passenger liners or tourist vessels shall be placed under appropriate quarantine supervision and control while berthed in any Philippine port to preclude the unauthorized landing or loading of quarantinable materials or commodities by the passengers, tourists and other parties.
- g. g. Vessels with cargoes of wheat, corn, sorghum, soybean and other plant products shall likewise be subjected to quarantine supervision and control during the cargo discharging operations, and if deemed necessary, such bulk cargo shall first be subjected to fumigation or to other forms of commodity treatment on board the vessel or in the receiving barges as the case may be. Provided, however, that the cost and charges to be incurred in such quarantine inspection and/or treatment shall be borne by the owner of such cargo or by the operator or agent of the vessel it being incidental to the business in which they are engaged.
- h. h. Plant Quarantine clearance on vessels calling at all Philippine Ports shall be required. Provided, however, that in case such vessels call at local Philippine Ports, where movements of plants and plant materials is restricted, such plant quarantine clearance shall be required of the vessels from such restricted ports. A copy each of the Outward Cargo Manifest and the list of plants and plant products brought on board by the members of the crew or passengers shall be furnished to the Plant Quarantine Officer. Upon receipt of the aforementioned ship’s document, and after a satisfactory assessment of the vessel’s compliance with the Plant Quarantine Laws and Rules, a “Plant Quarantine Clearance” (**BPI “Q” Form No. 13**) shall be issued as a pre-requisite for the issuance of the Customs Clearance (Section 13, [P.D. 1433](#)).

SECTION 2. *Inspection and Clearance of Aircrafts Plying the International Trade Routes shall be governed by the following procedures:*

- a. a. Airline companies or the authorized agents of private aircrafts coming from a foreign country and calling at any airport in the Philippines shall furnish the Plant Quarantine Officer with a copy of the aircraft's itinerary general declaration, passenger manifest, cargo manifest and other documents which the Plant Quarantine Officer may require.
- b. b. All such aircrafts shall be inspected upon arrival in any airport in the Philippines by the Plant Quarantine Officer and all food provisions and other materials covered by quarantine prohibition or restriction shall be sealed. Provided, however, that should the aircraft desire to utilize such provisions, a formal request on the matter shall be submitted to the Plant Quarantine Officer who shall supervise the use and disposal thereof.

SECTION 3. *Inspection and Clearance of Vessels Plying the Domestic Trade Routes shall be governed by the following procedures:*

- a. a. All vessels coming from or passing through declared quarantine area shall be inspected and cleared by the Plant Quarantine Officers at all ports of call in the Philippines. It shall be the duty of the Owner, Agent or Master of such vessel to furnish the Plant Quarantine Officer with a copy each of the Domestic Cargo Manifest, Parcel List and other shipping document which the Plant Quarantine Officer may require.
- b. b. All domestic vessels departing from a port within a quarantined area shall be required to secure a "Domestic Plant Quarantine Clearance" (**BPI "Q" Form No. 14**) which shall be submitted to the Plant Quarantine Officer in all ports.

SECTION 5. *Quarantine Control over Garbage Disposal by Carriers.* – The unauthorized disposal of kitchen waste and garbage by carriers within the territory or waters of the Philippines is prohibited. Garbage and kitchen wastes shall always be kept on board the carrier in covered containers or receptacles. Should any carrier desire to dispose off her garbage while within Philippine territory, a formal request to that effect shall be submitted to the Plant Quarantine Officer on duty thereat, who shall supervise the disposal thereof in such manner and at such place designated for the purpose.

KNOW ALL MEN BY THESE PRESENTS:

This Agreement made and entered into by and between:

The **SERVICO AGRICOLA Y GANADERO (SAG)**, Chile, herein represented by **AMBASSADOR MR. CARLOS DESGROUX** with principal address at Embassy of Chile, Makati, Metro Manila, herein referred to as the **EXPORTER**;

And

The **DEPARTMENT OF AGRICULTURE (DA)**, Republic of the Philippines herein represented by **CARLOS G. DOMINGUEZ**, Secretary of Agriculture, with principal address at Quezon City, Philippines, herein referred to as the **IMPORTER**.

Witnesseth

WHEREAS, the **EXPORTER** desires to sell by way of exports to the **IMPORTER** certain kinds of fruits specially grown in his country;

WHEREAS, the **IMPORTER** is willing to buy the way of import specific kinds of fruits from the **EXPORTER**, subject to certain terms and conditions;

NOW, THEREFORE, in consideration of the above premises and the mutual covenants hereto for provided the Parties covered into this Agreement subject to the following terms and conditions;

1. 1. That all fresh fruits covered by the Agreement including that applied to supply U.S. Bases and foreign embassies in the Philippines, airline and shipping companies doing business in the Philippines, duty free shops operator and other entities shall be covered with Import Permit secured from the BPI Plant Quarantine Service prior to importations.
2. 2. That the fruit species considered in this agreement shall include:
 - a. a. Table grapes – grapes
 - b. b. Pomaceous Fruits – apple and pears
 - c. c. Stone fruits – such as peaches, nectarines, prunes, apricots and cherries.
 - d. d. Citrus fruits – lemon, oranges and grapefruits and other varieties.
 - e. e. Kiwi fruits – Kiwi

3. 3. That all fresh fruits covered by this Agreement shall be cold treated prior to shipments or in transit. Cold treatment shall be any of the following schedule depending on the kinds of fruits to be treated.

10 days of 0°C (32°F) or below

11 days of 0.55°C (33°F) or below

12 days of 1.11°C (34°F) or below

14 days of 1.66°C (35°F) or below

16 days of 2.22°C (36°F) or below

Note: *Number of days required for treatment shall be done continuously.*

In Country Treatment: The treatment conducted prior to shipment shall be supervised by SAG inspector and BPI Plant Quarantine Officer in any of the previously approved cold treatment facilities at designated place/s in the Chilean territory.

In Transit Treatment: Treatment conducted in transit in the chamber of ships previously calibrated and approved by SAG and BPI inspectors.

4. 4. The joint inspection (random sample of at least 5%) by inspectors of both SAG and BPI-PQS shall be made to certify absence of any specimen in any stages of development of Medfly, Mexican fruitfly, Queensland fruitfly and other species of dangerous fruitflies which are not known to be present in the Philippines.
5. 5. That all fruit shipments covered by this Agreement shall be covered by Phytosanitary Certificate issued by SAG upon completion of item no. 3 and 4 of this agreement. The Phytosanitary Certificate shall also contain the additional declaration that fresh fruits are free from Jose Scale, *Quadraspidiotus perniciosus*; Oriental Moth, *Cydia molesta* and Codling Moth, *Cydia pomonella* L.. The reverse side shall have the endorsing remarks to the effect that treatment and inspection had been confirmed by the signing BPI-PQS Officers.
6. 6. That only direct commercial shipment of fresh fruits in container van or ship holds covered by this Agreement shall be allowed entry in the Philippines. Fresh fruit importations hand carried by passengers, crew members and other travelers which are not covered by this Agreement shall not be allowed until such time that both countries have devised a tamper-proof mechanism of trading and still maintains the Phytosanitary condition of the fruits (export), and have agreed on some specific arrangements.

7. 7. That precautionary measures shall be followed in order to maintain the Phytosanitary condition of the treated fruits.
 - a. a. That all facsimile copy of documents Permit to Import and Phytosanitary Certificate shall be sent in advance directly to SAG by BPI-PQS and vice versa so that both agencies can compare with the copies presented by the direct private importer/exporter for authenticity/validity. All expenses for sending documents shall be borne by the importers and exporters.
 - b. b. That all cartons, boxes, lugs, etc., containing the fresh fruits to be code treated and exported to the Philippine shall be individually sealed with SAG Plant Quarantine Seal within the packing line at the country of origin. They shall also bear control number and outside markings “PRODUCT OF CHILE” and “FOR PHILIPPINES”. The Phytosanitary Certificate shall be issued by SAG inspector duly countersigned by BPI Inspector after the required cold treatment and inspection has been done and satisfactory accomplished.
 - c. c. That seal of cargo container vans containing the treated fruits or fruits in ship holds for treatment while in transit shall be done by either SAG or BPI-PQS inspectors at the port of origin. Container van and seal numbers must be indicated in the accompanying Phytosanitary Certificate. Seals are to be broken only by the BPI-PQS Officer at the port of discharge as stipulated in the Import Permit issued.
 - d. d. That the treated fruits contained in vans or shipholds with broken seals and/or the van and seal numbers not indicated in the accompanying Phytosanitary Certificate shall be rejected, or refused entry in the Philippines; or shall be destroyed or returned to country of origin at the expense of the importer/exporter.

8. Cold Treatment Facilities Requirements:

1. 1. In Country Treatment:
 - a. a. Only treatment facilities tested and approved by SAG/BPI-PQS shall be used for treatment. It must be provided with multisensor (5-10 sensor per chamber), depending on the capacity or volume to check inside temperature, and a monitoring device with tamper-proof automatic recording systems installed outside the chamber.
 - b. b. The chamber shall be tested jointly by both SAG/BPI-PQS inspectors at the start of the season, and whenever necessary. Test to be conducted:

b.1 Sensor sensitivity test
b.2 Sensor calibration test with the use of standard laboratory thermometer

c. c. Sealing of adjustment or servicing knob of the automatic temperature recording system after its final tests and adjustments, shall be done by both representatives of the contracting parties. Certificate of testing shall be signed by both parties.

2. 2. In transit Treatment:

a. a. Only cold treatment facilities approved as in no. 8-1 a, b and c will be used in transit treatment provided that the ship Captain or the Chief Engineer will certify to the treatment provided that the ship Captain or the Chief Engineer will certify to the treatment conducted on board and agree with the terms and conditions stated in 8.2 c of this agreement. And provided further that the ship Captain or Chief Engineer submit to the BPI, PQS the original copy of the data print of the corresponding cold chamber for evaluation and/or verification upon arrival in the Philippines. Removal of the print out shall be done in the presence of the BPI, PQS Officer at the port entry.

b. b. That the ship's hold chamber used for this purpose shall be sealed by SAG and BPI inspector in Chile and to be opened only in the Philippines upon evaluation and verification of the data treatment by BPI inspector.

Incase the ship or vessel have to load in other ports in Chile, sealing of the chamber shall be done at the last port of loading. In both cases the SAG/BPI inspector should sign the start of the data print.

c. c. In transit treatment protocol may be accepted or rejected by the BPI inspector in the port of entry depending upon the result of data print evaluation and/or verification. If the data print conformed with the treatment protocol as stated in no. 3 of this agreement, the treatment is acceptable and allowed discharge of the fresh fruits.

Incase the required temperature is not maintained during the required number of days stated in the treatment protocol, the duration of the treatment may be extended in the ships hold until such time that the treatment conforms with the protocol. If the arrived fruits treated in transit does not conforms with the protocol, inspite of the extended cold treatment exposure, the shipment in question will not be allowed discharge, will be rejected and returned to the country of origin or shipped to other country that will accept it. In which case, all expenses incurred thereat will be borne by the exporters.

9. Working Hours

- a. a. Regular working hour for the BPI, PQS Officer in Chile shall be eight (8) hours/day five (5) days (Monday to Friday) in a week.
- b. b. Extra services rendered outside the regular working hours are considered overtime and as such the BPI-PQS Officer shall be entitled to claim for extra compensation.
- c. c. Extra services to be rendered, whenever necessary, has to be requested ahead of time by the party concerned to be served, and approved by SAG with the consent and final approval by BPI-PQS Officer.
- d. d. All legal holidays in Chile, Saturday and Sundays are non-working days.

10. The request for the dispatch of BPI-PQS Officer who shall supervise the treatment and spot checking inspection of fresh fruits in Chile for export to the Philippines shall be made to the Bureau of Plant Industry under the following terms and conditions:

- 10.1 10.1 The Chilean Government shall pay all the expenses related to the assignment of the Philippines BPI Plant Quarantine Officer.
 - a. a. Preparation allowance – US\$750
 - b. b. Round trip airfares to and from Chile.
 - c. c. All traveling expenses in Chile (hotel to the site and back).
 - d. d. All actual medical and hospital expenses enroute and while in Chile.
 - e. e. Daily allowance – US\$80 (include in route trip)
 - f. f. Hotel allowance – US\$100
 - g. g. Overtime pay/hour – US\$2.5
 - h. h. Accident Insurance – US\$200,000.00

10. 11. That the assignment of BPI Plant Quarantine Officer/s under this Agreement shall be subject to changes whenever necessary at the expense of the Exporter.

11. 12. That the duration of the assignment of Plant Quarantine Officer/s shall be subject to the Agreement by the Parties hereto.

13. Suspension of the shipment/s of fruits under the following conditions:

- 13.1 13.1 Detection of live fruitfly infestation (any stages of its development during the post-treatment inspection of fresh fruits intended for shipment to the Philippines under the Agreement.

14. Both countries reserve the right to repeal any portion(s) of this agreement by way of amendment based on technical, operational or any valid reasons agreeable to both countries.

15. Suspension of this Agreement:

Deliberated or intentional violation of any of the terms and conditions of this agreement by SAG.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures on this 30th day of August, 1989 at Manila, Philippines.

REPUBLIC OF CHILE
SERVICO AGRICOLA Y GANADERO

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF AGRICULTURE

(signed)
CARLOS DESGROUX
Ambassador

(signed)
CARLOS G. DOMINGUEZ
Secretary

SIGNED IN THE PRESENCE OF:

(signed)
JOSE-LUIS ILABACA
Counselor
Embassy of Chile

(signed)
NERIUS I. ROPEROS
Director
Bureau of Plant Industry

Annex VI-2. Import 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 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"> - the collection of a sample of 10%-15% of the consignment for further sensory testing and/or laboratory examination; or - up to 100% unloading for sensory examination and/or to validate consignment integrity. - <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		
Wood packaging materials	Port of entry	BPI		

Annex VI-4. Process Description: Import 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 entry of the shipment.

Step 2. The **plant quarantine officer** verifies whether not or 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. He/she shall ensure the authenticity of the SPS Import Clearance and the International SPS Certificate. The DABI shall also verify the consistency of the submitted documents.

Step 3. The **plant quarantine officer** checks whether the application involves a commodity whose imports are banned (e.g. endangered species, potential pests).

Step 4. The **plant quarantine officer** 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 **Plant Quarantine Officer** 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 **Plant Quarantine Officer** shall immediately notify the Bureau of Customs (BOC) of such recommendation.

- Step 6. When the shipment arrives, the applicant presents the form marked “okay for inspection” to the **Plant Quarantine Officer**.
- Step 7. The Plant Quarantine Officer 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 **plant quarantine officer** checks to ensure that the seal is present and intact.
- If the seal is missing or tampered, the **plant quarantine officer** recommends 100% inspection of shipment.
- Step 9. The **plant quarantine officer** 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 **plant quarantine officer** shall recommend confiscation. If the shipment consists of mixed commodities or commodities of common interest to several DA agencies, the **plant quarantine officer** shall ask other concerned bureaus and agencies to join in the inspection.
- Step 10. The **plant quarantine officer** conducts the physical inspection of the shipment.
- The **plant quarantine officer** shall recommend its 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 plant and plant products show evidence of infestation or infection that may be treated, the **plant quarantine officer** shall recommend treatment. If the infestation or infection is not treatable, the **plant quarantine officer** shall recommend confiscation.

If there is evidence of mislabeling, the **plant quarantine officer** 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 **plant quarantine officer** stamps the phrase ‘inspected and passed’ in the inspection form.

- Step 11. The Plant Quarantine Officer collects a sample plant and plant products for further sensory and/or laboratory testing.
- Step 12. The **plant quarantine officer** seals the container and stamps the BOC import entry form.
- Step 13. The **importer** pays the inspection fee with the Special Collecting Officer.
- Step 14. The **plant quarantine officer** prepares the inspection report on part II of the consolidated import inspection form.
- Step 15. The **plant quarantine officer** releases the stamped BOC import entry form to the importer. For shipments that need inspection at the second point of border control, the **plant quarantine officer** endorses the consolidated import inspection form to the **plant quarantine officer** at the second point.
- Step 16. The **plant quarantine officer** 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 **plant quarantine officer** verifies the completeness and accuracy of the inspection report vis-à-vis the other documents. If the information is incomplete or inaccurate, the **plant quarantine officer** corrects and completes the information.
- Step 19. The **plant quarantine officer** checks to ensure that the seal is present and intact.

If the seal is missing or tampered, the DABI shall recommend confiscation of the shipment.

- Step 20. The **plant quarantine officer** breaks the seal and verifies the consignment identity and integrity.
- If the cargo is not clearly identifiable, the **plant quarantine officer** shall consult an expert to the cargo .
- If the cargo is not accurately described, the **plant quarantine officer** shall recommend corrective action that depends on the commodity as well as the nature and extent of the problem encountered.
- Step 21. The **plant quarantine officer** conducts sensory examination of the shipment. The **plant quarantine officer** also collects samples for the chemical and microbial examination of the shipment and sends the samples to the laboratory for testing.
- Step 22. The **plant quarantine officer** 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 **plant quarantine officer** releases a copy of the inspection report and the shipment to the importer.
- If the shipment does not pass inspection, the **plant quarantine officer** recommends confiscation.

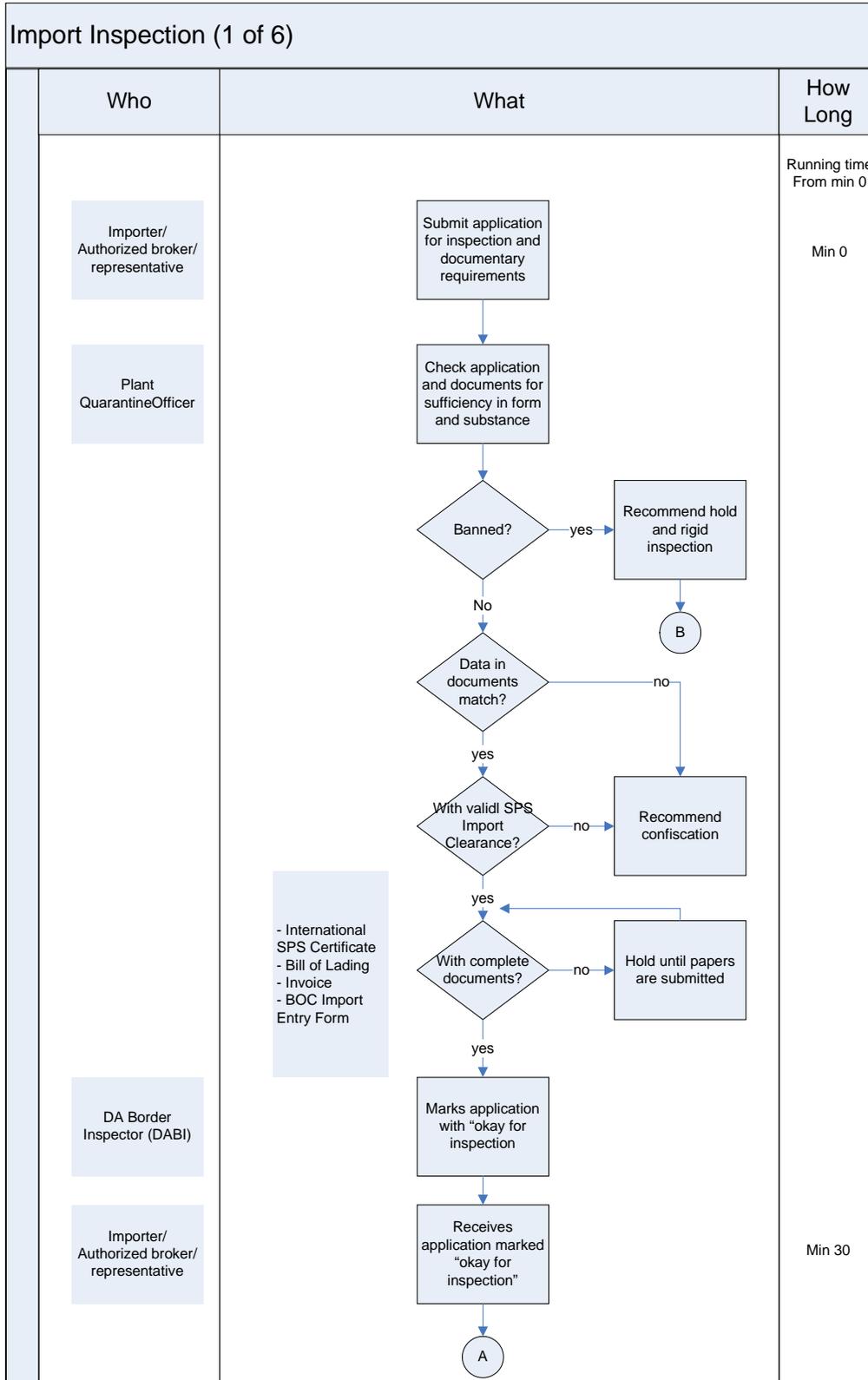
Wood Packaging Materials (WPM)

The BPI also inspects wood packaging materials of all imports, whether agriculture or not. For non-agriculture imports, the following inspection process is followed:

- Step 1. The applicant submits a duly accomplished application for inspection and the required documents to the DA Quarantine Office at the port of entry of the shipment.
- Step 2. The **plant quarantine officer** verifies whether the WPM used in the import is a regulated material.
- Step 3. The **plant quarantine officer** verifies the authenticity of the WPM marking in the material. The marking is universally prescribed for countries subscribing to IPPC and contains country and treatment facility codes.
- Step 4. If the **plant quarantine officer** is satisfied with the mark, entry of the WPM is cleared.

If the plant quarantine is not satisfied that the mark is authentic, he will prescribe treatment by fumigation.
- Step 5. The **importer** contracts an accredited fumigator to undertake the treatment.
- Step 6. For treated WPM, the **plant quarantine officer** checks that the treatment is effective.
- Step 7. The **plant quarantine officer** issues a WPM mark and treatment certificate if he is satisfied that the WPM has been effectively treated.
- Step 8. The **plant quarantine officer** clears the WPM for entry.

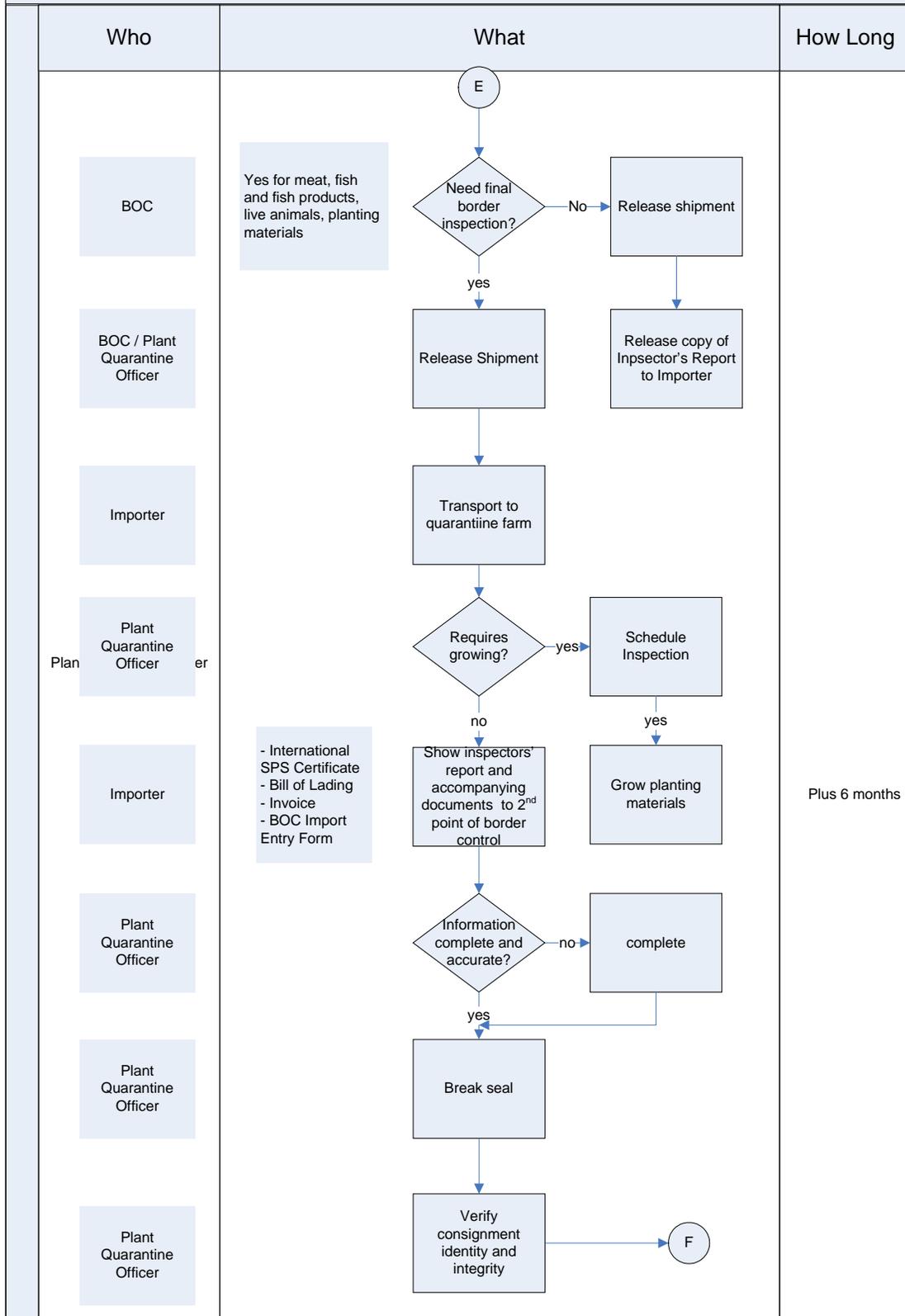
Annex VI-5. Process Diagram: Import Inspection



Import Inspection (2 of 6)

Who	What	How Long
<p>Importer/ Authorized broker/ representative</p>	<p>(A)</p> <p>Presents application form marked "okay for inspection"</p>	<p>Min 0</p>
<p>Plant Quarantine Officer</p>	<p>Container number matches that in application documents?</p> <p>no → Recommend hold and rigid inspection → (B)</p> <p>yes →</p>	
<p>Plant Quarantine Officer</p>	<p>Seal missing?</p> <p>yes → Recommend 100% inspection</p> <p>no →</p>	
<p>Plant Quarantine Officer</p>	<p>Seal tampered?</p> <p>yes → Recommend 100% inspection</p> <p>no →</p>	
<p>Plant Quarantine Officer</p>	<p>Break seal</p>	<p>Min 10</p>
<p>Plant Quarantine Officer</p>	<p>Do cargo consignment identity and integrity check</p>	
<p>Plant Quarantine Officer</p>	<p>Cargo identifiable and accurately described in documents?</p> <p>No → Recommend confiscation</p> <p>yes →</p>	
<p>Plant Quarantine Officer</p>	<p>Commodities of Common Concern? Mixed commodities?</p> <p>yes → Ask other concern bureaus and agencies for joint inspection</p> <p>no → (C)</p>	

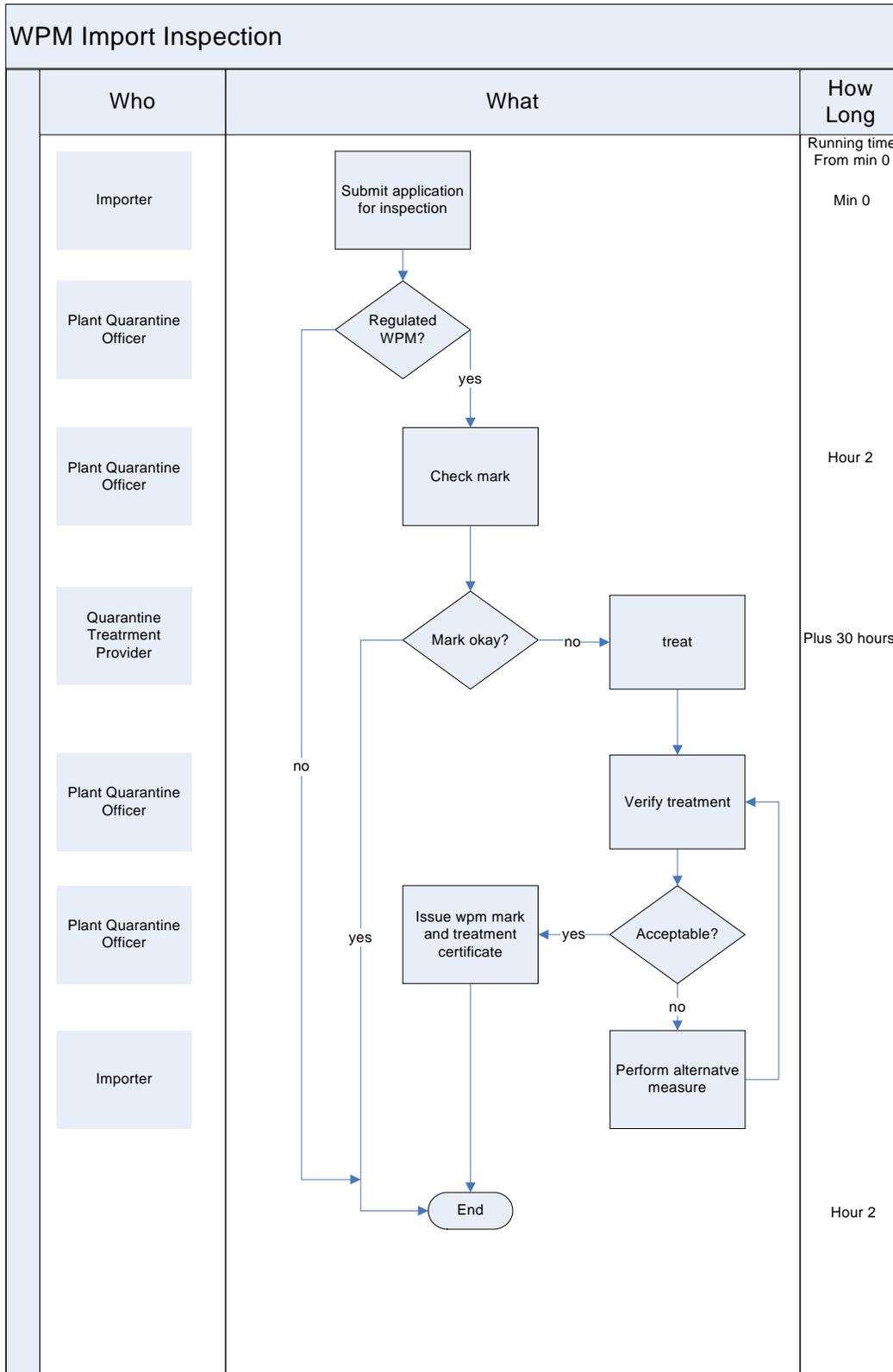
Import Inspection (5 of 6)



Import Inspection (6 of 6)

Who	What	How long
<div data-bbox="300 451 446 577">Plant Quarantine Officer</div> <div data-bbox="300 619 446 745">Plant Quarantine Officer</div> <div data-bbox="300 829 446 955">Plant Quarantine Officer</div> <div data-bbox="300 1039 446 1165">Plant Quarantine Officer</div> <div data-bbox="300 1228 446 1354">Plant Quarantine Officer</div> <div data-bbox="300 1396 446 1522">BOC</div> <div data-bbox="300 1564 446 1690">Plant Quarantine Officer</div> <div data-bbox="300 1732 446 1858">BOC</div>	<pre> graph TD F((F)) --> D1{Cargo clearly identifiable?} D1 -- no --> A1[Consult expert to identify] D1 -- yes --> D2{Cargo accurately described?} D2 -- no --> A2[Decide action] D2 -- yes --> B[Request Inspection] G((G)) --> B B --> C[Do rigid inspection sensory, chemical and microbial exam] C --> D[Prepare inspector's report part III consolidated form] D --> E[Issue copy to importer/BOC] E --> F1[Receive copy of inspector's report] F1 --> D3{Pass inspection?} D3 -- no --> A3[Recommend Confiscation] D3 -- yes --> A4[Release imports] </pre>	<p data-bbox="1209 882 1325 934">Plus 2 hrs Per container</p>

Wood Packaging Materials



Annex VI-6. Inspection Guidelines

BPI Plant Quarantine Officers shall refer to FAO Digest of Plant Quarantine Regulations

BPI Plant quarantine officers shall refer to following on reviewing phytosanitary certificates that accompany imports:

1. Unacceptable certificates

Importing countries should not accept certificates that they determine to be invalid or fraudulent. The issuing authorities should be notified as soon as possible regarding unacceptable or suspect documents (see ISPM No. 13: *Guidelines for the notification of non-compliance and emergency action*). The NPPO of the exporting country should take corrective action when necessary and maintain systems for vigilance and security to ensure that a high level of confidence is associated with phytosanitary certificates issued by that authority.

4. Invalid phytosanitary certificates

Reasons for rejecting a phytosanitary certificate and/or for requesting additional information include:

- illegible
- incomplete
- period of validity expired or not complied with
- inclusion of unauthorized alterations or erasures
- inclusion of conflicting or inconsistent information
- use of wording that is inconsistent with the model certificates
- certification of prohibited products
- non-certified copies.

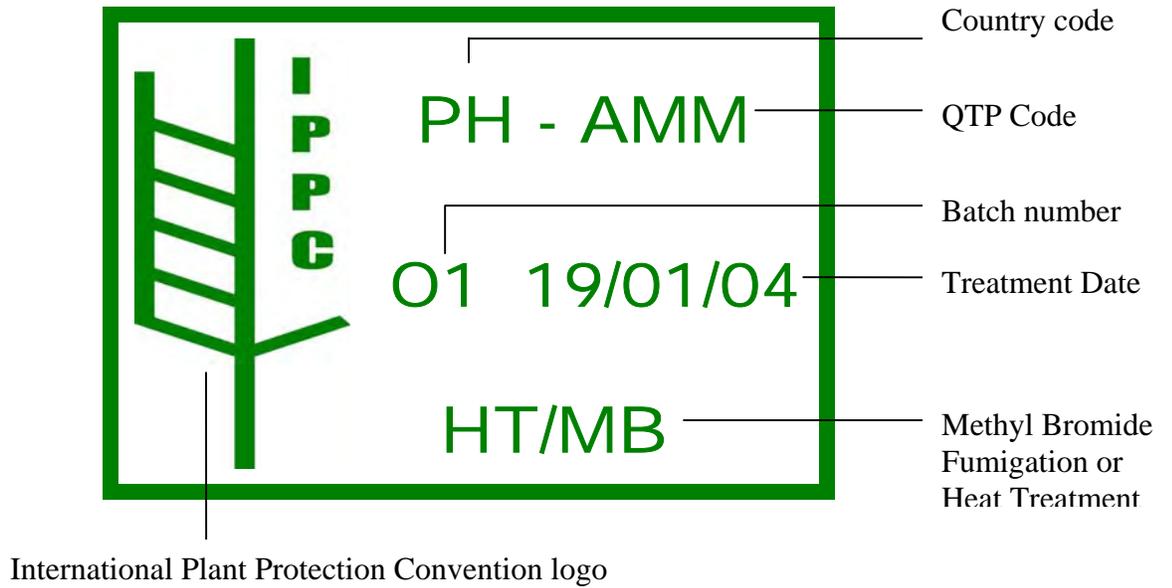
5. Fraudulent certificates

Fraudulent certificates include those:

- not authorized by the NPPO
- issued on forms not authorized by the issuing NPPO
- issued by persons or organizations or other entities that are not authorized by NPPO
- containing false or misleading information.

The universally used marking for treated WPM is:

Not more than 3'X 4', spray painted, permanent and non-transferable, in visible location



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]	DA BORDER INSPECTOR'S REPORT
----------------------------------	--	---

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			
7. International SPS Certificate No	8. BOC Entry No.	9. Bill of Lading No./Airway Bill No.	10. DA Seal Number/s
11. Production and Expiry Date	12. Lot/ Batch Size		
13. FME Name		14. FME Number	

B. INSPECTION DETAILS

15. Documentary Checklist			
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		
16. Findings and Recommendations			
<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 treatment	<input type="checkbox"/> For temporary hold
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, zions	P5.00 per kg or max P5,000 per doc	
	Rooted cuttings, seedlings, grafts and marcots	P10.00/pc or max P5000	
	Cutflower, floricultures	P10.00/kg, or max P5000	
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, opossums, 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, warblers, 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 tallow, 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 ¹	Fresh/frozen/chilled fish and fishery/aquatic products	

¹ Does not charge inspection fee

VII. ISSUANCE OF INTERNATIONAL SPS CERTIFICATE

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VII. ISSUANCE OF INTERNATIONAL SPS CERIFICATE

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
- c) Sanitary or Health Certificate on the safety of food and food additives

B. Legal Basis

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 between the Philippines and importing country. 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 generally require 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 but may 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 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, facility or establishment used to produce, process or distribute the product, 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 shown in Annex VII-5

F. Issuance Process

The process for the issuance of an International SPS Certificate is shown 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 shown 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 depend 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 ¹ BPI AO 1, S 1981 ²
	Banana	MO No. 1, S 2004
	Okra	MO No. 84, S 2002 MO No. 85, S 2005 ³
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 ⁴
	Live animals except wild birds	MC No. 8, S 1980 ⁵
	Wild birds	MC No. 4, S 1979 ⁶
	Poultry (hatching eggs, day-old chicks, frozen poultry meat)	Memorandum, 30 Sept 2004 ⁷
	Non-human primates	MC 2, S 2005 ⁸
	Dogs and cats	Memorandum, 2 Nov 2004 ⁹
BAI AFSD	feeds	RA 1556 ¹⁰ AO 24 S. 1991 ¹¹ LC 1 S. 1991 ¹²
BAI LSD VBSS	veterinary biological products	Act 3101, March 16 1923 ¹³ AO 9, S. 1982 ¹⁴
FPA	fertilizers and pesticides	PD 1144
NMIS	Meat and meat products	RA 9296 EO 137

¹ The Quarantine Law of 1978

² Rules and Regulations to Implement PD 1433

³ Pesticide Residue Analysis for Fresh Okra to Japan

⁴ Requirements and Procedures in the Export of Livestock, Their Meat and Meat Products

⁵ Health Requirements for the Export of Live Animals (Except Wild Birds)

⁶ Guidelines on the Quarantine of Wild Birds Intended for Export

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

⁸ Procedures for Quarantine and Conditioning of Non-human Primates

⁹ Revision of Japanese Export Protocol for Dogs and Cats

¹⁰ 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)

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

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

¹³ 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.

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

**Excerpts from BPI Quarantine Administrative Order No. 1
SERIES OF 1981**

SUBJECT: *Rules and Regulations to Implement [Presidential Decree No. 1433](#),
Entitled “**PROMULGATING THE PLANT QUARANTINE LAW OF
1978, THEREBY REVISING AND CONSOLIDATING EXISTING
PLANT QUARANTINE LAWS TO FURTHER IMPROVE AND
STRENGTHEN THE PLANT QUARANTINE SERVICE OF THE
BUREAU OF PLANT INDUSTRY.**”*

RULE V*

EXPORTATION OF PLANTS, PLANT PRODUCTS AND OTHER

(1) MATERIALS CAPABLE OF HARBORING PESTS

SECTION 1. The plant quarantine inspection and certification of plants, plant products and other material capable of harboring plant pests intended for exportation shall be conducted by the BPI Plant Quarantine Service whenever the Phytosanitary or Plant Health Certificate is required by the importing country or by an International Convention Agreement (Section 1, Rule III, Rules and Regulations, P.D. 930 and Section 6, [P.D. 1433](#)).

SECTION 2. *Filing of Application for Inspection.* – Exporters of plants, plant products and other materials for export shall submit a duly accomplished “Application for Inspection” upon (**BPI “Q” Form No. 10**) to the Plant Quarantine Office at the port of loading together with a certified true copy of the Official Export Declaration issued by the Authorized Agent Bank, as well as other documents which the Plant Quarantine Officer may require at least forty-eight (48) hours prior to the time of loading in order to allocate ample time for the required inspection and/or the conduct of commodity treatment, as well as for the preparation of the Phytosanitary Certificate.

SECTION 3. *Inspection and Phytosanitary Certification.* – Export commodities, for which a Phytosanitary Certificate is required shall be subjected to random inspection in a place to be designated by the Plant Quarantine Officer, in order to determine their sanitary condition. Representative samples may be taken at random by the Plant Quarantine Officer for examination or for testing. Commodities that are found to be substantially free from plant pests shall be officially certified and issued the “Phytosanitary Certificate” (**BPI “Q” Form No. 11**). However, those manifesting the presence of plant pests shall either be subjected to a prescribed commodity treatment in order to eliminate the infection or infestation, as the case may be, or shall be returned to the exporter without certification. Under no circumstance shall a “Phytosanitary

* (Section 6, P.D. 1433)

Certificate” be issued to shipments which have been found to harbor “plant pests” or which have been taken from or mixed with other materials that are diseased or infested with “plant pests”. The issuance of phytosanitary certificate shall likewise be denied to exports intended to a country to which their entry is absolutely prohibited.

SECTION 4. *Approval of Packing or Filling Materials Employed in Exports.* – All packing or filling materials of plant origin or soil, and or earth employed in the exportation of plants, plant products and other related materials shall be verified by the Plant Quarantine Officer in order to evaluate their safety and acceptability for such use. The approval of the packing or filling materials associated with exports shall be based on the quarantine regulations of the importing country.

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

Commodity	Competent Bureau/Agency
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

Commodity	Requirement(s)
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

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]	Application for an Export Certificate
---------------------------	---	--

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

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 **plant quarantine officer** verifies that the application form and documents are sufficient in form and substance. The **plant quarantine officer** verifies and certifies that 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. 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.”

If any of the application form and documents is not sufficient in form and substance, the concerned unit rejects the application and informs the applicant of the deficiency.

Step 3 The **plant quarantine officer** determines the eligibility of the product to be exported and the applicant and establishment to export. If any one of the product, the applicant or the establishment is not eligible to export, the concerned unit rejects the application and informs the applicant of the deficiency.

Step 4 The **plant quarantine officer** conducts the technical inspection and evaluation of the product to be exported.

If the products are mislabeled, the **plant quarantine officer** informs the applicant and holds the application until the labels are corrected.

If the products are assorted with some misdeclared items, the **plant quarantine officer** asks the applicant to remove the misdeclared items.

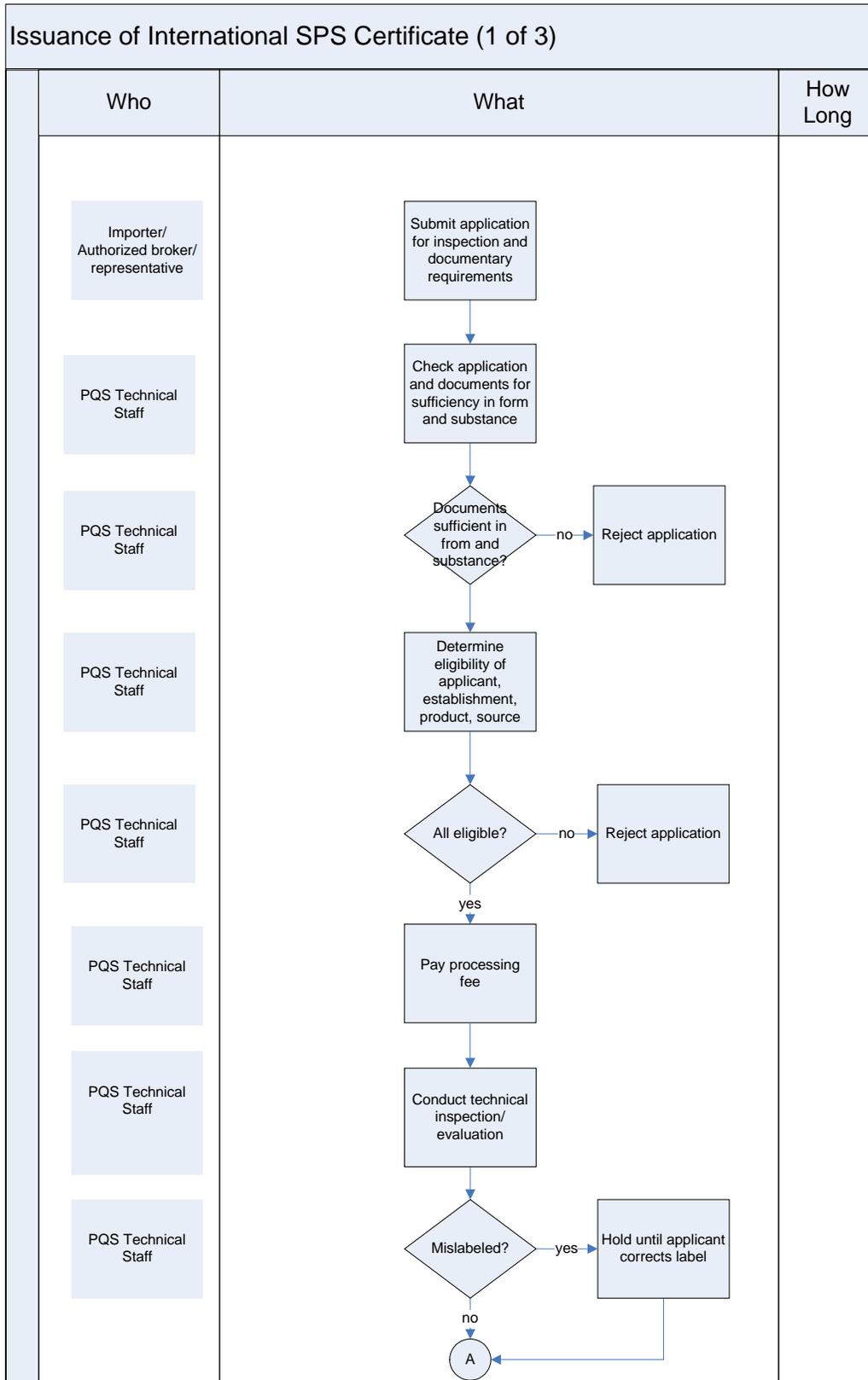
If the product is infected or infested, the **plant quarantine officer** recommends and supervises treatment.

The **plant quarantine officer** 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, or (d) the product does not pass any known requirement of the importing country.

- Step 5 For applications that are granted, the **plant quarantine officer** prepares the International SPS Certificate and has this signed by the **Director of BPI** with endorsement from the chief of concerned unit.
- Step 6 The **plant quarantine officer** authenticates (number or barcode) and records the grant of certificate, informs the applicant, and releases the certificate to the applicant.

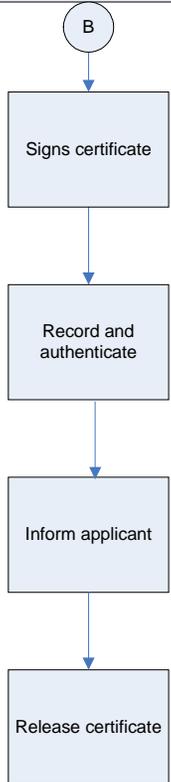
Annex VII-7. Process Diagram; Issuance of International SPS Certificate



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;">PQS Technical Staff</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">PQS Technical Staff</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">PQS Technical Staff</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">PQS Technical Staff</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">PQS Technical Staff</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">PQS Technical Staff</div> <div style="border: 1px solid black; background-color: #e0e0e0; padding: 5px; margin-bottom: 10px;">Chief , PQS</div>	<pre> graph TD B((B)) --> D1{Assorted products with misdeclared items?} D1 -- yes --> A1[Remove misdeclared items] D1 -- no --> D2{All items misdeclared?} D2 -- yes --> A2[Deny application] D2 -- no --> D3{Infected/infested?} D3 -- yes --> A3[Supervise treatment] D3 -- no --> D4{Lab tests, physical exam, passed?} A3 --> D4 D4 -- no --> A4[Deny application] D4 -- yes --> D5{Packing suitable?} D5 -- no --> A4 D5 -- yes --> D6{Meets all requirements of importing country?} D6 -- no --> A4 D6 -- yes --> A5[Prepares International SPS certificate] A5 --> A6[Recommends approval] A6 --> B2((B)) </pre>	<p>Plus 30 hours</p> <p>Day 1</p> <p>Day 2</p>

Issuance of International SPS Certificate (3 of 3)

Who	What	How long
<div data-bbox="300 441 462 562" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">Director BPI</div> <div data-bbox="300 630 462 751" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">PQS Technical Staff</div> <div data-bbox="300 819 462 940" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">PQS Technical Staff</div> <div data-bbox="300 1008 462 1129" style="border: 1px solid black; padding: 5px;">PQS Technical Staff</div>	 <pre> graph TD B((B)) --> A[Signs certificate] A --> B[Record and authenticate] B --> C[Inform applicant] C --> D[Release certificate] </pre>	<p style="text-align: center;">Day 2</p>

Wood Packaging Materials

Certification of WPM in Exports (1 of 2)

Who	What	How Long
		Running time From min 0
Exporter	Submit application for inspection	Min 0
Plant Quarantine Officer	Inform estimated export departure and WPM requirements in importing country	
Plant Quarantine Officer	Schedule inspection and treatment	Min 10
Exporter	Submit document	Min 0
Plant Quarantine Officer	Verify WPM requirements in importing country	Min 20
Plant Quarantine Officer	Regulated WPM in importing country (Decision diamond)	no → End yes →
Plant Quarantine Officer	Verify wpm mark	
Plant Quarantine Officer	Mark okay? (Decision diamond)	yes → End no → A

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

Export of Banana

1. A BPI Plant Quarantine Officer shall be assigned, whenever practicable, to supervise the packing process of any exporter at their designated packing station.
2. All fresh bananas should come from the submitted list of areas by the producer exporter and trader-exporter.
3. The BPI-PQS shall carry out random inspection on five percent (5%) of the total packed bananas or 600 units from any given lot (total packed bananas for the day), unless a written agreement, consistent with international standard, was forged between the BPI-PQS and the institutional procedures prior to this memorandum order.
4. Whenever necessary, inspection of the fruit can be done at the port of exit following the same size of sampling.
5. BPI-PQS shall ensure that fruits for export shall comply with the phytosanitary requirements of the importing country. Detection of regulated pest/s in the export fruit shall be subjected to usual phytosanitary measures to ensure compliance.
6. Any exporter found to exceed the maximum volume of export possible without the necessary valid documentary justification should not be issued Phytosanitary Certificate.

Export of Mangoes and Papaya to New Zealand

Treatment

Prior to export, commodities approved for export to New Zealand shall meet one of the following vapor heat treatment specifications:

- (a) Mangoes Raised from ambient to a temperature of 40C+held for a minimum 10 minutes; or holding time
- (b) Papaya Raised from ambient to a temperature of 40C+held for a minimum Of 70 minutes. holding time

Note: Treatment (b) has been included at the request of the Philippine Department of Agriculture.

Treatment monitoring

The treatment of all batches to be exported to New Zealand shall be monitored in accordance with the procedures described in sections 2 and 3 of the document entitled “Vapour Heat Treatment Procedure for Fruit Export to New Zealand”.

All cartons shall be traceable to a unique treatment batch in accordance with section 4 (“Carton identification/markings”) of the document entitled “Vapour Heat Treatment Procedure for fruit Export to New Zealand”.

Product security

Following treatment, security of the treatment batches to be exported to New Zealand shall be maintained in accordance with the procedures described in section 5 (“Post Treatment Security”) of the document entitled “Vapour Heat Treatment Procedure for Fruit Export to New Zealand”.

Specific Conditions For Mangos

The New Zealand Ministry of Agriculture and Forestry requires that the Philippines national plant protection organization sample and inspect the consignment according to official procedures for all visually detectable regulated pests (as specified by the New Zealand Ministry of Agriculture and Forestry), with a 95% confidence level, that not more than 0.5% of the in the consignment are infested (this equates to an acceptance level of zero units infested by quarantine pests in a sample size of 600 units).

Before an export phytosanitary certificate is to be issued, the Philippines national plant protection organization must be satisfied that the following activities (or agreed

equivalent activities) required by the New Zealand Ministry of Agriculture and Forestry have been undertaken.

The mangoes have:

Been inspected in accordance with appropriate official procedures and found to be free of visually detectable quarantine pests specified by the New Zealand Ministry of Agriculture and Forestry.

AND

Undergone an agreed treatment that is effective against fruit flies

AND

Undergone appropriate pest control activities that are effective against:

Aleurocanthus woglumi Citrus black fly

Specific Conditions for Papaya

The New Zealand Ministry of Agriculture and Forestry requires that the Philippine national plant protection organization sample and inspect the consignment according to official procedures for all visually detectable regulated pests (as specified by the New Zealand Ministry of Agriculture and Forestry), with a 95% confidence level, that not more than 0.5% of the units of the consignment are infested equates to an acceptance level of zero units infested by quarantine pests in a sample size of 600 units).

Before an export phytosanitary certificate issued by the Philippines national plant protection organization must be satisfied that the following activities (or agreed equivalent activities) required by the New Zealand Ministry of Agriculture and Forestry have been undertaken.

The Papaya have:

Been inspected in accordance with appropriate official procedures and found to be free of visually detectable regulated pests specified by the New Zealand Ministry of Agriculture and Forestry.

AND

Undergone an agreed treatment that is effective against species in Quarantine:
Risk group 3

AND

Undergone appropriate pests control activities that are effective against:

- *Aleurocanthus woglumi*
- *Conosethes punctiferalis*
- *Guignardia citricarpa* (anamorph *Phyllosticta citricarp*) black spot strain

Export of Okra to Japan

1. Monitoring Of Pesticide Residue

- 1.1 Fresh okra sample shall be collected at random by the BPI personnel the packinghouse at the time of packing.
- 1.2 The BPI Pesticide Analytical Laboratory established by JICA shall immediately subject okra samples collected to pesticide residue analysis.

2. Packing And Quarantine Inspection

- 1.3 A BPI Plant Quarantine Officer shall be assigned to supervise the whole packing process at the designated packing area.
- 1.4 All fresh okra obtained from the accredited grower/farmer shall be randomly collected with samples for plant quarantine inspection while sorting and packing.
- 1.5 The BPI Plant Quarantine Officer shall carry out inspection on five percent (5%) or more of the total cartons packed.
- 1.6 All okra fruits found infested with pest shall be rejected and will not be allowed for packing.
- 1.7 BPI-Plant Quarantine Officer shall verify that all cartons are bearing the code of export of exporter and farmer/s
- 1.8 Any farmer/grower found exceed the maximum estimated harvest per hectare per law day would not be issued Phytosanitary Certificate the same farmer shall be requested to explain within twenty-four (24) hours, the reasons for increase to harvest.

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.

BPI 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.

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 _____

Date _____
(Signature) _____

Requirements for completing the phytosanitary certificate

(Headings in italics refer to the components of the model certificate)

The specific components of the phytosanitary certificate are explained as follows:

1. *No.* _____

This is the certificate identification number. It should be a unique serial number associated with an Identification system that allows "trace-back", facilitates audits and serves for record keeping.

2. *Plant Protection Organization of* _____

This component requires the name of the official organization and the name of the country that is issuing the certificate. The name of the NPPO may be added here if it is not part of the printed form.

3. *TO: Plant Protection Organization(s) of* _____

The name of the importing country should be inserted here. In cases where the shipment transits through a country which has specific transit requirements, including the need for phytosanitary certificates, the names of both importing country and country of transit may be inserted. Care should be taken to ensure that the import and/or transit regulations of each country are met and appropriately indicated. In cases where the shipment is imported and re-exported to another country, the names of both importing countries may be inserted, provided the import regulations of both countries have been met.

Section I. Description of Consignment

4. *Name and address of exporter:* _____

This information identifies the source of the consignment to facilitate "trace back" and audit by the exporting NPPO. The name and address should be located in the exporting country. The name and address of a local exporter's agent or shipper should be used, where an international company with a foreign address is the exporter.

5. *Declared name and address of consignee:* _____

The name and address should be inserted here and should be in sufficient detail to enable the importing NPPO to confirm the identity of the consignee. The importing country may require that the address be a location in the importing country.

6. *Number and description of packages:* _____

Sufficient detail should be included in this section to enable the NPPO of the importing country to identify the consignment and its component parts, and verify their size if necessary. Container numbers and/or railcar numbers are a valid addition to the description of the packages and may be included here, if known.

7. *Distinguishing marks:* _____

Distinguishing marks may be indicated at this point on the phytosanitary certificate, or else on a stamped and signed attachment to the certificate. Distinguishing marks on bags, cartons or other containers should be included only where they assist in identifying the consignment. Where no entry is made, the term “None” should be entered or the line should be blocked out (to prevent falsification).

8. *Place of origin:* _____

This refers to place(s) from which a consignment gains its phytosanitary status, i.e. where it was possibly exposed to possible infestation or contamination by pests. Normally, this will be the place where the commodity was grown. If a commodity is stored or moved, its phytosanitary status may change over a period of time as a result of its new location. In such cases the new location may be considered as the place of origin. In specific circumstances, a commodity may gain its phytosanitary status from more than one place. In these cases where pests from one or more place may be involved, NPPOs should decide which place or places of origin most accurately describe the situation which has given the commodity its phytosanitary status. In such cases, each place should be declared. It is noted that in exceptional cases, such as with mixed seed lots that have more than one country of origin it is necessary to indicate all possible origins.

Countries may require that “pest free area,” “pest free place of production,” or “pest free production site” be identified in sufficient detail in this section. In any case, at least the country of origin should be indicated.

9. *Declared means of conveyance:* _____

Terms such as “sea, air, road, rail, mail, and passenger” should be used. The ship’s name and voyage number or the aircraft’s flight number should be included if known.

10. *Declared point of entry:* _____

This should be the first point of arrival in the country of final destination, or if not known, the country name. The point of entry of the first country of importation

should be listed where more than one country is listed in the “TO:” section. The point of entry for the country of final destination should be listed in cases where the consignment only transits through another country. If the country of transit is also listed in the “TO:” section, the points of entry into the transit country as well as the final destination country may be listed (e.g. point A via point B).

11. *Name of produce and quantity declared:* _____

The information provided here should be sufficiently descriptive of the commodity (which should include the commodity class, i.e. fruit, plants for planting, etc.) and the quantity expressed as accurately as possible to enable officials in the importing country to adequately verify the contents of the consignment. International codes may be used to facilitate identification (e.g. customs codes) and internationally recognized units and terms should be used where appropriate. Different phytosanitary requirements may apply to the different end uses (for example, consumption as compared to propagation) or state of a product (e.g. fresh compared to dried); the intended end use or state of the product should be specified. Entries should not refer to trade names, sizes, or other commercial terms.

12. *Botanical name of plants:* _____

The information inserted here should identify plants and plant products using accepted scientific names, at least to genus level but preferably to species level.

It may not be feasible to provide a botanical description for certain regulated articles and products of complex composition such as stock feeds. In these cases, NPPOs should agree bilaterally on a suitable common name descriptor, or the words “Not applicable” or “N/A” may be entered.

13. *Certifying statement*

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)

In instances where specific import requirements exist and/or quarantine pests are specified, the certificate is used to certify conformity with the regulations or requirements of the importing country.

In instances where import requirements are not specific and/or quarantine pests are not specified, the exporting country can certify for any pests believed by it to be of regulatory concern.

The exporting countries may include the optional clause on their phytosanitary certificates or not.

“... *appropriate official procedures* ...” refers to procedures carried out by the NPPO or persons authorized by the NPPO for purposes of phytosanitary certification. Such procedures should be in conformity with ISPMs where appropriate. Where ISPMs are not relevant or do not exist, the procedures may be specified by the NPPO of the importing country.

“... *considered to be free from quarantine pests* ...” refers to freedom from pests in numbers or quantities that can be detected by the application of phytosanitary procedures. It should not be interpreted to mean absolute freedom in all cases but rather that quarantine pests are not believed to be present based on the procedures used for their detection or elimination. It should be recognized that phytosanitary procedures have inherent uncertainty and variability, and involve some probability that pests will not be detected or eliminated. This uncertainty and probability should be taken into account in the specification of appropriate procedures.

“... *phytosanitary requirements* ...” are officially prescribed conditions to be met in order to prevent the introduction and/or spread of pests. Phytosanitary requirements should be specified in advance by the NPPO of the importing country in legislation, regulations, or elsewhere (e.g. import permits and bilateral agreements and arrangements).

“... *importing contracting party* ...” refers to governments that have adhered to the IPPC including Members of the Interim Commission on Phytosanitary Measures until the amendments of 1997 come into force.

14. Section II. Additional Declaration

Additional declarations should be only those containing information required by the importing country and not otherwise noted on the certificate. Additional declarations should be kept to a minimum and be concise. The text of additional declarations may be specified in, for example, phytosanitary regulations, import permits or bilateral agreements. Treatment(s) should be indicated in Section III.

15. Section III. Disinfestation and/or Disinfection Treatment

Treatments indicated should only be those which are acceptable to the importing country and are performed in the exporting country or in transit to meet the

phytosanitary requirements of the importing country. These can include devitalization and seed treatments.

16. Stamp of organization

This is the official seal, stamp or mark identifying the issuing NPPO. It may be printed on the certificate or added by the issuing official upon completion of the form. Care should be taken to ensure that the mark does not obscure essential information.

17. Name of authorized officer, date and signature

The name of the issuing official is typed or hand-written in legible capital letters (where applicable). The date is also to be typed or hand-written in legible capital letters (where applicable). Only abbreviations may be used to identify months, so that the month, day and year are not confused.

Although portions of the certificate may be completed in advance, the date should correspond to the date of signature. Certificates should not be post- or pre-dated, or issued after dispatch of the consignment unless bilaterally agreed. The NPPO of the exporting country should be able to verify the authenticity of signatures of authorized officers upon request.

18. Financial liability statement

The inclusion of a financial liability statement in a phytosanitary certificate is optional.

Specific Principles and Guidelines for Preparation and Issue of Phytosanitary Certificates for Re-export

The components of the phytosanitary certificate for re-export are the same as for the phytosanitary certificate except for the section covering certification. In this section, the NPPO indicates by inserting ticks in the appropriate boxes whether the certificate is accompanied by the original phytosanitary certificate or its certified copy, whether the consignment has been repacked or not, whether the containers are original or new, and whether an additional inspection has been done. ISPM No. 7 (*Export Certification Systems*) provides guidance on the need for additional inspection.

If the consignment is split up and the resulting consignments are exported separately, then phytosanitary certificates for re-export and certified copies of the original phytosanitary certificate will be required to accompany any such consignments.

1. Conditions for issuing a phytosanitary certificate for re-export

When a consignment is imported into a country, then exported to another, the NPPO should issue a phytosanitary certificate for re-export (see model). The NPPO should only issue a certificate for the export of an imported consignment if the NPPO is confident that the importing country's regulations are met. Re-export certification may still be done if the consignment has been stored, split up, combined with other consignments or re-packaged, provided that it has not been exposed to infestation or contamination by pests. The original phytosanitary certificate or its certified copy should also accompany the consignment.

2. Conditions for issuing a phytosanitary certificate for an imported consignment

If the consignment has been exposed to infestation or contamination by pests, or has lost its integrity or identity, or has been processed to change its nature, the NPPO should issue a phytosanitary certificate and not the phytosanitary certificate for re-export. The country of origin should still be indicated on the phytosanitary certificate. The NPPO must be confident that the importing country's regulations are met.

If the consignment has been grown for a specific time (depending on the commodity concerned, but usually one growing season or more) the consignment can be considered to have changed its country of origin.

3. Transit

If a consignment is not imported, but is in transit through a country without being exposed to infestation or contamination by pests, the NPPO does not need to issue either a phytosanitary certificate or a phytosanitary certificate for re-export. If however, the consignment is exposed to infestation or contamination by pests, the

NPPO should issue a phytosanitary certificate. If the consignment is split up, combined with other consignments or repackaged, the NPPO should issue a phytosanitary certificate for re-export.

A. *Attachments*

Official attachments to the phytosanitary certificate should be limited to those instances where the information required to complete the certificate exceeds the available space on the certificate (see also point 2). Any attachments containing phytosanitary information should bear the phytosanitary certificate number, and should be dated, signed and stamped the same as the phytosanitary certificate. The phytosanitary certificate should indicate, in the appropriate section, that the information belonging in that section is contained in the attachment. The attachment should not contain any information that would not be put on the phytosanitary certificate itself, had there been enough space.

Invalid or Fraudulent Certificates

1. Invalid phytosanitary certificates

Reasons for rejecting a phytosanitary certificate and/or for requesting additional information include:

- illegible
- incomplete
- period of validity expired or not complied with
- inclusion of unauthorized alterations or erasures
- inclusion of conflicting or inconsistent information
- use of wording that is inconsistent with the model certificates herein
- certification of prohibited products
- non-certified copies.

2. Fraudulent certificates

Fraudulent certificates include those:

- not authorized by the NPPO
- issued on forms not authorized by the issuing NPPO
- issued by persons or organizations or other entities that are not authorized by NPPO
- containing false or misleading information.

