TEMPORARY SUSPENSION OF ISSUANCE OF PERMIT TO PURCHASE METHYL BROMIDE FOR NONE QUARANTINE AND PRE-SHIPMENT (NONE QPS) USES

Read online (full-text search, related cases, audio case brief): https://batas.org/library/d1e141193fae/

In line with the country's obligations and commitment as a party to the Montreal Protocol on Substances that Deplete the Ozone Layer, the National Methyl Bromide Phase-out Strategy was instituted and is being implemented starting January 2005.

On May 4, 2005, FPA Memorandum Circular No. 02 (MC No. 02) series 2005 was issued, providing the guidelines for handlers and users of methyl bromide (MB) in relation to the country's obligations under the Montreal Protocol. MC No. 02 specified quota/allocation system to reduce MB consumption in line with the Protocol's schedule of 20% reduction in none QPS usage for 2005 reckoned from the country's reference baseline of 10.3 ozone depleting potential (ODP) tons.

Quarantine and Pre-shipment (QPS) defined:

Quarantine Application - in relation to MB, are treatment to prevent the introduction, establishment and/or spread of quarantine pests or to ensure their official control that is performed or authorized by a national plant, animal or environmental protection or health authority.

Pre-shipment Application - any treatment other than quarantine application applied no less than 21 days prior to export to meet the requirements of the importing country or official requirement of the exporting country, those that are performed or authorized by a national plant, animal, environmental, or health authority.

Based on the country's obligation under the Protocol, the allowed none QPS MB use for 2005 is 8.24 ODP tons. As of June 30, however, none QPS MB use is already 6.02 ODP tons, the figure was based on disposition reports submitted by 21/26 MB applicators for the period January to June 2005. Exceeding the allowed none QPS use for a particular period shall put the country in a non compliant status that may affect its standing in the international community.

Pursuant therewith, ISSUANCE OF PERMIT TO PURCHASE METHYL BROMIDE FOR NONE QPS USES is TEMPORARILY SUSPENDED, the herein rules and procedures are hereby promulgated for the information and guidance of all concerned.

1. The suspension of issuance of Permit to Purchase Methyl Bromide covers the none QPS applications for the period September 1, 2005 to January 1, 2006.

2. Applicants for issuance of Permit to Purchase MB shall only be issued for MB volume equivalent to liquidated QPS MB uses of previous purchase or those MB uses which are covered by Phytosanitary or Fumigation Certificate issued by the Bureau of Plant Industry (BPI) Plant Quarantine Service. Basis for allocation shall be the Disposition Report of applicators.

3. All MB fumigation, for export and import purposes, should be coordinated with the BPI for classification as QPS treatment.

4. Fumigators/applicators who are still in possession of MB inventory from previous purchase should never in any manner, use said stock for none QPS application. A corresponding stock inventory report should be furnished FPA on this situation.

5. MB importers/distributors are sternly reminded of the standing NO PERMIT NO SALE and NO REPORT NO PERMIT TO PURCHASE policy on methyl bromide.

6. Regular inspection shall be conducted by FPA to assure compliance and to prevent unauthorized use of MB.

Administrative sanctions shall be imposed against violators of this Circular that include suspension of license as a pesticide importer, distributor or handler (PCO/Fumigator) and non issuance of Certificate Authorizing Importation of Pesticide (CAIP) for importers and other sanctions the FPA is empowered under its charter without prejudice to the filing of a criminal case under Presidential Decree No. 1144.

This Circular shall take effect immediately.

Recommending Approval:

(SGD.) DARIO C. SABULARSE, Ph.D., CESO IV
Deputy Executive Director and
Chairperson, National Methyl Bromide Phase-out Project

Approved by:

(SGD.) NORLITO R. GICANA, Ph.D., CESO IV
Executive Director

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at https://batas.org

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.