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Food and Agricultural Import Regulations and Standards

Country Report

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Approved by:

David C. Miller
FAS Manila

Prepared by:

Pia Abuel-Ang

Report Highlights:

This report outlines Philippine government requirements for the importation of food and agricultural products. The report aims to assist U.S. exporters by providing information on labeling, packaging, permitted ingredients and other relevant information. It also provides points of contact for key Philippine government authorities, U.S. government and trade associations. Sections I on Regulatory Agencies and VII on Import Regulations for Meat and Meat Products are updated with this Report.

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PHILIPPINES: FOOD AND AGRICULTURAL IMPORT REGULATIONS AND STANDARDS (FAIRS)**DISCLAIMER**

This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Manila, Philippines for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in preparation of the report, information provided may no longer be complete nor as precise as some import requirements are subject to frequent changes. It is highly recommended that U.S. exporters ensure that all necessary customs clearance requirements have been verified with local authorities through your foreign importer before the sale conditions are finalized. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Please contact this office if you have any comments, corrections or suggestions. The e-mail address is agmanila@usda.gov.

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I. FOOD LAWS

The two main agencies tasked with developing and enforcing food safety standards in the Philippines are the Bureau of Food and Drugs (BFAD) under the Department of Health (DOH) and the Bureau of Agriculture and Fisheries Product Standards (BAFPS) of the Department of Agriculture (DA). Under the Food, Drug and Cosmetics Act, BFAD was made responsible for the safety of processed food products while the Agriculture and Fisheries Modernization Act (AFMA) made BAFPS accountable for fresh and primary agricultural and fisheries products.

Food, Drug and Cosmetics Act: In 1963, Republic Act No. 3720 (RA 3720) or the "Food, Drug and Cosmetics Act" was enacted to ensure the safety and purity of foods, drugs and cosmetics made available to the public. Under the Food Act, the Food and Drugs Administration (FDA) was created under the DOH. Executive Order No. 175 (EO 175) later renamed the FDA as the Bureau of Food and Drug.

BFAD's primary function is to ensure the safety, proper handling, efficacy, purity and quality of processed foods, drugs, diagnostic reagents, medical devices, cosmetics and hazardous household substances. The Bureau of Food and Drugs oversees the control of the manufacture and sale of processed foods, where the major concerns are adulteration and mislabeling of food products. It is responsible for the surveillance of imported food products at legal ports of entry.

Agriculture and Fisheries Modernization Act: The Bureau of Agriculture and Fisheries Standards (BAFPS) under the Department of Agriculture was established in 1997 as provided for by Republic Act No. 8435 or the Agriculture Fisheries and Modernization Act. Its major duties include formulating and enforcing standards of quality in the processing, preservation, packaging, labeling, importation, exportation, distribution and advertising of fresh and primary agricultural and fisheries products. BAFPS also provides assistance in establishing the scientific basis for food safety, trade standards and codes of practice and harmonizes them with internationally accepted standards and practices.

BAFPS serves as the National Enquiry Point for Codex Alimentarius and other food safety and standards regulatory bodies. It is in charge of monitoring and disseminating information on international developments in food safety.

Regulatory Agencies: A number of different regulatory bodies exist in the Philippines and these are often supported by specialist commissions which focus on specific technical matters such as meat inspection, biosafety, etc. The main regulatory bodies monitoring the safety aspects of imported agriculture and food products are the Bureau of Animal Industry (BAI), Bureau of Fisheries & Aquatic Resources (BFAR) and the Bureau of Plant Industry (BPI). All these bureaus are under the jurisdiction of DA.

Republic Act No. 3639 (RA 3639) established the BAI and empowered it to prescribe standards for quality in the manufacture, importation, labeling, advertising, distribution and sale of livestock, poultry, meat products, dairy products and animal feeds and veterinary supplies in the country. The BAI is charged with preventing, controlling, containing and eradicating communicable animal disease by regulating the flow of animals and animal products in the country.

Presidential Decree No. 7 (PD 7) authorizes the National Meat Inspection Commission (NMIC) to implement policies and procedures governing post production flow of livestock, meat and meat products both locally produced and imported through the various stages of marketing. The NMIC supervises the operations of abattoirs and meat establishments and conducts ante- and post-mortem inspections of meat. The Meat Import/Export Services of the NMIC

ensures that imported or exportable meat and meat products are produced under acceptable conditions and systems.

In 2004, Republic Act 9296 (RA 9296) otherwise known as the National Meat Inspection Code was signed into law. The law, which transfers certain NMIC functions to the Local Government Units, was crafted to harmonize Philippine meat inspection laws with international standards to enable the domestic meat processing industry to participate in global trade. Moreover, the NMIC was officially renamed the National Meat Inspection Service (NMIS). While the Meat Inspection Code took effect in June 2004, its Implementing Rules and Regulations (IRR) are yet to be presented to stakeholders for approval. Without IRRs, a law may not be implemented.

While the BAI has jurisdiction over the import of both live animals and meat, the NMIS plays a key role in the enforcement of the regulations over fresh, chilled and frozen meat and poultry imports into the Philippines.

The Bureau of Plant Industry (BPI), created through series of laws - Republic Acts, Presidential Decrees, Executive and Administrative Orders, has the primary task of promoting the development of plant industries through research and development, crop production and protection and effective technology promotion and transfer.

Presidential Decree No. 1433 (PD 1433), the Plant Quarantine Law authorizes the DA through the BPI to exercise inspection and certification and/or treatment activities on imported and exportable plant products such as fruits and vegetables. PD 1433 also mandates the BPI to prevent the introduction of exotic pests into the country, to prevent further spread of existing plant pests and to enforce phytosanitary measures for the export of plants, plant products and regulated articles.

Presidential Decree No. 704 (PD 704) gives the Bureau of Fisheries and Aquatic Resources the administrative responsibility to control fish and other marine products. The Fisheries Post-Harvest Technology Division (FPHTD) of BFAR issues commodity clearances (i.e., import permits) and other requirements for the import of fish and fishery products.

Import Regulations: All imported food and agricultural products are required to comply with the Philippines' food health and phytosanitary laws. In general, none of these products is allowed to enter the Philippines if it is deemed to be a danger to human life or well-being, either directly or indirectly.

All food and agricultural products, including plant products that enter the Philippines, are required to pass through procedures designed to check that they are not contaminated with any pest and that they are fit for their intended use.

At present, national microbiological standards for food have not yet been established. Philippine food regulations are thus patterned after CODEX Alimentarius Commission guidelines as well as regulations established by the FDA of the United States and similar regulatory bodies in other countries.

The health and phytosanitary regulations and procedures applied on imported agriculture and food products are broadly similar for all types of products. Under Philippine import laws, it is the responsibility of the importer to ensure that any product entering the Philippines customs territory is in full compliance with Philippine health and phytosanitary regulations. The enforcing authorities will check for compliance by inspecting the goods and relevant import/export documentation and decide on whether the goods may enter the Philippines.

In cases of non-compliance, the goods may be required to be treated before being released or they may be rejected and ordered destroyed or disposed of outside the Philippines. It is therefore very important that importers and exporters ensure that compliance is achieved before the goods are shipped to the Philippines.

II. FOOD LABELING

Labeling standards that are used in the United States are generally acceptable and are used by Philippine food manufacturers involved in supplying both the local and export markets. Local regulations do, in some cases, require different labeling content for a small number of products. These include bottled water and prepackaged processed meats, which are covered by specific labeling regulations that have been developed by BFAD.

The following information is required to be on the labels of imported food products:

1. Name of the food;
2. List of ingredients used in the product (in decreasing order of proportion), including additives, flavorings and preservatives used;
3. Net contents and drained weight;
4. Name and address of manufacturer/packer or distributor, including country of origin for imported products and name and the address of Philippine importer/distributor;
5. Lot identification.

Nutritional and Health Claims and Advertising: The label of food that is marketed for special dietary uses, e.g., diabetic foods, must include information concerning its vitamin, mineral and other dietary properties as required by the BFAD, and in a manner that fully informs purchasers of the product's intrinsic value in terms of its special use.

BFAD has the authority to prescribe general standards and guidelines for food advertisements. It is also responsible for monitoring and ascertaining the veracity of nutritional and medicinal claims in food advertisements in the various media. BFAD may call upon any manufacturer, distributor, or advertiser to desist from inaccurate or misleading nutritional or medicinal claims in their advertisement.

Should any food manufacturer, distributor or advertiser refuse or fail to obey the BFAD order to desist from using false claims, it can be assessed penalties under the law and regulations.

Imported Food Products: The BFAD requires that importers provide advance copies of the labels of the products they intend to import. This information is required for the registration of imported food and drink products. The content of such labels is scrutinized to establish whether it is acceptable under CODEX and BFAD requirements. Nutritional and medical claims made on such labels are one of the factors considered by BFAD when evaluating applications to register foreign products for import into the Philippines, especially Category II products such as food supplements, infant foods and special dietary foods. Products that have labels, which make claims that cannot be easily substantiated, can be banned from entry into the country.

No labeling for biotechnology or organic products is currently required by the Philippine government.

III. PACKAGING AND CONTAINER REGULATIONS

Codex Alimentarius and USFDA regulations serve as the Philippine BFAD's main reference guidelines for policy pertaining to good manufacturing practices and suitability of packaging materials for food use. Hence, compliance with Codex and/or U.S. regulations for packaged foods will almost always assure compliance with Philippine regulations. Importers need, however, to register packaged products with BFAD before they are sold at retail outlets (see Section VI).

IV. FOOD ADDITIVE REGULATIONS

Food additives must comply with the Philippine Food Act and the regulations that have been established by the BFAD for such products.

Food additives are broadly defined by BFAD as "any substance that becomes a component part of a processed food product or otherwise affects the characteristics of the food product." As such, they include any substance which has a direct or indirect impact on the food as a result of its use in producing, manufacturing, processing and preparing the food product, and in packing, treating, packaging, transporting, and/or holding the food product.

Please see Appendix I for the list of acceptable food additives by BFAD.

V. PESTICIDE AND OTHER CONTAMINANTS

The Fertilizer and Pesticide Authority (FPA) was created in 1977 by Presidential Decree No.1144 (PD 1144). The FPA is the designated national authority for registration matters. FPA licenses pesticide distributors and dealers and issues import certificates. Registration may be suspended or cancelled when there is imminent danger of misuse of the products or violations of regulations by handlers. Education, training and certification of pesticide handlers and agro-medical officers are also significant activities of the FPA. Registration of new and toxic pesticides requires evaluation by the FPA for risk and benefits.

While the FPA is the designated regulatory agency for registration matters, the Bureau of Plant Industry (BPI) is the agency mandated to monitor the levels of pesticide residue in crops to protect both local and international consumers. It also monitors the level of chemical residues on agricultural crops and by-products and recommends policies for the safety of consumers. Moreover, BPI determines and evaluates practices on the use of pesticides for possible modification.

VI. OTHER REGULATIONS AND REQUIREMENTS

Registration of Processed Food Products: All processed food products offered for retail sale in the Philippines must be registered with BFAD. Registration of imported products may only be undertaken by a Philippine entity, although some documentation and, for certain types of products, samples need to be provided by the exporter. Products have been divided into two categories with distinct sets of registration requirements and procedures.

Category I includes: bakery & bakery related products; non-alcoholic beverages & beverage mixes; candies & confectionery products; cocoa & cocoa related products; coffee, tea & non-dairy creamer; condiments, sauces & seasonings; culinary products; gelatine, dessert preparation & mixes; dairy products; dressings & spreads; flour/flour mixes & starch; fish & other marine products; fruits, vegetable & edible fungi (prepared); meat and poultry products (prepared); noodles, pastas & pastry wrapper; nut & nut products; native delicacies; oils, fats & shortening; snack foods & breakfast cereals and; sugar & other related products.

Category II includes: alcoholic beverages; food supplements; tea (herbal); bottled drinking water; food for infants and children; foods for special dietary use; transgenic food products (use of genetic engineering/biotechnology) and; ethnic food products with indigenous ingredient(s) not common in the Philippines.

An application for registration should be filed by the Philippine importer for the importation and distribution/offer for sale of each class per brand of product. Only products with a valid Certificate of Product Registration from BFAD will be allowed for retail sale in the Philippines.

Following are the list of requirements for the registration of food products:

Category I

1. Letter of application for registration from importer/distributor;
2. Accomplished Affidavit of Undertaking, typewritten and notarized;
3. Accomplished product list by product classification, three (3) copies;
4. Valid License to Operate (from BFAD) with name of supplier/source(s) of imported food product;
5. Copy of sales invoice;
6. One sample of each product in commercial presentation and a copy of the label that is in conformance with Codex Labeling Regulations and BFAD requirements. In lieu of product sample, a colored picture of each product may be submitted. A sticker indicating the name and address of the importer must be attached if such information is not printed on the label;
7. Registration fee of Pesos 200 per product.

Category II

1. Letter of application for registration from importer/distributor;
2. Valid License to Operate (LTO) as an importer/distributor (issued by BFAD);
3. Product Information
4. List of ingredients in decreasing order of proportion. For additives with prescribed limit, the amount added must be indicated;
5. Finished product specification (physico-chemical and microbiological);
6. Samples of the product in its commercial presentation for laboratory analysis;
7. Loose label and labeling materials to be used for the products;
8. Estimated shelf-life, parameters used and methods for determining shelf-life;

9. Brief description/flow diagram of the method of manufacture;
10. Certificate of analysis. Include analytical methods used. Additional requirements for food supplements may apply as necessary;
11. Registration fee of Pesos 250 to 1,000 per product plus cost of laboratory analysis.

Laboratory testing by BFAD for products under Category II is mandatory to determine the safety of the product and to assure that there will be no misbranding or adulteration. Products under Category I may be subject to random examination at any time while in the country and the cost of laboratory analysis shall be charged to the importer.

A Certificate of Product Registration (CPR) shall be issued by BFAD and shall be valid for one (1) year. Subsequent renewal of a CPR shall be valid for a period of five (5) years. Cost of renewal ranges from Pesos 1,000 for Category I products to Pesos 5,000 for Category II products and Pesos 5,000 for food supplements and bottled water.

Exporters should also note that a Philippine importer needs to secure a License to Operate (LTO) from BFAD, which is actually a prerequisite for the registration of any food product. The License lists names of foreign suppliers or sources of the products being registered. Thus, the importer is required to obtain from the exporter and submit to BFAD the following: (1) a copy of the Foreign Agency Agreement duly authenticated by the Philippine Consulate in the country of origin and; (2) a Certificate of Status of Manufacture by the exporter issued by the Government Health Agency of the country where the product is manufactured; this should also be authenticated by the Philippine Consulate.

The cost of initial one-year licensing fee is Pesos 4,000. Renewal of License to Operate, valid for two (2) years, is Pesos 8,000.

VII. OTHER SPECIFIC STANDARDS

Import Regulations for Food Products: The Philippines is a signatory to the World Trade Organization and has lifted quantitative restrictions (QRs) on imports of food products except for rice. Tariff-Rate Quotas (TRQs) still remain on a number of sensitive products such as corn, poultry meat, pork, sugar and coffee. Minimum Access Volumes (MAV) has been established for those commodities.

The GRP started opening its rice market in 2002 when it allowed the private sector, mainly traders, to import rice. Prior to this, the National Food Authority (NFA), was the sole importer of rice. Last year, the NFA expanded rice importation to include farmer groups although this sector was inexperienced in rice importation, and therefore, was unable to fill the allocation it was given. Private sector rice imports are assessed a 50-percent tariff rate and import licenses are regulated by the NFA. Imports by the NFA, on the other hand, usually for buffer stock purposes, are imported duty-free. The GRP is currently negotiating with other WTO members the extension of its quantitative restrictions on rice.

Quarantine clearances that serve as import licenses are required prior to the importation of fresh fruits and vegetables as well as meat and meat products. All other food product imports do not have licensing requirements except for commodities entering duty-free or subject to an in-quota tariff such as frozen pork, frozen poultry, fresh/chilled potatoes, coffee beans, corn and coffee extract.

In all cases, imported meat, fish or produce requires that a registered importer be the receiver of the shipment. Consequently, the importer would have to be knowledgeable about the regulations associated with the particular commodity being imported.

Import Regulations for Meat and Meat Products: Revised regulations governing the import of meat and poultry have been in effect since the end of December 2000. The Department of Agriculture issued Administrative Order No. 39, September 27, 2000 and its amendment, Administrative Order No. 56, December 27, 2000 superseded all previous regulations for importation of meat and poultry products. The new order requires importers to secure a veterinary quarantine clearance (VQC) certificate prior to importing. VQCs for imports from the United States are valid for 60 to 90 days. Extensions of up to an additional 30 days are possible. Essentially, the date for the shipment of goods (as reflected in the bill of lading/airway bill) should not be earlier than the date of the issuance of the VQC. There is a great deal of sensitivity in the Philippines about U.S. food products that are packed in cartons with labels indicating shipment to another country. It is recommended that such markings be covered or removed since the Philippines does not require the cartons to be marked for export to the Philippines.

More information on the importation of meat and meat products into the Philippines may be downloaded from <http://bai.da.gov.ph/>

In January 2004, the Philippine Department of Agriculture issued Memorandum Order No. 33 (MO 33), which provided new requirements for beef and beef products imported from the United States. This was in response to the detection of Bovine Spongiform Encephalopathy (BSE) in a single imported dairy cow in the State of Washington in December 2003. Only beef and beef products derived from cattle under 30 months of age will now be allowed entry into the country. Other specified requirements include: only deboned and deglanded muscle cuts of beef from healthy and ambulatory cattle devoid of nerves and any specified risk materials (SRMs) will be allowed entry. Moreover, the production or slaughter date of the cattle must be provided on the packaging label.

On June 24, 2005, the DA temporarily suspended issuance of VQCs for beef and beef products from the United States following the confirmation of a second BSE positive cow in the United States. On July 28, 2005, the DA issued Memorandum Order No. 13 (MO 13) lifting the temporary suspension of beef imports from the United States subject to the same requirements as stated in MO 33. The BAI has reiterated that all processed beef products (i.e., corned beef, sausages, etc.) must also be certified as having met the above requirements.

The DA also allows the importation of protein-free tallow with insoluble impurities below 0.15% in weight. Moreover, beef products derived from beef from Australia or New Zealand, must be certified as having been legally imported from said countries. For collagen casings of bovine origin, the BAI requires additional FSIS certification that the product was prepared from hides and skins other than that coming from the head.

A summary of Philippine export requirements for meat and poultry products from the United States may be obtained from <http://www.fsis.usda.gov/OFO/export/philippi.htm>

Import Regulations For Fish: On September 20, 1999, the Department of Agriculture completed implementing rules and regulations for Republic Act 8550 (RA 8550) of 1998 known as the Fisheries Code. The regulations are embodied in Fisheries Administrative Order 195. The new order more or less clarified the need for importers to obtain quarantine permits.

The importation of fresh/chilled/frozen fish and fishery/aquatic products is allowed only when certified as necessary by the Secretary of Agriculture in order to achieve food security taking into consideration public welfare and safety. Only the importation of fresh/chilled/frozen fish and fishery/aquatic products for canning and processing purposes and those undertaken by

institutional buyers is exempt from such certification. Further, all importation must satisfy the Hazard Analysis and Critical Control Point (HACCP) standards as provided under Section 67 of RA 8550.

Fishery/aquatic products must be packed under hygienic condition to prevent contamination from lubricants, oils, fuels or any hazardous substances. The following information should appear on the packaging and on the accompanying documents:

1. the country of origin written out in full;
2. species of fish/fishery products weight and content;
3. address of supplier; and
4. BFAR Inspection stamp mark. Frozen fishery/aquatic products imported in bulk intended for further processing are not covered by this requirement.

Additional information may be downloaded on fish and fish product importation from <http://www.bfar.da.gov.ph/>

Import Regulations for Fresh Produce: In response to pressure from domestic vegetable producers to limit imports as well as to crack down on illegal importation of fruits and vegetables into the Philippines, the DA has further tightened its import permit application procedures. In March 2003 through Memorandum No. 18 (MO 18), the Bureau of Plant and Industry imposed additional requirements for all imported fresh fruits and vegetables. The implementation of these additional checks and authentication processes, often times result in delays of imports of the affected products.

BPI regulates imports of fresh fruits and vegetables. All imports of fresh produce require phytosanitary clearances from BPI, which also serve as import licenses. These permits are applied for by the Philippine importer for each shipment. Shipments of fresh fruits and vegetables must be accompanied by a USDA Phytosanitary Certificate (PC) issued at the port of origin. Like meat and meat product, import permits for fruits and vegetables need to be secured prior to exportation from the United States. The date of shipment should not be earlier than the import permit.

More information on import requirements for fresh fruits and vegetables may be downloaded from <http://bpi.da.gov.ph/Services.html>

In 1995, BPI established plant health regulations, which allow the import of U.S. apples, grapes, oranges, potatoes, onions, and garlic from the United States, provided these products when necessary, undergo a specified cold treatment to control targeted pests. Importation of Florida grapefruit, oranges, and tangerines into the Philippines is permitted under a March 2000 protocol between the Philippines and the United States.

Import Regulations for Pet Food: Requirements for pet food are similar to import procedures for meat and meat products. BAI requires foreign manufacturers of processed dog and cat food and/or Philippine importers to apply for accreditation and to be registered with BAI prior to importation. All pet food products entering the Philippines need to be accompanied by a sanitary certificate issued by the relevant U.S. regulatory body. Like meat products, a VQC needs to be secured from Animal Feeds Division of the BAI before the good are shipped out of the United States.

Genetically Engineered Foods: The Rules and Regulations for the Importation and Release into the Environment of Plants and Plant Products Derived from the Use of Modern Biotechnology (AO8) was signed into law in 2003 and became effective on July 1, 2003. Under AO8, all GE plant varieties ("regulated article") must be evaluated by a third party

panel of Philippine scientists for food, feed and environmental safety prior to entering the Philippines. Any commodity or food containing an unapproved variety including those from the U.S. will be prohibited from entering the Philippines.

Food Fortification Law: The Philippine Food Fortification Law of 2000 or RA 8976 will be fully implemented on November 7, 2005. All staple foods -- rice, sugar, flour, salt and cooking oil -- will require fortification by law.

The Philippine government has identified Vitamin A, iron, and iodine as the three most needed micronutrients in the country. Food and agriculture companies would now be required to fortify their products as mandated by RA 8976. The law aims to provide 50 percent or more of the recommended daily allowance (RDA) of Vitamin A and iron among at-risk groups, particularly children below 6 years old and women of reproductive age. This law applies to all manufacturers or producers, importers, traders, tolees, retailers repackers of staple foods as well as restaurants and food service establishments. The Department of Health through BFAD and the National Nutrition Council will be responsible for implementing and monitoring the program. BFAD will regularly monitor food fortification levels and shall see to it that the fortification process complies with DOH standards. Sanctions for non-compliance include fines of not more than P1 million and revocation of permits and licenses depending on the gravity of the offense.

VIII. Copyright and/or Trademark Laws

All copyright and trademark regulations are contained in the Intellectual Property Code of the Philippines (Republic Act No. 8293). The Philippine Intellectual Property Office under the Department of Trade and Industry is in charge of enforcing these regulations and ensuring that intellectual property rights are enforced.

Trademark: A trademark may not be registered if it is immoral, deceptive or of a scandalous matter; if it is the flag, coat of arm or insignia of the Philippines or any of its political symbols; a name, portrait or signature identifying a particular living individual without that person's written consent; identical with a registered mark whether or not registered in the Philippines but well known internationally; if it misleads the public; signs that are generic for the goods or services; shapes that may be necessitated by technical factors; color alone, unless defined by a given form and/or anything contrary to public order or morality.

An applicant for a trademark may be a natural person, or juridical person and all applications should be in the name of the applicant, who may sign the application. If there is more than one applicant, all should be named as applicants but any individual applicant may sign the application for and on behalf of all applicants. If the applicant is a juridical person, any officer may sign the application.

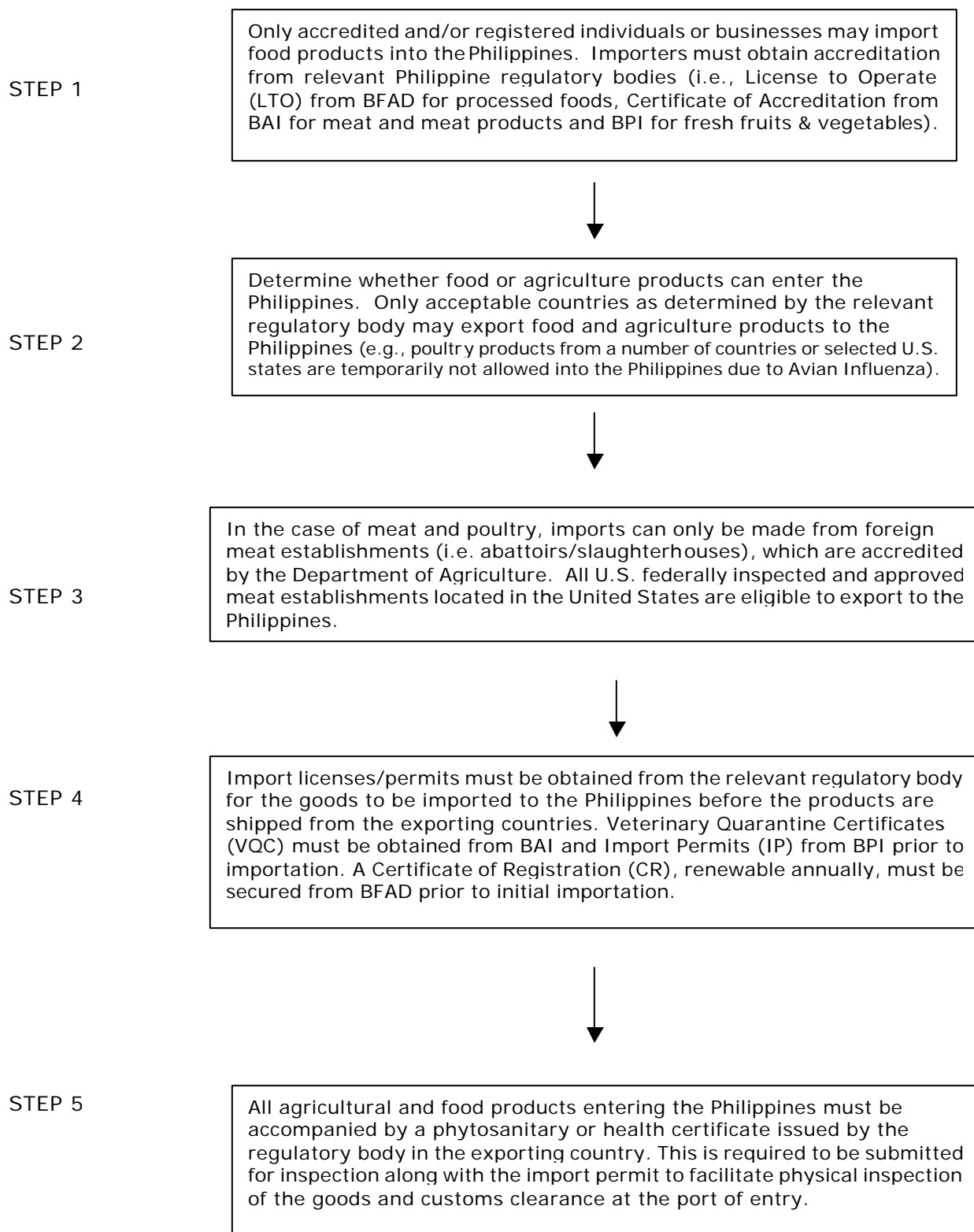
A certificate of registration shall remain in force for ten (10) years; provided that, without need of any notice from the Bureau of Trademarks, the applicant shall file a declaration of actual use and evidence to that effect within one year from the fifth (5th) anniversary of the date of registration of the mark. If the owner failed to use the mark, he/she should also file an affidavit of Non-Use with the Bureau of Trademarks showing that non-use of the same is due to causes beyond his/her control. The registration may also be renewed for a period of ten (10) years after its expiration, and there is no limit as to the number of times the registrant may request a renewal of registration provided the prescribed fees are paid. The application for registration of the mark shall be in Filipino or in English and shall contain a request for registration; name and address of applicant; state of which the applicant is a national or where domiciled; the law under which it is organized when the applicant is a juridical entity; appointment of an agent or representative or an indication of claims on priority of an earlier application (if applicable). A reproduction of the mark in the prescribed format must also be submitted along with the list of goods and services for which the registration is sought.

Copyright: Copyright registration is available for books, poetry, plays, short stories, newspapers and newspaper articles, magazines and magazine articles, comic books, musical compositions (words and/or music), recordings, choreographic works, pantomimes, motion pictures, filmstrips, television programs, photographs, paintings, drawings, prints, maps, architectural plans, scale models, sculptural works, craft works, jewelry designs, fabric designs, computer programs, and databases.

In general, a copyright lasts for the life of the author, plus 50 years. The term is different for commissioned works and works where a corporation is the author.

IX. IMPORT PROCEDURES

The basic procedures which apply to the import of food and agricultural products are as follows:



APPENDIX I**LIST OF PERMISSIBLE FOOD ADDITIVES**

The substances listed hereto are those that have been approved for use in foodstuffs. These food additives are divided into three major groups:

Group 1. Substances that are directly added to food and classified into the following functional categories:

- Anticaking Agents
- Antimicrobial agents
- Antioxidants
- Antioxidant Synergists
- Emulsifiers
- Firming Agents
- Flavor Enhancers
- Flour Treatment Agents Dough Conditioners
- Food Acidulant
- Food Colors
- Humectants
- Leavening Agents
- Nutrient Supplements
- pH - Control Agents
- Sequestrants
- Stabilizers and Thickeners
- Surface- Finishing Agents
- Surface - Finishing Agents
- Sweeteners:
- Non-Nutritive Sweeteners
- Nutritive Sweeteners
- Miscellaneous

Group II Substances that are considered as Processing Aids and classified into:

- Antifoaming Agents
- Clarifying Agents
- Catalyst
- Contact Freezing Agents
- Extraction/Carrier Solvents
- Fat Crystal Modifier
- Filtration Aids
- Flocculating Agents
- Lubricants, Anti Stick Agents and Molding Aids
- Propellant and Packaging Cases
- Enzyme Preparations

GROUP III Flavoring Substances
(* to be elaborated)

ANTI-CAKING AGENTS

Substances added to finely powdered or crystalline food products to prevent caking, lumping or agglomeration.

Restriction/Maximum Level of Use

Aluminum Calcium Silicate (calcium aluminum silicate)	2 % in salt; GMP
Calcium phosphate, tribasic	2% in salt; GMP
Calcium Silicate powder GMP	2% in salt; 5% in baking
Iron ammonium citrate	25 % ppm in salt
Magnesium carbonate	2 % in salt; GMP

Magnesium silicate	2 % in salt; GMP
Myristates, pamitates, stearates of aluminum, calcium, magnesium potassium and sodium	GMP
Silicon dioxide	2 %
Sodium aluminum silicate (sodium silica aluminate)	2 %
Sodium calcium aluminosilicate	2 %
Sodium ferrocyanide (Yellow of Soda)	33 ppm in salt (calculated as anhydrous
sodium ferrocyanide)	
Tricalcium silicate	2 % in salt

ANTIOXIDANTS

Substances used to preserve food by retarding deterioration, rancidity or discoloration due to oxidation.

Restriction/Maximum Level of Use

Ascorbic Acid	GMP
Ascorbyl palmitate	GMP
Butylated hydroxyanisole	0.02 %*
Butylated hydroxyanisole	0.02 %*
Calcium ascorbate	GMP
Dilauryl thiodipropionate	0.02 %*
Erythorbic acid	GMP
Ethoxynquin	100 ppm for color preservation of chili powder and paprika
Lecithin	GMP
Propylgallate	0.02 %*
Sodium Ascorbate	GMP
Sodium erythorbate	GMP
Stannous chloride	11-20 ppm calculated as tin*
Thidipropionic acid	0.02 %*
Tertiary butyl hydroquinone (TBHQ)	0.02%*
Alpha-tocopherol	GMP
Tocopherol (mixed concentrate)	GMP

ANTIMICROBAL AGENTS

Substances used to preserve food by preventing growth of microorganism and subsequent spoilage.

Restrictions/Maximum level of use

Benzoic acid and its potassium and sodium salts	0.1%
Dehydroacetic acid and its sodium salt	65 ppm in cu/peeled squash
Erythorbic acid	
Metabisulfites of potassium and sodium	Not in meat or food recognized as source of Vit. B (thiamine)*
Methyl paraben	0.1%
Nisin	100 ppm in processed cheese; subject to specific regulatory guidelines
Nitrate of potassium and sodium	500 ppm
Nitrate of sodium	200 ppm
Propyl paraben	0.1 %
Propionic acid and its calcium and sodium salt	0.2 %
Ascorbic acid and its potassium, calcium and sodium salts	0.3 %
Sodium or potassium sulfate	not in source of Vitamin B1*
Sulfur dioxide	not in sources of Vitamin B1*

ANTIOXIDANT SYNERGIST

Substance used to interact with antioxidants to produce a total greater than the sum of effects produced by the synergist and the antioxidant individually.

Restrictions/Medium Level of Use

Calcium disodium EDTA	25-340 ppm*
Citric acid	GMP
Disodium EDTA	36-500 PPM*
Gum guaiac (guaiac resin)	GMP
Isopropyl citrate	0.02 %
Monoglyceride Citrate	200 PPM
Phosphoric acid	GMP
Potassium citrate	GMP
Sodium citrate	GMP

EMULSIFIERS

Substances which modify surface tension in the component phase of an emulsion to establish a uniform dispersion or emulsion.

Restrictions/Medium Level of Use

Acetic acid ester of mono and diglycerides	GMP
Ammonium salt of phosphatidic acid	50 ppm in cocoa powder
and	cocoa sugar
mixtures	
Brominated vegetable oil	15 ppm in beverages
Cholic/Desoxycholic acid	0.1 % in dried egg white
Diacetyl-tartaric acid ester of mono and di-glycerides	GMP
Diatyl sodium sulfosticinate	0.5 -25 ppm
Ethoxylated mono and diglycerides	
(Polyglycerate 60)	0.2 - 0.5 %
Glycerol ester of wood resin	110 ppm in beverages
Glyceryl lactoesters of fatty acids	
(Lactic acid esters of mono and diglycerides)	GMP
Glyceryl (glycol) monostearate	2 % in macaroni
products;	
Hydroxylated lecithin	GMP
Lactylic esters of fatty acids	GMP
Lactylated fatty acids esters of glycerol	GMP
and propylene glycol	
Lecithin	GMP
Mono-and-di-glycerides	GMP*
OX bile extract	
(Purified oxgall or sodium choleate)	0.1 in dried egg white 0.002 % in cheese;
GMP	
Polyglycerol esters of fatty acids	GMP
Polyoxyethylene (8) stearate	0.5% in bakery products
Polyoxyethylene (20) sorbitan	
mono-stearate (Polysorbate 60)	0.05-1.0%*
Polyoxyethylene (20) sorbitan	
tristearate (Polysorbate 65)	0.05-0.5%*
Polyoxyethylene (20) sorbitan	
monoleate (Polysorbate 80)	0.1-1.0%
Propylene glycol alginate	GMP

Proplene glycol esters of fatty acids	GMP
Sodium phosphate	GMP
Sodium stearoyl-2-lactylate	0.2-0.5%
Sorbitan monostearate	1.0% in margarine
Sorbitan tristearate	3.0% in liquid and plastic
shortening	
Succistearin (stearoyl propylene glycol hydrogen succinate)	GMP
Sucroglycerides	1.0-2.0%*
Sucrose esters of fatty acids	1.0-
Tartaric acid esters of mono and di-glycerides	

FIRMING AGENTS

Substances added to precipitate residual pectin, thus strengthening the supporting tissue and preventing its collapse during processing.

Restrictions Maximum Level of Use

Aluminum	
Sulfate	GMP
Calcium	
carbonate	GMP
Calcium	
Chloride	GMP
Calcium	
lactobionate	GMP
Calcium phosphate,	
monobasic	GMP
Calcium	
sulfate	GMP
Magnesium	
chloride	GMP

FLAVOR ENHANCERS

Substances added to supplement, enhance, or modify the original taste and/or aroma of a food without imparting a characteristics taste or aroma.

Restriction Maximum Level of Use

Disodium guanylate	GMP
Disodium inosinate	GMP
Glutamic acid	GMP
Monoammonium glutamate	GMP
Mopotassium glutamate	GMP
Monosodium glutamate	GMP

FLOUR TREATMENT AGENTS/DOUGH CONDITIONER

Substances added to milled flour, at the mill, to improve its color and baking qualities, including bleaching and maturing agents. Dough conditioners modify starch and gluten, thereby producing a more stable dough.

Restriction Maximum Level of Use

Acetone peroxide	GMP
Ammonium chloride	GMP
Ammonium persulphate	250 ppm of flour
Ammonium phosphate, monobasic	GMP
Ammonium phosphate, dibasic	GMP
Ammonium sulfate	GMP
Ascorbic acid	200 ppm of flour
Azodicarbonamide	45 ppm of flour
Benzoyl peroxide	150 ppm of flour
Calcium Bromate	75 ppm of flour
Calcium carbonate	GMP
Calcium iodate	45 ppm of flour
Calcium lactate	GMP
Calcium peroxide	100 ppm of flour
Calcium phosphate, monobasic	GMP
Calcium phosphate, dibasic	GMP
Calcium stearoyl-2-lactylate	5000 ppm of flour
Calcium Sulfate	GMP
Chlorine/chlorine dioxide	GMP
L-Xysteine (hydrochloride)	GMP
Ethoxylated mono- and di-glycerides	5000 ppm of flour
Lactylic stearate	5000 ppm of flour
Potassium bromate (banned 1994)	100 ppm of flour
Potassium iodate	75 ppm of flour
Potassium persulphate	100 ppm of flour
Sodium stearoyl-2-lactylate	5000 ppm of flour
Sodium stearyl fumarate	5000 ppm of flour
Succinylated monoglycerides	5000 ppm of flour

FOOD ACIDULANTS

Acids normally present in food which, when added to food, produces an agreeable sharp or tart taste in the product.

Restriction Maximum Level of Use

Acetic Acid	GMP*
Citric Acid	GMP
Fumaric Acid	GMP
Lactic Acid	GMP
Malic Acid	GMP
Phosphoric Acid	GMP
Tartaric Acid	GMP
and their calcium, potassium and sodium salts.	

*not in vinegar or in food products where it is claimed that vinegar is the acidulant added.

HUMECTANTS

Substances incorporated in food to promote retention of moisture, including anti-dusting agents.

Restrictions/Maximum Level of Use

Glycerol (Glycerine)	GMP
Propylene Glycol	GMP
Sorbitol	GMP
Triacetin (Glycerol triacetate)	
GMP	

*The label of food whose reasonably foreseeable consumption may result in a daily ingestion of 50 grams of sorbitol shall bear the statement " Excess consumption may have a laxative effect".

FOOD COLORS

Substances used to impart color or shade to a food

Code No.	Restrictions/Maximum Level of Use	
Class 1		
Annatto extract	C1 75120/ C1 Natural Orange + ELEC No. E160b	GMP
Beet powder (dehydrated beets)		GMP
Beta-carotene	ELEC No.E160a	GMP
Beta-apo-8' carotenal	ELEC No.E160c	GMP
Canthaxanthin	ELEC No.E161g	GMP
Carrot oil	-	GMP
Caramel	-	GMP
Carmine/Cochineal extract	C1 75470	
	C1 Natural Red +	GMP
Curcumin	C1 75300	GMP
	ELEC No. E10	
Fruit Juice/Vegetable Juice		
Grape skin extract (enocianine)		
grape color extract		
Ironoxides		
a. Yellow (hydrated ferrie oxide)	C1 77492)	
b. Red (anhydrous ferrie oxide)	C177491)	
Paprika/Paprika oleoresin	-	GMP
Riboflavin (Lactoflavin/Riboflavin 5' Phosphate-sodium -		GMP
Safron	-	GMP
Titanium dioxide (pigment white 6)	C1 774891	1.0 %
(Powdered turmeric, indian saffron)	-	GMP
Class 11		
Allura Red (FD & C Red # 40)	C1 16035	GMP*
	C1Food Red 27	
Amaranth (FD & C Red # 2)	C116185	GMP*
	ELEC No. E123	
Brilliant Black PN	C1 28-440	GMP
(Black PN, Brilliant Black PN)	C1 Food Black 1	
Chocolate Brown HT	ELEC. No E151	
Brown HT, Brown HS)	C1 Food Brown 3	
Brilliant Blue FCF	C1 42090	GMP*
(FD & C Blue # 1)	C1 Food BI	
Citrus Red 2 only for peel of ranges, 2 ppm		
Fast Green FCF	C1 42053	GMP
(FD & C Green # 3)	C1 Food Green	
Indigotine (FD & C Blue # 2)	C1 73015	GMP
(Indigo Carmine)	C1 Food Blue 2	
Orange B		only for surfate of sausage casing; 150 ppm
Sunset Yellow (FD & C Yellow #6)	C1 15985	
	C1 Food Yellow 3	GMP*
	EEC #E110	
Tartrazine (FD & C Yellow #5)	C1 19140	
	C1 Food Yellow 4	GMP*
	EEC # E102	
Erythrosine (FD & C Red #3)	C1 45430	GMP*
	C1 Food Red 14	
	EEC No. E127	

* singly or in combination should not exceed 300 ppm

LEAVENING AGENTS

Substances used to produce or stimulate production of carbon dioxide in baked goods to impart a light texture.

Restrictions/Maximum Level of Use

Ammonium bicarbonate	GMP
Ammonium phosphate, mono- and di-basic	GMP
Calcium phosphate, mono-basic	GMP
Dried yeast	GMP
Glucono-delta lactone	GMP
Sodium acid pyrophosphate	GMP
Sodium aluminum phosphate	GMP
Sodium bicarbonate	GMP

SURFACE-FINISHING AGENTS

Substances used to enhance palatability, preserve gloss or inhibits discoloration of foods, including glazes, polishes, waxes and protective covering.

Restrictions/Maximum Level of Use

Beeswax	0.4% in confectionary; GMP
Cadelila Wax	0.4 % in confectionery; GMP
Carnauba Wax	0.4 % in confectionery; GMP
Castor Oil	500 ppm in hard candy; GMP
Mineral Oil	0.2 % in confectionery; GMP
Petrolatum	0.2 % in confectionery 0.15 % in bakery products 0.02 % in dried fruits & vegetables on fresh fruits; GMP
Polyethylene glycol	50 ppm in candy; fresh fruits & veg.
Rice bran Wax	2.5 % in chewing gum

NUTRIENT SUPPLEMENTS

Substances that are necessary for human body's nutritional and metabolic process.

Restrictions/Maximum Level of Use

Amino acids in the free hydrated or anhydrous form or as the hydrochloride, sodium or potassium salts.

L-Alanine

L-Alanine

L-Asparagine

L-Aspartic acid

L-Cystine

L-Cysteine

L-Glutamic acid

Glycine (Aminoacetic acid)

(not for infant foods)

L-Histidine

L-Isoleucine

L-Leucine

L-Lysine

DL-Methionine

L-Methionine

L-Phenylalanine

L-Proline

L-Serine

L-Theonine

L-Tryptophan

L-Tyrosine	
L-Valine	
Aluminum nicotinate	
N-Acetyl-L-Methionine	(except in infant foods and foods containing, nitrites & nitrates)
Ascorbic acid	
Bakers Yeast Protein (Saccharomyces cerevisiae)	
Biotin	
Calcium citrate	
Calcium carbonate	
Calcium glycerophosphate	
Calcium oxide	
Calcium Pantothenate (Calcium chloride Double Salt of)	
Calcium Phosphate	
Calcium pyrophosphate	
Caroteten	
Choline Bitartrate	
Choline Chloride	
Copper Gluconate 0.005 %	
Copper (Cuprous) Iodide 0.01 % in table salt	
Ferric Phosphate	
Ferric Pyrophosphate	
Ferric Sodium Pyrophosphate	
Ferrous Fumarate	
Ferrous Gluconate	
Ferrous Lactate	
Ferrous Sulfate	
Fish Protein Concentrate	
Folic Acid (Folacin)	
	0.1 mg per for infants - below
0.3 mg per day for children (4 years) old	0.4 mg per day for adults and children above 4 years old
	0.8 mg per day for pregnant or lactating women
Glutamic acid (or hydrochloride)	
Inositol	
Iron, reduced	
Iron-Choline Citrate Complex	
Kelp	As source of Iodine dietary foods
	0.045 mg I / day for infants
	0.105 mg I / day for children below 4 years old
0.25 mg I / day for adults and	children above years old
	0.03 mg I / day for pregnant or lactating women
Niacin	
Niacinamide	
Niacinamide ascorbate	
Nicotinamide -ascorbic acid complex	
D-Pantothenamide	
D-Pantothenyl alcohol	
Potassium chloride	
Potassium iodide	0.01 mg in salt
	0.045 mg I / day for infants
	0.105 mg I / day for children below 4 years old
0.225 mg I / day for adults and	children above 4 years old
	0.30 mg I / day for pregnant or lactating women
Pyridoxine hydrochloride	
Riboflavin	
Riboflavin-5-phosphate	
Sodium pantothenate	
Sodium phosphate	

Thiamine Hydrochloride
 Thiamine mononitrate
 Tocopherols
 L-Tocopheryl acetate
 Vitamin A
 Vitamin A acetate
 Vitamin A palmitate
 Vitamin B6
 Vitamin B12
 Vitamin D2
 Vitamin D3
 Vitamin K
 Zinc chloride
 Zinc gluconate
 Zinc methionine sulfate
 Zinc oxide
 Zinc stearate
 Zinc sulfate
 Linoleic acid
 Magnesium oxide
 oils
 Magnesium phosphate (di, & Tri basic)
 Magnesium Sulfate
 Manganese - Chloride (Citrate, gluconate, gly cero phosphate,
 orthophosphate, oxide, sulfate)
 Manganous oxide

prepared from edible fats &

pH-CONTROL AGENTS

Substances added to change or maintain active or basicity, including buffers, acids and alkalies.

Restrictions/Maximum Levels

of Use

Acids	
Acetic acid	GMP
Adipic acid	GMP
Citric acid	GMP
Gluconic acid	GMP
Hydrochloride acid	GMP
Lactic acid	GMP
Malic acid	GMP
Phosphoric acid	GMP
Succinic acid	GMP*
Sulfuric acid	GMP*
Tartaric acid	GMP
Alkalies	
Ammonium bicarbonate	GMP
Ammonium carbonate	GMP
Ammonium hydroxide	GMP
Calcium carbonate	GMP
Calcium hydroxide	GMP
Calcium oxide	GMP
Magnesium carbonate	GMP
Magnesium hydroxide	GMP
Magnesium oxide	GMP
Potassium bicarbonate	GMP
Potassium carbonate	GMP
Potassium hydroxide	GMP
Magnesium carbonate	GMP
Magnesium hydroxide	GMP
Magnesium oxide	GMP
Potassium hydroxide	GMP
Sodium Bicarbonate	GMP
Sodium carbonate	GMP
Sodium hydroxide	GMP
Buffers	
Aluminum ammonium sulfate	GMP
Aluminum potassium sulfate	GMP

Aluminum sodium sulfate	GMP
Ammonium phosphatemmono-and-di-basic	GMP
Ammonium sulfate	GMP
Calcium citrate	GMP
Calcium gluconate	GMP
Calcium lactate	GMP
Calcium phosphate, mono-and-di-basic	GMP
Calcium pyrophosphate	GMP
Potassium citrate	GMP
Potassium phosphate, mono-and-di-basic	GMP
Sodium acetate	GMP
Sodium citrate	GMP
Sodium Phosphate,mono-and-di-basic	GMP
Sodium pyrophosphate	GMP
Refers to annex 1 for Recommended Levels in certain food products.	

SEQUESTRANTS

Substances which combine with polyvalent metal ions to form a soluble metal complex to improve the quality and stability of products.

Restrictions/Maximum

Levels of Use

Calcium acetate
 Calcium chloride
 Calcium citrate
 Calcium diacetate
 Calcium disodium EDTA
 Calcium gluconate
 Calcium hexa metaphosphate
 Calcium phosphate,monbasic
 Calcium phytate
 Calcium sulfate
 Citric acid
 Dipotassium phosphate
 Disodium EDTA
 Disodium phosphate
 Isopropyl citrate

Appendix II

AGRICULTURAL AFFAIRS OFFICE (AAO)/USDA
U.S. EMBASSY MANILA
25/F Ayala Life-FGU Bldg.
6811 Ayala Avenue, Makati City
Tel: (+632) 887 1137/53
Fax: (+632) 887 1268
E-mail : agmanila@usda.gov

ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)
U.S. EMBASSY MANILA
25/F Ayala Life-FGU Bldg.
6811 Ayala Avenue, Makati City
Tel: (+632) 840 3276
Fax: (+632) 830 2376
E-mail : Rosario.B.Bedana@aphis.usda.gov

AGRICULTURAL TRADE OFFICE (ATO)/USDA
U.S. EMBASSY MANILA
25/F Ayala Life-FGU Bldg.
6811 Ayala Avenue, Makati City
Tel: (+632) 894 5381
Fax: (+632) 812 5430
E-mail : atomanila@usda.gov

BUREAU OF ANIMAL INDUSTRY
DEPARTMENT OF AGRICULTURE
BAI Compound, Visayas Avenue
Diliman, Quezon City
Philippines 1104
Tel : (+632) 927 0971/ 926 6883
Fax : (+632) 928 2429
Website : <http://bai.da.gov.ph/baimainframe.html>

BUREAU OF PLANT INDUSTRY
DEPARTMENT OF AGRICULTURE
692 San Andres Street
Malate, Manila
Philippines 1004
Tel : (+632) 524 2812
Fax : (+632) 521 7650
Website : <http://bpi.da.gov.ph/Services.html>

BUREAU OF CUSTOMS
VALUATION & CLASSIFICATION DEPARTMENT
DEPARTMENT OF FINANCE
New Customs Building
Port Area, Manila
Philippines 1018
Tel : (+632) 526 6355
Fax : (+632) 527 4573
Website : <http://www.customs.gov.ph/html/cover.htm>

BUREAU OF FISHERIES & AQUATIC RESOURCES

Department of Agriculture
4/F, Arcadia Building
860 Quezon Avenue
Quezon City Philippines 1103
Tel : (+632) 373 7452/ 372 5057
Fax : (+632) 372 5048
Website : <http://www.bfar.da.gov.ph>

BUREAU OF FOOD AND DRUGS

DEPARTMENT OF HEALTH
Civic Drive
Filinvest Corporate City
Alabang, Muntinlupa City
Philippines 1770
Tel : (+632) 807 0721/ 807 0725
Fax : (+632) 807 0751
Website : <http://www.bfad.gov.ph>

NATIONAL MEAT INSPECTION SERVICE

DEPARTMENT OF AGRICULTURE
Tel : (+632) 924-3118-19 Fax : (+632) 924-7973
Website : <http://nmic.da.gov.ph>

BUREAU OF AGRICULTURE & FISHERIES PRODUCT STANDARDS

DEPARTMENT OF AGRICULTURE
Tel : (+632) 920-6131-33
Fax : (+632) 920-6134
Website : <http://www.bafps.da.gov.ph>

BUREAU OF IMPORT SERVICES

DEPARTMENT OF TRADE & INDUSTRY
3/F Oppen Building
349 Sen. Gil Puyat Avenue
Makati City, Philippines
Tel : (+632) 896 4430
Fax : (+632) 895 7466
Website : <http://www.dti.gov.ph>

BUREAU OF INTERNAL REVENUE

DEPARTMENT OF FINANCE
National Internal Revenue Building,
Diliman, Quezon City, M.M. Philippines
Tel : (+632) 922 3293/ 921 0430
Fax : (+632) 925 1789
Website : <http://www.bir.gov.ph>

BUREAU OF INTERNATIONAL TRADE RELATIONS

DEPARTMENT OF TRADE & INDUSTRY
5/F, New Solid Building
357 Sen. Gil Puyat Avenue
Makati City, Metro Manila, Philippines 1200

Tel : (+632) 890 5148/ 897 8290
Fax : (+632) 890 4812
Website : <http://www.dti.gov.ph>

BUREAU OF TRADE REGULATION & CONSUMER PROTECTION
DEPARTMENT OF TRADE & INDUSTRY
2/F, Trade & Industry Building
361 Sen. Gil Puyat Avenue
Makati City, Metro Manila
Philippines 1200
Tel : (+632) 896 5785
Fax : (+632) 890 4949
Website : <http://www.dti.gov.ph>

NATIONAL FOOD AUTHORITY
101 E. Rodriguez Sr. Ave.
Quezon City
Philippines 1102
Tel : (+632) 712 1719/ 712 1705
Fax : (+632) 712 1110
Website : <http://www.nfa.gov.ph>

APPENDIX III

SYNERGY ASIA MARKETING SERVICES, INC.
(Philippine representative of Washington Apple Commission and the California Table Grape Commission)
Unit 602-C, Summit Office Tower
530 Shaw Boulevard
Mandaluyong City 1501
Metro Manila
Tel: (632) 534-8534; 534-8221; 534-8223
Fax: (632) 534-8234
Contact: Mr. Mandy Saracho, Managing Director
Email: mandys@synergyasia.com

LIEU MARKETING ASSOCIATES PTE LTD
(ASEAN Representative of California Pistachio Commission, California Tree Fruit Agreement, Florida Department of Citrus, Pear Bureau Northwest, Raisin Administrative Committee, United States Potato Board, Wine Institute of California, Western United States Agricultural Trade Association, Mid-America International Agri-Trade Council, Food Export USA-Northeast and the Southern United States Trade Association)
Block 3 Alexandra Distripark
Unit 08-22, Pasir Panjang Road
Singapore 118483
Tel: (65) 6278-3832
Fax: (65) 6278-4372
Contact: Richard Lieu
Email: richelieu@lieumktg.com.sg

PACRIM ASSOCIATES LTD.
(ASEAN Representative for US Dairy Export Council)
The Regent Hotel
155 Rajadamri Road

Bangkok 10330, Thailand
Tel: (662) 251-6127
Fax: (662) 254-6913
Contact: Mr. Dan Fitzgerald, ASEAN Representative

USA POULTRY AND EGG EXPORT COUNCIL
#15-04 Liat Towers, 541 Orchard Road
Singapore 238881
Tel: (65) 6737-1726
Fax: (65) 6737-1727
Contact: Ms. Margaret Say, ASEAN Representative
Email: usapeec_sing@pacific.net.sg

US MEAT EXPORT FEDERATION
#15-03 Liat Towers, 541 Orchard Road
Singapore 238881
Tel: (65) 6733-4255
Fax: (65) 6732-1977
Contact: Mr. Eric Choon, ASEAN Representative
Email: echoon@usmef.com.sg

PHILIPPINE ASSOCIATION OF SUPERMARKETS, INC.
Rm 311, Mariwasa Building
Aurora Boulevard, Cubao
Quezon City, Philippines
Tel: (632) 363-4563
Fax: (632) 456-3855
Contact: Mr. Jose Albert, President

MEAT IMPORTERS AND TRADERS ASSOCIATION
91-95 Panay Ave.
Quezon City, Philippines
Tel: (632) 372-3944 to 48
Fax: (632) 372-3253
Contact: Mr. Jess Cham, President

HOTEL AND RESTAURANT ASSOCIATION OF THE PHILIPPINES
Suite 200 Hotel Intramuros de Manila
Plaza San Luis Complex corner
Cabildo Urdaneta St . Intramuros
Manila, Philippines
Tel: (632) 527-5113
Fax: (632) 527-9927
Contact: Mr. Larry J. Cruz

PHILIPPINE FOOD PROCESSORS AND EXPORTERS ORGANIZATION
Room 304, JS Contractor Building
423 Magallanes St., Intramuros
Manila, Philippines
Tel: (632) 527-5810 to 11
Contact: Mr. Jesus T. Tanchangco, Sr., President

PHILIPPINE ASSOCIATION OF MEAT PROCESSORS, INC.

Suite 204, Sunrise Condominium
Ortigas Avenue, Greenhills
San Juan, Metro Manila
Philippines
Tel: (632) 722-4026
Fax: (632) 721-2385
Contact: Mr. Felix O. Tiukinhoy, President

PHILIPPINE PET FOOD IMPORTERS ASSOCIATION
1313 M. Adriatico St., Ermita, Manila
Tel: (632) 404 0057
Fax: (632) 526 1090
Contact: Mr. Eduardo L. Legarda