



Republic of the Philippines
Department of Agriculture
OFFICE OF THE SECRETARY
Elliptical Road, Diliman
Quezon City, 1100 Philippines

11 November 2019

MEMORANDUM ORDER

No. 28

Series of 2019

SUBJECT: Supplementary Provisions to DA Department Circular no. 4 Series of 2016 entitled "Guidelines on the Importation of Plants, Planting Materials and Plant Products for Commercial Purposes"

WHEREAS, Presidential Decree 1433 also known as the Plant Quarantine Law of 1978 was promulgated to revise and consolidate existing plant quarantine laws to further improve and strengthen the Plant Quarantine Service of the Bureau of Plant Industry;

WHEREAS, Republic Act No. 10611 also known as the "Food Safety Law" was issued to strengthen the food safety regulatory system in the country to protect consumer health and facilitate market access of local foods and food products and for other purposes;

WHEREAS, Department of Agriculture-National Economic and Development Authority-Department of Budget Management Joint Memorandum Circular No. 01-2019, s. 2019 also known as the Implementing Rules and Regulations of Republic Act 11203 (Rice Tariffication Law) provides under Rule 4.1 that importation of rice shall comply with the provisions of all existing laws, and rules and regulations on Sanitary and Phytosanitary (SPS) measures and food safety. RA 11203 transferred the regulatory function of the National Food Authority (NFA) on food safety to the Bureau of Plant Industry (BPI);

WHEREAS, DA Department Circular no. 4 series of 2016 was issued to rationalize and enhance the requirements and procedure in the importation of plants, planting materials and plant products for commercial purposes;

WHEREAS, there is a need to strengthen registration procedure for importers of plants, planting materials and plant products and specify the validity of the Sanitary and Phytosanitary Import Clearance (SPSIC), to safeguard from entry, establishment and spread of exotic plant pests and comply with food safety requirements;

NOW THEREFORE, I, SECRETARY WILLIAM D. DAR, of the **Department of Agriculture**, hereby issue this Order to amend Sections 7 and 19 of DC 4 s.2016 to implement revised requirements for registration and renewal of importers of plants, planting materials and plant products and validity period of SPSIC for rice:



A. For initial registration and renewal of importers:

1. Notarized Application form with two (2) 2x2 ID picture of the owner
2. Mayors Permit or Business Permit
3. Proof of Business Establishment:
 - a. For Corporation: Security and Exchange Commission (SEC) Registration, Articles of Incorporation and By-Laws (with Certificate of Good Standing)
 - b. For Cooperatives: Cooperative Development Authority (CDA) Registration, Articles of Cooperation and By-Laws (with Certificate of Good Standing/Certificate of Compliance)
 - c. For Single Proprietorship: Department of Trade and Industry (DTI) Registration
 - d. For PEZA Special Economic Zone: Philippine Economic Zone Authority (PEZA) Registration
4. Proof of existence and authority to use Storage/Warehouse (if applicable) or DA Accredited Cold storage warehouse (with DA Certificate of Accreditation) (if applicable) as follows:
 - a. Proof of Ownership (OCT/TCT of land in the name of importer or valid lease contract with OCT/TCT of lessor;
 - b. Physical Sketch and GPS of the exact location of the warehouse;
 - c. 5R pictures of the warehouse with a dated newspaper
 - d. Distribution Areas of the imported rice
5. Updated and Current Registration with the Bureau of Customs (BOC) Registration of importer and/or authorized broker;
6. Special Power of Attorney (SPA) with two (2) 2x2 ID picture (Maximum of 3 representatives)
7. Annual Income Tax Return with Audited Financial Statement of the owner/importer for the last 3 years)

B. Pursuant to the pertinent provisions of Republic Act No. 11203 and in consonance with Section 4 of the Guidelines on Importation, the requirement that "The imported rice should arrive before the expiration of the SPSIC from the BPI."

should be as follows:

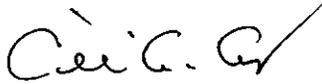
"The actual product/consignment must be shipped out from the country of origin within the prescribed date in the approved SPSIC and must arrive not later than sixty (60) days from the Must Ship Out date."



All existing Department circulars, rules and regulations, orders or parts thereof, which are inconsistent with the provisions of this Order, are hereby repealed or modified accordingly.

If any portion of this Order is declared unconstitutional or invalid, the other portions thereof, which are not affected, thereby shall continue to be in full force and effect.

This Order shall take effect immediately.



WILLIAM D. DAR, PhD.
Secretary

DEPARTMENT OF AGRICULTURE
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