REVISED RULES, REGULATIONS, AND STANDARDS GOVERNING THE IMPORTATION OF MEAT AND MEAT PRODUCTS INTO THE PHILIPPINES

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WHEREAS, recent outbreaks of highly communicable diseases, e.g., Avian Influenza or "Bird Flu" that spread across countries in Asia and North America over a short period of time, have claimed a number of human lives and poultry populations;

WHEREAS, Bovine Spongiform Encephalopathy or "Mad Cow Disease" has spread across continents from Europe to Asia and now in North America and has remained a major international quarantine importance and public safety concern because of violations on Good Agricultural Practice (GAP) (e.g. milling into feeds infected bone and offal) thus its possible transmission to human beings due to entry of contaminated meat and/or meat products;

WHEREAS, violation of the country's laws, rules and regulations on consumer product safety and quality standards and animal quarantine measures through illegal entry of meat and meat products as well as non-compliance thereof poses serious threat to human and animal health/life;

WHEREAS, it is a paramount objective of the government to protect its borders and territories from the entry, establishment and spread of animal disease that may be introduced by the importation of disease-carrying, contaminated, and/or adulterated meat and/or meat products, which endanger the lives and safety/health of the consuming public and which could bring potentially serious economic consequences to the livestock, poultry and related industries;

WHEREAS, in order to effectively address the above, it is the responsibility of the government to issue a comprehensive, strengthened and transparent set of rules, regulations and standards governing the importation of meat and meat products to facilitate trade without compromising the safety and quality of imported meat and meat products and the viability of existing industries;

WHEREAS, the World Trade Organization (TWO) Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) reaffirms the right of a country to institute appropriate measures as it deems necessary to protect human and animal health/life, provided they are not undertaken to restrict trade;

NOW, THEREFORE, I, DOMINGO F. PANGANIBAN, Secretary of the Department of Agriculture (DA), in accordance with the powers vested in me by law, do hereby issue this Administrative Order (AO) governing the importation of meat and meat products into the Philippines:

SECTION 1. Definition of Terms - The following terms, words and phrases herein used shall be construed as follows:

a. Accreditation - refers to the authority of DA to evaluate firms and establishments based on a set of criteria with the objective of providing eligibility to conduct/undertake specified activities.

b. Accredited Importer - refers to any natural or juridical person accredited by DA as eligible importer of meat

and/or meat products for its own use, processing, wholesale and/or retail distribution.

c. Codex Alimentarius Commission (CODEX) - refers to the international organization recognized by the WTO as the responsible body for establishing food standards, codes of practice, guidelines and recommendations aimed at protecting consumer health and ensuring fair food trade practices. Codex also refers to food standards and related texts elaborated and adopted by the Commission, which is recognized by the WTO as bench-mark standards in relation to food quality and safety.

d. Country of Origin - refers to the country source of meat and/or meat products being exported. When a product undergoes processing in another country which changes its nature, the country in which processing is performed shall be considered to be the country of origin for purposes of labeling. Conversely, when such product undergoes only minimal processing/physical change e.g., re-packing or re-branding in another country, the country of origin refers to the source of the original product.

e. Claim - refers to any representation, which states, suggests or implies that a product has particular qualities relating to its origin, nutritional properties, nature, processing, composition or any other quality.

f. Date of Expiration - refers to the latest date at which safety and/or acceptability of a product can still be assured, based on Codex or other internationally accepted standards, or as determined by the manufacturer or the appropriate government authority.

g. Date of Minimum Durability ("best before") - refers to the earliest date under specified conditions beyond which a product is no longer marketable and cannot meet the quality required by DA which is based from either Codex or other internationally accepted standards for which claims have been based by the manufacturer or the government authority of the exporting country.

h. Foreign Meat Establishment (FME) - refers to a DA-accredited facility in a foreign country engaged in slaughtering and dressing of food animals, and processing, cutting, packing, and storing of meat and meat products, and recognized by the NVA to export meat and meat products.

i. FME in "Good Standing" - refers to DA-accredited FME which has established its credibility as sound exporter/supplier of a specific meat or meat product because in the course of its exportations of these to the Philippines over a number of years and/or shipments, this specific product has satisfactorily and consistently passed DA inspection and laboratory analysis.

j. Importer in "Good Standing" - refers to a consignee whose accreditation as a legitimate importer of meat and/or meat products into the Philippines has been determined by DA to be still within the terms within which this accreditation was based with respect to its meat handling, distribution, and storage facilities (e.g. cold storage and processing plant) and compliance with applicable DA rules and regulations on meat and meat products.

k. International Veterinary Certificate (IVC) - refers to the certificate issued by the NVA at the country of origin attesting that, among others, the shipment conforms to the specific veterinary/SPS requirements of the Philippines as prescribed in the Veterinary Quarantine Clearance (VQC) issued by the Bureau of Animal Industry (BAI) prior to shipment.

l. Lot Identification - refers to the name and identification firm number of the plant/factory and the serial number of the specified quantity of commodity produced from this plant/factory that is essentially subjected to the same production condition on a specified time frame.

m. Meat - refers to the fresh, chilled or frozen edible part of carcass, including offal derived from, but not limited to cattle, buffalo, pig, poultry, goat, sheep, horse, and other food animals under Philippine laws but excluding

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marine animals and prohibited animals under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

n. Meat Product - refers to meat, which has been subjected to physical change and/or treatment such as cooking, drying, salting, brining or smoking.

o. National Veterinary Administration (NVA) - refers to the national veterinary controlling authority having jurisdiction over the whole country for implementing the animal health measures based on OIE Animal Health Code and/or meat and meat products quality and safety measures based on Codex Standards.

p. New Product Supplier (NPS) - refers to DA-accredited FME which has yet to establish its credibility as safe/sound supplier/exporter of a specific meat or meat product into the Philippines as required.

q. Office International des Epizooties (OIE) - refers to the international organization recognized by the WTO as the responsible body for establishing the animal veterinary health standards, guidelines and recommendations.

r. One Shipment - Per VQC Policy- refers to the ‘one-time' validity and use of the VQC of imported meat and/or meat boarded/loaded only to one vessel or aircraft. A used VQC shall be marked/stamped "USED" to avoid recycling.

s. Port of Entry - as defined under the Customs and Tariff Code and the Bureau of Customs (BOC)

t. Port of Inspection - an establishment authorized or designated by NMIS within a certain kilometer radius from the port of entry, wherein inspection and collection of samples are being conducted prior to its release for domestic distribution.

u. Risk Management Measures/Policy (RMP) - refers to the overall risk management measures being applied by DA based on OIE and Codex standards, which are deemed necessary to achieve the country's appropriate/acceptable level of protection (ALOP). Each measure required by DA herein is an integral part of the whole RMP which guarantees protection of the country from the entry, establishment and spread of foreign diseases and contaminations associated with the importation of meat and/or meat products into the country. The RMP includes all measures which have the effect of verifying controls at the country of origin, the country's customs areas, and post-entry areas, which take the form of, but not limited to, documentation requirements, certifications by appropriate bodies, packing and labeling requirements, transportation and handling conditions, marketing, advertising, and distribution requirements, risk communication measures, and disease and contamination control measures.

v. Sanitary and Phytosanitary (SPS) Measures - defined as measures applied (a) to protect human or animal life from risks arising from additives, contaminants, toxins or disease-causing organisms in their food; (b) to protect human life from plant-or animal-carried diseases; (c) to protect animal or plant life from pests diseases, or disease-causing organisms; and (d) to prevent or limit other damage to a country from the entry, establishment or spread of pests. This also includes SPS measures taken to protect the health of fish and wild fauna, as well as of forests and wild flora.

w. Veterinary Quarantine Clearance (VQC)/SPS Clearance - refers to the document being issued by the Bureau of Animal Industry (BAI) prior to importation indicating that based on readily available information; (a) the source/s of meat and/or meat products are free from relevant diseases/contaminations; and (b) the accreditations of both the importer and the FME (exporter) are in ‘good standing'. The VQC also prescribes the conditions and risk management measures necessary in the conduct of importation that are to be observed by the importer, exporter, and the NVA at the country of origin.

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x. Veterinary Quarantine and Meat Inspection and Laboratory Certificate (VQMILC) - refers to the certificate issued by the BAI Veterinary Quarantine Office (DAVQO) and the National Meat Inspection Service (NMIS) Inspector to the BOC (copy furnish BAI and the importer) for customs processing, which certifies that the shipment of meat and/or meat products have been subjected to and passed veterinary quarantine documentation and meat inspection, and/or laboratory analysis and clearance.

This Order shall take effect immediately.

Adopted: 20 July 2005

(SGD.) DOMINGO F. PANGANIBAN
Secretary

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