

**[BAI DA ADMINISTRATIVE ORDER NO. 26, July
20, 2005]**

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

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 (WTO) 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