

Republic of the Philippines  
Department of Agriculture  
Office of the Secretary  
Elliptical Road, Diliman, Quezon City

FISHERIES ADMINISTRATIVE  
ORDER NO. 238  
Series of 2012

**SUBJECT: Rules and Regulations Governing the Implementation of Council Regulation (EC) No. 1005/2008 on the Catch Certification Scheme**

Whereas, the European Union (EU) adopted Council Regulation (EC) No. 1005/2008 on September 29, 2008, establishing a catch certification scheme for all marine fishery imports into the Community and Council Regulation (EC) No. 1010/2009 on October 22, 2009, providing its implementing rules;

Whereas, Article 12 of Council Regulation No. 1005/2008 prohibits the importation into the Community of fishery products obtained from illegal, unreported and unregulated (IUU) fishing and that fishery products shall only be imported into the Community when accompanied by a catch certificate validated by the flag State of the fishing vessel or fishing vessels which made the catches from which the fishery products have been obtained, certifying that such catches have been made in accordance with applicable laws, regulations and international conservation and management measures;

Whereas, the EU is one of the Philippines' largest markets and importers of fishery products;

Whereas, the Country Evaluation Report of the EU of its evaluation of the Philippines' implementation of Council Regulation No. 1005/2008 undertaken on June 6 to 17, 2011, as part of the project entitled "*Accompanying developing countries in complying with the implementation of Regulation No. 1005/2008 on illegal, unreported and unregulated fishing,*" proposed several recommendations to enhance the country's implementation of said regulation;

Wherefore, in view of these premises, the following rules and regulations on the implementation of Council Regulation (EC) No. 1005/2008 is hereby adopted and promulgated for the information and compliance of all concerned.

**CHAPTER I.**

**General Provisions**

**Section 1. Objectives.** These rules and regulations aim to:

1. Comply with the provisions of Council Regulation No. 1005/2008 and its Implementing Guidelines.
2. Ensure traceability of fishery products derived from legal, reported and regulated fishing activities in the Philippines, at all stages from harvesting and processing to marketing;
3. Establish a mandatory set of procedures for the catch certification scheme;  
and,
4. Ensure that fishery products exported to an EU-member country originate from catches made in compliance with applicable laws, regulations or conservation and management measures.

**Section 2. Definition of Terms.** For purposes of this Order, the following terms, phrases and acronyms shall mean:

**a. Consignment** - products which are either sent simultaneously from one exporter to one consignee or covered by a single transport document covering their shipment from the exporter to the consignee;

**b. DA-BFAR** - Department of Agriculture-Bureau of Fisheries and Aquatic Resources;

**c. EU** - European Union which is also synonymous to European Community;

**d. Fishery products** - marine aquatic species, in whatever form/state, which are not included in Annex I of Commission Regulation No. 86/2010. Said Annex I is reproduced as Annex 8 of this Administrative Order

**e. Fishing** - the taking of fishery species from their wild state or habitat, with or without the use of fishing vessels;

**f. Illegal fishing** - fishing conducted by national or foreign vessels in waters under the jurisdiction of a State, without the permission of that State, or in contravention of its laws and regulations; conducted by vessels flying the flag of States that are parties to a relevant RFMO but operate in contravention of the conservation and management measures adopted by that organization and by which the States are bound, or relevant provisions of the applicable international law; or in violation of national laws or international obligations, including those undertaken by cooperating States to a relevant RFMO;

**g. IFP** - International Fishing Permit;

**h. IUU Fishing** - illegal, unreported and unregulated fishing;

**i. RCC** - Regular Catch Certificate

**j. RFMO** - Regional Fisheries Management Organization

**k. SCC** - Simplified Catch Certificate

**l. Traceability** - the ability to trace and follow a fishery product through all stages of fishing, storing, transporting, processing and distribution;

**m. Transshipment** - the unloading of all or any of the fish on board a fishing vessel to another fishing vessel either at sea or port as defined in the IUUF Regulation.

**n. Unreported fishing** - fishing which have not been reported, or have been misreported, to the relevant national authority, in contravention of national laws and regulations; or undertaken in the area of competence of a relevant RFMO which have not been reported or have been misreported, in contravention of the reporting procedures of that organization;

**o. Unregulated fishing** - fishing in the area of application of a relevant RFMO that are conducted by vessels without nationality, or by those flying the flag of a State not party to that organization, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organization; or in areas or fish stocks in relation to which there are no applicable conservation or management measures and where such fishing activities are conducted in a manner inconsistent with State responsibilities for the conservation of living marine resources under international law;

**p. IUUF Regulation** - European Council Regulation No. 1005/2008;

**Section 3. Application.** This Order shall apply to all Philippine-flagged fishing vessels that either directly supplies raw materials to EU-member countries or supply raw materials to canneries, processors or exporters for processing prior to the export of the processed fishery products to EU-member countries. This Order shall also apply to canneries, processors, and exporters which are exporting fishery products to EU- member countries.

**Section 4. Declaration of Catch Landing and Transshipment.** To ensure that the objectives of this Order are realized, catch landing and transshipment must always be recorded or declared.

a.) Landing of catches shall be verified and certified by authorized BFAR personnel in a Catch Validation Certificate described in Section 13 and Annex 6 of this Administrative Order;

b.) Transshipment shall be declared and reported by the vessel captain in a Transshipment Certificate described in Annex 5 of this Administrative Order.

**Section 5. Prohibition.** No fish or fishery products caught or taken by means of IUU fishing or without complete traceability in all its stages from fishing or gathering, storage, transporting, processing up to distribution shall be exported to EU-member countries. Export of fishery product/s to EU-member countries shall only be allowed if supported by a Catch Certificate, which has been validated by DA-BFAR.

**Section 6. Sanctions.** Non-compliance to the provisions of this Order or providing false information in the Catch Certificate and its documentary requirements shall be a ground for the non-issuance of Catch Certificate, delisting from the list of EU- accredited exporters and the filing of criminal complaint for violation of the rules on exportation.

## **CHAPTER II**

### **The Regular Catch Certificate (RCC)**

**Section 7. Scope.** This Chapter applies to catches obtained by fishing vessels that fall under the following criteria:

1. Fishing vessel with an overall length of more than 12 meters without towed gear or
2. Fishing vessel with an overall length of more than 8 meters with towed gear or with superstructure, or
3. Fishing vessel of more than measured 20 GT.

**Section 8. Classifications of RCC.** An RCC must only be accomplished by a fishing company. It is classified into:

1. Mother Catch Certificate - RCC issued at landing or prior to processing; or,
2. Consignment Catch Certificate - RCC issued after processing of catch in canneries or processing plants.

**Section 9. Requirements.** The following are the requirements for the issuance of RCC:

1. Duly accomplished fishing vessel logsheets, which must bear the signature or stamp of the vessel captain),
2. Copy of the Commercial Fishing Vessel/Gear License (CFVGL), and Certificate of Ownership (CO) and Certificate of Vessel Registry (CVR),

3. Transshipment Certificate issued by the fishing vessel captain and printed in paper bearing fishing company logo, accompanied with the fish carrier's Stowage Plan (if transshipment at sea or at port occurred),
4. Catch Validation Certificate issued by the concerned BFAR Regional Office,
5. Original copy of Fish summary/sizing report which must be signed by the authorized representatives of the fishing company and the cannery).

**Section 10. Additional Requirements.** In addition to the requirements in Section 10 hereof, the following requirements for the issuance of RCC are applicable to Philippine-flagged fishing vessels operating in the waters of Papua New Guinea (PNG):

1. Copy of IFP;
2. Copy of fishing license from PNG;
3. Original or authenticated copy of Fish Origin Declaration Form issued by the National Fisheries Agency of PNG,

**Section 11. Instructions in Accomplishing the Regular Catch Certificate.**

1. The boxes, "**document number**" and "**validation authority**," are used to identify the document and the authority which validates it, and are therefore reserved for this purpose and must be filled in only by BFAR which is the validating authority;
2. The "**document number**" shall include the following:
  - a. "ISO code for each Flag State" (608 in the case of the Philippines);
  - b. "Identifying code for the competent authority" (BFAR + Region);
  - c. "Company code";
  - d. "Year of validation"; and,
  - e. "Number in continuous series".
3. An example of a document number is "**608-BFAR12-FFC-2011-0001**," which is filed by Frabelle Fishing Corporation (FFC) in BFAR Region 12 and validated by that region. Annex 4 contains the list of codes of commercial fishing companies in the Philippines;
4. The information required in the box, "**Validating Authority**" such as "Name", "Address", "Tel" and "Fax" pertain to and shall be filled up by the BFAR, which information is specific to the concerned BFAR Central or Regional Office;
5. The box, "**Vessel Details**," shall contain the details of the vessel, which shall be based on the information stated in the vessel's Commercial Fishing Vessel/Gear License (CFVGL). For a fishing vessel operating in PNG waters, the box on "Fishing License-Valid to" shall contain the IFP number, the IFP's expiry date, the vessel's PNG number and expiration date of its PNG license;
6. The box, "**Description of Product**", refers to the product form, such as, *frozen fish, canned tuna*, and the like. For the box "Type of processing authorized on board", the applicable terms shall be *freezing, brine freezing, ice chilling* and similar processing terminologies;

7. The "**Species Name and Product Code**" refer to the species' English name, scientific name and the product code respectively. The product code is based on its six-digit tariff code under the Harmonised System, which is made available online by the EC through the website <http://mkaccdb.eu.int> on the page on Applied Tariff Database. To illustrate, for frozen skipjack, the scientific name shall be *Katsuwonus pelamis* and the product code shall be 0303.43;  
0303.43;

8. The box, "**Catch area and Dates**," shall indicate where and when the catches were made. The catch area may either be the *Philippine EEZ* or *Philippine Archipelagic Waters (Philippine AW)*, *High Seas* or *Coastal State EEZ* (such as *PNG EEZ*), while the dates refer to the dates when the catches were made as reflected in the logsheet;

9. The box "**Estimated weight to be landed**" shall be filled in if all the fish from one landing, either in the flag State or another port State, is exported to the EU in one consignment. The "**Estimated weight to be landed**," is the weight in kilograms, to be filled out by the fishing company, which may only be estimates of the gross weight to be landed;

10. In all other cases, for instance when fish is exported live or when only part of the landed catch is exported or when products are processed in the flag State prior to exportation to the EU, the box "**Estimated live weight**" should be used and only the weight of the product to be exported should be included in the box "**Estimated live weight**." This portion shall be left blank in the Mother CC and shall only be filled up with the actual weight of the consignment in the Consignment CC;

11. The box, "**Verified weight landed (kg) where appropriate**," shall be filled in only by BFAR after validation of the total weight of the consignment by designated BFAR personnel at landing. The verified weight shall also be reflected in the Catch Validation Certificate. If landing is carried out in the port of PNG, the weight shall be based on the Fish Origin Declaration Form or fish summary/sizing report;

12. The box, "**Reference of applicable conservation and management measures**," refers to the conservation and management measures for the species for which the catch certificate is being issued. It can either be measures adopted by the flag State or by an RFMO to which the flag State is a party. A brief description of the measure should be given such as, quota, restricted fishing gear or subject to fishing license. References must be cited, for instance, for catches of skipjack, yellowfin or bigeye, WCPFC and FAO 226 shall be stated, while FAO 167 shall be stated for catches of sardines and the like. In the case of tuna purse seine vessels, CMM 2008-01 shall also be cited. This box shall be filled out by the operator;

13. The boxes, "**Name of Master of Fishing Vessel - Signature - Seal**," shall be filled out, signed and sealed or stamped by the captain/master of the fishing vessel or a duly designated/authorized representative of the fishing company. In case where the catches are not landed in a port of the flag State, the duly designated or authorized representative of the fishing company may sign in this box and have the same validated by designated BFAR personnel of the nearest BFAR Office. Only the names of the duly designated/authorized representative which were submitted by the fishing companies to BFAR prior to January 1, 2010, together with a copy of the representative's company identification card, six specimen signatures and a sample of the stamp or seal shall be recognized. Amendments to the list of representatives must be with prior notice to BFAR and must be supported with the requirements. Electronic transmission shall be considered in the future and shall be developed for the purpose of ease and convenience of the transaction without compromising security;

14. The box, "**Declaration of Transshipment at Sea,**" shall be filled up jointly by the masters of the fishing vessel and the receiving vessel or their authorized representatives. A copy of the Transshipment Certificate evidencing the act of transshipment at sea shall be submitted to the BFAR Regional Office where the fish is to be finally unloaded for verification purposes and for the issuance of a Catch Validation Certificate, whenever appropriate. The general format of the Transshipment Certificate is shown in Annex 5;

15. The box, "**Transshipment authorization within a port area,**" shall be filled out by the competent authority responsible for the control of the transshipment port of the country where the transshipment takes place. A copy of the Transshipment Certificate evidencing the act of transshipment at port shall be submitted to the BFAR Regional Office where the fish is to be finally unloaded for the verification and subsequent issuance of a Catch Validation Certificate, if appropriate. If the transshipment was conducted at port in PNG, a copy of the original Fish Origin Declaration Form issued by the competent authority shall be submitted;

16. The box, "**Name and Address of the Exporter,**" shall be accomplished by the Exporter, who may be a cannery, a processor or the fishing company if it directly exports its catch to a member country of the EU;

17. The box, "**Flag State Authority Validation,**" shall be accomplished and signed by the authorized signatories of the BFAR Central Office or BFAR Regional Office only after they are satisfied with the information in the catch certificate and have no grounds to doubt its exhaustiveness and accuracy and the compliance with applicable management and conservation measures.

18. The exporter shall provide the transport detail in Section 10 of the regular catch certificate, which must be summarized in the document "Transport Details" and forms part of the RCC.

19. The exporter shall prepare and fill out such number of the transport details and the validating authority shall validate such number of RCCs as maybe necessary to correspond to the number of consignments being shipped out which have been derived from the verified weight of the landed fish catch.

20. Sections 11 to 12 of the RCC shall be left blank as these Sections pertain to the Importer and Customs Authority of the importing member country of the European Union.

**Section 12. The Consignment Catch Certificate.** The Consignment CC is the regular catch certificate issued after processing. It shall be accomplished by the fishing company and shall contain the same information as those contained in the Mother CC except for the document number, final product description and code and actual weight of the consignment. The Cannery Code and Cannery Sequence Number shall be added to the document number of the Mother CC to generate the Consignment CC's document number.

For instance, using the previous example of the Mother CC of Frabelle Corporation the code of the cannery which processed the catch and the cannery sequence code shall be added to Mother CC's document number, which is **608-BFAR12-FFC-2011-0001**. Thus, the final document number appearing on the Consignment CC will be **608-BFAR12-FFC-2011-0001-GTC-0001**. The final product code and description shall also be supplied; for example, for canned skipjack, the description of the product shall be canned tuna and the product code shall be 1604.14. The codes for all registered canneries are listed in Annex 4.

The weight of the consignment shall be provided by the cannery or processing plant to the fishing company for the box "Estimated live weight". In support thereto, the cannery or processor shall

submit a letter informing BFAR of the weight of the consignment. The total weight of the consignment weight indicated in the various Consignment CCs must not exceed the verified weight landed indicated in the Mother CC. Sections 6 and 7 shall be left blank in the Consignment CC even if transshipment is declared in the Mother CC.

**Section 13. The Catch Validation Certificate (CVC).** The Catch Validation Certificate is a document issued by BFAR certifying the species and volume of fish landed by a fishing vessel in a particular fish port in the Philippines. Since most catches are unloaded by carrier vessels that consolidate catch from one or more catcher vessels, the CVC shall also indicate the species and volume of fish per catcher vessel. For this purpose, the carrier vessel must provide a Transshipment Certificate. The species and weight indicated in the CVC shall be the basis of the weight that will be indicated under the box "Verified weight landed (kg) where appropriate". Annex 6 contains the amended format of the CVC.

**Section 14. Procedures in Securing the RCC.**

1. The fishing company shall properly accomplish the RCC in triplicate, in accordance with the aforementioned instructions and shall submit these to BFAR together with the documentary requirements stated in Sections 9 and 10.
2. The BFAR shall evaluate and verify the documents and the information contained therein and if satisfied of the completeness, truthfulness and correctness of the data and the RCC's exhaustiveness and accuracy, as well as compliance with applicable management and conservation measures, the authorized signatory shall accomplish, sign, and affix the official dry and wet seal in Section 9 of the RCC. Otherwise, the RCC shall not be validated and the same together with the documentary requirements shall be returned to the fishing company, which shall be informed of the lacking requirement/s or reason for the rejection.
3. Two (2) sets of the validated RCC shall be released to the fishing company within three (3) working days from the date of application. One (1) set shall be retained by BFAR for record purposes.
4. The fishing company shall furnish the cannery or processor that purchased the catch with one (1) set of the validated RCC and retain the other set for record purposes.
5. Should the cannery or processor export the catch without processing, it shall use the validated RCC to accompany the consignment. Should processing be undertaken by the cannery or processor, the latter shall advise the fishing company to request the issuance of a Consignment CC by BFAR. The cannery or processor shall provide the fishing company the final product description, actual weight of the consignment and the corresponding product code.
6. The fishing company shall accomplish and sign in triplicate the Consignment CC, which shall contain the information from the Mother CC and the information provided by the cannery or processor in Step 5. It shall submit the same to BFAR for validation. No documentary requirements shall be attached to Consignment CCs except the letter from the cannery or processor informing BFAR of the consignment weight of the product. BFAR shall then release the same following Steps 2 and 3.
7. The fishing company shall furnish the cannery or processor with one (1) copy of validated Consignment CC for the latter's use for its exports to EU and shall retain the other copy for its own records.

## CHAPTER III

### The Processing Statement

#### Annex IV of the IUUF Regulation)

**Section 15. Scope.** The Processing Statement shall be issued by DA-BFAR only for fish or fishery products caught by foreign flagged fishing vessels in high seas or waters of other countries, which are unloaded and processed in the Philippines. Consignments from raw materials caught by Philippine-flagged fishing vessels, whether caught in domestic waters, high seas or waters of other countries do not require Processing Statements.

**Section 16. Verification of Overseas/Foreign Catch Certificates.** No Processing Statement shall be issued by BFAR without presentation by the importer of the original copy of the overseas/foreign Catch Certificate. The concerned BFAR Office shall also cross-check the authenticity of the signatures therein with the specimen signatures of the signatory of the issuing country.

**Section 17. Verification of Weights.** BFAR shall scrutinize the weights in the Processing Statement. It shall ensure that quantities processed (6th column) match with the quantities obtained after processing (7th column) by monitoring the production yield. For this purpose, the cannery/processor shall submit a production/processing report. Should there be any inconsistencies, BFAR shall conduct an inspection of the cannery/processing facility. It shall further ensure that overseas/foreign Catch Certificates are not used more than they should be by checking that the weights in the Processing Statement do not exceed the "Estimated Live Weight" in the overseas/foreign Catch Certificate.

#### **Section 18. Instructions in Accomplishing the Processing Statement.**

1. The "**Catch Certificate Number**" refers to the Catch Certificate Number of the foreign Catch Certificate;
2. The "**Vessel name(s) and flag(s)**" refers to the name of the foreign flagged fishing vessel and its flag as borne by the foreign Catch Certificate;
3. The "**Validation date(s)**" is the date/s when the foreign Catch Certificate was validated;
4. The "**Catch description**" is a description of the form of the imported raw materials whether the same is in frozen, fresh/chilled or pre-processed;
5. The "**Total landed weight (kg)**" is the total weight of catches landed by the foreign fishing vessel in the Philippines, which shall also be reflected in the Catch Validation Certificate to be filled out by authorized BFAR representative during the unloading of catch;
6. The "**Catch processed (kg)**" is the processed weight which forms part of the total landed weight; and,
7. The "**Processed fishery product (kg)**" is the gross weight of the products obtained after processing, for example weight of the canned tuna.

## CHAPTER IV

### The Simplified Catch Certificate (SCC)

**Section 19. Scope.** This Chapter applies to catches obtained by fishing vessels:

1. with an overall length of less than 12 meters without towed gear;
2. with an overall length of less than 8 meters with towed gear;



3. without superstructure; or,
4. less than 20 Gross Tons.

**Section 20. The SCC.** The SCC is the catch certificate for catches of fishing vessels stated in Section 19, which shall be accomplished by the Processor/Exporter or its authorized representative. It shall be submitted to BFAR for validation within one (1) week from unloading of the fish catch at the fish port, together with the required documents listed in Section 21. It shall follow the format prescribed in Annex 2.

**Section 21. Requirements for SCC Validation.** The following are the requirements for the validation of SCC:

1. Any of the following documents:
  - a. Original copy of Auxiliary Invoice issued by the Local Government Unit (LGU) where the catch was obtained;
  - b. Certificate of Domestic Movement issued by BFAR Regional Office concerned; or,
  - c. Official receipt issued by the supplier whose specimen signature had been previously submitted by the exporter to and validated by BFAR.
2. Copy of the municipal registration papers and/or fishing license or CFVGL;
3. Duly accomplished BFAR-prescribed fish catch report using the prescribed forms in Annex 7 hereof.

**Section 22. Instructions in Accomplishing the SCC.**

1. The box "**Validation Authority**" is used to identify the authority which validates the SCC. This is reserved for this purpose and must be filled out only by BFAR;
2. The **document number** shall include:
  - a. the ISO code for the Flag State, which is 608 in the case of the Philippines;
  - b. Identifying code for the competent authority, for instance BFAR + Regional Office number;
  - c. Exporter code;
  - d. Year of validation; and,
  - e. Number in continuous series.

For example, the document number of the SCC filed by Jam Seafoods, Inc. with exporter code JSI, at the BFAR Central Office and validated by the latter shall be 608-BFARCO-JSI-2011-0001, and succeeding SCCs shall be 608-BFARCO-JSI-2011-0002 and so forth. Annex 4 contains the exporters' codes;

3. The box "**Description of Product**" shall indicate the product form, such as frozen fish, fresh/chilled tuna loins, fresh/chilled whole tuna, frozen octopus, among others;
4. The **species name** shall refer both to the common or English name and scientific name of the species while the product code is the commodity's six-digit tariff code under the Harmonised System, which is made available online by the EC through the website <http://mkaccdb.eu.int>. For

instance, for fresh/chilled yellowfin tuna loins, the scientific name shall be *Thunnus albacares* and the product code shall be 0304.19.

5. The box, "**Verified weight landed (kg)**" shall state the actual total weight of the consignment to be exported. This box must at all times be filled out during validation, which shall be carried immediately prior to shipment or in the airport by authorized BFAR signatories.

6. The box, "**References of applicable conservation and management measures**," refers to the conservation and management measures for the species for which the SCC is being validated, which may either be measures adopted by the flag State or by an RFMO to which the flag State is a party, or both. A brief description of the measure/s should be given such as subject to fishing license, quota, or restricted fishing gear. References need to be cited, for instance, for catches of skipjack, yellowfin or bigeye, the term WCPFC and FAO 226 shall be stated, while RA 8550 shall be stated for catches of octopus. This box shall be filled out by the operator.

7. The box, "**List of vessels who have provided catches and the quantities by each vessel (name, registration number, etc. annexed)**," shall be filled out by the exporter. The required information on the fishing vessel used in catching the fish or species to be exported, such as vessel name, registration number, and the quantity of the product (gross weight in kilograms) supplied by each fishing vessel shall be indicated in this box and if necessary, a separate sheet may be used, which shall be attached as an annex to the SCC.

8. The box, "**Name, address, tel. and fax of Exporter**," shall be filled out, signed and sealed or stamped by the exporter. The date shall correspond to the date when the SCC was accomplished and signed by the exporter, which date should always either precede or coincide with the date of validation;

9. The box, "**Flag State Authority Validation**" shall be filled out, signed and sealed by the authorized signatories of the BFAR Central Office or BFAR Regional Office only after they are satisfied with the information provided in the SCC and have no grounds to doubt its exhaustiveness and accuracy and the compliance with applicable management and conservation measures;

10. The box, "**Transport Details**," shall be filled out by the exporter; and,

11. Sections 7 and 8 shall be left blank since these sections shall be filled out only by the importer and the competent authority of the EU member country.

### **Section 23. Procedures in Accomplishing the SCC.**

1. The exporter shall accomplish, sign and affix the seal or stamp on the SCC with all the necessary information in accordance with the instructions stated in the preceding Section. S/he shall submit to BFAR two (2) sets of the SCC and the documentary requirements enumerated in Section 21. For fresh/chilled tuna loins, the SCC shall be submitted to the designated BFAR signatories stationed at the international airports for validation, immediately prior to shipment when the information on the verified weight landed is already available.

2. The BFAR shall evaluate and verify the documents and the information contained therein and if satisfied on the completeness, truthfulness and correctness of the data, and the SCC's exhaustiveness and accuracy, as well as compliance with applicable management and conservation measures, the authorized signatory shall accomplish, sign, and apply the dry seal/stamp in order to validate the SCC. Otherwise, the SCC shall not be validated and the same together with the

documentary requirements shall be returned to the fishing company, which shall be informed of the lacking requirement/s or reason for the rejection.

3. BFAR shall release one (1) set of the validated SCC to the exporter and retain (1) set for record purposes.

4. The exporter shall use the original copy of the validated SCC and transport details, to accompany the consignment, and convey the same to the consignee or importer. Only the original copy of the validated SCC shall be given; the documentary requirements shall be kept by the exporter.

## **CHAPTER V**

### **Record Keeping, Monitoring and Payment of Fees**

**Section 24. Record-keeping by fishing companies, processors and exporters.** Fishing companies, canneries, processors and exporters shall keep a record of all Catch Certificates issued to them by BFAR, together with all the documentary requirements in a folder and a separate electronic list of Catch Certificates in order to keep track of the number of catch certificates issued and make these records readily available to BFAR upon request.

**Section 25. Record-keeping by BFAR.** The BFAR Central Office and concerned BFAR Regional Offices shall maintain an updated record of the Catch Certificates issued by their respective offices, both in electronic form and otherwise, in order to keep track of the number of Catch Certificates issued and for monitoring purposes, and make these records readily available to EU upon request.

**Section 26. Submission of monthly reports and maintenance of Central Database.** The concerned BFAR regional offices shall submit a monthly report on the implementation of the Catch Certification Scheme including submission of the list of Catch Certificates they have issued per month as well as the overseas Catch Certificate requests and problems encountered to the Fisheries Regulatory and Quarantine Division (FRQD) of the BFAR Central Office. The FRQD shall maintain a national or central database of all the catch certificates issued by BFAR.

**Section 27. Preservation of Original CCs.** The originals of the catch certificates must be retained and preserved for a minimum period of three (3) years by BFAR as the validation authority, which period coincides with the period in which the Community preserves its own copies of the same.

**Section 28. Monitoring.** For purposes of ensuring the effective implementation of the IUU Regulation, BFAR shall conduct random and unannounced inspection, monitoring or evaluation of the fishing company, cannery or processing plant. Funds for these activities shall be made available upon approval of the project proposal.

**Section 29. Fees.** A fee of fifty pesos (P50.00) shall be paid to BFAR by the applicant to defray administrative cost for the issuance of RCC, SCC, and Processing Statement.

## **CHAPTER VI**

### **Settlement of Issues**

**Section 30. Settlement of Issues.** Queries and requests for clarifications or confirmation and other issues raised by any of the EU-Member Countries in relation to a Catch Certificate validated by BFAR shall be sent to the BFAR Signatory who validated the same, copy furnished the BFAR FRQD and the Office of the BFAR Director. The queries and request for clarification or confirmation must be written in paper bearing the official letter head and logo of the competent authority of the importing EU-member country, and maybe conveyed electronically to expedite resolution and to prevent a long detention period of the consignment.

**Section 31. Official Reply.** The BFAR Signatory who validated the CC shall address the query or request for clarification or confirmation or any issues raised, in consultation with the fishing company, cannery, processor or exporter concerned and the reply shall be sent to the requesting party, copy furnished the BFAR FRQD and the Office of the BFAR Director.

## **CHAPTER VII**

### **Annexes**

1. General Format of Regular Catch Certificate
2. General Format of Simplified Catch Certificate
3. Process Flow for the issuance of Regular and Simplified Catch Certificate
4. List of Codes of Commercial Fishing Companies, Canneries and/or Processors.
5. General Format of Transshipment Certificate.
6. Amended Format of the Catch Validation Certificate.
7. BFAR-Prescribed Formats of Fish Catch Reports and Logsheet
8. List of Fishery Products Excluded from Catch Certification

**Section 32. Effectivity.** This Order shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation and upon registration with the National Administrative Register.

Issued this 9TH day of January 2012 at Quezon City, Philippines.

*Recommending approval:*

SIGNED

**PROCESO J. ALCALA**

Secretary

SIGNED

**ATTY. ASIS G. PEREZ**

Director, Bureau of Fisheries &  
Aquatic Resources

SIGNED

**SALVADOR S. SALACUP**

Asst. Secretary of Agriculture

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