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REGISTRATION OF IMPORTED FOOD PRODUCTS COVERED BY AN EXCLUSIVE DISTRIBUTORSHIP AGREEMENT; AND SALE OR OFFER FOR SALE OF THE SAME PRODUCTS WHOSE REGISTRATION PAPERS ARE STILL-IN ...

BFD CIRCULAR NO. 08, s. 1998, October 27, 1998

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After due deliberation on the discussion of the subject during the consultation meeting last September 25, 1998, the BFAD MANCOM[*] decided that —

1. Registration of imported food products in accordance with the DOH-AO 37 series of 1979 will be allowed regardless of whether or not the same is covered by an exclusive distributorship agreement. Such registration however, will not preclude the exclusive distributor from availing of any legal remedies against proper parties by virtue of his right under the agreement.

2. Imported food products whose registration papers are already in process as having passed pre-assessment may be sold or offered for sale. This is so, PROVIDED THAT —

a. The product shall bear the name and address of its importer conspicuously in its labelling;

b. The importer shall be responsible for the immediate recall or withdrawal of the product from the market in case the same is found neither adulterated or mislabelled; or when there is misrepresentation in any of the registration papers submitted.

c. The recall or withdrawal of the products paragraph (b) hereof shall be without prejudice to any sanction upon the importer distributor whenever applicable.

For this purpose, the importer may present a copy of the application for registration duly stamped with RSN (Routing Slip Number) and a copy of the Official Receipt evidencing payment of registration fee.

This is for the guidance of all parties concerned.

Adopted: 27 Oct. 1998

(SGD.) QUINTIN L. KINTANAR, M.D., PH.D., CESO I
Director

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[*] October 1998 MANCOM Meeting

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