

**Voluntary Report** – Voluntary - Public Distribution

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**Report Name:** Fishery Product Import Regulations and Standards

**Country:** Philippines

**Post:** Manila

**Report Category:** Fishery Products, FAIRS Subject Report

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**Report Highlights:**

This report outlines Philippine government requirements for the importation of fishery and seafood 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.

## Philippine Market for Seafood

U.S. seafood exports to the Philippines remain significantly underrepresented vis-à-vis performance in other Southeast Asia markets, totaling less than \$10 million in recent years. While the Philippines is the top market for U.S. consumer-oriented agricultural products to Southeast Asia, accounting for 30 percent of all such products to the region, the Philippines is only the sixth-largest market for U.S. seafood products, accounting for two percent of exports. Please see the [Philippine Seafood Market Brief](#) for additional information.

**Fishery Laws and Regulations:** In general, importation of fish and aquatic products is allowed only when it is certified as necessary by the Secretary of Agriculture. Only the importation of fish and aquatic products for canning and processing purposes and those undertaken by institutional buyers are exempt from such certification.

The Bureau of Fisheries and Aquatic Resources (BFAR) is the government agency responsible for the development, improvement, management, and conservation of the country's fisheries and aquatic resources. It was reconstituted as a line bureau under the Department of Agriculture (DA) by virtue of *Republic Act (RA) 8550* or the "[Philippine Fisheries Code of 1998](#)". The Fisheries Regulatory and Quarantine Division, Foreign Trade Section issues commodity clearances (i.e., import permits) and other requirements for the import of fish and fishery products.

RA 8550 was enacted to develop, manage, and conserve the fisheries and aquatic resources of the country. The law also gives the BFAR rule-making authority to protect the fisheries of the Philippines through the issuance of Fisheries Administrative Order (FAO). It also makes provision for the management and conservation of fisheries and aquaculture in the Philippines and the reconstitution or establishment of fisheries institutions both at the national and local level.

**Import Requirements and Standards:** FAO 195 (1999) "Rules and Regulation Governing Importation of Fishery Products" (see attachment) only allows the importation of fish and aquatic products for retail when certified as necessary by the Secretary of Agriculture to achieve food security, taking into consideration public welfare and safety. A Certificate of Necessity to Import (CNI) is issued by the Secretary upon the recommendation by BFAR, in coordination with the Philippine Fisheries Development Authority (PFDA), and in consultation with the National Fisheries and Aquatic Resources Management Council, and fishing industry stakeholders.

Fish and fishery/aquatic products to be imported into the Philippines shall meet the following standard and requirements:

- a) International Health Certificate. Fish and fishery/aquatic products coming into the Philippines intended for distribution and for further processing shall be certified by authorized or competent regulatory agency from the country of origin. The international health certificate shall be issued on the basis that the following requirements have been met:
  1. Fish and fishery/aquatic products meet the quality of fresh fish prior to freezing and shall be graded accordingly to size.
  2. The fishery products must be handled and processed hygienically in processing plants and/or freezer vessels.

3. Frozen fishery products must be kept and maintained at -18°C or lower during transport.
4. Fish and fishery/aquatic products must be subject to visual inspection for parasite check. Fish infested with parasites, must be removed from the batch.

The international health certificate shall be supported with the following laboratory test results, which shall not exceed the following microbiological indicators:

- Total viable count -  $5 \times 10^5$  per gram
- E. coli - 10 to 100/gram
- Salmonella - absent in 25-gram sample
- Shigella - absent
- Vibrio-cholerae - absent

The international health certificate shall accompany the consignment of fish and fishery/aquatic products and shall be presented as part of the documentation requirements upon arrival.

- c) Special Health Control Requirements. Fish and fishery/aquatic products covered by the following families: Scombridae (tuna and tuna-like species and mackerel) and Clupeidae (sardines) shall be subject to chemical analysis for histamine. Examinations shall be carried out in accordance with internationally recognized methods. The results of the test shall not exceed 20 mg/100 gm and shall be included in the health certificate.
- d) Packaging and Labeling Requirements. Fish and fishery/aquatic products must be packed under hygienic conditions to preclude contamination from lubricants, oils, fuels, or any hazardous substances. Packaging materials shall not impair the sensory attributes of the fishery products and shall not transmit harmful substances. Packaging materials used for fresh fish held under ice should be provided with adequate drainage for melted water.

The following information shall appear on the packaging and on the accompanying documents.

- country or origin written out in full
- species of fish/fishery products
- weights and content
- address of supplier
- BFAR inspection stamp mark (upon arrival)

Frozen fishery/aquatic products imported in bulk intended for further processing are not covered by this requirement.

- e) Storage and Transport. Fish and fishery/aquatic products, during storage and transport, shall be stored at temperature requirements for specific products.
  - Chilled fresh fish and fishery products shall be stored and maintained at 0 to 4°C
  - Frozen fishery products except for frozen fish in brine intended for canning shall be stored at -18°C or below during transport, allowing not more than 3 degrees upward fluctuation in temperature.

For more information: <https://www.bfar.da.gov.ph/lawAndRegulation.jsp>

Under [FAO 259 \(2018\)](#), the Secretary of Agriculture determines monthly importable volume for the duration of the closed and off-fishing fishing seasons or during occurrences of calamities taking into considerations the historical volume of production for the last five years, level of demand and projected consumption, and existing trends of market prices. Imported fishery products are no longer allowed for sale in wet markets, which have been redefined by BFAR (see attached BFAR Legal Opinion) to include modern supermarkets and e-commerce. Imported fishery products may now only be imported by institutional buyers, including food processors and hotel/restaurant chains.

*Special Order 284 (2020)* “Guidelines on the Implementation of Fisheries Administrative Order 195,” (see attachment) requires all seafood imports to be brought to and stored in Philippine Fisheries Development Authority (PFDA) warehouses. Excluded here are imports by institutional buyers with a total volume of five thousand kilograms or less. In case of unavailability of PFDA cold storage facility, imports can be stored in cold storage facilities registered with the PFDA.

*Administrative Circular 6 (2022)* “Revised Rules and Regulation Governing the Importation of Agricultural and Fish and Fishery/Aquatic Products” (see attachment) reiterates that a licensed importer must apply for a Sanitary and Phytosanitary Import Clearance (SPSIC) from BFAR prior to importation. The application to import and all the supporting documentary requirements must be filed electronically via the DA Trade System. The SPSIC shall be good for one shipment and is not transferrable.

The validity of the SPSIC shall indicate the period for which the product should have left the country of origin. The must-ship-out-by date is 30 days for live, fresh and chilled fish and 45 days for other frozen fish and other fishery/aquatic products.

[Administrative Order 22 \(2021\)](#) “Guidelines in the Implementation of FAO 259” outlines the procedure for importation under the CNI. The Secretary of Agriculture first determines the total volume (including the species allowed) to be imported by the country and issues a [CNI](#), this volume is then auctioned off to qualified importers, then a SPSIC is issued to these importers by the BFAR. More detailed info of the CNI process is available [here](#).

**Tariffs and Other Duties:** Tariff rates on fish and seafood products under HS Chapter 3 ranges from 3 to 15 percent. The rates are posted on the Philippine Tariff Commission’s [website](#). In addition, value added tax of 12 percent applies to processed fish and seafood products.

**Philippine Government Regulatory Agency Contacts:**

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**Attachments:**

[BFAR Memo - Legal Opinion on Supermarkets.pdf](#)

[FAO 195.pdf](#)

[FAO 259.pdf](#)

[SO 284.pdf](#)

[AC 06 \(2022\).pdf](#)