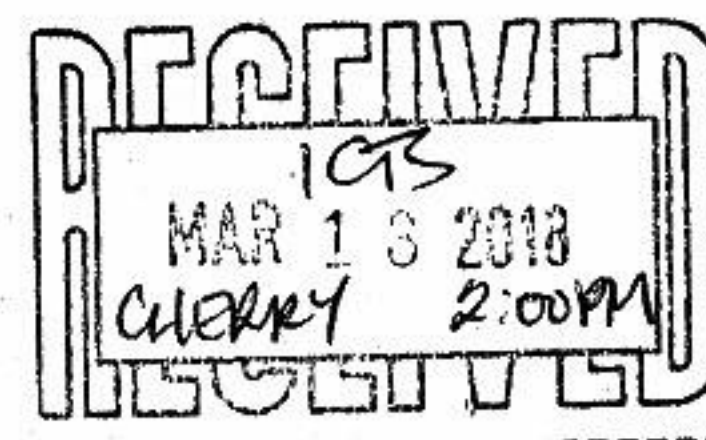




Republic of the Philippines  
Department of Agriculture  
OFFICE OF THE SECRETARY  
Elliptical Road, Diliman  
Quezon City 1100, Philippines



January 16, 2018

## **ADMINISTRATIVE CIRCULAR**

No. 01

Series of 2018

**SUBJECT: RULES AND REGULATIONS ON THE CERTIFICATION OF PHILIPPINE GOOD AGRICULTURAL PRACTICES (PhilGAP) FOR CROPS, SUPERSEDING ADMINISTRATIVE CIRCULAR NO. 10 SERIES 2013**

Pursuant to Article III, Section 5 a (2,3,4) and Article V, Section 16.E of Republic Act No. 10611, otherwise known as the Food Safety Act of 2013, "An Act 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" and the ASEAN Good Agricultural Practices for the production of fresh fruits and vegetables in the ASEAN Region, this Circular is hereby promulgated.

### **ARTICLE I OBJECTIVES**

**SECTION 1.** This Administrative Circular aims to achieve the following:

- 1.1 Facilitate the adoption of the four (4) GAP modules: food safety; produce quality; environmental management; and worker's health, safety and welfare.
- 1.2 Facilitate availability and access of Philippine agricultural crops to neighboring ASEAN markets and other foreign markets.

### **ARTICLE II SCOPE AND COVERAGE**

**SECTION 2.** This Circular establishes the revised rules and procedures in issuing, maintaining and revoking PhilGAP Certificates for agricultural crops based on compliance with the four (4) GAP modules as stipulated in Section 1.1.

**SECTION 3.** This Circular covers farms and packing facilities with agricultural crops harvested at a point in their growth stages intended for human consumption or to be used as raw materials for processed products for food purpose. This applies to agricultural crops with available Philippine National Standards (PNS) guide.

**SECTION 4.** Producers can apply for certification under any of the two (2) options.





- 4.1 Individual certification - where an individual producer, who will be the certificate holder, applies for certification based on its currently practiced farm management system.
- 4.2 Group Certification - where a group, (i.e. cooperative, corporation, institution or organization/ association) who will be the certificate holder, applies for certification based on its currently practiced quality management system (QMS) or internal control system (ICS), whichever is applicable.

SECTION 5. This Circular also establishes the composition and tasks of the Certification Committee, PhilGAP Inspectors, Monitoring Inspectors, Program Secretariat and Regional GAP Team.

### ARTICLE III DEFINITION OF TERMS

SECTION 6. As used in this circular, the following words, terms and phrases shall be construed to mean as follows:

- 6.1 Agricultural Crops refers to cultivated plants of which products are harvested at some point in their growth stage intended for human consumption.
- 6.2 Applicant refers to any person or individuals and groups (cooperative, corporation, institution or organization/association) that are involved in crop production applying for PhilGAP certification.
- 6.3 Application Form refers to a document to be filled out by the applicant applying for PhilGAP certification, which also specifies the list of documentary requirements.
- 6.4 Certification refers to the issuance of PhilGAP certificate with a formal procedure by which a competent authority evaluates and verifies applications in accordance with the established requirements or standards.
- 6.5 Certification Committee refers to a group chaired by the BPI Assistant Director tasked to evaluate and review applications to recommend qualified applicants to the BPI Director for approval.
- 6.6 Conflict of interest refers to as having an economic interest with the applicant under review for approval one year prior to, during or one year after work or employment was concluded.





- 6.7 Farm refers to an area that is devoted primarily to agricultural processes with the primary objectives of producing agricultural crops.
- 6.8 Food Safety refers to the assurance that food will not cause harm to the consumers when it is prepared or eaten according to its intended use.
- 6.9 Food Safety Act of 2013 also known as "Republic Act No. 10611" refers to an act that strengthens 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.
- 6.10 Good Agricultural Practices ( GAP ) refer to the practices that address environmental, economic and social sustainability for on-farm processes, and which result in safe and quality food and nonfood agricultural products.
- 6.11 Inspection refers to the examination of food, food production facilities or establishments, and the management and production systems of food businesses, including the examination of documents, finished product testing and registration, and of the origin and destination of production inputs and outputs to verify compliance with legal requirements or relevant standard by an agency mandated to perform food safety regulatory and/or enforcement functions.
- 6.12 Inspection Checklist refers to a document developed based on existing Philippine National Standards (PNS) that provide guidance to inspectors in verifying compliance based on the approved standards.
- 6.13 Inspection Plan refers to a document that provides the details of the inspection that include its activities, timelines and members of the inspection team.
- 6.14 Inspection Report refers to a record that summarizes the observations and findings during the conduct of inspection.
- 6.15 Inspection Team refers to a group of designated PhilGAP inspectors, which may also include the program secretariat, tasked to inspect and assess compliance of a farm with the established standards.
- 6.16 Monitoring refers to conducting a planned sequence of observations or measurements to assess whether control measures are operating as intended.





- 6.17 Monitoring Inspector refers to duly designated technical personnel from BPI tasked to monitor PhilGAP certified farms with regard to their compliance to established provisions.
- 6.18 PhilGAP Inspector refers to duly designated technical personnel from BPI, various regional field offices and other agencies tasked to conduct actual inspection relevant to initial or renewal inspection, and to prepare and submit inspection report.
- 6.19 Production Record refers to documentation of activities from primary production and postharvest handling up to distribution.
- 6.20 Program Secretariat refers to duly designated Plant Product Safety Services Division (PPSSD) personnel that are tasked, among others, to prepare and transmit official communication, to prepare inspection plan, coordinate with relevant agencies and facilitate submission of qualified applicants for certification.

#### **ARTICLE IV ADMINISTRATION**

##### **SECTION 7. PhilGAP Certification Committee ( PhilGAPCC)**

- 7.1 The BPI Assistant Director shall chair the PhilGAPCC composed of the chiefs of Plant Product Safety Services Division (PPSSD) as co-chair, National Plant Quarantine Services Division (NPQSD), and National Seed Quality Control Services Division (NSQCSD) and/or their designated representatives. There shall be designated permanent members wherein a Special Order is signed by the Secretary.
- 7.2 The PhilGAPCC is tasked to perform the following functions:
- 7.2.1 After initial evaluation of applicants by the PhilGAP Inspectors, the PhilGAPCC shall undertake final evaluation of and make appropriate recommendations to the BPI Director regarding applications;
  - 7.2.2 Endorse to the BPI Director the qualified applicants for certification;
  - 7.2.3 Act on filed complaints about abuses in the production and sale of products that do not adhere to PhilGAP provisions, including the use of PhilGAP certified mark; review the reports of investigations, and make the appropriate recommendations to the BPI Director whether or not to revoke, or cancel a previously issued PhilGAP certification;





- 7.2.4 Recommend to BPI Director the list of qualified PhilGAP inspectors as identified and endorsed by the directors of the various agencies or by the DA Regional Field Offices (RFOs), for approval to the Office of the Secretary;
- 7.2.5 Undertake annual review of the program, set priorities and endorse the proposed strategic plan to the BPI Director for approval; and
- 7.2.6 Undertake annual review of the guidelines, its inspection procedures and propose changes, when necessary.

#### SECTION 8. Pool of PhilGAP Inspectors.

- 8.1 The BPI shall maintain a pool of inspectors. The current pool of inspectors as provided by relevant Special Orders shall remain valid until amended or revoked.
- 8.2 The pool of PhilGAP Inspectors is tasked to perform the following functions:
  - 8.2.1 Set-out the inspection plan;
  - 8.2.2 Conduct actual inspection;
  - 8.2.3 Collect samples for laboratory analysis, as deemed necessary;
  - 8.2.4 Prepare inspection report;
  - 8.2.5 Coordinate with the applicant regarding compliance and non-compliance with items reflected in the inspection report;
  - 8.2.6 Conduct follow-up inspections, if necessary; and
  - 8.2.7 Submit the inspection report and checklist to the Certification Committee through the Program Secretariat.
- 8.3 Designated PhilGAP inspectors shall hold a degree in agriculture or other related science courses with training and experience in any of the following: basic food safety principles, crop management, integrated pest management, postharvest techniques and handling aspects, and environmental management.
- 8.4 The BPI may collaborate with the Bureau of Agriculture and Fisheries Standards (BAFS) in training the PhilGAP inspectors on the provisions of the Philippine National Standards (PNS).
- 8.5 The budget for the inspection and training activities shall be charged to the BPI GAP Program, subject to availability of funds and government accounting rules and regulations.

#### SECTION 9. Pool of PhilGAP Monitoring Inspectors.





- 9.1 The Plant Product Safety Services Division ( PPSSD ) shall head the pool of Monitoring Inspectors.
- 9.2 The pool of Monitoring Inspectors is tasked to perform the following functions:
  - 9.2.1 Monitor compliance of PhilGAP certified farms, and;
  - 9.2.2 Conduct investigations of filed complaints.
- 9.3 Designated Monitoring Inspectors shall hold a degree in agriculture or other related science courses with training and experience in any of the following: basic food safety principles, crop management, integrated pest management, postharvest techniques and handling aspects, and environmental management.
- 9.4 The BPI may collaborate with BAFS in training the pool of Monitoring Inspectors on the provisions of the PNS.
- 9.5 The budget for the monitoring and training activities shall be charged to the BPI GAP Program, subject to availability of funds and government accounting rules and regulations.

#### SECTION 10. PhilGAP Program Secretariat.

- 10.1 The Accreditation and Inspection Section (AIS) of the BPI-Plant Product Safety Services Division (PPSSD) shall head the PhilGAP Program Secretariat composed of designated BPI-PPSSD personnel.
- 10.2 The PhilGAP Program Secretariat is tasked to perform the following functions:
  - 10.2.1 Technical Support
    - 10.2.1.1 Assessment of submitted applications;
    - 10.2.1.2 Prepare inspection plan;
    - 10.2.1.3 Coordinate with the PhilGAP inspectors and relevant agencies or offices during the conduct of inspection;
    - 10.2.1.4 Receive and submit the results of inspections to the PPSSD Division Chief who shall review and submit the same to PhilGAPCC with recommendation for possible action;
    - 10.2.1.5 Safe keep all pertinent documents related to PhilGAP certification;
    - 10.2.1.6 Draft official communications and documentations; and
    - 10.2.1.7 Perform other duties that may be assigned from time to time in relation to PhilGAP activities





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10.2.2 Administrative Support

- 10.2.2.1 Responsible for scheduling of inspections;
- 10.2.2.2 Take charge of booking, transportations, and budget preparations;
- 10.2.2.3 Responsible of organize record keeping and other documentations;
- 10.2.2.3 Coordinate with the technical secretariat and management in relation to administrative matters;
- 10.2.2.4 Perform other duties that may be assigned from time to time in relation to PhilGAP activities

**SECTION 11. Regional Field Office – Regulatory Division ( RFO-RD )**

11.1 The RFO-RD is tasked to perform the following functions:

- 11.1.1 Promote and provide assistance to eligible farmers in applying for PhilGAP certification; and
- 11.1.2 Conduct farm pre-assessment and recommend applicants to Regional Director for endorsement to BPI.

**SECTION 12.** The BPI, if deem necessary, shall accredit Third Party to conduct PhilGAP inspection and certification. The necessary guidelines will be issued before the accreditation.

**ARTICLE V**  
**PROCEDURES FOR CERTIFICATION**

**SECTION 13. Filing of Application**

13.1 The following may apply for PhilGAP certification:

- a. Individual, including partnerships;
- b. Group (cooperatives, corporations, institutions organizations / associations)
- c. Agencies managing demonstration farms of government, academic and/or research institutions, including LGUs

13.2 Applicants shall submit the following documentary requirements:

13.2.1 Individual Farm Application

- a. Duly accomplished application form;
- b. Farm profile;
- c. Farm map or area map and GPS coordinates, if available;





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- d. Field operation procedures including the list of fertilizers, pesticides and other agro-chemical inputs used;
- e. Certificate of training of the farm owner or authorized representative on PhilGAP conducted by recognized institutions by any of the following: ATI, BPI, LGUs, RFOs, SUCs or by ATI-accredited extension service providers. For internally conducted trainings, a record of training should be provided;
- f. Production and harvesting records. Applicants applying for certification must have at least one production cycle of record or three (3) months of farm records.

#### 13.2.2 Group Farm Application

- a. Duly accomplished application form signed by the applicant or designated representative. A board resolution showing authority to the designated representative to sign the application form in behalf of the cooperative, corporation, institution or organization/association shall be attached to the application form;
- b. Farm and/or organizational profile, as applicable;
- c. Farm map or area map and GPS coordinates, if available;
- d. Field operation procedures including the list of fertilizers and agro-chemical inputs used;
- e. Certificate of GAP training of the farmers, conducted by any of the following: ATI, BPI, LGUs, RFOs, SUCs or by ATI-accredited extension service providers. For internally conducted trainings, a record of training should be provided;
- f. Production and harvesting records. Applicants applying for certification must have at least one production cycle of record or three (3) months of farm records.
- g. For corporation, Quality Management System (QMS) or Internal Control System, as applicable
- h. Certificate of Registration (i.e. SEC, DOLE, CDA) and other related permits (e.g. ECC), as applicable;
- i. Certificate for accreditation of farmers/growers, if applicable; and
- j. Procedure for outgrowership or contract farming scheme which will show that the company/PMOs/cooperative have 100% control of all registered or accredited growers, (e.g. internal policies on accreditation of farmer/grower, sanctions, etc.), if applicable.

- 13.3 Applicants shall submit their application to the Office of the DA Regional Executive Director (RED) of their respective regions, which shall be endorsed to the BPI Director through the Program Technical Secretariat for evaluation and appropriate action.





- 13.4 After evaluation, the Program Technical Secretariat shall notify the applicant and the PhilGAP inspectors of the inspection plan within ten (10) working days.

#### SECTION 14. Conduct of Inspection

- 14.1 Farms shall be evaluated using the checklist based on adopted relevant PNS that spells out the requirements for PhilGAP certification. The same checklist shall be used for farms producing agricultural crops intended for domestic and international markets.
- 14.2 Assessment of the farm must comply with the four (4) GAP modules
- 14.3 A team of multi-disciplinary inspectors, at most three (3) inspectors, shall conduct the inspection based on the guidelines and checklist developed. If applicable, samples for heavy metals, microbial and pesticide analysis shall be taken based on appropriate sampling techniques. The applicant shall provide samples for analysis. The payment of analysis cost is guided by Section 16 Payment of Fees of this Circular.
- 14.4 The PhilGAP inspectors shall submit the report to the GAP Certification Committee through the Program Technical Secretariat within five ( 5 ) working days after the conduct of all necessary inspections, including follow up inspection of non-compliant items.
- 14.5 The Program Technical Secretariat shall notify the applicant and GAP Certification Committee within five ( 5 ) working days upon receipt of the inspection report and results of laboratory analysis.

#### SECTION 15. Issuance of PhilGAP Certificate

- 15.1 The PhilGAPCC shall convene to act on PhilGAP applications and shall have five ( 5 ) working days to give recommendations to the BPI Director.
- 15.2 The BPI Director shall act on the recommendation of the PhilGAPCC within five (5) working days.
- 15.3 The Program Technical Secretariat, upon receipt of the decision of the BPI Director, shall have five (5) working days to notify the applicant regarding the status of the certification.
- 15.4 The BPI Director shall be the signing authority of all PhilGAP certificates.
- 15.5 The PhilGAP certificate to be issued shall bear the following information:





- a) PhilGAP CertificateNumber;
- b) Farm identification number;
- c) Name of the farm/applicant;
- d) Address of the farm;
- e) Name of farm / crop certified,
- f) Validity period
- g) Signing authority, and;
- h) Terms and conditions

15.6 For group certification, the issued PhilGAP certificate shall be accompanied by an Annex showing the list of farmer members, area of farm and name of produce.

15.7 The PhilGAP certification entitles the applicant to use the official mark.

15.8 The applicant shall put up signboards and/or billboards prominently displayed in the PhilGAP Certified Farm with the following specification and information:

Size: 1.2 m x 0.9 m  
Height from the ground: 2 m  
White background with black letterings

**PhilGAP Certified Farm**

Name of the Farm:  
Farm Identification No.:  
Name of the Applicant:  
Location of the Farm:  
Name of Crops Certified:  
Area Planted:  
Validity period:

**SECTION 16. Monitoring of PhilGAP Certified Farms**

16.1 Once a farm is granted with a PhilGAP certificate, it shall be subjected to monitoring for compliance at least once or as deemed necessary during the validity of the certificate.

16.2 The frequency of monitoring shall be based on the inspection and monitoring report.

**SECTION 17. Payment of Fees.** Application and cost of required analysis for PhilGAP certification shall be free of charge. In cases of non-compliance to





standards, subsequent cost of laboratory analyses shall be shouldered by the applicant.

#### SECTION 18. Validity and Renewal of PhilGAP Certificate

- 18.1 The validity period of the certificate is two years (2) from the date of issuance.
- 18.2 For renewal applications, the following additional documents shall be required:
  - a. Updated farm records in the last two (2) years of operation.
  - b. Updated list of fertilizers and pesticides used;
  - c. Updated farm map (showing new areas/expansion of areas), if applicable; and
  - d. Revised manual of operation, if applicable;
- 18.3 Application for renewal should be filed not later than three (3) months prior to the expiry date.
- 18.4 Renewal of certification requires the re-inspection of farm based on the PhilGAP guidelines. Inspection shall be conducted within three (3) months prior to the expiry date.
- 18.5 Inspection for the purpose of renewal of certification shall be conducted preferably during the harvesting season to cover as many points in the checklist as possible. In situations where there is no agricultural crop present at the time when the inspection is due, the BPI may opt to extend the validity of the certificate to 3 months, providing that the applicant has already filed for renewal.

#### **ARTICLE VI** **'PhilGAP Certified' MARK**

SECTION 19. The 'PhilGAP Certified' mark is an official logo with prescribed specifications that shall be used **EXCLUSIVELY** by a PhilGAP Certified Farm on the specified crop produce and/or in their packaging materials,

SECTION 20. PhilGAP certified farms can use the official mark on letterheads, brochures, and other advertisements and promotional materials.

SECTION 21. Unauthorized use of the 'PHILGAP Certified' mark shall be subjected to the relevant provisions of the Consumer Act of the Philippines (Republic Act 7394 of 1991) and Philippine Patent Laws.

#### **ARTICLE VII** **REVOCATION OF PhilGAP CERTIFICATE**





- SECTION 22. Non-compliance with the major provisions of the relevant Philippine National Standard (PNS) Code of Good Agricultural Practices (GAP) or failure to comply with any part of the guidelines as shown by the reports of audit, or reports of investigations of filed complaints (Section 7.2.3) shall result in the revocation of the PhilGAP Certificate, including the privilege of using the PhilGAP Certified mark.
- SECTION 23. The PhilGAP Certificate recipient with valid and justifiable reasons can submit an appeal for reconsideration.

#### **ARTICLE VIII CONFIDENTIALITY**

- SECTION 24. Information on production practices, customer list, complaint log and others, submitted by applicants for approval shall not be released to any party or to the public in general without written permission from the applicant.
- SECTION 25. However, the following general information may be released:
- a. Name, address and telephone number of the applicant;
  - b. Date of approval;
  - c. Any information to comply with a court order; and
  - d. Any information to comply with a request from the PhilGAPCC investigating an alleged complaint.

#### **ARTICLE IX CONFLICT OF INTEREST**

- SECTION 26. All personnel involved in PhilGAP certification with a conflict of interest must make the conflict known and not participate in discussions or decisions regarding the applicant under review.

#### **ARTICLE X APPEAL**

- SECTION 27. Any person whose existing GAP CERTIFICATE has been revoked or whose application for a GAP certificate has been denied, may appeal in writing within fifteen (15) days after receiving the written notification of the revocation or denial. The appeal shall state all the facts and reasons upon which the appellant bases his appeal which will be acted within sixty (60) days from receipt.

#### **ARTICLE XI FINAL PROVISIONS**





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SECTION 28: Separability

If any provision of this Circular is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

SECTION 29: Effectivity

These implementing rules and regulations shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

So ordered.

EMMANUEL F. PIÑOL

Secretary

*[Handwritten signature]* 1/18/18

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