

**[DA ADMINISTRATIVE ORDER NO. 39, S. 2000,
October 04, 2000]**

**AMENDED RULES AND REGULATIONS GOVERNING THE
IMPORTATION OF MEAT AND MEAT PRODUCTS INTO THE
PHILIPPINES**

WHEREAS, disease outbreaks (e.g., Foot and Mouth Disease, Mad Cow Disease, Avian Influenza, among others), and chemical and microbial contamination (e.g. dioxin etc.) have occurred in a number of meat exporting countries;

WHEREAS, there is a need to prevent the entry 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 lead to potentially serious economic consequences to the livestock, poultry and related industries;

WHEREAS, there is a need to consolidate and strengthen existing rules and regulations governing meat importation to make them comprehensive, clear/transparent and ensure the safety and quality of imported meat and/or meat products; and

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 it deems necessary.

NOW, THEREFORE, I, EDGARDO J. ANGARA, Secretary of the Department of Agriculture, in accordance with Chapter 7 of the Agriculture and Fisheries Modernization Act of 1999 (Product Standardization and Consumer Safety); Republic Act No. 7394 (Consumer Act of the Philippines 1992); and Section 18, Chapter 4, Title IV, Book IV of Executive Order No. 292 (Administrative Code of 1987), do hereby issue this Order governing the importation of meat and meat products:

SECTION I
Definition of Terms

As contemplated in this Order, the following terms, words and phrases herein used shall be construed to mean as follows:

- A. **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 benchmark standards in relation to food quality and safety.

B. **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 (i.e., re-packing, re-branding) in another country, the country of origin refers to the source of the original product.

C. **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.

D. **Date of Expiration** — refers to the earliest date at which safety and/or acceptability of a product can no longer be assured, based on CODEX or other internationally accepted standards, or as determined by the manufacturer or the appropriate government authority.

E. **Date of Minimum Durability ("best before")** — refers to the earliest date (under specified conditions) beyond which a product is no longer fully marketable and cannot meet the quality required by the importer or government authorities in the importing country as determined from CODEX or other internationally accepted standards, or for which claims have been made by the manufacturer or the government authority of the exporting country.

F. **Foreign Meat Establishment (FME)** — refers to an establishment, company or juridical/legal entity engaged in slaughtering/dressing of food animals, meat processing/packing/manufacturing, and/or meat trading/exporting, among others.

G. **Imported Meat Inspection Clearance (IMIC)** — refers to the clearance issued by the National Meat Inspection Commission (NMIC) to an importer/consignee providing the basis for the latter's utilization or disposition of the imported meat and/or meat products.

H. **International Veterinary Certificate (IVC)** — refers to the certificate issued by the Veterinary Administration at the country of origin attesting that, among others, the goods conform to the veterinary/SPS requirements of the Philippines as prescribed in the Veterinary Quarantine Clearance issued by the Department of Agriculture (DA).

I. **Lot Identification** — refers to the name and identity number of the plant/factory and the serial identity number of the specified quantity of commodity produced from this plant/factory essentially subjected to the same production conditions.

J. **Meat** — refers to the fresh, chilled or frozen edible part of carcass, including offal derived from but not limited to cattle, buffalo, pig, poultry, goat, sheep, and horse but excluding marine animals and prohibited animals under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

K. **Meat Products** — refers to meat, which has been subjected to physical change and/or treatment by cooking, drying, salting, brining or smoking.

L. **Office Internationale des Epizootics (OIE)** — refers to the international organization recognized by the WTO as the responsible body for establishing the animal veterinary health standards, guidelines and recommendations.

M. **Qualified Importer** — refers to a person, company or juridical/legal entity accredited by the DA as meat processor/manufacture/re-packer, meat trader and other meat establishments.

N. **Qualified Exporter** — refers to a FME recognized by the Veterinary Administration of country source as exporting entity and accredited by the DA. Only those "meat-trading" firms sourcing from DA accredited FMEs are considered qualified exporters.

O. **Veterinary Administration** — refers to the National Veterinary Service having authority over the whole country for implementing the animal health measures and international veterinary certification process (based on OIE Animal Health Code).

P. **Veterinary Quarantine Clearance (VQC)/SPS Import Permit** — refers to the clearance issued by the Bureau of Animal Industry (BAI) to the importer/consignee, setting the Philippine SPS/quarantine requirements that imported meat and/or meat products should be subject to.

Q. **Veterinary Quarantine Inspection Certificate (VQIC)** — refers to the certificate issued by the DA Veterinary Quarantine Office (DAVQO) to the importer/consignee, which certifies that the goods have been subjected to quarantine inspection and clearance. The VQIC provides the basis for the NMIC to initiate its inspection and laboratory analysis upon the release of the goods by the Bureau of Customs (BOC).

SECTION II

Scope

Only meat and meat products referred to in ANNEX "A" as defined in Section 1 (J) and (K) are covered by this Order.

SECTION III

Application For VQC/SPS Import Permit

A. A qualified importer as defined in Section I (M) who intends to import meat and/or meat products must first secure a VQC/SPS Import Permit from the DA prior to the shipment of goods from the country of origin. The importer shall:

1. submit a duly accomplished Application Form to Import (ANNEX "B") together with the *pro-forma* invoice; and
2. pay the necessary fee to the Bureau of Animal Industry (BAI).

B. The BAI, in consultation with the NMIC, as needed, shall evaluate the VQC application and shall approve/disapprove the same within 7 working days from receipt of complete application documents. The approved VQC shall contain the BAI seal and the signature of the Secretary or the BAI Director (upon the Secretary's designation).

C. The BAI shall issue a VQC per shipment of meat and/or meat products.

D. The VQC's validity shall be based on the following geographical locations (countries/regions) where the meat and/or meat products shall be sourced:

	<u>Source</u>	<u>VQC's Validity</u>
1.	Asia, Australia, and New Zealand	30-60 days
2.	North and South America, Europe and Africa	60-90 days

E. The importer can request for a 15 to 30-day extension for its VQC from the BAI provided the shipment is in transit during the VQC's validity period. The BAI shall issue such extension within 24 hours upon:

1. receipt from the importer (applicant) of a formal request with the original VQC previously issued; and
2. payment of the necessary extension fee.

SECTION IV

Exporting Country Requirements

A. Only DA accredited FMEs recognized as an exporting entity by the Veterinary Administration of the exporting country are allowed to export into the Philippines.

B. A qualified exporter must first secure a copy of the approved VQC/SPS Import Permit from the importer/consignee prior to the shipment of meat and/or meat products into the Philippines.

C. The exporter shall comply with the following packing and labeling requirements:

1. All packing materials and containers in direct contact with the meat and/or meat products must be of food grade quality.