



27 April 2000

ADMINISTRATIVE ORDER

No. 16
 Series of 2000

SUBJECT : RULES, REGULATIONS, GUIDELINES, STANDARDS, AND PROCEDURES ON THE IMPORTATION OF MEAT AND MEAT PRODUCTS INTO THE PHILIPPINES

WHEREAS, there were series of disease outbreaks (e.g., Foot and Mouth Disease, Mad Cow Disease (BSE), Avian Influenza, among others) and contaminations (e.g. dioxin, etc.) in countries where the Philippines sources its meat and meat products;

WHEREAS, there is need to prevent the entry of disease-carrying, contaminated, and/or adulterated meat and/or meat products, which endanger the lives and safety/health of the consuming public and are potentially causing serious economic consequences on the livestock and poultry industry;

WHEREAS, there is a need to issue an integrated, rationalized, improved, and transparent rules and regulations governing the importation of meat and meat products to ensure the safety/health and quality of imported meat and meat products

NOW, THEREFORE, I, EDGARDO J. ANGARA, Secretary of the Department of Agriculture, in accordance with the Consumer Act of the Philippines and Section 18, Chapter 4, Title IV, Book IV of Executive Order No. 292, do hereby issue this Order governing the importation of meat and meat products:

**Section I
 DEFINITION OF TERMS**

As contemplated in this Order, the following terms, words and phrase herein used shall be construed to mean as follows:

- A. *Meat*-refers to flesh, chilled or frozen part of carcass, including edible offal derived from but not limited to cattle, buffalo, pig, poultry, goat, sheep, and horse but excluding meat derived from marine animals and those prohibited animals under the *Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)*.
- B. *Meat products*-refer to meat referred above, which have been subjected to treatment by cooking, drying, salting, brining or smoking.
- C. *Qualified importer*- refers to any National Meat Inspection Commission (NMIC) accredited processor, trader, hotels, resorts, restaurants, supermarkets, among other entities dealing with the same with valid Veterinary Quarantine Clearance issued by the Department of Agriculture (DA).
- D. *Qualified exporter*- refers to the owner of the foreign meat plant accredited by the DA and recognized/accredited by the government veterinary authority of the exporting country. *g*

- E. International Veterinary/Health Certificate-** refers to a certificate issued by the authorized government veterinary authority/officer of the country of origin, attesting, among others that the goods conform/satisfy with the sanitary/veterinary requirements/standards of the Philippines as prescribed in the Veterinary Quarantine Clearance issued by the DA.
- F. Veterinary Quarantine Clearance (VQC)/SPS Import Permit-** refers to a document issued by the DA, setting the quarantine and laboratory procedures and conditions within which the meat and/or meat products shall be subject to by the exporting country prior to shipment.
- G. Office Internationale des Epizootie (OIE)-** refers to the International Organization recognized by the World Trade Organization (WTO) Agreement on the Application of the Sanitary and Phytosanitary Measures as the body responsible for establishing the animal veterinary and health standards/guidelines (OIE Animal Health Code).
- H. Codex Alimentarius Commission (CODEX)-** refers to the body recognized by the WTO Agreement on the Application of the Sanitary and Phytosanitary Measures as the body responsible for setting the standards, codes of practice, guidelines and recommendations on food quality and safety.
- I. Adulterated food-** meat and meat products shall be deemed adulterated;
1. If it bears or contains any poisonous or deleterious substance, which may render it injurious to health; but in case the substance is not an added substance, such food shall not be considered adulterated under this clause if the quantity of such product does not ordinarily render such food injurious to health;
 2. If it bears or contains any added poisonous or deleterious substance other than one which is (i) a pesticide chemical, (ii) a food additive, and (iii) a color additive for which tolerances have been established and conforms to such tolerances;
 3. It consists in whole or in part of any filthy, putrid or decomposed substance; or if it is otherwise unfit for human consumption;
 4. If it has been prepared, packed or held under unsanitary conditions whereby it may have become contaminated with filth or whereby it may have been rendered injurious to health;
 5. If it is, in whole or part, the product of the deceased animal or of an animal, which died of causes other than by slaughtered; or
 6. If its container is composed, in whole or in part, of any poisonous or deleterious substance, which may render the contents injurious to health.
- J. Substandard-** meat and meat product shall be deemed substandard;
1. If any valuable constituent has been, in whole or in part, omitted or abstracted therefrom and the same has been substituted by any healthful equivalent or such constituent;
 2. If any substance, not of valuable constituent, has been added or substituted or in part thereof;
 3. If damage or inferiority has been concealed in any manner; or
 4. If any substance has been added thereto or packed therewith so as to increase its bulk or weight, reduced its quantity or strength, or make it appear of better or greater value than it actually is.

Section II COVERED PRODUCTS

Only meat and meat products referred to in ANNEX "A" as defined in Section I (A) and (B) are covered by this Order.

Section III
REQUIREMENTS AT THE COUNTRY OF ORIGIN

- A. Before a qualified exporter can ship into the Philippines meat and/or meat products, it must first secure a copy of the approved VQC/SPS Import Permit referred to in Section IV.
- B. The shipment (imported meat and meat products) shall be accompanied by an International Veterinary/Health Certificate issued by the federal or national government veterinary authority at the country of origin attesting that the shipment conforms with the veterinary conditions/requirements of the Philippines.
- C. Only frozen meat slaughtered within 3 months are allowed for export to the Philippines.
- D. The government veterinary authority of the country maintaining exports to the Philippines shall submit a monthly report on their disease conditions (based on the OIE format) to the Bureau of Animal Industry (BAI);
- E. The government veterinary authority shall report to the BAI any outbreak of OIE notifiable diseases as soon as possible but should not exceed a week from the date it has actually confirmed the outbreak.
- F. Outbreak of a disease shall cause the temporary ban on the exportation of the affected meat and/or meat products into the Philippines. Lifting of the temporary ban shall be in accordance with the recommendations/advisory of OIE and the considerations of the measures taken by government veterinary authorities of the country and the exporter.

Section IV
APPLICATION FOR VETERINARY QUARANTINE CLEARANCE
(SPS IMPORT PERMIT)

- A. A qualified importer as defined under Section I (C) who intends to import meat and/or meat products must submit a verified (notarized) application, together with the documents referred to in ANNEX "D", for a Veterinary Quarantine Clearance (VQC)/SPS Import Permit to the Office of the Director of the Bureau of Animal Industry (BAI) and for consideration and approval of the Secretary of Agriculture prior to the shipping of goods into the country.
- B. The BAI, in consultation with the NMIC as may be necessary, shall evaluate and may approve the application for VQC if the submitted documents are complete and are in order. Approved VQC with BAI seal and the Secretary's signature shall be released upon payment of the necessary fee.
- C. The BAI shall issue a VQC per container van of meat and/or meat products to be imported. The issued VQC is only valid for one shipment.
- D. The VQC is valid for 3 months from the date of issue. A 30-day extension must be secured from the BAI when the shipment is already made within the validity of the VQC but will arrive during the expiration of the same. For this purpose, the original VQC shall be surrendered to the BAI for evaluation and extension. The VQC being extended shall be released upon payment of the necessary fee.

Section V
REQUIREMENTS FROM AN IMPORTER

- A. At least three (3) days prior to the expected arrival of the shipment, the importer shall inform the BAI by submitting the accomplished Notice of Arrival. This Notice shall contain, among others, the kind of meat and meat products imported, the volume/quantity, the source/country of origin, the carrier (flight/voyage no.) and the port of entry.
- B. A shipment without an approved VQC as mentioned in Section III (A) shall be deemed illegal and therefore shall be subject to the provisions of Section VII (Disposition) of this Order.
- C. The shipment shall be accompanied by an International Veterinary/Health Certificate (written/transcribed in English) issued by the authorized government veterinary authority at the country of origin. This Certificate shall be at the minimum based on OIB format and shall bear/contain, among others the seal of the issuing agency and the VQC number where the shipment is based.
- D. The volume (expressed in METRIC SYSTEM) of imported meat and/or meat products shall not exceed the volume indicated in the approved VQC. Should the volume of shipment be in excess of the volume indicated in the VQC, the same shall be confiscated.
- E. The shipment, upon arrival at the BOC and presentation of the necessary documents including the original VQC and International Veterinary/Health Certificate, shall be subject to BAI veterinary quarantine inspection, evaluation and clearance, prior to the Bureau of Customs' (BOC) clearance and release. Should the shipment conform with the BAI veterinary quarantine and inspection requirements including payment of fees, the BAI shall release the goods and shall provide the NMIC with a copy of the Notice of Release not later than a day of its issuance.
- F. Upon release of the shipment by the BOC and transfer of the same to the importers' cold storage/warehouse/processing plant, the NMIC shall conduct meat inspection and laboratory analysis to determine the presence of diseases and whether the level of drug residues, harmful substances, additives, contaminants, toxins, microbes, among others conforms with standards/requirements of the Philippines. For this purpose, the importer shall submit to the NMIC a copy of the VQC, International Veterinary/Health Certificate, Commercial Invoice, Bill of Lading and the Packing List.
- G. The importer is prohibited from transferring to other warehouses/facilities, modifying, using, distributing, or selling the good/shipment without the benefit of the NMIC inspection and laboratory analysis and clearance. Any violation of such prohibitions shall render the shipment illegal and therefore shall be disposed of in accordance with the provisions of Section VII of this Order.
- H. Once the goods are cleared by the NMIC from its inspection and laboratory procedures, the NMIC shall then issue a Foreign Meat Inspection Clearance, provided that the necessary fees are paid.
- I. The shipment cleared by the NMIC shall be subject to periodic inspection and examination to ensure the consistency of quality and safety of the product.

**Section VI
LABELING AND PACKING REQUIREMENTS**

- A. All packing materials and containers must be of food grade quality.
- B. The packaging and label of imported meat and/or meat products must contain but not limited to the following:
1. Correct and registered trade names or brand name;
 2. General make or active ingredients;
 3. Net quantity of contents, in terms of weight, measure or numerical count rounded to at least the nearest tenths (expressed in METRIC SYSTEM);
 4. Country of origin;
 5. Handling and storage instructions;
 6. Product classification;
 7. Marked with "FOR EXPORT TO THE PHILIPPINES;"
 8. Names and address and plant number of the manufacturer and exporter;
 9. Date slaughtered/manufactured and expiry date;
 10. Lot number/production number; and
 11. Language used must be in Filipino or English

**Section VII
DISPOSITION**

- A. Imported meat and meat products shall be confiscated if one or the following conditions exists:
1. The goods are imported prior to the issuance of VQC/SPS Import Permit by the DA;
 2. The goods imported do not have a VQC issued by the DA upon arrival;
 3. The goods are not accompanied with International Veterinary/Health Certificate issued by the authorized government veterinary authority/officer at the country of origin;
 4. The International Veterinary/Health Certificate accompanied by the goods does not indicate the VQC number issued by the Philippines and/or does not comply with Philippines' requirements;
 5. The goods have been determined to be injurious, unsafe and dangerous to health/life;
 6. The goods are sourced from countries where importation is banned or from countries with disease outbreaks or contamination;
 7. The goods are sourced from an unaccredited meat plant/facility by the DA; and
 8. The goods are not intended for the Philippines as evidenced by the absence of the marking "FOR EXPORT TO THE PHILIPPINES;"
 9. The importer refused access to pertinent importation records/documents and/or refused inspection of the imported products by the authorized BAI and NMIC inspectors;
 10. The goods are adulterated as defined in Section I (I);
 11. The goods are removed, transferred to other warehouse, altered, used, or distributed/sold by the importer without NMIC meat inspection clearance;
 12. The volume of imported goods is over and above the volume indicated in the approved VQC;
 13. The goods are of substandard quality as defined in Section I (J); and/or
 14. The goods are mislabeled.
- B. Imported meat and/or meat products confiscated in view of Section VII (A), 1 to 10 above shall be (i) returned to the country of origin or (ii) re-exported to other country/ies at the owner's/importer's expense in coordination with the BOC. However, upon application of the importer, the DA, in consultation with the BOC may permit the (iii) destruction of the product, if within reasonable time the owner or consignee thereof fails to export the same.

All expenses in connection with the destruction and storage, cartage or labor with respect to the product, which was refused admission, shall be paid by the owner/importer. Failure of the owner to pay the said expenses shall constitute a lien (blacklisting) against any future importation to be made by the said owner.

- C. Impotted meat and/or meat products confiscated in view of Section VII (A), 11 to 14, and/or any violations of this Order not compromising the health and safety of humans and animals shall be subject to DDC's rules and regulations for disposition of confiscated products, subject to DA quarantine and inspection system.

Section VIII PENALTY PROVISIONS

Violators of the provisions of this Order shall be penalized in accordance with Article 19 (Penalty), Chapter I, Title II, of the Republic Act No. 7394 otherwise known as the Consumer Act of the Philippines issued dated 13 April 1992.

Section IX REPEALING CLAUSE

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


Section X SEPARABILITY CLAUSE

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

Section XI EFFECTIVITY

This Order shall take effect immediately after its publication in two (2) national newspapers of general circulation. This Order shall be subject to an annual review as may be necessary.

Done in the City of Quezon, this 21 day of April, in the year of our Lord, 2000.


EDGARDO J. ANGARA
Secretary

ANNEX "A"

LIST OF COMMODITIES COVERED UNDER
DA ADMINISTRATIVE ORDER NO.---, SERIES OF 2000

(Based on the 1999 Tariff and Customs Code of the Philippines)

HDC. NO.	DESCRIPTION
02.01	Meat of bovine animals, fresh or chilled
02.02	Meat of bovine animals, frozen
02.03	Meat swine, fresh, chilled or frozen
02.04	Meat of sheep or goats, flesh, chilled or frozen
02.05	Meat of horses, asses, mules or hinnies, fresh, chilled or frozen
02.06	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen
02.07	Meat and edible offal, of the poultry of heading No. 01.05, fresh, chilled or frozen
02.08	Other meat and edible meat offal, fresh, chilled or frozen
02.09	Pig fat, free of lean meat, and poultry fat, not rendered or otherwise extracted, fresh, chilled or frozen
02.10	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal
16.01	Sauzages and similar products; of meat, meat offal or blood, food preparations based on these products
16.02	Other prepared or preserved meat, meat offal or blood

ANNEX "B"

**REQUIREMENTS FOR THE ISSUANCE OF VETERINARY QUARANTINE
CLEARANCE TO IMPORT MEAT AND MEAT PRODUCTS FROM ACCREDITED
EXPORTERS/COUNTRIES**

A. MEAT PROCESSORS

1. License to operate a business, DTI or SEC Registration;
2. NMIC Accreditation of Processing Plants;
3. Letter of request address to the BAI Director (3 copies);
4. Accomplished Application Form to Import Meat and Meat Products;
5. Pro-forma Invoice for the supplier (3 copies);
6. Inspection of warehouse/processing plant;
7. Layout of processing plant/warehouse; and
8. Company's Letter of Authority for its official liaison officer/s with ID picture (permanent and alternate).

B. MEAT TRADERS

1. License to operate a business, DTI or SEC Registration;
2. Mayor's Permit;
3. Letter of request address to the BAI Director (3 copies);
4. Accomplished Application Form to Import Meat and Meat Products;
5. Pro-forma Invoice for the supplier (3 copies);
6. Inspection of warehouse/storage facility;
7. Layout of processing plant/warehouse;
8. Copy of Lease or Contract of Storage; and
9. Company's Letter of Authority for its official liaison officer/s with ID picture (permanent and alternate).

**C. HOTELS, RESORTS, RESTAURANTS, SUPERMARKETS, DUTY-FREE SHOPS
& OTHER ENTITIES DEALING WITH THE SAME**

1. License to operate a business, DTI or SEC Registration;
2. DOT Accreditation (except for Supermarkets);
3. Letter of request address to the BAI Director (3 copies);
4. Accomplished Application Form to Import Meat and Meat Products;
5. Pro-forma Invoice for the supplier (3 copies);
6. Inspection of warehouse/storage facility;
7. Layout of warehouse/storage facility; and
8. Company's Letter of Authority for its official liaison officer/s with ID picture (permanent and alternate).
9. Clark Development Corporation or Subic Bay Metropolitan Authority Accreditation Certificate, as the case may be.

MEAT IMPORTATION FORM NO. 1

Application for the issuance of the Veterinary Quarantine Clearance to Import Beef and Beef Products and other Specified Meat Products from Accredited Countries.

Name of Importer

Type of Operation

Address

Cold Storage/Warehouse

TARGET CLIENT/MARKET OUTLET

FACILITIES/EQUIPMENT

MEAT DESCRIPTION

VOLUME

ORIGIN

Requested by:

NAME

DESIGNATION

DATE