Republic of the Philippines
OFFICE OF THE SECRETARY
Elliptical Road, Diliman
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DEPARTMENT CIRCULAR
No. 06
Series of 2023

SUBJECT : HARMONIZATION OF TERMS AND STREAMLINING OF REQUIREMENTS AND PROCEDURES FOR AUTHORIZATION AND RECOGNITION UNDER THE REGULATORY JURISDICTION OF THE DEPARTMENT OF AGRICULTURE

WHEREAS, Republic Act No. 11032 or the Ease of Doing Business and Efficient Government Service Delivery Act of 2018 directed all national government agencies to initiate review of existing policies and operations, and commence with the reengineering of systems and procedures towards adoption of simplified requirements and procedures that will reduce red tape and expedite transactions in government;

WHEREAS, the country is a signatory to international agreements on trade rules and international free trade agreements; and,

WHEREAS, harmonizing and streamlining regulatory policies and procedures are necessary towards improving efficiency in the delivery of government service to the public, strengthening the sanitary and/or phytosanitary regulatory framework in the country, and promoting adoption of international standards developed by international standard-setting organizations, among others;

NOW, THEREFORE, and in view of the mandate of the Department of Agriculture and its bureaus and attached agencies under existing laws, this Circular is issued to observe and ensure harmonized applications of the terminologies, and streamlined requirements and procedures relevant to granting authorization and recognition to stakeholders engaged in and/or intending to engage in regulated activities in the agriculture and fisheries sector across all DA regulatory agencies:

ARTICLE I
Acronyms

ASEAN – Association of Southeast Asian Nations
AHTN – ASEAN Harmonized Tariff Nomenclature
ARTA – Anti Red Tape Authority
BAFE – Bureau of Agricultural and Fisheries Engineering
BAI – Bureau of Animal Industry
BAFS – Bureau of Agriculture and Fisheries Standards
BFAR – Bureau of Fisheries and Aquatic Resources
BSWM – Bureau of Soils and Water Management

BOC – Bureau of Customs
BPI – Bureau of Plant Industry
CAC – Codex Alimentarius Commission
CDA – Cooperative Development Authority
DA – Department of Agriculture
DA RIMS – DA Regulatory Information Management System
DICT – Department of Information and Communications Technology
DOH – Department of Health
DTI – Department of Trade and Industry
FDA – Food and Drugs Administration
FPA – Fertilizer and Pesticide Authority
HS – Harmonized System
ICT – Information and Communications Technology
IPPC – International Plant Protection Convention
ISSP – Information Systems Strategic Plan
LTO – Land Transportation Office
MITHI – Medium-Term Information and Communications Technology
NDA – National Dairy Authority
NMIS – National Meat Inspection Service
NPPO – National Plant Protection Organization
NTA – National Tobacco Administration
PAB – Philippine Accreditation Bureau
PCA – Philippine Coconut Authority
PDF – Portable Document Format
PhilFIDA – Philippine Fiber Industry Development Authority
PRC – Professional Regulation Commission
PTR – Professional Tax Receipt
QR – Quick Response
RFO – Regional Field Office
RIMS – Regulatory Information Management System
SRA – Sugar Regulatory Administration
SEC – Securities and Exchange Commission
SPS – Sanitary and Phytosanitary
TIN – Tax Identification Number
WOAH – World Organization for Animal Health

ARTICLE II
General Provisions

Section 1. Objectives. This Circular intends to institutionalize harmonized definition and application of terminologies relevant to granting authorization and recognition to stakeholders engaged in and/or intending to engage in regulated activities in the agriculture and fisheries sector under the jurisdiction of the Department. Furthermore, this instrument aims to streamline the requirements and procedures for granting the same across all DA regulatory agencies.

Section 2. Scope and coverage. This issuance covers all products and commodities, persons, businesses, establishments, and trade and other activities in the Philippines under the regulatory jurisdiction of the Department of Agriculture. Likewise, the rules, regulations, processes, procedures, and systems of all DA regulatory agencies relevant to granting authorization and

recognition to stakeholders in businesses or those in regulated activities in the agriculture and fisheries sector are within the scope of this Circular. DA regulatory agencies include Bureau of Animal Industry, Bureau of Plant Industry, Bureau of Fisheries and Aquatic Resources, Bureau of Agricultural and Fisheries Engineering, National Meat Inspection Service, Philippine Coconut Authority, National Tobacco Authority, Sugar Regulatory Administration, Fertilizer and Pesticide Authority, Philippine Fiber Industry Development Authority, National Dairy Authority, Bureau of Soils and Water Management, and Bureau of Agriculture and Fisheries Standards (in the case of organic agriculture regulations).

Section 3. Transparency. All DA regulatory agencies shall promote transparency in the enforcement of their regulatory functions and shall make available actions on received applications in the agency website. In doing so, agencies shall comply with the requirements under Republic Act No. 10173 or also known as the Data Privacy Act of 2012.

ARTICLE III
Harmonization of Definitions and Applications

Section 4. Harmonized Definition of Terms. The definition of the terms: "*accreditation*", "*audit*", "*authorization*", "*certification*", "*clearance*", "*establishment*", "*inspection*", "*license*", "*official accreditation*", and "*registration*", as provided in the succeeding sections and summarized in Annex 1 shall be adopted across all DA regulatory agencies, unless otherwise defined in applicable laws:

> ***Section 4.a. Accreditation*** refers to the process wherein an independent or authoritative body grants formal recognition to an entity providing testing, calibration, inspection, and certification services after proving competence and impartiality to provide such services as evidenced by fulfilment of specified standards and requirements.
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> ***Section 4.b. Agriculture and Fishery Establishment (or Establishment)*** refers to a facility engaged in a business operation or any activity in the agriculture and fishery sector, including farms or production areas, but excluding administrative offices.
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> ***Section 4.c. Audit*** is a systematic, independent and documented process for obtaining accounts, official records and other evidence, and evaluating them to objectively determine the extent to which previously specified and well-defined criteria are fulfilled.
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> ***Section 4.d. Authorization*** refers to the permission embodied in a document granted by a DA regulatory agency to a person to operate an establishment or engage in a business operation or any activity in the agriculture and fishery sector in the Philippines after proving compliance with specific requirements set by the DA regulatory agency having jurisdiction. This shall, likewise, refer to the status attributed to a product which has undergone the evaluation and approval process as mandated under existing laws, rules and regulations. Authorization is the general classification for license, clearance and product registration (approval), and such may be in the form of a license certificate, clearance certificate, or any similar document.

Section 4.e. Certification refers to the process by which an official certifying body[1], accredited[2] or officially accredited[3] certifying body recognizes and provides written or equivalent assurance that a commodity or a product, or a process or system adopted or in place in agricultural and fishery establishments complies with subsisting sanitary and/or phytosanitary requirements, technical specifications, or conform to specific quality standards, as appropriate.

Section 4.f. Clearance refers to a permission embodied in a document, which is issued by the DA regulatory agency having jurisdiction to an authorized or recognized entity, for an activity or action to proceed after such has undergone necessary process and satisfied the requirements as prescribed under subsisting laws, rules and regulations.

Section 4.g. Inspection refers to the visual (organoleptic) examination of commodities/products, establishments including premises, or systems to verify or check compliance with sanitary and/or phytosanitary or requirements or technical specifications, or conformance to specific quality standards.

Section 4.h. License refers to the permission embodied in a document granted by a DA regulatory agency to a person with application to operate an establishment or engage in a business operation or any activity in the agriculture and fishery sector after proving technical capability to (1) comply with the sanitary and/or phytosanitary requirements set by the DA regulatory agency having jurisdiction, (2) conform to specific quality standards and technical regulations, or (3) comply with certain laws, rules, and regulations, including measures relating to conservation or sustainable use of exhaustible natural resources. In the case of animal facilities, the term license also refers to the certificate of registration as required under the Animal Welfare Act in consonance to relevant international standards and the Food Safety Act. Licensed Persons are authorized to proceed with business plans or designated activities subject to a license, clearance, or product registration as further enumerated in *Section 5.a.*

Section 4.i. Official accreditation refers to the process wherein the DA regulatory agency having jurisdiction formally recognizes the competence of a person or an entity providing services such as testing, calibration, technical assessment or evaluation, inspection, certification, and training services to perform such services on behalf of the DA regulatory agency.

Section 4.j. Person refers to any individual, business entity/enterprise, partnership, cooperative, corporation, association, institution, or other entity seeking authority or recognition to conduct a regulated activity whether for personal or business purposes.

Section 4.k. Product Registration refers to the authorization embodied in a document granted by a DA regulatory agency to a person for a product, after evaluation and approval process as required by existing laws, rules and regulations, prior to manufacture, importation, exportation, sale, offer for sale, distribution, transfer, and where applicable, direct use, testing, promotion advertisement, and for sponsorship. This term shall be differentiated from the term, "Registration", in *Section 4.m.* to denote product approval.

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[1] Official certifying bodies are the regulatory agencies.
[2] Accredited certifying bodies are entities recognized by the Philippine Accreditation Bureau (PAB).
[3] Officially accredited certifying bodies are entities recognized by the regulatory agencies having jurisdiction.

Section 4.l. Recognition refers to the formal acceptance or acknowledgement embodied in a document or any equivalent form granted by DA regulatory agency having jurisdiction that a product, system, or entity is determined to have the condition, quality, or competence based upon a specific set of criteria after undergoing a process of evaluation as prescribed in subsisting rules and regulations. Recognition is the general classification for official accreditation and certification.

Section 4.m. Registration refers to the process wherein a DA regulatory agency records the information on a product, a person, or establishment engaged in the production, manufacturing, trade, and distribution of agricultural and fishery commodities in an official system.

Section 4.n. Regulation refers to any policy instrument that gives effect to a government policy intervention and includes licensing, imposing information obligation, compliance to standards or payment of any form of fee, levy, charge or any other statutory and regulatory requirements necessary to carry out activity.

Section 5. Harmonized Application of Terms. The terms specified and defined in the preceding section and summarized in Annex 1 shall be applied or used by all DA regulatory agencies in the following manner, unless otherwise defined in applicable laws:

Section 5.a. Types of Authorization. There shall only be three types of authorization. These shall be *"license"*, *"clearance"*, and *"product registration"*. As such, the term *"permit"* for the purpose of granting authorization or recognition within the scope of this rules and regulations shall no longer be applied or used.

i. The term "*License*", as defined in *Section 4.h*, shall be used for the authorization of a person to engage in a business operation or any activity in the Philippines as producer, importer, exporter, trader or dealer, bulk handler or blender, formulator, manufacturer, final product maker, indentor, packer or repacker, retailer, wholesaler, distributor, transhipper, processor, fabricator, assembler, agricultural chemicals handler, and other business entities. It covers permission to operate agricultural and fishery establishments, such as nurseries; farms operating in a scale as defined by the regulatory agency; breeding farms; hatchery facilities; milking facilities; animal facilities; and facilities for treatment, slaughter, cutting, dressing, drying/redrying, refining, manufacturing, fabrication, processing, packaging, packing, transport, collection, assembling, storage, grading/baling, and distribution, laboratories, and other business facilities.

ii. The term *"Clearance"*, as defined in *Section 4.f*, shall be used for the authorization of or allowing an activity or action to proceed in the Philippines, such as but not limited to trade-related activities, i.e., importation, exportation and re-exportation, domestic movement, and transshipment; animal event; research/experimentation; purchase and redrying in the case of leaf tobacco; transport; construction of new fishing vessel; and collection of fish and fishery/aquatic products.

iii. The term *"Product Registration"*, as defined in *Section 4.k*, shall be applied for commodities or products, production inputs, veterinary drugs and biological products, agricultural chemicals, agricultural machineries and equipment, and such other products that are under the regulatory jurisdiction of the

Department and required to be registered in the Philippines pursuant to existing laws and executive orders. As it denotes product approval, Product Registration shall follow a rigorous evaluation and approval process by the DA regulatory agency having jurisdiction that establishes the product's safety, efficacy, and compliance with mandatory quality. Such subjects undergo the prescribed process prior to engagement in any activity involving their use or utilization. A Certificate of Product Registration shall be granted as attestation of product approval.

For greater clarity, regulatory agencies having jurisdiction shall publish a list of products that are required for Product Registration pursuant to existing legislations and executive orders.

Section 5.b. Types of Recognition. There shall be two types of recognition: *"official accreditation"*, and *"certification"*.

i. The term *"Official Accreditation"*, as defined in *Section 4.i*, shall be applied or used for recognition of persons or entities such as researchers; test engineers; technical evaluators; agriculturists; veterinarians; classifiers; and other related professionals; analytical or diagnostic laboratory; testing and evaluation facility; inspection and certification body; grading and classification system or facility; control, inspection, and certification system or facility; and other related entities by the DA regulatory agency having jurisdiction to carry out, if so required, services such as testing, calibration, technical assessment or evaluation, inspection, certification, and training services on its behalf.

   DA regulatory agencies shall primarily recognize certifications, attestations, and other types of assurances and guarantees issued or services provided by an entity duly accredited by the Philippine Accreditation Bureau (PAB). In cases wherein there is lack or inadequate PAB-accredited entities, the DA regulatory agency having jurisdiction may officially accredit entities whose assurances, guarantees, or services are critical to determining and ensuring regulatory compliance. Notwithstanding, officially accredited entities must endeavor to obtain PAB accreditation.

   For greater clarity, *official accreditation* shall not apply to the Bureau of Agriculture and Fisheries Standards with respect to granting accreditation to organic certifying bodies as provided for under the Organic Agriculture Act, as amended.

ii. The term *"Certification"*, as defined in *Section 4.e*, shall be applied or used for products and commodities under the certification responsibility of DA regulatory agencies or their recognized entities; sanitary or phytosanitary treatment; farms; and establishments, including equipment and machinery guaranteed to have complied with subsisting technical regulations, sanitary or phytosanitary requirements, or conform to specific quality standards.

Section 5.c. Registration. As defined in *Section 4.l*, all information on the subjects of authorization and recognition shall be recorded in an official registry or database for documentation, monitoring, and eventual evaluation for regulatory purposes.

Section 5.d. Compliance Verification and Monitoring. In verifying or monitoring compliance with authorization or recognition requirements or conditions, DA regulatory agencies may conduct audit and inspection.

i. The term *"Audit"*, as defined in *Section 4.c*, shall be used to verify and monitor compliance with requirements and conditions or conformance to specific standards and conditions for granting recognition, such as official accreditation and certification. Audit may include inspections.

ii. The term *"Inspection"*, as defined in *Section 4.g*, shall be applied to actual examination of commodities/products, establishments including premises, or systems to determine compliance with requirements or conformance to specific standards for granting authorization and recognition. Inspection usually relies on the professional judgement and experience of the inspector.

ARTICLE IV
National Registration of Farms, Farmers and Fisherfolks

Section 6. National Official Registry of Farms, Farmers, and Fisherfolks. A national official registry of farms, farmers, and fisherfolks shall be established, maintained, and updated annually by regulatory agencies having jurisdiction. This official registry shall facilitate efficient delivery of regulatory services; increased relevance of technical assistance and other support programs and services; and strengthen data-driven formulation and implementation of food safety measures, biosecurity protocols, and quality standards.

Section 7. Information Requirements for Registration. The following information on farms, farmers, and fisherfolks shall be recorded in the official registry as applicable:

i. Demographic profile, such as name, sex, age
ii. Farmer's or Fisherfolk's residential address and contact information
iii. Farm location (with geotagged photos), size, type (i.e., crop farm, fish farm, dairy farm, or livestock farm such as hog/cattle/poultry farm), fishing area, and specific commodity
iv. Classification, either subsistence or commercial, or in the case of fisheries, artisanal
v. Type of agri-machinery and proof of ownership
vi. Standing as regards conformance to standards of good practices
vii. Cooperative or organizational affiliation
viii. Unique registration code

Section 8. Focal Offices of DA to Facilitate Registration. Regional offices of DA attached (regulatory) agencies, Bureau of Fisheries and Aquatic Resources (BFAR), Bureau of Agricultural and Fisheries Engineering (BAFE), and Philippine Coconut Authority (PCA) shall maintain a registry of farms, farmers, fisherfolks, and owners of agricultural and fishery machineries and equipment, as appropriate, within respective regional jurisdiction. In the case of other bureaus, i.e., Bureau of Animal Industry (BAI) and Bureau of Plant Industry (BPI), such registry shall be maintained by the DA Regional Regulatory Division. The regional official registries shall be shared to the national agencies, which shall consolidate these into a national official registry. Registered farmers, fisherfolks, and owners of machineries and equipment shall be granted with a documentary proof of registration with a unique registration code.

Section 9. Coordination with Local Government Offices. DA regulatory agency regional offices or DA regional field offices shall establish a coordination mechanism with local government

offices, particularly provincial and municipal agriculture offices to efficiently establish and maintain the regional official registry as well as simplify the registration process. The mechanism may include joint facilitation of registration, verification and updating of information, and such other relevant activities.

Section 10. Online Publication of Official Registries. Basic information on the registered farms, farmers, and fisherfolks, such as name; farm location and type; fishing area; commodity; classification; and the unique registration code shall be published on respective websites of the regional or regional field offices and DA regulatory agencies.

Section 11. Determination of Licensing Requirement. A farm, farmer, or fisherfolk must be subject to licensing requirement if such operates as a business or commercial entity. This determination shall be made by regulatory agencies having jurisdiction.

ARTICLE V
Requirements and Prescribed Procedures for Granting of Licenses

Section 12. General Requirements. (a) Applicants for a license must submit the following documents in portable document format (PDF) to establish legitimacy as business entity:

i. Proof of Business Registration, i.e., Securities and Exchange Commission (SEC) Registration for corporations, Department of Trade and Industry (DTI) Registration for sole proprietorships or partnerships, or Cooperative Development Authority (CDA) Registration for cooperatives;
ii. Up-to-date Mayor's/Business Permit;
iii. Company Profile, including officers, office and establishment location map with geotagged photos; and,
iv. For international traders, proof of authorization or recognition by the Bureau of Customs.

(b) The duly accomplished application form must be accompanied by the above-cited documentary requirements. Applications filed with incomplete information and general documentary requirements shall not be accepted.

(c) If applicable and necessary as provided under existing laws, the letter or statement of intent shall be incorporated as part of the application form.

(d) Likewise, all applicants shall be required to indicate in the application form specific products or commodities which are the subjects involved in the application. International traders operating in the Philippines shall be required to provide a brief description of the subject products or commodities including the chapter classification in the tariff nomenclature or the first two digits of Harmonized System (HS) code.

Section 13. Specific Requirements. (a) Applicants must be required by regulatory agencies or offices having jurisdiction to submit documentary evidence in order to objectively demonstrate technical capability to, as appropriate:

i. operate an establishment; or,
ii. engage in business activities; and,
iii. comply with subsisting rules and regulations on food safety, animal health, plant health, environmental health, and/or animal welfare;

iv. conform to specific quality standards and technical regulations; and/or,
v. comply with certain laws, rules, and regulations, including measures relating to conservation or sustainable use of exhaustible natural resources.

(b) The duly accomplished application form must be accompanied by specific technical documentary requirements. Applications filed with incomplete technical information and documentary requirements shall not be accepted.

(c) Regulatory agencies or offices having jurisdiction may require applicants the submission of additional requirements; provided that, these are limited to what is necessary and appropriate to empirically assess the technical capability of the applicants.

Section 14. Close Coordination with Other Government Offices. Regulatory agencies or offices having jurisdiction shall exercise due diligence in the assessment and verification of submitted documents and supplied information. For this purpose, they shall establish connection and closely coordinate with local government, CDA, DTI, SEC, DOH-FDA, LTO and BOC offices having jurisdiction. They shall request to obtain from the said government offices and such other government entities and instrumentalities, as appropriate, information or a list of registered, authorized, or recognized businesses or establishments. Likewise, they shall seek to obtain updated information or list on a regular basis.

Section 15. Conduct of Audit/Inspection. Systems, such as food safety risk management system, among others, adopted by the applicant shall be audited, and offices, establishments, and products which are subjects of application shall be inspected in accordance with *Section 18 (d)*. Audit and inspections shall be conducted systematically, and their scope and coverage shall be limited to what is necessary for objective assessment. For this purpose, applicants shall ensure that auditors or inspectors are provided reasonable access to offices, establishments, and documents. Virtual or remote audit or inspection may be conducted if such activities cannot be carried out on site due to unforeseen circumstances, such as but not limited to force majeure and declared national emergencies, when mobility of personnel is restricted. Failure to conduct inspection within a specified period due to reasons attributable to the applicant shall cause termination of the application. Non-completion of inspection in accordance with the inspection plan within a prescribed period shall cause deferment of decision on the filed application.

Section 16. Confidentiality of Business Information. The confidentiality of information about products or processes arising from or supplied in connection with the submission of requirements and conduct of inspection is respected in accordance with existing laws and in such a manner that legitimate commercial interests are protected.

Section 17. Public Access to Information on Requirements. Information or the list of general and specific requirements shall be published on the website of regulatory agencies, including a note that applications filed with incomplete requirements shall not be accepted. Application forms shall also be made available for download from the website.

Section 18. General Procedure for Licensing. (a) The licensing procedure shall seek to realize the objectives of minimizing face-to-face interaction with applicants and paper-based transactions. The procedures shall be in anticipation of a national web-based software that will enable electronic or online licensing system for ease of doing business as mandated by law. Granting licenses to persons shall be in accordance with following general procedure:

i. Electronic filing of application, registration, review and verification
ii. Initial technical evaluation
iii. Audit/Inspection
iv. Final technical evaluation and determination of decision on the application

(b) *Step 1: Electronic filing of application, registration, review and verification*

i. All applications must be filed and received electronically. Accomplished application forms are not required to be notarized.

ii. The verifying officer shall then assess the completeness of the submitted documents; register the application in the official database; assign a unique registration code; and send an acknowledgement email indicating the date of filing, the unique registration code, and the name and position of the verifying officer. In cases wherein an application is filed with incomplete documentary requirements, the verifying officer shall notify the applicant of non-acceptance and the missing or lacking documentary requirements.

iii. Succeeding submission of documents or requirements relevant to the application shall also be through electronic means. For traceability purposes, the applicant shall indicate the unique registration code in all succeeding submissions.

iv. The applicant must pay the processing fee, if applicable, through partner financial institutions via online banking or at any branch upon receipt of the unique registration code. A copy of the proof of payment, which shall contain the unique registration code and the bank's receipt transaction number, shall be transmitted to the regulatory agency or office. The verifying officer shall then update the registered information on the application in the official database to include the bank's receipt transaction number.

v. Physical filing of application or submission of requirements may be resorted to in cases of electronic malfunction attributable to the regulatory agencies or offices or internet connectivity difficulties, or in cases when there are any issues related to the

accuracy and clarity of the submitted documents. Regulatory agencies or offices shall have a helpdesk hotline number for any assistance needed by the applicants related to the electronic filing of applications. The helpdesk hotline number shall be conspicuously displayed in offices and posted on website for public information.

vi. Within the same date of filing if it falls on a working day and hour, or otherwise, on the following working day and hour, the verification officer of the regulatory agency or office shall verify the submitted documents. Once verification is complete, the verification officer shall update the registered information, including the unique registration code, in the official database. Complete and verified applications shall be endorsed to proceed to initial technical evaluation.

(c) *Step 2: Initial Technical Evaluation*

i. The initial technical evaluation shall be conducted to determine, based on the submitted specific requirements, the technical capacity and capability of the applicant to operate an establishment or engage in business activities. The technical evaluator shall determine the applicant's capacity and capability to comply with subsisting rules and regulations on food safety, animal health, plant health, environmental health, and/or animal welfare, as appropriate; conform to specific quality standards and technical regulations; and /or comply with certain laws, rules and regulations.

ii. In the conduct of initial technical evaluation, the technical evaluator may require the applicant to submit of additional specific requirements in accordance with *Section 13 (c)*. The technical evaluator shall, without delay, notify the applicant of the additional information or document required to conduct an objective assessment. The request for additional technical information/documents shall be limited to two notifications only. The notification shall include the date on which the additional requirements will have to be complied with. Failure to submit the requirements within the specified due date will cause the application to be terminated. Reasonable requests for extension of time limit which are made prior to or on the due date shall be considered; hence in these cases, a new due date shall be set. The applicant may request up to two extensions. All these details shall be recorded by the technical evaluator in the official database as part of the applicant's records.

iii. Submission of additional documents or requirements relevant to the application shall also to be through electronic means. For traceability purposes, the applicant shall indicate the unique registration code in all succeeding submissions.

iv. The technical evaluator shall have a technical report, which shall be entered in the database as part of the applicant's record. Applications which passed the initial technical evaluation shall be endorsed for audit/inspection.

v. The electronic processing system shall have the facility to inform the applicant of the result of the initial technical evaluation and the status of application. In the absence of the electronic system, the notification to the applicant shall be done by email.

(d) *Step 3: Audit/Inspection*

i. Audit/Inspection shall be done strictly by technical officers who are trained and recognized to conduct audit or inspection in accordance with established standards and protocols. The audit/inspection team shall develop an audit/inspection plan based on the results of the initial technical evaluation. The details of the audit/inspection shall be communicated to the applicant prior to the schedule of audit/inspection. No audit/inspection of establishments, offices, facilities, or products shall proceed without a well-defined audit/inspection plan.

ii. As stipulated in *Sections 4.c., 4.g, 5.d.i.,* and *5.d.ii*, audit/inspections shall be limited to the purpose of verifying or checking compliance with sanitary and/or phytosanitary or requirements or technical regulations, or conformance to specific quality standards.

iii. No major deviation from the audit/inspection plan, such as any changes in the establishments (either by exclusion or addition) to be inspected, shall be allowed. Should any minor deviation arises, the applicant must be notified thereof.

iv. The audit/inspection team shall have a technical report, which shall be entered in the database as part of the applicant's record.

(e) *Step 4: Final Technical Evaluation and Determination of Decision on the Application*

i. The final technical evaluation shall be done by the recommending body/officer based on the outcomes of the initial technical evaluation and audit/inspection. The recommendation shall be recorded in the official database as part of the applicant's record.

ii. Depending on the merits and outcome of the final technical evaluation, the decision may be approval, disapproval, or deferment subject to corrective measures.

iii. In the case of approval, the applicant shall be notified of such decision and advised to pay the license fee, if applicable, through partner financial institutions via online banking or at any branch upon receipt of the notification. A copy of the proof of payment, which shall contain the unique registration code and the bank's receipt transaction number, shall be transmitted to the regulatory agency or office. The verifying officer shall then update the recorded information on the application in the official database to include the bank's receipt transaction number.

iv. The applicant shall be issued with a license with a unique license code, including QR code, if available, and all relevant establishments must be listed with unique codes under the applicant's license. The license shall be in electronic form or printed form, as appropriate, and shall include the following information:

1. Basic information on the licensed person
2. Authorized business operation or activity
3. Subject products or commodities and specific use or purpose
4. Licensed establishments with unique codes
5. License validity period

v. In the case of deferment, the applicant shall be notified of the reasons for deferment and granted a reasonable period to implement or introduce corrective measures within a specified period. For traceability purposes, the applicant shall indicate the unique registration code in the submission of the technical requirements.

vi. The applicant's record shall be updated by the recommending body/officer with a note on the submission or non-submission of the technical requirements and the corresponding assessment or recommendation.

vii. Failure of the applicant to submit the technical requirements as required within the specified period shall cause the application to be terminated. Reasonable requests for extension of time limit which are made prior to or on the due date shall be considered; hence in these cases, a new due date shall be set. The applicant may submit a written request for extension only once. All these details shall be recorded by the recommending body/officer in the official database as part of the applicant's records.

viii. In cases where the reason for deferment of decision requires re-audit/re-inspection, the applicant shall be required, if applicable, to pay the audit/inspection fee following the procedure provided in *Section 18 (b) iv*. The application will then resume at *Step 3*.

ix. In the case of disapproval, the applicant shall be notified of the reasons for disapproval.

x. All information relevant to the outcome of the application, including the unique license code and establishment with unique code in the case of approval, shall be recorded in the official database as part of the applicant's record.

Section 19. Licensing Procedure for international traders of Coconut, Tobacco Leaf, and Natural Fibers. (a) The licensing of persons whose businesses involve importation and exportation of coconut, tobacco leaf, and natural fibers shall be facilitated by the Philippine Coconut Authority (PCA), National Tobacco Administration (NTA), and Philippine Fiber Industry Development Authority (PhilFIDA), respectively. The licensing procedure shall be in accordance with *Section 18 (a)* to *(e)*. The licensed persons by the above-cited agencies shall be recognized by the Bureau of Plant Industry (BPI). There shall be no separate procedure of licensing or audit/inspection for purposes of registration at the BPI for the specified commodities.

(b) PCA, NTA, and PhilFIDA shall provide BPI with relevant records on the licensed persons for recording purposes in its official database. The BPI shall send an acknowledgement communication to the regulatory agency which provided such records.

(c) As the National Plant Protection Organization (NPPO), the BPI shall officially accredit the regulatory agencies specified in *paragraph (a)* of this *Section* to conduct assessment and inspection activities for phytosanitary purpose on its behalf. For this reason, the BPI shall conduct audit and provide regular training for the said regulatory agencies on the assessment and inspection protocols for phytosanitary purpose in accordance with the methodologies established by the International Plant Protection Convention (IPPC) and other relevant international standards. A pest monitoring and surveillance system shall be implemented by the BPI with the involvement of the said regulatory agencies.

Section 20. **Licensing Procedure for Animal Establishments Used in Food Production and for Special Use.** (a) Licensing of persons, including their establishments, whose businesses involve importation, exportation, rearing and handling of live animals shall be facilitated by the Bureau of Animal Industry (BAI). The licensing procedure shall be in accordance with *Section 18 (a)* to *(e)*.

(b) Licensing of persons, including their meat establishments such as slaughterhouses and dressing plants, whose businesses involve meat production shall be facilitated by the National Meat Inspection Service (NMIS) following the prescribed procedure in *Section 18 (a)* to *(e)*. There shall be no separate procedure of licensing, audit, or inspection for purposes of registration at BAI for the specified establishments, as mandated in Section 2 of the Animal Welfare Act of 1998. As such, NMIS shall have the regulatory jurisdiction over these establishments to ensure technical evaluation and inspection protocols for sanitary purposes in accordance with the methodologies established by the Codex Alimentarius Commission (CAC) and other recognized international standard-setting organizations. NMIS shall also ensure the implementation of good animal welfare, and conduct monitoring and surveillance of animal diseases. It shall report to BAI the occurrences of notifiable diseases. All complaints pertaining to these establishments shall be handled by NMIS.

(c) Licensing of persons, including their dairy farms and other establishments, whose businesses involve milk production and dealing shall be facilitated by the National Dairy Authority (NDA), pursuant to the Food Safety Act of 2013, following the procedure provided for in *Section 18 (a)* to *(e)* of this Circular. In the licensing of persons and their dairy farms, the requirements under the Animal Welfare Act of 1998, as amended by Republic Act No. 10631 in 2013, shall, likewise, be considered by NDA. As such, NDA shall be officially accredited by BAI to conduct inspection of dairy farms for compliance. BAI shall, likewise, provide training on protocols and methodologies, especially those developed by the World Organization for Animal Health (WOAH) and other recognized international standard-setting organizations, and officially accredit specific personnel

for the conduct of audit or inspection, and handling and resolution of complaints. Information on persons and their dairy farms licensed by NDA shall be forwarded to BAI for recording in its official database and issuance of a certificate of registration. There shall be no separate procedure of licensing, audit, or inspection for purposes of registration at BAI for the specified establishments. NDA shall conduct monitoring and surveillance of dairy animal diseases, vaccination programs, and other animal health protocols. Occurrences of notifiable diseases shall be reported to BAI.

Section 21. Publication of Licensed Persons. Regulatory agencies shall promptly publish and update the list of licensed persons and relevant information on the agency's centralized website. The publication shall contain the following information:

1. Basic information on the licensed person
2. Authorized business operation or activity
3. Subject products or commodities and specific use or purpose
4. Licensed establishments with unique codes

Section 22. License Validity. Licenses granted to persons shall be valid for a specific period determined by the regulatory agency having jurisdiction as appropriate, taking into consideration the risk profile or category of subjects of regulations, and as provided for under existing legislations.

Section 23. Renewal of License. (a) Applicants for renewal of a license must submit up-to-date general documentary requirements specified in *Section 12 (a) ii* to *vi* and specific documentary requirements defined in *Section 13 (a)* in PDF. For purposes of renewal, *Section 12 (b) to (d)* and *Section 13 (b)* to *(c)* shall also apply. The renewal of licenses shall follow the same procedure as detailed in *Section 18.*

(b) Licensed persons who have established their history of good compliance based on the monitoring of DA regulatory agency having jurisdiction shall undergo a simplified renewal process. When applying for renewal of a license, such applicants must submit up-to-date general documentary requirements specified in *Section 12 (a) ii* to *vi* in PDF. They must also include updates or changes, if there is any, on products or commodities which are the subjects involved in the application as provided in *Section 12 (d)*. Specific technical documents defined in *Section 13 (a)* shall no longer be required. The renewal of licenses in this case shall skip *Steps 2* and *3* of the prescribed procedure detailed in *Section 18.*

ARTICLE VI
Requirements and Prescribed General Procedures for Product Registration

Section 24. General Requirements. (a) Persons who are business entities must be licensed prior to filing an application for product registration. In the case of organic inputs, persons who are business entities must be registered with the Bureau of Agriculture and Fisheries Standards prior to filing an application for a product registration.

(b) Non-business entities, such as but not limited to public research institutions, state universities and colleges, non-profit organizations, and government instrumentalities, applying for product registration must submit appropriate documents in portable document format (PDF) to establish legitimacy. Regulatory agencies or offices having jurisdiction shall require submission of a proof of government registry, trust agreement, partnership agreement, articles of association, or a

similar record obtained from a public body that confirms the organization's existence as an organization.

(c) Licensed applicants shall be required to indicate in the application form the unique license code for verification purposes. In the case of organic inputs, registered applicants shall be required to indicate in the application form the unique registration code for verification purposes. For applications involving those referred to in the preceding paragraph, duly accomplished application form must be accompanied by the documentary requirements. Applications filed with incomplete information and general documentary requirements shall not be accepted.

(d) If applicable and necessary as provided under existing laws, the letter or statement of intent shall be incorporated as part of the application form.

(e) Likewise, all international traders shall be required to indicate specific tariff nomenclature codes, i.e., Harmonized System (HS) code or ASEAN Harmonized Tariff Nomenclature (AHTN) code, as well as provide a brief description of the subject products or commodities.

Section 25. Specific Requirements. (a) Applicants must be required by regulatory agencies or offices having jurisdiction to submit technical information and documentary evidence in order to objectively demonstrate the product's compliance with the safety and health protection requirements or conformance to specific quality standards as provided under existing laws and executive orders.

(b) The duly accomplished application form must also be accompanied by specific requirements. Applications filed with incomplete specific requirements shall not be accepted.

(c) Regulatory agencies or offices having jurisdiction may require applicants the submission of additional requirements; provided that, these are limited to what is necessary and appropriate to empirically assess the product being applied for registration.

Section 26. Close Coordination with Other Government Offices. Regulatory agencies or offices having jurisdiction shall exercise due diligence in the assessment and verification of submitted documents and supplied information. For this purpose, they shall establish connection and closely coordinate with other government agencies or offices having jurisdiction. They shall request to obtain relevant information, including list of licensed persons and scientific and technical information, that will help facilitate the conduct of assessment and approval process. Likewise, they shall seek to obtain updated information, as appropriate, on a regular basis.

Section 27. Conduct of Product Testing. Products which are subjects of application shall undergo appropriate testing and trials. Testing shall be conducted systematically, and their scope and coverage shall be limited to what is necessary for objective assessment. For this purpose, applicants shall ensure that inspectors are provided reasonable access to establishments for sampling or testing purposes.

Section 28. Confidentiality of Proprietary Information. The confidentiality of information about products or processes arising from or supplied in connection with the submission of requirements and conduct of product testing is respected in accordance with existing laws and in such a manner that legitimate commercial or proprietary interests are protected.

Section 29. Public Access to Information on Requirements. Information or the list of general and specific requirements shall be published on the website of regulatory agencies, including a note that applications filed with incomplete requirements shall not be accepted. Application forms shall also be made available for download from the website.

Section 30. General Procedure for Product Registration. (a) The product registration procedure shall seek to realize the objectives of minimizing face-to-face interaction with applicants and paper-based transactions. The procedures shall be in anticipation of a national web-based software that will enable electronic or online product registration system for ease of doing business as mandated by law. Granting of certificates of product registration shall be in accordance with the following general procedure:

i. Electronic filing of application, registration, review and verification
ii. Initial technical evaluation
iii. Relevant testing and trials
iv. Final technical evaluation and determination of decision on the application

(b) *Step 1: Electronic filing of application, registration, review and verification*

i. All applications must be filed and received electronically. Accomplished application forms are not required to be notarized.

ii. The verifying officer shall then assess the completeness of the submitted documents; register the application in the official database; assign a unique registration code; and send an acknowledgement email indicating the date of filing, the unique registration code, and the name and position of the verifying officer. In cases wherein an application is filed with incomplete documentary requirements, the verifying officer shall notify the applicant of non-acceptance of the application and the missing or lacking documentary requirements.

iii. Succeeding submission of documents or requirements relevant to the application shall also be through electronic means. For traceability purposes, the applicant shall indicate the unique registration code in all succeeding submissions.

iv. The applicant must pay the product registration fee, if applicable, through partner financial institutions via online banking or at any branch upon receipt of the unique registration code. A copy of the proof of payment, which shall contain the unique registration code and the bank's receipt transaction number, shall be transmitted to the regulatory agency or office. The verifying officer shall then update the registered information on the application in the official database to include the bank's receipt transaction number.

v. Physical filing of application or submission of requirements may be resorted to in cases of electronic malfunction attributable to the regulatory agencies or offices or internet connectivity difficulties, or in cases when there are any issues related to the accuracy and clarity of the submitted documents. Regulatory agencies or offices shall have a helpdesk hotline number for any assistance needed by the applicants related to the electronic filing of applications. The helpdesk hotline number shall be conspicuously displayed in offices and posted on website for public information.

vi. Within the same date of filing if it falls on a working day and hour, or otherwise, on the following working day and hour, the verification officer of the regulatory agency or office shall verify the submitted documents. Once verification is complete, the verification officer shall update the registered information, including the unique registration code, in the official database. Complete and verified applications shall be endorsed to proceed to initial technical evaluation.

(c) *Step 2: Initial Technical Evaluation*

i. The initial technical evaluation shall be conducted to determine, based on the submitted specific requirements, the product's safety in compliance with existing rules and regulations on safety and health protection or its quality in conformance to prescribed specific quality standards and technical regulations.

ii. In the conduct of initial technical evaluation, the technical evaluator may require the applicant to submit additional specific requirements in accordance with *Section 25 (c)*. The technical evaluator shall, without delay, notify the applicant of the additional information or document required to conduct an objective assessment. The request for additional technical information/documents shall be limited to two notifications only, unless the product which is the subject of application has specific safety concerns. The notification shall include the date on which the additional requirements will have to be complied with. Failure to submit the requirements within the specified due date will cause the application to be terminated. Reasonable requests for extension of time limit which are made prior to or on the due date shall be considered; hence in these cases, a new due date shall be set. The applicant may request up to two extensions. All these details shall be recorded by the technical evaluator in the official database as part of the applicant's records.

iii. Submission of additional documents or requirements relevant to the application shall also be through electronic means. For traceability purposes, the applicant shall indicate the unique registration code in all succeeding submissions.

iv. The technical evaluator shall have a technical report, which shall be entered in the database as part of the applicant's record. Applications which passed the initial technical evaluation shall be endorsed for product testing.

v. The electronic processing system shall have the facility to inform the applicant of the result of the initial technical evaluation and the status of application. In the absence of the electronic system, the notification to the applicant shall be done by email.

(d) *Step 3: Relevant Product Testing or Trials*

i. Product testing shall be done strictly by technical officers or evaluators who are recognized to conduct product testing in accordance with established standards and protocols. The product testing team shall develop an assessment plan or checklist based on the results of the initial technical evaluation. The details of the product testing or trials shall be communicated to the applicant prior to the conduct of the activity. No product testing shall proceed without a well-defined plan or checklist.

ii. Product testing shall be limited to the purpose of verifying or checking compliance with safety and health protection requirements or technical regulations, or conformance to specific quality standards.

iii. No major deviation from the product testing plan shall be allowed. Should any minor deviation arises, the applicant must be notified thereof.

iv. The product testing and the results thereof shall be documented and entered in the database as part of the applicant's record.

(e) *Step 4: Final technical evaluation and Determination of Decision on the Application*

i. The final technical evaluation shall be done by the recommending body/officer based on the outcomes of the initial technical evaluation and product testing. The recommendation shall be recorded in the official database as part of the applicant's record.

ii. Depending on the merits and outcome of the final technical evaluation, the decision may be approval, disapproval, or deferment subject to additional technical requirements.

iii. In the case of approval, the applicant shall be issued a certificate of product registration with a unique code. The certificate shall be in electronic form or printed form, as appropriate.

iv. In the case of deferment, the applicant shall be notified of the reasons for deferment and granted a reasonable period to submit additional technical requirements within a specified period. For traceability purposes, the applicant shall indicate the unique registration code in the submission of the technical requirements.

v. The applicant's record shall be updated by the recommending body/officer with a note on the submission or non-submission of the technical requirements and the corresponding assessment or recommendation.

vi. Failure of the applicant to submit the technical requirements as required within the specified period shall cause the application to be terminated. Reasonable requests for extension of time limit which are made prior to or on the due date shall be considered; hence in these cases, a new due date shall be set. The applicant may submit a written request for extension only once. All these details shall be recorded by the recommending body/officer in the official database as part of the applicant's records.

vii. In cases where the reason for deferment of decision requires additional product testing, the applicant shall be required, if applicable, to pay the product testing fee following the procedure provided in *Section 30 (b) iv*. The application will then resume at *Step 3*.

viii. In the case of disapproval, the applicant shall be notified of the reasons for disapproval.

ix. All information relevant to the outcome of the application, including the unique code of product registration in the case of approval, shall be recorded in the official database as part of the applicant's record.

Section 31. Product Registration Validity. Product registration shall be valid for specific period as provided under subsisting laws mandating such product registration.

Section 32. Renewal of Product Registration. (a) Renewal of product registration, if required under subsisting laws, rules and regulations, shall follow the prescribed general procedures as provided in *Section 30*. Applicants for renewal shall be required to submit general and specific requirements in accordance with *Section 24* and *Section 25*.

(b) Authorized products which have established a record of consistent conformance to standards based on the monitoring of DA regulatory agency having jurisdiction shall undergo a simplified renewal process. When applying for renewal of a product registration, applicants of such products must submit up-to-date general documentary requirements specified in *Section 24* in PDF. The renewal of product registration in this case shall skip *Steps 2* to *3* of the prescribed procedure detailed in *Section 30.*

ARTICLE VII
Requirements and Prescribed Procedures for Granting Clearances

Section 33. General Requirements. (a) Persons who are business entities must be licensed prior to filing an application for a clearance. In the case of organic inputs, business entities must be registered with the Bureau of Agriculture and Fisheries Standards prior to filing an application for a clearance.

(b) Non-business entities, such as, but not limited to, public research institutions, state universities and colleges, non-profit organizations, and government instrumentalities, applying for a clearance must submit appropriate documents in portable document format (PDF) to establish legitimacy. Regulatory agencies or offices having jurisdiction shall require submission of a proof of government registry, trust agreement, partnership agreement, articles of association, or a similar record obtained from a public body that confirms the organization's existence as an organization. Applications for a clearance for personal use or consumption shall be accompanied by a notarized affidavit/undertaking of such. Volumes, quantities, and frequency relative to personal consumption shall be determined by the regulatory agency having jurisdiction.

(c) Licensed applicants shall be required to indicate in the application form the unique license code for verification purposes. For applications involving those referred to in the preceding paragraph, the duly accomplished application form must be accompanied by documentary requirements. Applications filed with incomplete information and general documentary requirements shall not be accepted.

(d) If applicable and necessary as provided under existing laws, the letter or statement of intent shall be incorporated as part of the application form.

(e) Likewise, all applicants shall be required to indicate in the application form specific products, commodities, or activities which are the subjects involved in the application. International traders shall be required to indicate specific tariff nomenclature codes, i.e., Harmonized System (HS) code or ASEAN Harmonized Tariff Nomenclature (AHTN) code, provide a brief description of the subject products or commodities, indicate specific use or purpose, and provide information on the final destination of the products or commodities.

Section 34. Specific Requirements. (a) Applicants must be required by regulatory agencies or offices having jurisdiction to submit technical information and documentary evidence in order to objectively demonstrate that the proposed activity or action is in compliance with the safety and health protection requirements, conformance to specific quality standards as provided under existing laws, rules and regulations, or compliance with certain laws, rules and regulations, including measures relating to conservation or sustainable use of exhaustible natural resources, as appropriate.

(b) The duly accomplished application form must be accompanied by specific documentary requirements. Applications filed with incomplete technical information and specific documentary requirements shall not be accepted.

(c) Regulatory agencies or offices having jurisdiction may require applicants the submission of additional requirements; provided that, these are limited to what is necessary and appropriate to empirically assess the proposed activity or action.

Section 35. Close Coordination with Other Government Offices. Regulatory agencies or offices having jurisdiction shall exercise due diligence in the assessment and verification of submitted documents and supplied information. For this purpose, they shall establish connection and closely coordinate with other government agencies or offices having jurisdiction. They shall request to obtain relevant information, including list of licensed persons, scientific and technical information, list of registered products, and list of commodities with certifications, that will help facilitate the conduct of assessment and approval process. Likewise, they shall seek to obtain updated information, as appropriate, on a regular basis.

Section 36. Conduct of Inspection. If necessary, products, location, venue, establishments, and such other subjects of application shall be inspected. Inspections shall be conducted systematically, and their scope and coverage shall be limited to what is necessary for objective assessment. For this purpose, applicants shall ensure that inspectors are provided reasonable access to offices, establishments, and documents. Virtual or remote inspection may be conducted if physical inspection cannot be carried out due to unforeseen circumstances, such as but not limited to force majeure and declared national emergencies, when mobility of personnel is restricted. Failure to conduct inspection within a specified period due to reasons attributable to the applicant shall cause termination of the application. Non-completion of inspection in accordance with the inspection plan within a prescribed period shall cause deferment of decision on the filed application.

Section 37. Confidentiality of Business or Proprietary Information. The confidentiality of information about products or processes arising from or supplied in connection with the submission of requirements and conduct of inspection is respected in accordance with existing laws and in such a manner that legitimate commercial or proprietary interests are protected.

Section 38. Public Access to Information on Requirements. Information or the list of general and specific requirements shall be published on the website of regulatory agencies, including a note that applications filed with incomplete requirements shall not be accepted. Application forms shall also be made available for download from the website.

Section 39. General Procedure for Granting Clearances. (a) The clearance procedure shall seek to realize the objectives of minimizing face-to-face interaction with applicants and paper-based transactions. The procedures shall be in anticipation of a national web-based software that will enable electronic or online clearance system for ease of doing business as mandated by law. Granting of clearances shall be in accordance with the following general procedure:

i. Electronic filing of application, registration, review and verification
ii. Initial technical evaluation
iii. Inspection (if necessary)
iv. Final technical evaluation and determination of decision on the application

(b) *Step 1: Electronic filing of application, registration, review and verification*

i. All applications must be filed and received electronically. Applications for Sanitary and Phytosanitary Clearance for importation purposes shall continue to be processed through the DA Trade System / DA Import-Export System. Accomplished application forms are not required to be notarized.

ii. The verifying officer shall then assess the completeness of the submitted documents; register the application in the official database; assign a unique registration code; and

send an acknowledgement email indicating the date of filing, the unique registration code, and the name and position of the verifying officer. In cases wherein an application is filed with incomplete documentary requirements, the verifying officer shall notify the applicant of non-acceptance and the missing or lacking documentary requirements.

iii. Succeeding submission of documents or requirements relevant to the application shall also be through electronic means. For traceability purposes, the applicant shall indicate the unique registration code in all succeeding submissions.

iv. The applicant must pay the clearance fee, if applicable, through partner financial institutions via online banking or at any branch upon receipt of the unique registration code. A copy of the proof of payment, which shall contain the unique registration code and the bank's receipt transaction number, shall be transmitted to the regulatory agency or office through the same email address within three hours following the payment. The verifying officer shall then update the registered information on the application in the official database to include the bank's receipt transaction number.

v. Physical filing of application or submission of requirements may be resorted to in cases of electronic malfunction attributable to the regulatory agencies or offices or internet connectivity difficulties, or in cases when there are any issues related to the accuracy and clarity of the submitted documents. Regulatory agencies or offices shall have a helpdesk hotline number for any assistance needed by the applicants related to the electronic filing of applications. The helpdesk hotline number shall be conspicuously displayed in offices and posted on website for public information.

vi. Within the same date of filing if it falls on a working day and hour, or otherwise, on the following working day and hour, the verification officer of the regulatory agency or office shall verify the submitted documents. Once verification is complete, the verification officer shall update the registered information, including the unique registration code, in the official database. Complete and verified applications shall be endorsed to proceed to initial technical evaluation.

(c) *Step 2: Initial Technical Evaluation*

i. The initial technical evaluation shall be conducted to determine, based on the submitted specific requirements, the safety, feasibility, or technical soundness, as appropriate, of the proposed activity or action. The technical evaluator shall determine the proposed activity's or action's compliance with subsisting rules and regulations on food safety, animal health, plant health, environmental health, and/or animal welfare, as appropriate; conformance to specific quality standards and technical regulations; and/or compliance with certain laws, rules and regulations including measures relating to conservation or sustainable use of exhaustible natural resources.

ii. In the conduct of initial technical evaluation, the technical evaluator may require the applicant to submit additional specific requirements in accordance with *Section 34 (c)*. The technical evaluator shall, without delay, notify the applicant of the additional information or document required to conduct an objective assessment. The request for additional technical information/documents shall be limited to two notifications only. The notification shall include the date on which the additional requirements will have to be complied with. Failure to submit the requirements within the specified due date will cause the application to be terminated. Reasonable requests for

extension of time limit which are made prior to or on the due date shall be considered; hence in these cases, a new due date shall be set. The applicant may request extension only once. All these details shall be recorded by the technical evaluator in the official database as part of the applicant's records.

iii. Submission of additional documents or requirements relevant to the application shall also be through electronic means. For traceability purposes, the applicant shall indicate the unique registration code in all succeeding submissions.

iv. The technical evaluator shall have a technical report, which shall be entered in the database as part of the applicant's record. If inspection is necessary, the technical evaluator shall make such endorsement following the initial technical evaluation.

v. The electronic processing system shall have the facility to inform the applicant of the result of the initial technical evaluation and the status of application. In the absence of the electronic system, the notification to the applicant shall be done by email.

(d) *Step 3: Inspection (if deemed necessary by the regulatory agency having jurisdiction)*

i. Inspection shall be done strictly by technical officers who are trained and recognized to conduct inspections in accordance with established standards and protocols. The inspection team shall develop an inspection plan based on the results of the initial technical evaluation. The details of the inspection shall be communicated to the applicant prior to the schedule of inspection. No inspection shall proceed without a well-defined plan.

ii. As stipulated in *Sections 4.g* and *5.d (ii)*, inspections shall be limited to the purpose of verifying or checking compliance with safety and health protection requirements or technical regulations, or conformance to specific quality standards.

iii. No major deviation from the inspection plan shall be allowed. Should any minor deviation arises, the applicant must be notified thereof.

iv. The inspection team shall have a technical report, which shall be entered in the database as part of the applicant's record.

(e) *Step 4: Final technical evaluation and Determination of Decision on the Application*

i. The final technical evaluation shall be done by the recommending body/officer based on the outcomes of the initial technical evaluation and inspection. The recommendation shall be recorded in the official database as part of the applicant's record.

ii. Depending on the merits and outcome of the final technical evaluation, the decision may be approval, disapproval, deferment subject to additional technical requirements.

iii. In the case of approval, the applicant shall be issued with a clearance with a corresponding unique code as well as information on the permitted activity, subject of clearance (including HS or AHTN code, as appropriate), and purpose or use and final destination of the product or commodity, as appropriate. The clearance shall be in electronic form or printed form, as appropriate.

iv. In the case of deferment, the applicant shall be notified of the reasons for deferment and granted a reasonable period to conduct or submit additional technical requirements within a specified period. For traceability purposes, the applicant shall indicate the unique registration code in the submission of the technical requirements.

v. The applicant's record shall be updated by the recommending body/officer with a note on the submission or non-submission of the technical requirements and the corresponding assessment or recommendation.

vi. Failure of the applicant to submit the technical requirements as required within the specified period shall cause the application to be terminated. Reasonable requests for extension of time limit which are made prior to or on the due date shall be considered; hence in these cases, a new due date shall be set. The applicant may submit a written request for extension only once. All these details shall be recorded by the recommending body/officer in the official database as part of the applicant's records.

vii. In cases where the reason for deferment of decision requires re-inspection, the applicant shall be required, if applicable, to pay the inspection fee following the procedure provided in *Section 39 (b) iv*. The application will then resume at *Step 3*.

viii. In the case of disapproval, the applicant shall be notified of the reasons for disapproval.

ix. All information relevant to the outcome of the application, including the unique code of clearance in the case of approval, shall be recorded in the official database as part of the applicant's record.

Section 40. Clearance Validity. (a) Clearances granted to persons shall be valid for a specific period determined by the regulatory agency having jurisdiction as appropriate, taking into consideration the risk profile or category of subjects of regulations, and as provided for under existing legislations.

(b) Clearance shall be non-renewable and shall not be used beyond validity period. Every single application shall be considered new.

ARTICLE VIII
Requirements and Prescribed Procedures for Granting Official Accreditation

Section 41. General Requirements. (a) Entities applying for an official accreditation must submit the following documents in portable document format (PDF) to establish legitimacy as business entity:

i. Proof of Business Registration, i.e., Securities and Exchange Commission (SEC) Registration for corporations, Department of Trade and Industry Registration for sole proprietorships or partnerships, or Cooperative Development Authority (CDA) Registration for cooperatives;
ii. Up-to-date Mayor's/Business Permit;
iii. Audited Financial Statement; such document shall be the same as the one submitted to the Bureau of Internal Revenue and, in case of corporations, to SEC (period coverage shall be determined by the regulatory agency having jurisdiction);
iv. For start-up businesses, in lieu of Audited Financial Statement, a fairly conservative feasibility study with at least five years of financial projection and sensitivity analysis; and,

v. Company profile, including officers, office and establishment location map with geotagged photos.

(b) Individual persons applying for an official accreditation must submit the following requirements in portable document format (PDF):

i. Curriculum Vitae, Resume, or Personal Data Sheet;
ii. Valid Professional Regulation Commission (PRC) ID; and,
iii. Tax Identification Number (TIN) ID and, if applicable, Professional Tax Receipt (PTR).

(c) Non-business entities, such as, but not limited to, public research institutions, state universities and colleges, non-profit organizations, and government instrumentalities, applying for an official accreditation must submit appropriate documents in portable document format (PDF) to establish legitimacy. Regulatory agencies or offices having jurisdiction shall require submission of a proof of government registry, trust agreement, partnership agreement, articles of association, or a similar record obtained from a public body that confirms the organization's existence as an organization.

(d) The duly accomplished application form must be accompanied by the above-listed documentary requirements. Applications filed with incomplete information and general documentary requirements shall not be accepted.

(e) If applicable and necessary as provided under existing laws, the letter or statement of intent shall be incorporated as part of the application form.

Section 42. Specific Requirements. (a) Applicants must be required by regulatory agencies or offices having jurisdiction to submit documentary evidence in order to objectively demonstrate technical competence to provide services such as testing, calibration, technical assessment or evaluation, inspection, certification, and training services to perform such services on behalf of the DA regulatory agency.

(b) The duly accomplished application form must be accompanied by specific requirements. Applications filed with incomplete specific requirements shall not be accepted.

(c) Regulatory agencies or offices having jurisdiction may require applicants the submission of additional requirements; provided that, these are limited to what is necessary and appropriate to empirically assess the technical competence of the applicants.

Section 43. Close Coordination with Other Government Offices. Regulatory agencies or offices having jurisdiction shall exercise due diligence in the assessment and verification of submitted documents and supplied information. For this purpose, they shall establish connection and closely coordinate with local government, CDA, DTI, SEC, DOH-FDA, DTI-PAB and other government agencies or offices having jurisdiction. They shall request to obtain from the said government offices and such other government entities and instrumentalities, as appropriate, information or a list of registered, authorized, or recognized businesses or establishments. Likewise, they shall seek to obtain updated information or list on a regular basis.

Section 44. Conduct of Audit. Offices, establishments, and processes or systems which are subjects of application shall be audited. Audit shall be conducted systematically, and their scope and coverage shall be limited to what is necessary for objective assessment. For this purpose, applicants shall ensure that auditors are provided reasonable access to offices, establishments, and documents. Virtual or remote audit may be conducted if physical inspection cannot be carried out due to unforeseen circumstances, such as but not limited to force majeure and declared

national emergencies, when mobility of personnel is restricted. Failure to conduct audit within a specified period due to reasons attributable to the applicant shall cause termination of the application. Non-completion of audit in accordance with the audit plan within a prescribed period shall cause deferment of decision on the filed application.

Section 45. Confidentiality of Business or Proprietary Information. The confidentiality of information about processes or systems arising from or supplied in connection with the submission of requirements and conduct of audit is respected in accordance with existing laws and in such a manner that legitimate commercial or proprietary interests are protected.

Section 46. Public Access to Information on Requirements. Information or the list of general and specific requirements shall be published on the website of regulatory agencies, including a note that applications filed with incomplete requirements shall not be accepted. Such public information shall also include a note that any changes to the subject of filed application, such as inclusion of additional or deletion of services, can be made by the applicant only within the period of *Steps 1 to 2* of the procedure outlined in *Section 47.* Application forms shall also be made available for download from the website.

Section 47. General Procedure for Official Accreditation. (a) The official accreditation procedure shall seek to realize the objectives of minimizing face-to-face interaction with applicants and paper-based transactions. The procedures shall be in anticipation of a national web-based software that will enable electronic or online official accreditation system for ease of doing business as mandated by law. Granting of official accreditation shall be in accordance with following general procedure:

i. Electronic filing of application, registration, review and verification
ii. Initial technical evaluation
iii. Audit
iv. Final technical evaluation and determination of decision on the application

(b) *Step 1: Electronic filing of application, registration, review and verification*

i. All applications must be filed and received electronically. Accomplished application forms are not required to be notarized.

ii. The verifying officer shall then assess the completeness of the submitted documents; register the application in the official database; assign a unique registration code; and send an acknowledgement email indicating the date of filing, the unique registration code, and the name and position of the verifying officer. In cases wherein an application is filed with incomplete documentary requirements, the verifying officer shall notify the applicant of non-acceptance and the missing or lacking documentary requirements.

iii. Succeeding submission of documents or requirements relevant to the application shall also be through electronic means. For traceability purposes, the applicant shall indicate the unique registration code in all succeeding submissions.

iv. The applicant must pay the processing fee, if applicable, through partner financial institutions via online banking or at any branch upon receipt of the unique registration code. A copy of the proof of payment, which shall contain the unique registration code and the bank's receipt transaction number, shall be transmitted to the regulatory agency or office through the same email address. The verifying officer shall then update the registered information on the application in the official database to include the bank's receipt transaction number.

v. Physical filing of application or submission of requirements may be resorted to in cases of electronic malfunction attributable to the regulatory agencies or offices or internet connectivity difficulties, or in cases when there are any issues related to the accuracy and clarity of the submitted documents. Regulatory agencies or offices shall have a helpdesk hotline number for any assistance needed by the applicants related to the electronic filing of applications. The helpdesk hotline number shall be conspicuously displayed in offices and posted on website for public information.

vi. Within the same date of filing if it falls on a working day and hour, or otherwise, on the following working day and hour, the verification officer of the regulatory agency or office shall verify the submitted documents. Once verification is complete, the verification officer shall update the recorded information, including the unique registration code, in the official database. Complete and verified applications shall be endorsed to proceed to initial technical evaluation.

(c) *Step 2: Initial Technical Evaluation*

i. The initial technical evaluation shall be conducted to determine, based on the submitted specific requirements, the technical competence of the applicant to provide regulatory and training services on behalf of the regulatory agency or office. The technical evaluator shall determine the applicant's competence to conform to specific quality standards and technical requirements.

ii. In the conduct of initial technical evaluation, the technical evaluator may require the applicant to submit additional specific requirements in accordance with *Section 42 (c)*. The technical evaluator shall, without delay, notify the applicant of the additional information or document required to conduct an objective assessment. The request for additional technical information/documents shall be limited to two notifications only. The notification shall include the date on which the additional requirements will have to be complied with. Failure to submit the requirements within the specified due date will cause the application to be terminated. Reasonable requests for extension of time limit which are made prior to or on the due date shall be considered; hence in these cases, a new due date shall be set. The applicant may request up to two extensions. All these details shall be recorded by the technical evaluator in the official database as part of the applicant's records.

iii. Submission of additional documents or requirements relevant to the application shall also be through electronic means. For traceability purposes, the applicant shall indicate the unique registration code in all succeeding submissions.

iv. Applicants can make changes to the subject of application, such as additional or deletion of services; provided that, these are made within the period of *Steps 1* to *2*. For traceability purposes, submission of appropriate documents or requirements relevant to the proposed changes shall indicate the unique registration code. The applicant's record in the official database shall be updated accordingly.

v. The technical evaluator shall have a technical report, which shall be entered in the database as part of the applicant's record. Applications which passed the initial technical evaluation shall be endorsed for audit.

vi. The electronic processing system shall have the facility to inform the applicant of the result of the initial technical evaluation and the status of application. In the absence of the electronic system, the notification to the applicant shall be done by email.

(d) *Step 3: Audit*

i. Audit shall be done strictly by technical officers who are officially accredited or authorized to conduct audit in accordance with established standards and protocols. The audit team shall develop an audit plan based on the results of the initial technical evaluation. The details of the audit shall be communicated to the applicant prior to the schedule of audit. No audit shall proceed without a well-defined audit plan.

ii. As stipulated in *Sections 4.c* and *5.d (i)*, audit shall be limited to the purpose of verifying or checking compliance with technical regulations and conformance to specific quality standards.

iii. No major deviation from the audit plan, such as any changes in the establishments (either by exclusion or addition) to be audited, shall be allowed. Should any minor deviation arises, the applicant must be notified thereof.

iv. The audit team shall have a technical report, which shall be entered in the database as part of the applicant's record.

(e) *Step 4: Final technical evaluation and Determination of Decision on the Application*

i. The final technical evaluation shall be done by the recommending body/officer based on the outcomes of the initial technical evaluation and audit. The recommendation shall be recorded in the official database as part of the applicant's record.

ii. Depending on the merits and outcome of the final technical evaluation, the decision may be approval, disapproval, or deferment subject to corrective measures.

iii. In the case of approval, the applicant shall be notified of such decision and advised to pay the official accreditation fee, if applicable, through partner financial institutions via online banking or at any branch upon receipt of the notification. A copy of the proof of payment, which shall contain the unique registration code and the bank's receipt transaction number, shall be transmitted to the regulatory agency or office. The verifying officer shall then update the recorded information on the application in the official database to include the bank's receipt transaction number.

iv. The applicant shall be issued with a certificate of official accreditation with a corresponding unique code, including QR code, if available. The official accreditation certificate shall be in electronic or printed form, as appropriate, and shall include the following information:

    1. Basic information;
    2. Recognized service; and,
    3. Validity period.

v. In the case of deferment, the applicant shall be notified of the reasons for deferment and granted a reasonable period to implement or introduce corrective measures. The applicant must be required to submit electronically a compliance report within a specified period. For traceability purposes, the applicant shall indicate the unique registration code in the submission of the report.

vi. The applicant's record shall be updated by the recommending body/officer with a note on the submission or non-submission of the report and the corresponding assessment or recommendation.

vii. Failure of the applicant to submit the report as required within the specified period shall cause the application to be terminated. Reasonable requests for extension of time limit which are made prior to or on the due date shall be considered; hence in these cases, a new due date shall be set. The applicant may submit a written request for extension only once. All these details shall be recorded by the recommending body/officer in the official database as part of the applicant's records.

viii. In cases where the reason for deferment of decision requires re-audit, the applicant shall be required, if applicable, to pay the audit fee following the procedure provided in *Section 47 (b) iv*. The application will then resume at *Step 3*.

ix. In the case of disapproval, the applicant shall be notified of the reasons for disapproval.

x. All information relevant to the outcome of the application, including the unique official accreditation code in the case of approval, shall be recorded in the official database as part of the applicant's record.

Section 48. Publication of Officially Accredited Persons or Entities. Regulatory agencies shall promptly publish and update the list of officially accredited persons or entities and relevant information on the agency's centralized website. The publication shall contain basic information and recognized services.

Section 49. Period of Validity and Scope of Official Accreditation. (a) Official accreditation granted to entities shall be valid for three years. Official accreditation granted to individual persons shall have a validity period to be determined by the regulatory agency having jurisdiction. Conduct of services shall be limited to those covered by the official accreditation.

(b) Officially accredited persons or entities may apply for recognition of additional services. Such application must be accompanied by specific requirements as provided for in *Section 42* and processed in accordance with the procedure stipulated in *Section 47.*

Section 50. Renewal of Official Accreditation. (a) The renewal of official accreditation shall be in accordance with *Sections 41* and *42* and shall follow the procedure stipulated in *Section 47.*

(b) Officially accredited persons or entities who have established their history of consistent conformance to standards based on the monitoring of DA regulatory agency having jurisdiction shall undergo a simplified renewal process. When applying for renewal of an official accreditation, such applicants must submit up-to-date general documentary requirements specified in *Section 41* in PDF. Specific technical documents defined in *Section 42* shall no longer be required. The renewal of official accreditation in this case shall skip *Steps 2* to *3* of the prescribed procedure detailed in *Section 47,* whenever appropriate.

ARTICLE IX
Requirements and Prescribed Procedures for Certification

Section 51. General Requirements. (a) Persons who are business entities must be licensed prior to filing an application for certification. In the case of application for organic certification, persons who are business entities must comply with the requirements and procedures of the Bureau of Agriculture and Fisheries Standards.

(b) Non-business entities, such as, but not limited to, public research institutions, state universities and colleges, non-profit organizations, and government instrumentalities, applying

for a certification must submit appropriate documents in portable document format (PDF) to establish legitimacy. Regulatory agencies or offices having jurisdiction shall require submission of a proof of government registry, trust agreement, partnership agreement, articles of association, or a similar record obtained from a public body that confirms the organization's existence as an organization. Applications for a certification of commodities for personal use or consumption shall be accompanied by a notarized affidavit/undertaking of such. Volumes, quantities, and frequency relative to personal consumption shall be determined by the regulatory agency having jurisdiction.

(c) Licensed applicants shall be required to indicate in the application form the unique license code for verification purposes. For applications involving those referred to in the preceding paragraph, the duly accomplished application form must be accompanied by the documentary requirements. Applications filed with incomplete information and general documentary requirements shall not be accepted.

(d) If applicable and necessary as provided under existing laws, the letter or statement of intent shall be incorporated as part of the application form.

(e) Likewise, all international traders shall be required to indicate specific tariff nomenclature codes, i.e., Harmonized System (HS) code or ASEAN Harmonized Tariff Nomenclature (AHTN) code, as well as provide a brief description of the subject products or commodities.

Section 52. Specific Requirements. (a) Applicants must be required by regulatory agencies or offices having jurisdiction to submit technical information and documentary evidence in order to objectively demonstrate, as appropriate, compliance with the safety and health protection requirements and technical regulations; conformance to specific quality standards; and/or compliance with certain laws, rules and regulations, including measures relating to conservation or sustainable use of exhaustible natural resources.

(b) The duly accomplished application form must be accompanied by specific requirements. Applications filed with incomplete specific requirements shall not be accepted.

(c) Regulatory agencies or offices having jurisdiction may require applicants the submission of additional requirements; provided that, these are limited to what is necessary and appropriate to carry out empirical assessment.

Section 53. Close Coordination with Other Government Offices. Regulatory agencies or offices having jurisdiction shall exercise due diligence in the assessment and verification of submitted documents and supplied information. For this purpose, they shall establish connection and closely coordinate with other government agencies or offices having jurisdiction. They shall request to obtain relevant information, including list of licensed persons, scientific and technical information, and list of registered products, that will help facilitate the conduct of assessment and certification process. Likewise, they shall seek to obtain updated information, as appropriate, on a regular basis.

Section 54. Conduct of Inspection. Products or commodities and establishments which are subjects of application shall be inspected. Inspections shall be conducted systematically, and their scope and coverage shall be limited to what is necessary for objective assessment. For this purpose, applicants must submit product or commodity samples or provide reasonable access to establishments for sampling or inspection purposes. Failure to conduct inspection within a specified period due to reasons attributable to the applicant shall cause termination of the application. Non-completion of inspection in accordance with the inspection plan within a prescribed period shall cause deferment of decision on the filed application.

Section 55. Confidentiality of Proprietary Information. The confidentiality of information about products arising from or supplied in connection with the submission of requirements and conduct of inspection is respected in accordance with existing laws and in such a manner that legitimate commercial or proprietary interests are protected.

Section 56. Public Access to Information on Requirements. Information or the list of general and specific requirements shall be published on the website of regulatory agencies, including a note that applications filed with incomplete requirements shall not be accepted. Application forms shall also be made available for download from the website.

Section 57. General Procedure for Certification. (a) The certification procedure shall seek to realize the objectives of minimizing face-to-face interaction with applicants and paper-based transactions. The procedures shall be in anticipation of a national web-based software that will enable electronic or online certification system for ease of doing business as mandated by law. Granting of certificates shall be in accordance with the following general procedure:

i. Electronic filing of application, registration, review and verification
ii. Initial technical evaluation
iii. Inspection, relevant testing, or practical examination, as appropriate and if necessary
iv. Final technical evaluation and determination of decision on the application

(b) *Step 1: Electronic filing of application, registration, review and verification*

i. All applications must be filed and received electronically. Accomplished application forms are not required to be notarized.

ii. The verifying officer shall then assess the completeness of the submitted documents; register the application in the official database; assign a unique registration code; and send an acknowledgement email indicating the date of filing, the unique registration code, and the name and position of the verifying officer. In cases wherein an application is filed with incomplete documentary requirements, the verifying officer shall notify the applicant of non-acceptance and the missing or lacking documentary requirements.

iii. Succeeding submission of documents or requirements relevant to the application shall also be through electronic means. Samples for laboratory testing may be delivered or submitted personally. For traceability purposes, the applicant shall indicate the unique registration code in all succeeding submissions.

iv. The applicant must pay the certification fee, if applicable, through partner financial institutions via online banking or at any branch upon receipt of the unique registration code. A copy of the proof of payment, which shall contain the unique registration code and the bank's receipt transaction number, shall be transmitted to the regulatory agency or office through the same email address. The verifying officer shall then update the recorded information on the application in the official database to include the bank's receipt transaction number.

v. Physical filing of application or submission of requirements may be resorted to in cases of electronic malfunction attributable to the regulatory agencies or offices or internet connectivity difficulties, or in cases when there are any issues related to the accuracy and clarity of the submitted documents. Regulatory agencies or offices shall have a helpdesk hotline number for any assistance needed by the applicants related to the electronic filing of applications. The helpdesk hotline number shall be conspicuously displayed in offices and posted on website for public information.

vi. Within the same date of filing if it falls on a working day and hour, or otherwise, on the following working day and hour, the verification officer of the regulatory agency or office shall verify the submitted documents. Once verification is complete, the verification officer shall update the recorded information, including the unique registration code, in the official database. Complete and verified applications shall be endorsed to proceed to initial technical evaluation.

(c) *Step 2: Initial Technical Evaluation*

i. The initial technical evaluation shall be conducted to determine, based on the submitted specific requirements, compliance with existing rules and regulations on safety and health protection, quality in conformance to prescribed specific quality standards and technical regulations, and/or compliance with certain laws, rules and regulations, including measures relating to conservation or sustainable use of exhaustible natural resources.

ii. In the conduct of initial technical evaluation, the technical evaluator may require the applicant to submit additional specific requirements in accordance with *Section 52 (c)*. The technical evaluator shall, without delay, notify the applicant of the additional information or document required to conduct an objective assessment. The request for additional technical information/documents shall be limited to two notifications only. The notification shall include the date on which the additional requirements will have to be complied with. Failure to submit the requirements within the specified due date will cause the application to be terminated. Reasonable requests for extension of time limit which are made prior to or on the due date shall be considered; hence in these cases, a new due date shall be set. The applicant may request up to two extensions. All these details shall be recorded by the technical evaluator in the official database as part of the applicant's records.

iii. Submission of additional documents or requirements relevant to the application shall also be through electronic means. For traceability purposes, the applicant shall indicate the unique registration code in all succeeding submissions.

iv. The technical evaluator shall have a technical report, which shall be entered in the database as part of the applicant's record. Applications which passed the initial technical evaluation shall be endorsed, as appropriate and if necessary, for inspection, relevant testing, or practical examination. Otherwise, such application shall proceed directly to *Step 4*.

v. The electronic processing system shall have the facility to inform the applicant of the result of the initial technical evaluation and the status of application. In the absence of the electronic system, the notification to the applicant shall be done by email.

(d) *Step 3: Inspection, Relevant Testing, or Practical Examination, as appropriate and if necessary*

i. Inspection and testing shall be done strictly by technical officers who are trained and recognized to conduct inspections and testing in accordance with established standards and protocols. The inspection and testing or examination team shall develop an inspection plan, testing checklist, or practical examination plan or criteria based on the results of the initial technical evaluation. The details of the inspection, relevant testing, or practical examination shall be communicated to the applicant prior to the schedule of the activity. No inspection, product testing, or practical examination shall proceed without a well-defined plan or checklist.

ii. Inspections, testing, and examinations shall be limited to the purpose of verifying or checking compliance with safety and health protection requirements or technical regulations, or conformance to specific quality or competence standards.

iii. No major deviation from the inspection and testing plan shall be allowed. Should any minor deviation arises, the applicant must be notified thereof.

iv. The inspection, testing or examination team shall have a technical report, which shall be entered in the database as part of the applicant's record.

(e) *Step 4: Final technical evaluation and Determination of Decision on the Application*

i. The final technical evaluation shall be done by the recommending body/officer based on the outcomes of the initial technical evaluation, and inspection, testing, or practical examination. The recommendation shall be recorded in the official database as part of the applicant's record.

ii. Depending on the merits and outcome of the final technical evaluation, the decision may be approval, disapproval, or deferment subject to additional technical requirements.

iii. In the case of approval, the applicant shall be issued with a product or commodity certificate; phytosanitary certificate, health certificate, veterinary or international veterinary health certificate, or other types of SPS assurances or guarantees; conformity certificate; certificate of recognition; or other similar type of certificates with a unique code. The certificate shall be in electronic or printed form, as appropriate.

iv. In the case of deferment, the applicant shall be notified of the reasons for deferment and, and if applicable, granted a reasonable period to conduct or submit additional technical requirements within a specified period. For traceability purposes, the applicant shall indicate the unique registration code in the submission of the technical requirements.

v. The applicant's record shall be updated by the recommending body/officer with a note on the submission or non-submission of the technical requirements and the corresponding assessment or recommendation.

vi. Failure of the applicant to submit the technical requirements as required within the specified period shall cause the application to be terminated. Reasonable requests for extension of time limit which are made prior to or on the due date shall be considered; hence in these cases, a new due date shall be set. The applicant may submit a written request for extension only once. All these details shall be recorded by the recommending body/officer in the official database as part of the applicant's records.

vii. In cases where the reason for deferment of decision requires re-inspection and additional testing, the applicant shall be required, if applicable, to pay the inspection and testing fee following the procedure provided in *Section 58 (b) iv*. The application will then resume at *Step 3*.

viii. In the case of disapproval, the applicant shall be notified of the reasons for disapproval.

ix. All information relevant to the outcome of the application, including the unique code of certificate or other type of assurance in the case of approval, shall be recorded in the official database as part of the applicant's record.

Section 58. Certification Procedure involving Coconut, Tobacco Leaf, Natural Fibers, and meats. (a) The certification of coconut for food safety, quality and classification purposes; and tobacco leaf and natural fibers for quality, grading and classification purposes shall be facilitated by the Philippine Coconut Authority, National Tobacco Authority, and Philippine Fiber Industry Development Authority, respectively. The certification procedure for purposes of phytosanitary compliance shall be facilitated by the Bureau of Plant Industry as the National Plant Protection Organization (NPPO). The commodity certification by PCA, NTA, and PhilFIDA shall be pre-requisite to the phytosanitary certification by BPI.

(b) The certification of meats by the National Meat Inspection Service for food safety purposes shall be pre-requisite to the international veterinary certification and granting of transport clearance by the Bureau of Animal Industry.

Section 59. Publication of the List of Certificates Issued. (a) All regulatory agencies shall endeavor to publish or upload the list of certificates issued on the agency or regional office website, as appropriate, on a daily basis. Published information shall include the name of person, commodity or product, certificate number, volume, and, if applicable, destination.

(b) Relating to *Section 59 (a)*, BPI and BAI, as part of their due diligence, shall refer to the published list, if available, for verification purposes.

Section 60. Certificate Validity. (a) Certificates or other types of assurance shall be valid for a specific period determined by the regulatory agency having jurisdiction.

(b) Certificates or other types of assurance shall be non-renewable and shall not be used beyond validity period. Any applications shall be considered new.

ARTICLE X
Monitoring

Section 61. Monitoring of Compliance and Conformance. (a) Regulatory agencies or offices having jurisdiction shall rigorously monitor the subjects of authorization and recognition for their sustained compliance with food safety, animal health, plant health, and/or environmental health and other technical regulations; and/or conformance to quality standards.

(b) Regulated products or commodities shall be physically inspected by regulatory agencies or offices at control points. When necessary, samples shall be collected at random, on the basis of risk, for laboratory testing. The results of inspection and testing shall be recorded in the official database as part of the records of the authorized persons or establishments.

(c) Licensed persons and their registered establishments shall be subject to audit/inspection, which may be announced or unannounced, and registered products shall be subject to inspection and laboratory testing at least once within the period of authorization validity or at least once a year within the period of recognition validity, as appropriate and proportional to the risk category of the regulated activity or product.

(d) Regulatory agencies or offices having jurisdiction shall strictly monitor officially accredited persons and registered establishments for sustained compliance with technical regulations and conformance to quality standards. They shall conduct audit periodically, which may be

announced or unannounced; the results of which shall be recorded in the official database as part of the records of the officially accredited persons.

Section 62. Reports and Complaints. (a) Authorized persons are required to immediately report to the concerned regulatory agencies or offices any safety and health issue which may threaten humans, animals, plants, or the environment.

(b) Any complaint against an authorized or a recognized person shall prompt regulatory agencies having jurisdiction to conduct investigation, and, if necessary, inspection, and laboratory testing. Regulatory agencies shall develop their complaint resolution mechanism to address complaints received.

ARTICLE XI
Agency Regional Offices and DA Regional Field Offices

Section 63. Role of Agency Field Offices. The facilitation of granting of authorization and recognition and the procedures thereof as well as monitoring of compliance or conformance, as stipulated in this Circular, shall be delegated by regulatory agencies to their respective field offices to a reasonable extent possible.

Section 64. Role of DA Regional Field Offices. (a) The facilitation of granting of authorization and recognition and the procedures thereof as well as monitoring of compliance or conformance, specifically for those subjects under the jurisdiction of the Bureau of Plant Industry, Bureau of Animal Industry, Bureau of Agriculture and Fisheries Standards, and Bureau of Agricultural and Fisheries Engineering, shall be delegated to the DA Regional Field Offices to a reasonable extent possible.

(b) The Bureau of Plant Industry and the Bureau of Animal Industry shall update respective pest and disease surveillance and monitoring systems to include close coordination mechanism or protocol between the plant and veterinary quarantine stations, DA regional field offices, and agency field offices.

Section 65. Regular Conduct of Training. For the purpose of the foregoing sections, the regulatory agency shall regularly provide training for agency field offices and DA regional field offices on areas covered by this Circular, such as, but not limited to, the following:

i. Sampling, inspection and certification protocols following methodologies developed based on international and national standards
ii. Application of new technologies and changes to existing rules and regulations on food safety, animal health, plant health, animal welfare, and environmental health
iii. Application of international standards, Philippine National Standards, and other voluntary standards adopted as technical regulations
iv. Pest and disease monitoring and surveillance
v. Pesticide and drug residue monitoring
vi. Safety and health hazard identification, surveillance, and monitoring

Section 66. Regular Conduct of Audit. Regulatory agencies shall periodically conduct audit to agency field offices and DA regional field offices to ensure proper and effective facilitation of authorization and recognition in accordance with the provisions of this Circular and applicable laws, rules, and regulations.

ARTICLE XII
Guidance on Imposition of Fees

Section 67. Rationalization of Rates. Imposition of fees and charges, if permitted by relevant laws, shall be in accordance with subsisting rules and regulations on the rationalization of rates of fees and charges, increase in existing rates, and imposition of new fees and charges jointly issued by the Department of Finance, Department of Budget and Management, and National Economic Development Authority. The primary purpose of imposition of fees and charges is to recover the costs of delivering regulatory services within the scope and coverage of this Circular.

Section 68. Determination of Rates. In the determination of rates of new and/or existing fees and charges, regulatory agencies having jurisdiction shall take the following into consideration:

a. Cost of ICT supplies/materials and its proportionate share in the overhead expenses of the agency;
b. Salaries and wages of personnel involved in the receipt of applications, technical assessments, inspections, laboratory analyses, and audits; and its proportionate share in the overhead expenses of the agency;
c. Costs of inspection and audit activities, such as travel/transportation, supplies and materials, daily subsistence allowance, hazard pay, and incidental and miscellaneous expenses;
d. Costs of laboratory testing or analyses, such as laboratory supplies, materials, and equipment;
e. Inflation rate since the year of imposition or last revision of the subject rates of fees and charges; and,
f. Socio-economic impact.

ARTICLE XIII
Appeal

Section 69. Filing of an Appeal. An aggrieved applicant may appeal the denial of application with the office of DA senior official having jurisdiction within fifteen calendar days upon receipt of such adverse decision. The appellant shall provide a copy of such appeal to the head of the concerned regulatory agency or office.

Section 70. Action on the Appeal. Within five working days upon the receipt of the appeal, the concerned regulatory agency or office shall elevate the appellant's historical records to the office of DA senior official having jurisdiction. The latter shall resolve the appeal within ten working days upon receipt of the appellant's historical records. The decision on the appeal shall be final and executory.

ARTICLE XIV
Transitory Provisions

Section 71. Updating of Relevant Manuals and Protocols. (a) All regulatory agencies shall review existing authorization and/or recognition technical requirements for relevance and necessity, and reassess validity period of authorization and recognition in consultation with respective stakeholders.

(b) Regulatory agencies shall revise accordingly their respective citizen's charter to comply with the provisions of this Circular and implement up-to-date issuances of the Anti-Red Tape Authority.

(c) The review and updating shall be completed within ninety (90) working days upon the approval of this Circular, and a public notification shall be issued thereafter.

(d) The Bureau of Animal Industry and Bureau of Plant Industry shall update their respective surveillance and monitoring systems to include other regulatory agencies and regional field offices as provided in *Section 18 (c)*, *Section 20 (b)* and *(c)*, and *Section 64 (b)* within 60 working days upon the approval of this Circular. The same agencies shall initiate necessary training for other regulatory agencies and regional field offices as provided in *Section 65* within 120 working days upon approval of this Circular.

(e) The Office of the Assistant Secretary, who is responsible for regulations, shall monitor and ensure compliance of the regulatory agencies with the provisions of this section.

Section 72. Transition from manual to electronic processing. (a) All DA regulatory agencies shall transition to electronic platforms in the performance of their functions in conducting their regulatory activities. This is to lessen face-to-face transactions, promote ease of communication between geographic and operational units, and facilitate retrieval of relevant client information.

(b) With reference to *Sections 12 (d), 24 (e), 33 (e),* and *51 (e),* all DA regulatory agencies shall ensure that electronic application forms include drop-down list/menu of HS/AHTN codes and/or automatic HS/AHTN code indicator for commodities which are the subjects of application to facilitate further the application process.

(c) In collaboration with ICTS, a harmonized DA regulatory information management system (DA RIMS) shall be developed across all DA regulatory agencies to facilitate connectivity and allow exchange of information in a timely manner. Additional ICT resources may be procured; provided that, it is included in the agency's Information Systems Strategic Plan (ISSP) as endorsed/approved by Medium-Term Information and Communications Technology Harmonization Initiative (MITHI) of the Department of Information and Communications Technology (DICT) and through the procurement process as provided for by existing laws.

(d) All DA regulatory agencies, whose regulatory actions are subsequent to the approval of an earlier application to another agency, shall adopt online verification as DA RIMS is operationalized across DA.

Section 73. Validity of Previously Issued Authorizations and Recognitions. All documents representing authorization or recognition granted to businesses that were issued prior to the effectivity of this Circular shall remain valid until expiration. The provisions of this Circular shall apply to subsequent applications for authorization or recognition as well as those which are filed upon the effectivity date of this Circular.

ARTICLE XV
Review

Section 74. Initial Review. The Policy Research Service shall initiate a review of this Circular based on initial implementation experience twelve (12) months following the date of effectivity of this Circular. Such review shall be completed within 90 working days.

Section 75. Subsequent Review and Updating. The Policy Research Service shall conduct a review of this Circular based on implementation experience and other developments arising from establishment of international standards, guidelines, and recommendations, and trade agreements three years or sooner, as necessary, following the date of effectivity of this Circular. Such review and updating, as necessary, shall be completed within one year and six months.

Section 76. Policy Oversight. The conduct of reviews of this Circular shall be under the oversight of the Office of the Undersecretary for Policy and Planning.

ARTICLE XVI
Final Provisions

Section 77. Repealing Clause. Related provisions in granting of Authorization and Recognition of stakeholders in the Department issuances listed in *Annex 6* are hereby updated and amended. All other orders, circulars, and rules and regulations inconsistent with this Circular are likewise deemed repealed, rescinded, or modified accordingly.

Section 78. Separability Clause. 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 79. Effectivity. This Circular shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation and upon its filing with the Office of the National Administrative Register of the University of the Philippines Law Center.

Approved on the 5th of May 2023.

DOMINGO F. PANGANIBAN
Senior Undersecretary

DA-CO-PRS-MM20230424-00153