BILATERAL

MEMORANDUM OF UNDERSTANDING ON COOPERATION IN THE FIELD OF SANITARY AND PHYTOSANITARY MATTERS BETWEEN THE DEPARTMENT OF AGRICULTURE OF THE REPUBLIC OF THE PHILIPPINES AND THE SE...

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The Department of Agriculture of the Republic of the Philippines and the Secretariat of Production of the Argentine Republic, hereinafter referred to as the “Parties”,

Desiring to facilitate trade in live animals and animal products between the Parties, while safeguarding human and animal health and thereby meeting consumer expectations in relation to the wholesomeness of food products;

Recognizing the significant contribution of strengthening cooperation on sanitary and phytosanitary matters in the facilitation of trade in agricultural products between both countries;

Have agreed as follows:

ARTICLE 1
GENERAL PROVISON

The Parties undertake to ensure competent actions and effective measures to prevent the entry, establishment and spread of pests and diseases of animals and plants, in accordance with relevant laws, regulations and agricultural policies of their respective countries, in accordance with international rules (WTO, IPPC, OIE, and CODEX).

ARTICLE 2
AREAS OF COOPERATION

The Parties shall promote technical cooperation on sanitary and phytosanitary matters, which may include, inter alia, the following:

1. Exchange of technical information on sanitary and phytosanitary matters including protection and quarantine legislation, regulations and rules,

2. Exchange of information on quarantine pests and plant and animal diseases in the territory of the Parties, including emerging pests and diseases, weed seed, and disease agents and/or vectors of such disease agents;

3. Exchange of important epidemiological information in relation to human disease associated with the consumption of food;

4. Exchange of information on research in the field of plant and plant animal health, protection, quarantine and food safety;

5. Joint training of scientists and specialists in plant and animal health on quarantine methods and procedures, including risk assessment methodologies and determination of appropriate levels of protection against sanitary and phytosanitary risks;

6. Review and discussion on issues of mutual interest, and of any problems requiring resolution.

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ARTICLE 3
JOINT COMMITTEE

1. To ensure implementation of this Memorandum of Understanding and to facilitate cooperation, the Parties shall establish a Joint Committee composed of an equal number of representatives from both sides as may be agreed upon, through diplomatic channels. The lead coordinating agencies shall be as follows:

For the Republic of the Philippines, the Bureau of Agriculture and Fisheries Products Standard (BAFPS).

For the Argentine Republic, the National Service of Agri-Food Health and Quality (SENASA) of the Secretariat of Production.

2. The Joint Committee shall formulate and submit policy recommendations with a view of promoting the cooperation in areas of sanitary and phytosanitary matters of both countries. It shall also be responsible for planning, implementing, monitoring and evaluating projects identified under this Memorandum of Understanding.

3. The Joint Committee shall meet alternately in the Republic of the Philippines and in the Argentine Republic, with a representative from the host country as chairman of the meeting. Whenever necessary, an interim meeting may be held subject to agreement between the Parties, through diplomatic channels.

4. The agenda of the meeting will include the drafting of the working plans and a review of the progress of the implementation of projects under this Memorandum of Understanding.

ARTICLE 4
SETTLEMENT OF DISPUTES

Any dispute arising from the interpretation, application or implementation of this Agreement shall be settled amicably by consultation or negotiation, through diplomatic channels, by the Parties.

ARTICLE 5
CONFIDENTIALITY

The Parties shall ensure that the scientific and technical data and information mutually provided, including the results of joint research carried out under this Memorandum of Understanding, are not transferred or supplied to a Third Party without prior consent. Matters pertaining to intellectual property rights that may arise from an activity undertaken under this Memorandum of Understanding shall be determined and agreed upon by the Parties prior to the activity’s implementation.

ARTICLE 6
ENTRY INTO FORCE

This Memorandum of Understanding shall enter into force on the date of the later notification by the Parties, through diplomatic channels, indicating compliance with their respective internal requirements for its entry into force.

ARTICLE 7
AMENDMENT

Either party may request in writing, through diplomatic channels, a revision or amendment of this Memorandum of Understanding. Any revision or amendment agreed upon by the Parties shall become effective in accordance with the foregoing Article.

ARTICLE 8

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VALIDITY/TERMINATION

This Memorandum of Understanding shall be valid for a period of five (5) years and shall be automatically renewed for similar period(s) unless sooner terminated by written notice, through diplomatic channels, six months prior to the intended date of termination. The termination of this Memorandum of Understanding is without prejudice to the completion of on-going projects.

Done at Buenos Aires, Argentina on this 22nd day of March 2001 in the English and Spanish languages, both texts being equally authentic. In case of divergence in the interpretation, the English text shall prevail.

FOR THE GOVERNMENT OF THE
REPUBLIC OF THE PHILIPPINES

FOR THE GOVERNMENT OF THE
ARGENTINE REPUBLIC

(Sgd.) ROSARIO G. MANALO

(Sgd.) EDUARDO MANCIANA

Undersecretary of Foreign Affairs for
International Economic and Relations
and Presidential Special Envoy to
Latin America

Undersecretary of Agriculture

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