



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

August 31, 2018

D.A ADMINISTRATIVE CIRCULAR

No. 07
SERIES OF 2018

SUBJECT: Guidelines on importation of Roundscad(*Decapterus spp.*) for wet markets covered by the Certificate of Necessity with effective date from September 1, 2018

In order to ensure food security taking into consideration public welfare and safety and in accordance with the provisions of Section 61 (c) and (d), 62, 67 and 105 of Republic Act 8550, as amended by Republic Act 10654, and Fisheries Administrative Order No. 195,I, EMMANUEL F. PIÑOL, Secretary of the Department of Agriculture, by the power vested in me, do hereby issue this Circular providing for the guidelines governing the importation of Roundscad(*Decapterus spp.*) covered by the Certificate of Necessity with effective date September 1, 2018.

SECTION 1

Definition of Terms and Phrases

For purposes of this Order, the following phrases and terms shall mean:

- a) *Application form to Import (AFI)* – a document required by BFAR to be filled up by the qualified importer indicating the purpose of the importation, species or kind of fish, volume to be imported, and country of origin.
- b) *Fresh fish* – refers to freshly caught fish, which has not undergone any processing or preservation treatment.
- c) *Frozen fishery/aquatic products* – fish/fishery/aquatic product which have been subjected to a freezing process sufficient to reduce the temperature to 18°C (0°F) to preserve its quality and to maintain said product at this temperature.
- d) *International Health Certificate* – refers to a written guarantee issued by an authorized or competent regulatory agency from the country of origin, certifying that the fish and fishery/aquatic products have been handled, processed and packed in hygienic manner and does not contain microorganisms that may pose food safety hazard.
- e) *Sanitary and Phytosanitary Import Clearance (SPSIC)* – document issued by the concerned DA bureau or agency prior to importation to ensure that the products being imported meet SPS measures to protect human, animal or plant life or health, ensuring that the agricultural and fishery products are safe for consumers, and to prevent the spread of pests or diseases among animals or plants. Such document also prescribes the pre-entry conditions to be complied by the exporting country and the post-entry

conditions for the maintenance of quality and suitability of the product for the intended purposes.

f) *Wet market* – is a public or private market where most of the food commodities for sale are generally unprocessed and perishable.

SECTION 2

Designation of Navotas Fish Port for the Trading of Imported Fish for Wet Markets

To facilitate monitoring of imported fishery products, all imported Roundscad destined for the wet markets shall be coursed through and traded at the Navotas Fish Port; Provided that, prior to trading, the Philippine Fisheries Development Authority (PFDA) shall require from the importer the following documents covering the imported fish:

- a) International Health Certificate from the country of origin;
- b) Sanitary and Phytosanitary Import Clearance (SPSIC);
- c) Certificate of Origin;
- d) Bureau of Customs Entry Declaration;
- e) Bill of Lading/Airway Bill; and
- f) Import Packing List.

SECTION 3

Transport Clearance

All imported Roundscad destined for wet markets, after having been traded in the Navotas Fish Port, prior to transport or transfer to the final market of destination shall secure and be covered by a Transport Clearance issued by the PFDA. The transport clearance shall contain the following information:

- a) Name of Importer;
- b) Name of Shipper;
- c) Name of Trader;
- d) Address of Trader;
- e) Primary and secondary markets of destination; and
- f) Suggested Retail Price of the Imported Fish when sold in the wet markets.

Only retailers with valid Permit to Conduct Business (PTCB) inside the fish port issued by the PFDA shall be issued with Transport Clearance.

SECTION 4
Qualified Importers for Wet Markets

The following are the qualified importers for wet markets:

- a) members of an organization or association from commercial fishing sector that have been in existence for at least three (3) years prior to the effectivity of this circular ; and
- b) registered fisheries associations or cooperatives that have been doing fish trading business and in existence for at least three (3) years prior to the effectivity of this circular.

Provided that, at least eighty percent (80%) of the Maximum Importable Volume of Roundscad destined for wet markets shall be allocated to members of an organization or association from commercial fishing sector.

Provided further that, accredited importers of fresh chilled/frozen fish and fishery/aquatic products for canning/processing or for institutional buyers shall not be qualified to import Roundscad for wet markets.

SECTION 5
Accreditation of Importers

All importers of Roundscad shall apply for accreditation with the PFDA and comply with the following documentary requirements.

- a) Letter of Intent addressed to the General Manager of the PFDA;
- b) Certified True Copy of valid registration certificate from DTI (for sole proprietorship), SEC (for corporations), CDA (for cooperatives), or DOLE (for associations and organizations).
- c) Certified True Copy of valid Mayor's/Business Permit;
- d) Certified True Copy of valid BIR Registration and company/sole proprietorship Tax Identification Number (TIN);
- e) Name of cold storage facility located inside the Navotas Fish Port Complex, which must be compliant with the sanitation standard operating procedure as approved by DA-BFAR; and
- f) Valid Permit to Conduct Business (PCTB) issued by the PFDA.

Provided that, the accredited importer shall furnish DA-BFAR a copy of the Certificate of Accreditation together with the copies of the abovementioned documents, prior to the filing of the Application Form to Import. The PFDA, within forty-eight (48) hours from the importer's registration, shall endorse to DA-BFAR the newly-registered importer.

All expenses including that of accreditation shall be borne by the importer.

SECTION 6
Filing of Application to Import

After complying with the guidelines set forth under the preceding section, an importer may file a duly accomplished Application Form to Import (AFI) for importation of Roundscad with the Office of the BFAR Director, at least five (5) days prior to its importation, and with a non-refundable application fee of One Hundred and Fifty (P150.00) Pesos accompanied by the following documents:

- a) Pro-forma/ commercial Invoice;
- b) International Health Certificate of the country of origin; and
- c) Disposition report of the previous importation, duly signed and verified by the PFDA, using the BFAR prescribed format (for repeat importation).

SECTION 7
Issuance of SPS Import Clearance (SPSIC)

SPSIC may be issued by the Secretary of Agriculture or his duly authorized representative only after an application thereof has been filed in accordance with the preceding Section and the applicant has paid the SPSIC fee of One Thousand Five Hundred (P1,500.00) Pesos, and such other charges for administrative and technical services rendered in connection with the importation. The indicated amount covers the mandatory standard microbiological examination conducted on all imported Roundscad. A separate charge for specialized laboratory examinations (for antibiotic residue, heavy metals traces, etc.) may be imposed when such examinations are deemed necessary.

SPSIC issued under this Order shall expire in forty-five (45) days from the date of issuance.

SECTION 8
Requirements for Importations

Roundscad to be imported into the Philippines destined for wet markets shall meet the following standards and requirements:

- a) *International Health Certificate from the country of origin.* The International Health Certificate shall be supported, whenever applicable, with the following laboratory test results, which shall not exceed for the indicator organisms, such as:

HEAVY METALS		ALLOWABLE LIMIT
1.	Cadmium	0.5 mg/L (0.5ppm)
2.	Lead	0.3mg/L (0.3ppm)
3.	Mercury	1mg/L (1.0 ppm)

MICROBIAL ANALYSIS		ALLOWABLE LIMIT
1.	Total viable count	500,000 cfu/g
2.	<i>E. coli</i>	11 MPM/g fish and fishery

3.	<i>Shellfish meat</i>	16 MPN/g
4.	<i>Live Shellfish</i>	23 MPN/g
5.	<i>Staphylococcus Aureus</i>	1000 MPN/g
6.	<i>Salmonella</i>	absent in 25 gram sample
7.	<i>Shigella</i>	absent
8.	<i>Vibrio-cholerae</i>	absent
<i>By-product of microbial metabolism</i>		
1.	<i>Histamine</i>	20 mg./100 gm.(200 ppm)

ANTIBIOTIC ANALYSIS		ALLOWABLE LIMIT
1.	<i>Chloramphenicol</i>	Zero detection
2.	<i>Nitrofurans</i>	Zero detection

b) *Packaging and labeling requirements.* Fish and fishery/aquatic products must be packed under hygienic condition 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 Roundscad held under ice should be provided with adequate drainage for melted water.

The following information, which shall have English translation, shall appear on the packaging and /or labelling and on the accompanying documents:

1. the country of origin;
2. species of fish/fishery products;
3. fishing ground (FAO Zone Number);
4. net weights;
5. name and address of processor or manufacturer; and
6. lot code or batch code or production code.

Provided that, during the selling of the said Roundscad in the market of final destination, appropriate notice shall be made to appraise the buying public that the said Roundscad are imported.

c) *Storage and transport.* The imported Roundscad, during storage and transport, shall be stored at temperature requirement for specific products, such as:

1. Chilled Roundscad shall be stored and maintained at 0 to 4°C; and
2. Roundscad shall be stored at -18°C or below during transport, allowing not more than 3 degrees' upward fluctuation in temperature.

d) *Inspection Requirements.* Upon arrival at the accredited port of entry, imported Roundscad shall be presented to the Fisheries Quarantine Officer of DA-BFAR for inspection of the following:

1. Documentation and inspection/verification of imported Roundscad and accompanying documents, as follows:

- a) certified true copy of International Health Certificate;
- b) laboratory test result from duly accredited laboratory;
- c) Sanitary and Phytosanitary Import Clearance/ Certificate issued by the competent authority of the country of origin;
- d) airway bill;
- e) bill of lading; and
- f) pro forma or commercial invoice shall be available for verification by the inspecting Fishery Quarantine Officer.

In the absence of a certified true copy by the importer of the International Health Certificate from the country of origin, the shipment shall be committed to a storage facility for a period of not exceeding ten (10) days to allow the importer to submit such documents. Failure to comply within the specified period, the shipment shall be returned to the country of origin, otherwise, forfeited in favor of the government for its proper disposition. All expenses involving storage, return to origin and disposition of the shipment shall be borne by the importer.

2. Upon arrival at the cold storage located inside the fishport, the 2nd border inspectors of BFAR will conduct thorough inspection to check the possibility on the occurrence of the following:
 - i. co-mingling;
 - ii. signs of thawing;
 - iii. violation of the labelling requirement;
 - iv. tampering of seal;
 - v. presence of prohibited commodities;
 - vi. misdeclaration of product and/or volume; and
 - vii. technical smuggling.

Roundscad that are not compliant with the Sanitary and Phytosanitary (SPS) requirements and Technical Barrier to Trade (TBT) agreements shall be returned to the country of origin or forfeited in favor of the government for its proper disposition. All expenses involving storage, return to origin and disposition of the shipment shall be borne by the importer.

3. Adequate sample of imported Roundscad for laboratory examination shall be collected randomly by technical personnel of the DA-BFAR for sensory/organoleptic examination. The imported Roundscad shall meet the quality requirements based on organoleptic checks on the standards for fresh chilled/frozen fish and fishery/aquatic products.
4. Imported Roundscad shall be subject to random microbiological examination and other applicable tests including test for Trimethylamine. After laboratory examination, if imported product does not meet the required quality standard, the whole shipment shall be committed to a storage facility while further laboratory examination shall be conducted on random samples to technically determine the quality of the products. If found unfit for human consumption or does not meet the required standard, the said container shall be returned to the country of origin. Fees and charges incidental to examination and storage of imported Roundscad shall be chargeable to the importer.

If upon inspection the imported Roundscad does not meet the quality requirements prescribed by the DA-BFAR, or if prohibited fish and fishery/ aquatic products are included in the importation, the same shall be removed immediately, and in case of the latter, confiscated, and the importer shall be penalized in accordance with the provisions of applicable laws, rules and regulations.

SECTION 9
Repealing Clause

All existing Administrative Orders, rules and regulations or parts thereof, which are inconsistent with the provisions of this Circular, are hereby repealed or modified accordingly.

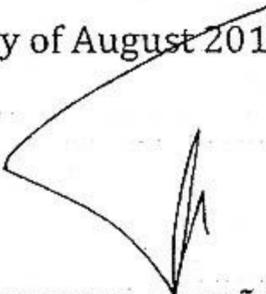
SECTION 10
SEPARABILITY CLAUSE

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

SECTION 11
EFFECTIVITY

This Circular shall take effect immediately after its publication in the Official Gazette or in one (1) newspaper of general circulation, and registration with the Office of the National Administrative Register (ONAR), and shall remain in force until the expiration of the Certificate of Necessity unless earlier revoked by the Secretary of Agriculture.

31st day of August 2018, Quezon City, Metro Manila, Philippines.


EMMANUEL F. PIÑOL
Secretary

DEPARTMENT OF AGRICULTURE


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