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BPI QUARANTINE ADMINISTRATIVE ORDER

No. 01
Series of 2008

SUBJECT: GUIDELINES FOR THE IMPLEMENTATION OF THE AUSTRALIAN FUMIGATION ACCREDITATION SCHEME (AFAS) IN THE PHILIPPINES

WHEREAS, the Australian Quarantine Inspection Service (AQIS) recorded numerous interceptions of shipment from different exporting countries, including the Philippines, due to failure of fumigation done at the country of origin;

WHEREAS, the Philippines is exporting to Australia commodities such as handicrafts, furniture and wood packaging materials, which are subject to Methyl Bromide Fumigation as a phytosanitary requirement;

WHEREAS, The Australian Fumigation Scheme (AFAS) was developed by AQIS which aims to: (1) provide system for monitoring and registering fumigation providers, (2) enhance technical expertise through training and administration capacity building, (3) maintain a high standard of fumigation performance and compliance and, (4) reduce methyl bromide use.

WHEREAS, in May 2006, AQIS and the Bureau of Plant Industry (BPI) signed a Memorandum of Agreement for the implementation of AFAS in the Philippines to address fumigation failures;

NOW THEREFORE, pursuant to the authority vested in me as the Director of the Bureau of Plant Industry by PD 1433 otherwise known as the Plant Quarantine Decree of 1978, this Administrative Order is hereby promulgated as follows:

Section 1. Definitions

- AFAS** - Australian Fumigation Accreditation Scheme
- AFAS Accredited Officer** - an officer of the BPI-PQS who has been assessed as competent in accordance with AFAS requirements.
- AFAS Accredited Fumigator** - a fumigator (private individual) who has been assessed as competent in accordance with AFAS requirements.
- AFAS Registered Treatment Provider** - an AFAS registered fumigation company
- AQIS** - Australian Quarantine and Inspection Service
- AQIS Methyl Bromide Fumigation Standard** - the approved methodology for performing effective methyl bromide fumigation treatments.
- BPI-PQS** - Bureau of Plant Industry-Plant Quarantine Service, the agency responsible for the administration and management of AFAS in the Philippines.

Joint System Review (JSR) – the annual review of AFAS operations conducted jointly by AQIS and BPI-PQS

Philippines AFAS Training Team - team recognized by AQIS to conduct fumigation training in accordance with AFAS requirements.

Section 2. Coverage. This guideline is for all methyl bromide fumigation treatments bound for Australia.

Section 3. Measures for Implementation

3.1 Philippines AFAS Training Team

BPI shall establish the AFAS training team, composed of both the BPI and the fumigation industry, to provide training for fumigators and other BPI-PQS officers. The team will be given a 'Train-the-Trainer' training by AQIS.

3.2 Accreditation

Criteria for Accreditation

BPI-PQS Officers

- 3.2.1 Selected BPI-PQS Officers shall undergo the AFAS fumigation training in accordance with the AQIS Methyl Bromide Fumigation Standard.
- 3.2.2 The training will cover both the theoretical and practical fumigation procedures and will be conducted by the Philippine AFAS Training Team recognized by AQIS.
- 3.2.3 Upon completion of the training, the PQ officers will undergo an assessment and if successful, will be recognized as an AFAS accredited officer.
- 3.2.4 Competent AFAS accredited officers will be given an accreditation number and their respective PQ station will be assigned an AFAS registration number.

Fumigators (Private Individual)

- 3.2.5 Interested fumigators should submit to the Secretariat a duly accomplished registration form, passport size picture and a copy of their FPA license for evaluation.
- 3.2.6 Fumigators shall undergo AFAS fumigation training in accordance with the AQIS Methyl Bromide Fumigation Standard.
- 3.2.7 The training will cover both the theoretical and practical fumigation procedures and will be conducted by the Philippine AFAS Training Team recognized by AQIS.
- 3.2.8 Upon completion of the training, the fumigators will undergo an assessment and if successful, will be recognized as an AFAS accredited fumigator.
- 3.2.9 Competent AFAS accredited fumigators will be issued a certificate of accreditation with a corresponding accreditation number.
- 3.2.10 If a fumigator is considered 'not yet competent', the fumigator may request BPI for reassessment of up to three (3) times only. Otherwise, the fumigator will be required to undergo re-training.

The certificate will:

- include the name of the authorities (BPI and AQIS) issuing the certificate
- specify the relevant standard or standards for example, the *AQIS Methyl Bromide Fumigation Standard*, against which competency has been demonstrated
- include the accreditation number (eg. PHL0001)
- show the name of the person accredited
- have a current photo of the accredited person attached
- show the country where the course was conducted
- show the date of accreditation
- show the name of the authorized endorsing officer of the BPI
- include the signature of the authorized endorsing officer of the BPI
- reflect the official stamp of the BPI-PQS.

AFAS accreditation is specific to individuals and recognizes their competency. An individual's accreditation stays with them if they change stations/fumigation companies.

Fumigators training course. The fumigation training will be conducted by the Philippines AFAS Training Team, in collaboration with a third party organization/association and will involve both theoretical and practical training. The third party organization/association, as recognized by BPI through a memorandum of agreement, shall be responsible in collecting approved training fees to defray the cost of food, venue, training materials, equipment, transport facilities and other miscellaneous expenses.

Suspension/Cancellation of Fumigator Accreditation. BPI has the authority to cancel fumigator accreditation. In cases where an AFAS accredited fumigator conducted treatments not in accordance with AFAS requirements, or the AFAS accredited fumigator is implicated in fraudulent activities, the said fumigator will be notified in writing of the reasons for cancellation of his accreditation and what options (appeals process) are available to him to have his accreditation reinstated. The BPI will inform AQIS of the cancellation of a fumigator's accreditation. BPI will also maintain an up to date list of accredited fumigators.

Fumigation Technicians

BPI, in coordination with a third party organization/association, will conduct AFAS fumigation training specifically for fumigation technicians who are under the responsibility of the accredited fumigators. The training will include practical applications and procedures in accordance to the AQIS MB Fumigation Standard.

- 3.2.11 Interested participants should submit to the Secretariat a duly accomplished registration form, passport size picture and a recommendation letter from their company.
- 3.2.12 Participants shall undergo training in accordance to the AQIS MB Fumigation Standard, conducted by the Philippines AFAS Training Team.
- 3.2.13 A certificate of completion will be given by BPI.

3.3 Registration of Treatment Providers

3.3.1 *Eligibility Requirements for Registration.* To be eligible for AFAS registration, each treatment provider shall undergo an assessment to determine if they meet the following minimum requirements:

- clear understanding of their obligations as a participant in AFAS
- have a documented organizational structure prominently displayed that clearly defines the roles and responsibilities of all company personnel.
- must employ sufficient AFAS accredited fumigators to ensure that the number of treatments being performed can be adequately supervised
- have a copy of the AQIS MB Fumigation Standard
- adequate and sufficient equipment is available to perform the treatments in accordance with AFAS requirements
- have record management procedures in place that will provide access to all documentation relating to individual treatments for at least two years from the date of treatment

3.3.2 *Registration Assessment.* Each treatment provider applying for AFAS registration should submit the following documentary requirements (bring original and copy of documents for verification) to the nearest PQ station:

- Duly accomplished application form
- SEC/DTI Registration
- Mayor's Permit (current)
- 2x2 photo of the owner
- Company profile and structure
- Tax Identification Number (TIN)
- Latest Income Tax Return (ITR)
- Latest Financial Statement
- FPA license (company)
- List of fumigation equipment and materials with corresponding serial number and identifying mark
- List and qualifications of AFAS-accredited fumigator and other fumigation personnel

The treatment provider will be assessed by BPI accredited officer to determine if they meet the registration requirements. The assessment will be based on the registration requirements set under AFAS.

3.3.3 *Register of Treatment Providers.* BPI will establish and administer a register of treatment providers participating in AFAS. The register must contain the following minimum information on each provider:

- AFAS registration number
- company name
- address, telephone number, facsimile number and email address if applicable
- name and position of person(s) with management responsibility
- name(s) and accreditation numbers of AFAS accredited fumigators employed by the company
- current registration status (see *Registration Status* under 3.3.5).

Where companies have multiple branches, each branch is considered a separate entity and each will be assigned a separate AFAS registration number. The registration status of individual branches within a single company may be different at any one time.

3.3.4 AFAS Registration Number. Each registered treatment provider will be assigned a unique AFAS registration number by the BPI. The AFAS number must be quoted in all correspondence and included on all fumigation certificates accompanying treated consignments to Australia.

The format of the registration number is as follows: **AFASPH0001**

Where: PH is the ISO 2-letter country code

0001 is a unique numeric identifier

The AFAS registration number issued to a treatment provider must not be used by, or reissued to, another treatment provider under any circumstances.

3.3.5 Registration Status. Registered treatment providers will fall into one of four categories:

Acceptable

The treatment provider has no current restrictions for treating goods for export to Australia. Treatment certificates are accepted. Consignments are dealt with according to the Import Conditions database (ICON) requirements or the import permit issued by Australia.

Under Investigation

The treatment provider is placed 'Under Investigation' pending inquiries if BPI or AQIS inspectors find live or evidence of live insect(s), that is, fresh frass in a consignment or other evidence that may indicate an ineffective treatment. All future consignments treated by providers listed as 'Under Investigation' may either be referred for a full unpack and inspection to confirm adequacy of treatment or refumigation either in the Philippines or in Australia.

Suspended

A treatment provider is considered 'Suspended' when one major violation is committed:

— Major violations (which leads to fumigation failure): underdosing, fumigation of unsheeted containers without pressure testing, non-use of vaporizer, no gas concentration readings, no aeration, fumigation without AFAS-accredited fumigator and audit failure.

Minor violations include all other violations of the AQIS Methyl Bromide Fumigation Standard.

For minor violations, 1st offense is warning, 2nd offense is suspension.

Treatment certificates of 'Suspended' treatment providers are not accepted and consignments must be re-treated in Australia or re-exported to the country of origin or destroyed. A 'Suspended' treatment provider will have its 'Acceptable' status restored once it has passed a reinstatement audit. Once a treatment provider has been 'Suspended' for a third time, this status becomes permanent and the treatment provider may no longer treat consignments for Australia.

Withdrawn

A treatment provider can withdraw voluntarily from AFAS without penalty, when they no longer employ an AFAS accredited fumigator. Treatment certificates are not accepted and consignments are either re-treated in Australia or re-exported to the country of origin or destroyed. A treatment provider can be reinstated as 'Acceptable' when they re-employ an accredited fumigator and meet all other AFAS requirements to the satisfaction of the BPI and concurrence of AQIS.

3.3.6 Change of Treatment Provider Registration Status and Other Details. BPI will advise the registered treatment provider of any change to their registration status, including the reason for the change and the date from which it will take effect. Where a registered treatment provider has been suspended by the BPI or has voluntarily withdrawn from AFAS, they are required to pass a reinstatement audit to regain the status of 'Acceptable' treatment provider.

Registered treatment providers are responsible for notifying the BPI of:

- changes to address or other contact details
- changes in management
- changes to accredited personnel employed by the registered treatment provider.

BPI will update their register accordingly and forward the amendments to AQIS for updating the *Offshore Treatment Providers List* on the AQIS website.

3.3.7 Publishing the Treatment Providers List. BPI will provide AQIS with a list of AFAS registered treatment providers and their details including their current status. Based on the Agreement, AQIS will publish the initial list on its website so that it is publicly available on the date of official AFAS implementation. AQIS updating is done if there are changes to the details on one or more registered treatment providers.

3.4 Accreditation of Commercial Fumigation Sites

An accreditation for commercial fumigation site intending to fumigate containerized cargo shall be secured from BPI-PQS. Only accredited sites for container fumigation can be used for treatment of products/shipment bound for Australia

3.4.1 The owner/representative of the fumigation site may apply for accreditation and submit the following documentary requirements:

- Duly accomplished application form
- SEC/DTI Registration
- Mayor's Permit (current)
- 2x2 photo of the owner and representative
- Company profile and structure
- Tax Identification Number (TIN)
- Latest Income Tax Return (ITR)
- Latest Financial Statement
- Lay-out of the site/capacity

- 3.4.2 An evaluation of the site will be conducted by BPI accredited officers based on the site requirements set under the AQIS MB Fumigation Standard.
- 3.4.3 If the site is compliant, a Certificate of Accreditation will be issued by BPI.
- 3.4.4 It is the responsibility of the owner/representative to submit monthly reports to the BPI-PQS on the details of fumigation (bound for Australia) done at their site.
- 3.4.5 Renewal of accreditation should be done yearly.
For sites to be used for loose cargo fumigation, it is the responsibility of the AFAS registered treatment provider and its accredited fumigator to ensure that the requirements set under the AQIS MB Fumigation Standard is complied.

3.5 Fumigation Requirements and Procedure

The fumigation requirements and procedure must be in accordance to the AQIS Methyl Bromide Fumigation Standard. This includes the following:

- Fumigation consideration - risk assessment, commodity, dosage and temperature
- The fumigation site
- Preparing the commodity
- The fumigation enclosure
- Preparing the fumigation enclosure
- Calculating the dosage of fumigant required
- Performing the fumigation
- Monitoring and maintaining fumigant concentrations
- Completing the fumigation

All fumigation treatments must be conducted by an AFAS registered treatment provider and supervised by its accredited fumigator. All documentations to every fumigation work must be properly kept for audits.

3.6 Treatment Certificates

Treatment certificates must accompany all goods treated by the registered treatment provider. The certificate must be on the official letterhead of the registered treatment provider. All details must be legible and written in English. Erasures and alterations are not acceptable. The treatment certificate must contain the following details:

- AFAS registration number prominently displayed
- certificate number

- description and quantity of goods being treated
- consignment link (container number etc.)
- name and address of the shipper/exporter
- country of origin and the port of loading
- name and address of the consignee
- port of entry
- date of treatment (date of aeration or completion of the fumigation)
- place of treatment
- fumigant used
- dosage
- exposure period
- minimum ambient temperature during treatment
- date, time and threshold limit value (TLV) at clearance
- date the certificate was issued
- name and signature of the accredited fumigator responsible for supervising the treatment.

Certificates for treatments can only be issued by an accredited fumigator listed as employed by a registered treatment provider. As an exemption, an accredited fumigator may issue certificates for and in behalf of another BPI registered treatment provider NOT his present employer, provided there is written approval issued by the BPI-PQS Chief recognizing this arrangement.

If a Phytosanitary Certificate is also required in addition to the treatment certificate, exporters/ registered treatment provider must apply to BPI-PQS for inspection and phytosanitary certification, at least 48 hours prior to the scheduled treatment.

3.7 Endorsement of Treatments by BPI-PQS Accredited Officers.

An AFAS accredited officer may issue a fumigation certificate if an AFAS registered treatment provider is currently not listed as 'Acceptable' or if an AFAS registered treatment provider's accredited fumigator is not available or a treatment provider is not yet registered, provided that:

- the AFAS accredited officer monitors the treatment to ensure that it is effective and conducted in accordance with AFAS requirements
- BPI-PQS AFAS registration number is on the certificate
- AFAS accredited officer signs and dates the certificate
- treatment certificate bears the official stamp of the BPI-PQS

This endorsement may only be allowed in emergency cases where methyl bromide fumigation is deemed very necessary and with prior approval from the BPI - Director

3.8 Monitoring

- 3.8.1 AFAS registered treatment providers are required to submit in advance (at least 48 hours) their schedule of fumigation to the nearest BPI-PQS Station.
- 3.8.2 To guide all the stakeholders in this scheme in its initial implementation, there will be mandatory supervision by AFAS accredited officers for AFAS fumigations conducted by AFAS registered treatment provider for the first six (6) months.
- 3.8.3 After six (6) months, random monitoring of at least once a week will be implemented.

3.9 Audits of Registered Treatment Providers

BPI will establish and maintain an audit program to monitor the performance of registered treatment providers and ensure compliance with AFAS requirements. There will be announced and unannounced audits (minimum of one audit per month) to be conducted by the BPI Evaluation and Audit Team.

Audits shall be done in accordance with AFAS protocols and the Fumigator Audit Procedure, to assess the on-going capacity of registered treatment providers to conduct fumigation treatments. Audits will include documentations of the following:

- Fumigation equipment/materials purchased/inventory
- Fumigation worksheet/record to every fumigation work
- Fumigation Certificates issued
- Other relevant records that may be requested by the BPI Evaluation and Audit Team

Any registered treatment provider that cannot demonstrate capacity to conduct treatments in accordance with AFAS protocols shall be promptly suspended or face cancellation of registration. The registration shall not be reinstated after BPI-PQS has conducted further audit whereby the treatment provider is able to demonstrate a capacity to conduct fumigation treatments in accordance with AFAS protocols.

BPI shall promptly notify AQIS of the suspension or de-registration of any registered treatment provider.

3.10 Joint System Reviews

The annual Joint System Review (JSR) provides an opportunity for the BPI and AQIS to jointly assess the effectiveness of AFAS and, where appropriate, identify potential improvements to its operation.

With agreement of both parties, the JSR may involve one or more of the following:

- review the administrative arrangements put in place by BPI, such as
 - training, assessment and accreditation of BPI-PQS officers
 - training, assessment and accreditation of fumigators
 - registration of treatment providers
 - maintenance of the treatment providers registry
 - records management procedures

- review the audit program implemented by BPI.
- jointly conduct audits of registered treatment providers.

3.11 Maintenance of Records


BPI-PQS shall maintain for a period of not less than two (2) years all records relating to the assessment, registration and auditing of treatment providers and the endorsement of fumigation treatments by AFAS accredited officers during emergency cases.

Section 4. Implementation Date

AFAS implementation in the Philippines will commence on **December 1, 2008**.

This order shall take effect immediately after publication.

Approved:


ATTY. ARTHUR C. YAP
Secretary of Agriculture
XBS *WHz*

23 September 2008


JOELL S. RUDINAS, CESO IV
Director
JS



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