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Bureau of Fisheries and Aquatic Resources
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Fisheries Office
Order No.247
Series of 2006

SUBJECT: Powers and Functions of Regulatory Officers (Fish Inspectors, Fish Health Officers, Fisheries Quarantine Officers and Certifying Officers) for the Safety and Quality Assurance of Fishery and Aquaculture Products Intended for Human Consumption.

Pursuant to Sections 62,65, 67,& 85 of RA 8550 vis a vis the country's commitment in keeping with the international requirements to ensure the safety of our fishery and aquaculture products for human consumption at par with the international standards, this order is hereby issued for the information and guidance of all concerned.

Section I – Definition of Terms

For the purpose of this Order, the following definitions shall apply:

- a. Audit – a systematic examination/evaluation to determine whether activities and related results comply with a planned program and whether this program is implemented effectively and is suitable to achieve the objectives.
- b. Certification – a procedure by which official certification bodies and officially recognized bodies provide written or equivalent assurance that food or food control system conforms to requirements.
- c. Certifying Officer – refers to Bureau of Fisheries and Aquatic Resources national and regional official having the knowledge on food laws and product to be certified, authorized or designated to sign / issued health / sanitary certificate for fishery/aquaculture product intended for export and for domestic market.
- d. Export – the act of marketing fishery/aquaculture products from the Philippines to any foreign country.

- e. Fish Health Officers – The national/regional aquatic animal health authority with the officially approved responsibility and competence to supervise and ensure the implementation of aquatic animal health management and residue monitoring programs.
- f. Fish Inspectors – The designated/deputized Bureau of Fisheries and Aquatic Resources national and regional inspectors/auditors having the skills and competence to evaluate/assess, verify and monitor fishery and aquaculture establishment including fishing/freezer vessels, fish port and landing area, ice plant and cold storage facilities, pre-processing and processing plants to determine compliance with the regulatory requirements on product safety.
- g. Fishery Establishment – A facility where fish and fishery products are cultured, handled, prepared, and/or processed as canned, smoked, dried, salted, chilled, frozen, packed and stored.
- h. Fisheries Quarantine Officers – refers to Bureau of Fisheries and Aquatic Resources national and regional personnel designated and or appointed by the Director and or Secretary of Agriculture to implement specific fisheries quarantine functions.
- i. Good Aquaculture Practices – refers to practices involved in raising aquatic animals which considers measures and conditions necessary to control hazards to ensure fitness for human consumption and intended use.
- j. Import – The act of bringing or marketing of foreign fish/fishery products into the Philippines.
- k. Inspection – Refers to the act of examining and assessing fishery establishments on the culture practices, production, processing operations, and management production system, finished products, including relevant documents in order to verify compliance with the applicable food safety legislations.
- l. Verification – Means checking through examination and gathering of objective evidence to ensure that specific requirements are being met and/or complied.

Section 2 – Functions of Regulatory Officers

The Regulatory Officers involved in fish quality and safety assurance shall have the following functions.

A. Fish Health Officers

- 1) Develop and prepare the National Residue Monitoring Report and Plan to aquaculture products;
- 2) Implement the residue monitoring and sampling plan for aquaculture products;
- 3) Register aquaculture farms that are supplying raw materials to approved establishments;
- 4) Conduct surveillance, monitoring and reporting of aquatic animal diseases;
- 5) Operate a functional Fish Health Laboratory capable of disease diagnosis, residue monitoring and water quality analysis;
- 6) Conduct monitoring and inspection of farms on hygiene of production;
- 7) Disseminate information and educate the aquaculture chain operators on the need of aquatic animal feeds, veterinary drugs and products registration prior to their marketing and usage;
- 8) Conduct surveillance and monitoring of aquatic animal feeds, veterinary drugs and products;
- 9) Recommend regulatory actions on any violations on policies and guidelines on the registration, manufacture, distribution and usage of aquatic animal feeds;
- 10) Plan, direct and supervise national programs on aquatic feeds, veterinary drugs and product control use in aquaculture in coordination with Bureau of Animal Industry (BAI);
- 11) Promote Good Aquaculture Practices (GAP) in aquaculture farms, including but not limited to feed mills and other concerned stakeholders;
- 12) Formulate & implement standard operating procedures for the transboundary movement of live aquatic products;
- 13) Implement health certification for the transboundary movement (domestic & international) of live aquatic products;
- 14) Formulate and implement harmonized strategies for the monitoring and surveillance of aquaculture farms to prevent contamination of aquaculture products.

B. Fish Inspectors

- 1) Develop and update standard protocols/procedures on HACCP-based fish quality and safety assurance program;
- 2) Assist in the formulation of Official Control policies and systems related to food safety and quality assurance;
- 3) Implement product quality and safety assurance for export/import of fishery and aquaculture products;
- 4) Verify and assure compliance to food safety requirements by fishery establishments such as fishing boats/vessels, fish ports/landing sites, auction markets, ice plant and cold storages, pre-processing and processing plants through inspection and audit;
- 5) Verify compliance of outgoing products with national and international labeling requirements through pre-shipment inspection prior to the issuance of HC;
- 6) Implement Official sampling program to verify the safety of the product at all stages in the production chain based on risk analysis and established annual sampling plans (i.e., national and regional);
- 7) Recommend to the BFAR Director product recall, hold order, stoppage of plant / establishment operation, or closure in coordination with other regulatory bodies as may be deemed appropriate;
- 8) Recommend to the BFAR Director appropriate sanction (e.g., non-issuance of Health/sanitary certificate (HC), suspension, delisting) on accredited fish processing establishments not in conformance with the national and importing country's regulations;
- 9) Conduct desk evaluation of the HCCP, GMP & SSOP programs of the fishery & aquaculture establishments prior to on-site validation of these programs, through the National HACCP Evaluation Team (NHET);
- 10) Evaluate fish inspectors' performance periodically through the National HACCP Internal Audit Team (NHIAT)

- 11) Provide formal and practical training to inspectors for capability-building of inspectional skills and competence;
- 12) Recommend to the Administrative Support and Product Certification Unit (ASPCU or designated Regional Certifying Officer (RCO) for the issuance and/or non-issuance and HC;
- 13) Coordinate with other relevant units (i.e., HFIU, FPTL, FHL, MBTU, FRQD and BFAR Regional offices) concerned with the food safety & quality assurance for an efficient and effective official control;
- 14) Conduct pre-assessment of fishery establishments applying for HACCP accreditation to verify/evaluate compliance with food safety requirements.

C. Fish Quarantine Officers

- 1) Formulate and recommend policies, rules and regulations on fishery quarantine, evaluate and monitor their implementation;
- 2) Develop guidelines and procedures on fishery quarantine operations, in consultation with the Regional Fish Inspection and Quarantine Service (FIQS) units and appropriate technical divisions/sections of the B FAR;
- 3) Coordinate fishery inspection and quarantine service and related activities in the regional FIQS units;
- 4) Formulate training programs and conduct trainings on fisheries quarantine;
- 5) Conduct fisheries quarantine and inspection of all fish and fishery products, including the boarding and inspection of their carriers coming into and going out of the country, by air or water transport, in order to detect the presence of fish pests and diseases; and to enforce the provisions of the Fisheries Quarantine Orders and Guidelines, and other fishery rules, laws and regulations;
- 6) Implement the provisions of international fishery agreements for the movement/trade of fish and fishery products;
- 7) Quarantine fish and fishery products determined or suspected to be carriers of pests and/or afflicted with diseases, and take the required measures in their disposition;

- 8) Enforce the provisions of fishery laws prohibiting, the importation/entry of certain fish and fishery products as provided by law;
- 9) Undertake or recommend, as the case maybe, such necessary actions as would ensure the prevention of entry of fish and fishery products determined to be infected with pests and diseases;
- 10) Collect the necessary fees and charges prescribed by law in the performance of fisheries quarantine functions;
- 11) Cause the disposal and condemnation of fish and fishery product pursuant to the provisions of pertinent quarantine rules and regulations; and
- 12) Perform such other functions as may be directed by the BFAR Director and/or the Secretary of Agriculture.

D. Certifying Officers

- 1) Issue or deny sanitary /health certificate applied for the exportation of fishery and aquaculture products;
- 2) Ensure that all pertinent documents have been fully complied in conformance with established requirements before issuing the HC for the exportation of fishery and aquaculture products;
- 3) Require the certificate or attestation before signing in cases where the HC is signed or issued on the basis of such a certificate or attestation (i.e., Certificate of Compliance)
- 4) Maintain a record on file of all documents related to fishery and aquaculture products certified;
- 5) Submit a summary of HC issued for the exportation of fishery and aquaculture products to the BFAR Director;
- 6) Provide the BFAR Director and other concerned regional COs with reports/advisories affecting the issuance of S/HS;
- 7) Coordinate with other BFAR COs and units concerned with food safety assurance at Central and Regional level as well as with other CAs on matters affecting the issuance of S/HC;

- 8) Provide updates on latest national and international legislations and policies related to product safety to all Regional COs;
- 9) Conduct periodic review of the national/regional certification and documentation system;
- 10) Perform other relevant duties inherent to their position.

Section 3 – Powers of BFAR Regulatory Officers

1. Free access to all parts of the fishery establishment /facilities involved in the feed and food supply chain with or without prior notice which include but not limited to aquaculture farms, aqua-feed plant, fishing boats, freezer vessels, fish ports, landing areas, pre-processing and processing plants, ice plants and cold storages and warehouse for purposes of verification sampling, inspecting and verifying conformance to applicable rules and regulations on fish product safety.
2. Free access to all monitoring and verification records and other documents relevant for verification and desk auditing of the establishments' compliance to food quality and safety requirements and copies of such pertinent records as supporting documents to the inspection findings shall be provided to fish inspectors if so required.
3. Inspect, monitor and verify the above-cited facilities to determine whether fishery and aquaculture products manufactured intended for human consumption are produced, handled, manufactured/processed stored and packed in accordance with established standards and procedures.
4. Recommend for the suspension of the production and exportation if during the inspection, monitoring, the operation of the establishment is found in gross violation of the national and international food safety and quality requirements and/or irregularity is discovered or suspected.
5. Recommend for the disposal/destruction of imported and recall of export fishery and aquaculture products, if found not in conformance to established food quality and safety standards based on inspection and laboratory test conducted.
6. Recommend for the cancellation of license to operate/ closure of establishment or issuance of a cease and desist order or other appropriate measures as determined by the Director in coordination with concerned agencies.

7. Recommend appropriate actions on any violation on policies and / or guidelines related to the non-provision of guarantee of production and distribution of safe fishery and aquaculture products.

Section 4 – Provision of Transportation Service and Claims for Overtime and Meal Allowances

To effectively, deliver the services by the concerned regulatory officers, BFAR shall provide transport vehicle at all times during their execution of regulatory functions. Regulatory officers performing powers and functions beyond the prescribed official working hours shall be authorized or entitled to claim overtime fees including the reimbursement of meal allowances and other incidental expenses chargeable to the BFAR funds at rates to be prescribed by the Director.

This order shall take effect immediately and shall remain in force until revoked in writing by the undersigned.

APPROVED:

(SIGNED)

MALCOLM I. SARMIENTO, JR.
Director