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**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 agencies, and trade associations. All sections were updated.

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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 agencies, and trade associations. All sections were updated.

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### **Executive Summary:**

The main laws governing food safety and international trade are the Food Safety Act of 2013, the Food, Drug and Cosmetics Act, and the Agriculture and Fisheries and Modernization Act. The main Departments tasked with developing and enforcing food safety standards in the Philippines are the Department of Health and the Department of Agriculture. The Center for Food Regulations and Research of the Philippine Food and Drug Administration is responsible for the safety of processed food products and the Department of Agriculture and its various regulatory agencies are accountable for primary agricultural and fisheries products. All imported food and agricultural products are required to comply with the Philippines' sanitary and phytosanitary regulations. Philippine food regulations generally follow the recommendations of the international standard-setting bodies and the United States.

## Section I. Food Laws:

Under Philippine laws and regulations, it is the responsibility of the importer to ensure that any product entering the country's customs territory is in full compliance with Philippine sanitary and phytosanitary regulations. Philippine food regulations generally follow the recommendations of the three international standard-setting bodies; however, at times Philippine authorities have established restrictive norms aimed at restricting imports without scientific justification. Enforcing authorities will check for compliance by inspecting the goods and relevant import/export documentation and decide 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 critical that importers and exporters ensure that compliance is achieved before the goods are shipped to the Philippines. Unfortunately, corruption also remains pervasive in the Philippines, creating an environment of non-transparency and uncertainty for importers of agricultural and food products.

The main laws governing food safety and international trade are the Food Safety Act of 2013, the Food, Drug and Cosmetics Act, and the Agriculture and Fisheries and Modernization Act. There are several Administrative Order and Memorandum Orders that provide the administrative details to these food laws.

***Food, Drug and Cosmetics Act:*** In 1963, Republic Act 3720 (RA3720) 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 this Act, the Philippine Food and Drug Administration (PFDA) was created under the Department of Health (DOH). PFDA'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. PFDA 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.

***Agriculture and Fisheries Modernization Act:*** The Bureau of Agriculture Fisheries Standards (BAFS) under the DA was first established in 1997 as provided for by Republic Act No. 8435 or the [AFMA](#). 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. BAFS 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. BAFS serves as the National Enquiry Point for Codex Alimentarius. It is in charge of monitoring and disseminating information on international developments in food safety.

***Food Safety Act:*** In August 2013, Republic Act No. 10611 or the "[Food Safety Act of 2013](#)" was signed into law. The Act strengthened the food safety regulatory system in the Philippines and set standards from harvest to manufacturing, processing, handling, packaging, distribution, marketing, food preparation, and up to consumption. Under this law, the Department of Agriculture (DA) is responsible for food safety in the primary production and post-harvest stages of the supply chain. The Department of Health (DOH) is responsible for the safety of processed and prepackaged foods, and the conduct of epidemiological studies. The Department of the Interior and Local Government (DILG), in collaboration with the DA and DOH will supervise the enforcement of food safety regulations. Local

government units (LGUs) will monitor compliance with food safety standards of food businesses such as slaughterhouses, dressing plants, wet markets, supermarkets, school canteens, restaurants, and catering establishments, as well as street food sales. A Food Safety Regulation Coordinating Board was created to monitor compliance with the law, coordinate management and planning during food safety emergencies, and establish policies and procedures for coordination among agencies involved in food safety. In February 2015, the Implementing Rules and Regulations of the Food Safety Act were signed by the Secretaries of Health and Agriculture, formally implementing the law. Under the Food Safety Act, regulatory oversight over processed meat product was transferred from the DA National Meat Inspection Service (NMIS) to the Philippine Food and Drug Administration (PFDA) effective July 2016.

The main regulatory bodies monitoring the safety and quality aspects of imported agriculture and food products are the Bureau of Animal Industry (BAI), the Bureau of Fisheries and Aquatic Resources (BFAR), the Bureau of Plant Industry (BPI), and PFDA.

***Bureau of Animal Industry:*** Republic Act No. 3639 [BAI Mandate](#) established BAI and empowered it to prescribe standards for quality in the manufacture, importation, labeling, advertising, distribution, and sale of livestock, poultry products, meat products, dairy products, animal feeds and veterinary supplies in the country. BAI is also charged with preventing, controlling, containing, and eradicating communicable animal diseases by regulating the flow of animals and animal products in the country.

***National Meat Inspection Service:*** Presidential Decree No. 7 [PD 7](#) authorized the National Meat Inspection Commission (NMIC) to implement policies and procedures governing post production flow of livestock, meat, and meat products 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 Service of the NMIC ensures that imported or exportable meat and meat products are produced under acceptable conditions and systems.

In June 2004, Republic Act 9296 otherwise known as the "[National Meat Inspection Code](#)" was signed into law and its Implementing Rules and Regulations ([IRR](#)) were issued in October 2005. The NMIC was officially renamed the National Meat Inspection Service (NMIS). The law, which transfers certain NMIC functions to the Local Government Units, was crafted to harmonize Philippine meat inspection laws with international standards. While BAI has jurisdiction over the import of both live animals and meat from an animal health perspective, NMIS enforces the food safety and quality regulations over fresh, chilled, and frozen meat and poultry imports into the Philippines.

***Bureau of Plant Industry:*** Presidential Decree No. 1433 or the [Plant Quarantine Law](#) authorizes the DA through BPI to exercise inspection and certification and/or treatment activities on imported and exportable plant products such as fruits and vegetables. It also mandates 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.

***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 DA by virtue of Republic Act No. 8550 of 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.

***Local Government Units:*** Republic Act 7160, also known as the "[Local Government Code of 1991](#)" mandated the devolution of power, authority, resources, responsibilities, and accountabilities from the national government to the provincial, city, and municipal governments. Under the Food Safety Act, the DILG in coordination with DA and DOH shall supervise the enforcement of food safety and sanitary rules and regulations as well as the inspection and compliance of business establishments. LGUs may use the Local Government Code to put in place trade measures over and above the national SPS regulations.

## Section II. Labeling Requirements:

Labeling standards that are used in the United States are generally acceptable, and are widely used by Philippine food manufacturers. According to Administrative Order 2014-0030 [Labelling of Prepackaged Food Products](#), the following information is required to be on the labels of imported food products:

1. Product Name/Name of the food;
2. Use of Brand Name and/or Trademark;
3. Complete List of ingredients used in the product (in decreasing order of proportion), including additives, flavorings, and preservatives used;
4. Net contents and drained weight;
5. Name and address of manufacturer, packer, or distributor, including country of origin for imported products and name and the address of Philippine importer or distributor;
6. Lot identification;
7. Storage Condition;
8. Expiry or Expiration Date/Use-by-Date/Consume before Date;
9. Food Allergen Information;
10. Direction/Instruction(s) for Use;
11. Nutrition Facts/Nutrition Information/Nutritive Value

Special labeling content is required for a small number of products, e.g., bottled water and pre-packaged processed meats. No special requirements exist for biotechnology or organic labels.

***Pre-Approval:*** PFDA requires 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 (see Section VI). The content of such labels is scrutinized to establish whether it is acceptable under Codex and PFDA requirements. Nutritional and medical claims made on such labels are one of the factors considered by PFDA when evaluating applications to register foreign products for import into the Philippines, especially Category II (medium and high risk) 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.

***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 PFDA, and in a manner that fully informs purchasers of the product's intrinsic value in terms of its special use. PFDA 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. PFDA 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 PFDA order to desist from using false claims, it can be assessed penalties under the law and regulations.

### **Section III. Packaging and Container Regulations:**

***Packaging:*** Codex Alimentarius and USFDA regulations serve as PFDA'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 PFDA before they are sold at retail outlets (see Section VI).

***Wood Packing Materials Requirements:*** The Philippines adopted ISPM 15 for wood packaging material (WPM) in June 2005. See [Philippines WPM Requirements](#).



#### **Section IV. Food Additives Regulations:**

Food additives must comply with the Philippine Food Act and the regulations that have been established by the PFDA for such products. Additives are broadly defined by PFDA as any substance that becomes a component part or otherwise affects the characteristics of the food or beverage product. As such, they include any substance that has a direct or indirect impact on the food as a result of its use in producing, manufacturing, processing and preparing the product, and in packing, treating, packaging, transporting, and/or holding the product. The current list of permissible food additives is posted on the PFDA website and can be accessed through the following link:

<https://ww2.fda.gov.ph/attachments/article/19772/BC%202006-016.pdf>

***Lake Colors:*** In 2018, the PFDA halted new registrations and discontinued renewal of pre-existing registrations of food products containing lake colors due to food safety concerns. Lake colors are typically used to make confectionaries such as chewing gum, hard candies, snack foods, cake and dough mixes, and ice cream. Industry is currently petitioning PFDA on the use of lake colors. A decision from PFDA is still pending.

## Section V. Pesticides and Other Contaminants:

If the imported product contains pesticide residue, heavy metals, toxins, or other contaminants above the maximum limit set by Philippine, ASEAN, or Codex standards, the commodity shall be refused entry and/or seized.

**Pesticides:** The Fertilizer and Pesticide Authority (FPA) was created in 1977 by [Presidential Decree No.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.

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.

BAFS has established MRLs adopted from Codex Alimentarius, ASEAN, and Japan Agricultural Standards for various fruits and vegetables, including bananas, rice, mangoes, okra, pineapples, and asparagus: <http://www.bafs.da.gov.ph/21-about-us/approved-philippine-national-standards/crops/fresh-fruits-vegetables/mrls-for-various-fruits-and-vegetables>.

**Veterinary Drugs:** All veterinary drugs must be registered with the PFDA prior to commercial use or sale. The list of registered veterinary drugs is available here: <https://ww2.fda.gov.ph/index.php/consumers-corner/registered-veterinary-drugs-list-of-all-registered-drugs-for-animal-use>. BAI also provides information on veterinary drugs registration here: <http://www.bai.gov.ph/index.php/vdap-product-registration/category/22-afvdbcd>

The National Veterinary Drug Residue Monitoring Program was created by virtue of DA-Administrative Order No. 14 s. 2006 wherein NMIS was tasked to analyze meat samples, urine, and edible tissues for the presence of any banned and/or regulated drugs and to ensure that feed supplies are safe and food is compliant with MRLs. There is quarterly monitoring of antibiotics in local meat. Registered families of antimicrobials such as beta-lactams, tetracyclines, sulfonamides, aminoglycosides, quinolones, and macrolides are examined from samples submitted from accredited meat establishments. More information of the program is available here: <http://nmis.gov.ph/attachments/article/343/AO.24.2009.pdf>. There are also unannounced monitoring of banned veterinary drugs such as beta-agonist, chloramphenicol, nitrofurantoin, and corticosteroid.

## Section VI. Other Regulations and Requirements:

Generally speaking, the Philippines requires importers of food and agricultural products as well as processed food products themselves to be registered, although exceptions can be granted for samples.

**Plants and Plant Products:** [DA Department Circular No. 04 Series of 2016](#) specifies the requirements and procedures for importing plants, planting materials, and plant products for commercial purposes. Commodities of plant origin that are processed to the point that they are incapable of being infested with quarantine pests are deemed as Category 1 and do not require an SPSIC or a Phytosanitary Certificate (PC). Instead of an SPSIC, an importer should obtain a Plant Quarantine Service Certificate from BPI; likewise, the Processed Plant Product certificate from APHIS (PPQ Form 578) takes the place of a PC. Categories 2, 3, and 4 all require an SPSIC and PC prior to shipment to the Philippines. For more information on the four categories and the details on licensing and registration for Philippine importers are available in the Department Circular mentioned above.

**Animal Feed Products of Plant Origin:** Philippine importers first must obtain from the Bureau of Animal Industry a License to Operate as an importer and then a Certificate of Product Registration (CPR) for the imported commodity. After receiving a CPR, an Import Permit (IP) is needed for each shipment. If the importer does not have their own CPR, they can be issued a document called an Authority to Import by whoever who has the CPR on the product being imported. For more information see: <http://www.bai.gov.ph/index.php/regulatory>

**Animal Products:** Philippine importers must register and become accredited with the Bureau of Animal Industry's National Veterinary Quarantine Services Division. For more information see: <http://www.bai.gov.ph/index.php/regulatory>

**Processed Food Products:** Philippine importers must secure a License to Operate (LTO) from PFDA prior to the importation of foods offered for retail sale. The initial License to Operate is valid for two years while renewals are valid for five 5 years. Prior to importation and retail sale, an importer-distributor also needs to obtain a Certificate of Product Registration (CPR) using the E-Registration System. Initial CPRs are valid for three years with renewals valid for five years. Below is a checklist of the requirements based on [Administrative Order No. 2014-0029](#):

Accomplished integrated application form as prescribed by current PFDA regulations;

- Proof of payment of fees as prescribed by current PFDA regulations;
- Actual labels for all packaging sizes
- Pictures of the product from all angles and in different packaging sizes, and from at least two different perspectives allowing visual recognition of the product as the same with the one being registered, as applicable;
- As applicable, documents to substantiate claims such as technical, nutritional, or health studies or reports, market-research studies, Certificate of Analysis, quantitative analysis and computations, scientific report or studies published in peer reviewed scientific journals, etc.

Based on [PFDA Circular 2016-007](#), an importer needs to obtain one of the following documents from each supplier: Foreign Agency Agreement/Certificate of Distributorship/Appointment Letter; or Proforma Invoice; or Memorandum Agreement from the supplier or manufacturer.

One of the following additional documents is also required:

- Manufacturer's Certificate of Registration with Good Manufacturing Practices compliance or its equivalent.
- ISO 22000 Certification or HACCP Certificate
- Phytosanitary Certificate/Health Certificate/Certificate of Free Sale issued by the government regulatory agency or health authority of the country of origin stating that the product applied for registration is freely sold in the country of origin and/or fit for human consumption.

The time it takes for PFDA to issue a CPR has seen considerable improvement over the last year, with an average wait time now of 114 business days. In order to be compliant with the [2018 Ease of Doing Business Act \(or Republic Act No. 11032\)](#), however, further improvement is needed to meet the 20 business day maximum for highly technical transactions.

Product Samples: Samples for research/plant trial/production trial are allowed without a CPR, provided a clearance is secured from the PFDA. The following requirements must be submitted to PFDA:

1. Application Letter (No specific format, just state that the purpose of importation)
2. Letter/Affidavit of Undertaking (No specific format, Submit original notarized copy)
3. Certificate of Analysis OR Certificate of Free Sale
4. Proforma Invoice
5. Packing List, if available
6. Bill of Lading, if available
7. Payment (Php 510/invoice)
8. Valid LTO

## Section VII. Other Specific Standards:

***Sanitary and Phytosanitary Import Clearance:*** In 2010, Administrative Order 9 ([AO 9](#)) was issued, requiring that a Sanitary and Phytosanitary Import Clearance (SPSIC) be issued to an accredited importer prior to shipment of imported food and agricultural products to the country (e.g., plant and plant products, fishery products, live animals, meat and poultry products, fertilizers, animal feed, and pet food) and functions as an import permit. The SPSIC replaced the Veterinary Quarantine Clearance for meat and poultry products, Plant Quarantine Clearance for plant and plant products, and Fishery Quarantine Clearance for seafood and fishery products. An SPSIC is valid for 60 days from the date of issuance, within which the product is to be shipped from the country of origin. The SPSIC is non-transferable and can only be used by the consignee to whom it was issued. The Philippines follows a one shipment/bill-of-lading per Import Clearance policy.

***Plant and Plant Products:*** BPI regulates imports of all plant products, including live plants, fruits and vegetables, and some processed plant products (i.e., raisins, frozen potatoes) that may already be covered by the PFDA. In addition to the SPSIC, shipments of fruits and vegetables must be accompanied by a USDA Phytosanitary Certificate or a Processed Plant Product Certificate issued by APHIS at the port of origin.

The United States has market access for the Philippines: broccoli, cauliflower, lettuce, carrots, cabbage, celery, and potatoes. For more information see [Application and Issuance of SPSIC](#).

***Meat and Poultry Products:*** In September 2005, the DA issued Administrative Order No. 26 [AO 26](#), which updated its 2000 Administrative Order No. 39 or the “Revised Rules, Regulations and Standards Governing the Importation of Meat and Meat Products into the Philippines.”

Administrative Order No. 24-2010 or the [“General Guidelines on Labelling of Meat and Poultry”](#) require the following information on the carton labels:

- 1) Registered trade name of the exporter or brand name of the product;
- 2) Business name and address of the exporter;
- 3) Country of origin;
- 4) Lot identification;
- 5) Product description and list of ingredients;
- 6) Net quantity of contents, in terms of weight, measure or numerical count rounded to the nearest tenths (expressed in METRIC SYSTEM);
- 7) Date of manufacture and packaging
- 8) Date of minimum durability (“best before”) or expiration date; and
- 9) Handling and storage instructions

While there are no formal regulations prescribing expiration dates, U.S. exporters should work with their Philippine importers to determine what expiry dates to place on the labels. Philippine officials have inconsistently enforced an unwritten one-year expiration date for imported frozen beef, pork, and poultry.

While the Philippines does not require the cartons to be marked for export to the Philippines, it does not allow meat and poultry products that are packed in cartons with labels indicating shipment to another

country. Such markings should be covered or removed. See [NMIS Memorandum Circular No. 10-2017-016](#) for more information.

A summary of U.S. export requirements for meat and poultry products for the Philippines can be found here: <http://www.fsis.usda.gov/wps/portal/fsis/topics/international-affairs/exporting-products/export-library-requirements-by-country/Philippines>

All U.S. meat establishments that are regulated and inspected by the USDA Food Safety and Inspection Service (FSIS) are eligible to export meat and poultry to the Philippines.

**Processed Foods of Animal Origin:** In May 2017, the Philippine Department of Agriculture Bureau of Animal Industry (BAI) issued [Memorandum Circular No. 4](#) announcing it would no longer issue Sanitary and Phytosanitary Import Clearances (SPSIC) for processed food products of animal origin intended for human consumption such as but not limited to the following:

- Processed food which may contain products derived from animals and other substances that are intentionally incorporated into the food during the manufacture or preparation of the food products such as milk and milk by-products (ice creams, chocolates, chocolate drinks, pasteurized milk, marshmallows, cheese, cheddars, butter, cereals, cakes, tarts, pastries, candies, sauce with milk, soya milk, cocoa spread, coffee with milk, mayonnaise, whipping creams, and processed eggs.

Pursuant to the Implementing Rules and Regulations of the Food Safety Act of 2013 or Republic Act 10611, the DOH through the PFDA shall be responsible for the overall regulation of all activities pertaining to processed foods. This includes but is not limited to the manufacture, importation, exportation, distribution, sale, and promotion of all processed and prepackaged food products and food supplements/dietary supplements.

**Tallow:** The DA also allows the importation of protein-free tallow with insoluble impurities below 0.15% in weight.

**Fish and Seafood:** Under Administrative Order No 195 or the "[Rules and Regulation Governing Importation of Fishery Products](#)", the Philippines only allows the importation of fish and aquatic products for retail when certified as necessary by the Secretary of Agriculture in order to achieve food security, taking into consideration public welfare and safety.

The following information (except for bulk intended for further processing) should appear on the packaging and on the accompanying documents:

1. The country of origin written out in full;
2. Species of fishery products' weight and content;
3. Address of supplier; and
4. BFAR Inspection stamp mark.

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

***Animal Feed Ingredients and Pet Food:*** An Import Clearance needs to be secured from the Animal Feeds Division of BAI for shipments of animal feed and pet food products. More information can be found here: <http://www.bai.gov.ph/index.php/feeds-product-registrations>

***Food Fortification Law:*** Republic Act 8976 or the [Philippine Food Fortification Law of 2000](#) became effective on November 7, 2005, requiring staple foods, including imports, to be fortified based on standards set by the DOH. The DOH through PFDA and the National Nutrition Council (NCC) are responsible for implementing and monitoring the program, although enforcement remains negligible due to limited resources. Sanctions for non-compliance with Philippine standards include fines of not more than 1 million Pesos and revocation of permits and licenses depending on the gravity of the offense.

1. Rice - with Iron;
2. Wheat flour - with vitamins A and Iron;
3. Refined sugar - with vitamin A;
4. Cooking oil - with vitamin A; and
5. Other staple foods with nutrients as may later be required by the NCC.

***Genetically Engineered (GE) Foods:*** The Joint Department Circular No. 1 entitled *Rules and Regulations for the Research and Development, Handling and Use, Transboundary Movement, Release into the Environment, and Management of Genetically-Modified Plant and Plant Products Derived from the Use of Modern Biotechnology* was signed into law in March 2016. All GE plant varieties (i.e., regulated articles) must be evaluated for food, feed, and environmental safety prior to entering the Philippines. Any food or feed containing an unapproved variety regardless of country of origin is prohibited from entering the Philippines. For more information, see [Philippines Agricultural Biotechnology Annual Report](#).

***Organic Certification:*** The Philippines recognizes the USDA National Organic Program [NOP](#) standards and certification for organic products.

***Halal Certification:*** The National Commission on Muslim Filipinos (NCMF) was established by the Philippine government to regulate the country's halal industry and be responsible for accrediting non-governmental organizations' issuance of halal certificates in the Philippines. In 2012, NCMF signed a memorandum of understanding with the Islamic Food and Nutrition Council of America (IFANCA) to further promote the halal industry in the Philippines.

## Section VIII. Trademark Laws:

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

The application for registration of a trademark shall be in Filipino or in English and shall contain the following: 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 must also be submitted along with the list of goods and services for which the registration is sought.

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 goods or services; shapes that may be necessitated by technical factors; color alone, unless defined by a given form; or anything contrary to public order or morality.

A certificate of registration is valid for 10 years, provided an applicant files a declaration of actual use and evidence to that effect within one year from the fifth anniversary of the date of registration of the mark. The registration may also be renewed for another 10 years, 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.

More information on registration of trademarks maybe found here:

<https://www.ipophil.gov.ph/services/trademark/>.

**Geographical Indications:** Currently, Geographical Indications (GI) are protected through the trademarks and consumer protection provisions of the Intellectual Property (IP) Code. IPOPHL will only register collective marks to duly accredited cooperative organizations having a collective community right community right in the place of origin and has increased efforts to promote GI registration as a means to protect locally produced products.

**Plant Variety Protection:** In the Philippines, intellectual property protection that breeders can obtain for new plant varieties is available solely through a certificate of Plant Variety Protection. The country achieved compliance with its obligations under the WTO Trade Related Aspects of Intellectual Property Rights Agreement on June 2007 with the passage of [Republic Act 9168](#), otherwise known as the Plant Variety Protection Act of 2002 (PVPA).

Under the PVPA, holders of Plant Variety Protection certificates have the right to authorize the production, reproduction, export, and import of the varieties that they have developed. These rights extend to harvested material from the unauthorized use of their protected varieties – except if the use is by small farmers. Their rights also cover derived varieties (or those varieties predominantly derived



from the initial variety under protection). Provisional protection is provided to breeders, entitling them to some remuneration from the time the application is published until the granting of the certificate of PVP. In cases of infringement, the holder of the PVP certificate may petition the regional trial court for relief. As with other intellectual property rights laws, the local courts are relied on for enforcement.

Under the PVPA, farmers are accorded the traditional right to save, use, exchange, share, or sell their farm produce of a protected variety, except when the sale is for the purpose of reproduction under a commercial marketing agreement. The exchange and sale of seeds among farmers is allowed on the condition that these are reproduced and replanted on their own lands.

For more information, visit the BPI's Plant Variety Protection Office [website](#).

## **Section IX. Import Procedures:**

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

**STEP 1:** Only accredited and registered individuals or businesses may import food products into the Philippines. Importers must obtain accreditation from relevant Philippine regulatory bodies (e.g., LTO from PFDA for processed foods, Certificate of Accreditation from BAI/NMIS for animal, animal products and animal feeds; BFAR for seafood and fisheries; and BPI for plant and plant products).

**STEP 2:** Regulatory authority determines whether food or agriculture products can enter the Philippines. Only acceptable countries as determined by the relevant regulatory body may export food and agriculture products to the Philippines.

**STEP 3:** Import licenses and permits must be obtained from the relevant regulatory body for the goods to be imported to the Philippines before the products are shipped from the exporting countries. A SPS Import Clearance must be obtained from DA BAI, BPI or relevant regulatory agency prior to importation. A CPR must be secured from PFDA prior to initial importation.

**STEP 4:** All agricultural and food products entering the Philippines must be accompanied by a sanitary or phytosanitary certificate issued by the regulatory body in the exporting country. This is required to be submitted for inspection along with the import clearance to facilitate physical inspection of the goods and customs clearance at the port of entry.

## **Appendix I. Philippine Government Regulatory Agency Contacts:**

BUREAU OF ANIMAL INDUSTRY, DEPARTMENT OF AGRICULTURE  
BAI Compound, Visayas Avenue  
Diliman, Quezon City Philippines 1104  
Tel : (+632) 8927 0971/ 8926 6883 Fax : (+632) 8925 9228  
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) 8525 2987 Fax : (+632) 8521 7650  
Website: <http://bpi.da.gov.ph/Services.html>

BUREAU OF FISHERIES & AQUATIC RESOURCES, DEPARTMENT OF AGRICULTURE  
Philippine Coconut Authority Elliptical Road, Quezon City Philippines 1104  
Tel : (+632) 8455 6801 Fax : (+632) 8929-8074  
Website: <http://www.bfar.da.gov.ph>

FOOD AND DRUG ADMINISTRATION DEPARTMENT OF HEALTH  
Civic Drive Filinvest Corporate City Alabang, Muntinlupa City Philippines 1770  
Tel : (+632) 8821 1176-77 Fax : (+632) 8807 0751  
Website: <https://www.fda.gov.ph/>

NATIONAL MEAT INSPECTION SERVICE DEPARTMENT OF AGRICULTURE  
Tel : (+632) 8924-3118-19 Fax : (+632) 8924-7973  
Website: <http://nmis.gov.ph>

BUREAU OF AGRICULTURE & FISHERIES PRODUCT STANDARDS  
DEPARTMENT OF AGRICULTURE  
Tel : (+632) 8928 8756 - 65 Fax : (+632) 8920-6134  
Website: <http://www.bafps.da.gov.ph>

## **Other Philippine Government Contacts:**

BUREAU OF CUSTOMS VALUATION & CLASSIFICATION DEPARTMENT DEPARTMENT OF FINANCE  
New Customs Building Port Area, Manila Philippines 1018  
Tel : (+632) 8526 6355 Fax : (+632) 8527 4573  
Website : <http://www.customs.gov.ph/html/cover.htm>

BUREAU OF IMPORT SERVICES  
DEPARTMENT OF TRADE & INDUSTRY  
349 Sen. Gil Puyat Avenue Makati City, Philippines  
Tel : (+632) 8896 4430 Fax : (+632) 8896 4431  
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) 8981 7000/ 8929 7676  
Website : <http://www.bir.gov.ph>

BUREAU OF INTERNATIONAL TRADE RELATIONS  
DEPARTMENT OF TRADE & INDUSTRY  
357 Sen. Gil Puyat Avenue Makati City, Metro Manila, Philippines 1200  
Tel : (+632) 8465 3300 Fax : (+632) 8890 4812  
Website : <http://www.dti.gov.ph>

NATIONAL FOOD AUTHORITY  
SRA Building, North Avenue Quezon City Philippines 1102  
Tel : (+632) 8929-7319/ 8926-7237  
Website : <http://www.nfa.gov.ph>

NATIONAL COMMISSION ON MUSLIM FILIPINOS  
Address: 79 Jocfer Annex Building, Commonwealth Avenue, Diliman, Quezon City, Philippines  
Contact: (02) 952-48-75 / (02) 952-64-19 / [ncmf.osec@gmail.com](mailto:ncmf.osec@gmail.com)  
Website: <http://ncmf.gov.ph/contact-us/>

## **Appendix II. Other Import Specialist Contacts:**

### **Alaska Seafood Marketing Institute**

Represented in the SEA Region by AgriSource Co., Ltd.

Contacts:

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Fax: (66) 2251 0390

Ms. Jenny Lumain, Philippine Representative

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### **California Table Grape Commission, California Milk Advisory Board and U.S. Potato Board, Northwest Cherry Growers**

**Represented in the Philippines by Synergy Asia Marketing Services, Inc.**

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Ms. Evelyn Mercurio

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Fax: (63) 2 8534 8234

### **Cotton Council International**

Contact: Mr. Kraipob Pangsapa, ASEAN Representative

Email: [kraipob@pangsapa.com](mailto:kraipob@pangsapa.com)

Soi Farm Wattana

Phrakanong, Klontoe

Bangkok, Thailand

Tel: (66) 81 753 1000

Represented in the Philippines by **Strategic Edge, Inc.**

Contact: Ms. Ana Marie Gonzalez Marques, Managing Partner

Email: [anamag@seinc.com.ph](mailto:anamag@seinc.com.ph)

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Legaspi Village, Makati City  
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**National Renderers Association – Regional Office**

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Ms. Teresa Hon, Administrative. Assistant

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**The Popcorn Board**

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Chicago, IL 60611  
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**Raisin Administrative Committee, Wine Institute of California, Food Export-Midwest, Food Export-Northeast and the Western United States Agricultural Trade Association  
Represented in the Region by Lieu Marketing Associates Pte Ltd**

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Tel: (65) 6515-6113  
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**USA Dry Pea & Lentil Council and U.S. Dry Bean Council**

Represented in the SEA Region by AgriSource Co., Ltd.

Contacts:

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Ambassador's Court, 4th Floor, No. 416

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Bangkok, Thailand

Tel: (66) 2251 8655/6, (66) 2251 8669 & 8772

Fax: (66) 2251 0390

Ms. Jenny Lumain, Philippine Representative

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**USA Poultry and Egg Export Council**

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#15-04 Liat Towers, 541 Orchard Road

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Tel: (65) 6737 1726

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**U.S. Dairy Export Council**

Contacts:

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**U.S. Grains Council**

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50 Jalan Dungun, Damansara Heights  
50490 Kuala Lumpur  
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**U.S. Meat Export Federation**

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**U.S. Soybean Export Council Southeast Asia**

Contacts:

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Websites: [ussoy.org](http://ussoy.org); [seasia.ussec.org](http://seasia.ussec.org)

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**Attachments:**

No Attachments