

**[ DA Department Circular No. 03, s. 2015, June 16, 2015 ]**

**RULES AND REGULATIONS ON THE REGISTRATION OF PRIMARY AND POSTHARVEST ORGANIC FOOD AND NON-FOOD PRODUCTS**

*Adopted: 16 June 2015*

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Pursuant to the provisions of Section 16 (Registration of Organic Food and Organic Input Producers), Section 17 (Labeling of Organic Produce) and Section 24 (Incentives) of Republic Act (RA) No. 10068 otherwise known as "Organic Agriculture Act of 2010", the Department hereby adopts and prescribes this Circular covering the functions and shared responsibilities among its agencies in the regulation of "organic primary and postharvest food and non-food products", as it is hereby adopted and prescribed, for the information and guidance of all concerned.

**SECTION 1. OBJECTIVES.** This Circular has the following objectives:

- 1.1 To provide guidelines in the registration of establishments of organic primary and postharvest food and non-food products;
- 1.2 To provide specific responsibilities of the Department of Agriculture's (DA) Regulatory Agencies and the Bureau of Agriculture and Fisheries Standards (BAFS) in the registration of establishments of organic primary and postharvest food and non-food products; and
- 1.3 To ensure that products being marketed are compliant with the Philippine National Standards (PNS) for organic agriculture and other relevant PNS.

**SECTION 2. DEFINITION OF TERMS.** As used in this Circular, the following words, terms and phrases shall be construed to mean as follows:

- 2.1 Certification - means the procedure by which official certifying bodies or officially recognized certifying bodies provide written attestation that food or non-food or its control systems conform to applicable organic agriculture standards and requirements. Certification may be, as appropriate, based on a range of inspection activities, which may include continuous inspection, auditing of quality assurance systems, and examination of finished products.
- 2.2 *DA Regulatory Agency* – refers to the following agencies: Bureau of Animal Industry (BAI), Bureau of Fisheries and Aquatic Resources (BFAR), Bureau of Plant Industry (BPI), National Dairy Authority (NDA), National Meat Inspection Services (NMIS), Philippine Fiber Industry Development Authority (PhilFIDA) and Sugar Regulatory Agency (SRA).
- 2.3 *Establishment* – means the agriculture or fisheries facility used for production of primary and postharvest food and non-food products

including operations carried out in the crop industry, animal husbandry, and aquaculture, postharvest handling, preparation, treatment, packaging, transport and/or storage, but excluding those sites, buildings and structures, such as laboratories, administrative offices and other areas where the products are not handled and where people handling the products do not enter.

- 2.4 *Label* – refers to the display of written, printed or graphic matter upon the immediate container, tag, literature or other suitable material affixed thereto for the purpose of giving information as to identify components, ingredients, attributes, directions for use, specifications and such other information as may be required by law or regulations.
- 2.5 *Labeling* – Includes any written, printed or graphic matter that is present on the label, accompanies the product, or is displayed near the product, including that for the purpose of promoting its sale or disposal.
- 2.6 *Licensing* – means the process by which a DA Regulatory Agency approves an application of a person, partnership, corporation, cooperative, or other juridical persons, for authority to operate an agriculture or fishery establishment or to engage in any activity in the primary production and postharvest stages of the food and non-food supply chain to produce safe organic primary and postharvest food and non-food products.
- 2.7 *Misbranding* – refers to deliberate labeling or advertising of organic primary and postharvest food and non-food products that is misleading, where the labeling and/or advertising claims certain product properties that cannot be supported by reliable source, an organic certifying body or by scientific evidence.
- 2.8 *Non-Food Product* – refers to agriculture and fisheries products that are not used directly for human consumption such as feeds, fibers, tea bags, etc.
- 2.9 *Official Accreditation* – refers to the procedure by which DA-BAFS having jurisdiction over Organic Certifying Bodies, formally recognizes the competence of an inspection and/or certification body to provide inspection and certification services.
- 2.10 *Organic* – Is a labeling term that denotes products considered organic based on the Philippine National Standards (PNS) for organic agriculture.
- 2.11 *Organic Certificate* – means a written or equivalent assurance issued by an officially accredited organic certifying body (OCB) that a production system conforms to applicable organic standards and requirements.
- 2.12 *Organic Certifying Body (OCB)* – refers to a body responsible for verifying that a product sold or labeled as “organic” is produced, processed, prepared, handled and imported according to relevant PNS and other guidelines.
- 2.13 *Postharvest Food* – refers to a food that is obtained from the minimal transformation of plant and terrestrial and aquatic animals after primary production.
- 2.14 *Postmarket Surveillance* – refers to activities, after market authorization has been issued, relating to safety and quality monitoring of organic primary and postharvest food and non-food products. This shall also include, among others, adverse events reporting, product safety update reporting, collection and testing of products in the market.
- 2.15 *Primary Food* – refers to the unprocessed food that is obtained from primary production.

- 2.16 *Primary Production* – refers to the production, rearing or growing of primary products including harvesting, milking and farmed animal production up to slaughter, and the rearing and growing of aquatic plants and animals in aquaculture facilities.
- 2.17 *Registration* – means the process by which a DA Regulatory Agency records and verifies information about producers, engaged in the organic primary production and postharvest stages of the food or non-food product supply chain, including facilities involved in activities related to organic primary and postharvest stages of production, in an official list or official system for entering names and information of the concerned DA Regulatory Agency.

### **SECTION 3. SCOPE**

- 3.1 This Circular provides the rules and regulations in the registration of establishments of organic primary and postharvest food and non-food products. This applies to all agriculture and fishery establishments certified by the DA-BAFS officially accredited OCB.
- 3.2 This Circular does not cover the registrations of establishments of organic inputs (i.e., organic fertilizers, soil conditioners, plant growth promoters/ regulators, plant food supplements, flower inducers, microbial inoculants and bio-control agents, including botanicals, microbials, macrobials and semiochemicals) and processed and pre-packaged organic food, which are governed by separate rules and regulations.

### **SECTION 4. SPECIFIC RESPONSIBILITIES OF DA REGULATORY AGENCY.**

The following are the specific tasks of each DA Regulatory Agency:

- 4.1 In addition to the existing regulations and guidelines by each DA Regulatory Agency pursuant to their respective mandates and jurisdiction, particularly on the registration of agriculture or fisheries establishments, the following responsibilities provided herein shall be included to assist the DA-BAFS in preparing the official list of registered establishments of primary and postharvest organic food and non-food products:
- 4.1.1 Revise existing or establish new registration procedures and requirements for certified organic establishments;
  - 4.1.2 Accept, process and approve the applications of registration of establishments covered under their respective mandates as indicated in Annex A;
  - 4.1.3 Accept only applications with complete information and requirements, including the organic certificate issued by DA-BAFS officially accredited OCB;
  - 4.1.4 Conduct its own verification to ensure compliance with the applicable PNS for organic production prior to the registration;
  - 4.1.5 Issue certificate of registration (COR) to the establishments with approved applications, indicating its certification number and the list of products. The content and details of the COR should be the same for each DA Regulatory Agency and DA-BAFS. All COR should