All you should know before exporting to Philippines
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FOOD LAWS

The two main agencies tasked with developing and enforcing food safety standards in the Philippines are the Bureau of Food and Drugs (BFAD) under the Department of Health (DOH), and the Bureau of Agriculture and Fisheries Product Standards (BAFPS) of the Department of Agriculture (DA). Under the Food, Drug and Cosmetics Act, BFAD was made responsible for the safety of processed food products while the Agriculture and Fisheries Modernization Act (AFMA) made BAFPS accountable for fresh and primary agricultural and fisheries products.

Food, Drug and Cosmetics Act: In 1963, Republic Act No. 3720 (RA 3720) or the "Food, Drug and Cosmetics Act" was enacted to ensure the safety and purity of foods, drugs and cosmetics made available to the public. Under the Food Act, the Food and Drugs Administration (FDA) was created under the DOH. Executive Order No. 175 (EO 175) later renamed the FDA as the Bureau of Food and Drug.

BFAD's primary function is to ensure the safety, proper handling, efficacy, purity and quality of processed foods, drugs, diagnostic reagents, medical devices, cosmetics and hazardous household substances. The Bureau of Food and Drugs oversees the control of the manufacture and sale of processed foods, where the major concerns are adulteration and mislabeling of food products. It is responsible for the surveillance of imported food products at legal ports of entry.

Agriculture and Fisheries Modernization Act: The Bureau of Agriculture and Fisheries Standards (BAFPS) under the Department of Agriculture was established in 1997 as provided for by Republic Act No. 8435 or the Agriculture Fisheries and Modernization Act. Its major duties include formulating and enforcing standards of quality in the processing, preservation, packaging, labeling, importation, exportation, distribution and advertising of fresh and primary agricultural and fisheries products. BAFPS also provides assistance in establishing the scientific basis for food safety, trade standards and codes of practice and harmonizes them with internationally accepted standards and practices.

BAFPS serves as the National Enquiry Point for Codex Alimentarius and other food safety and standards regulatory bodies. It is in charge of monitoring and disseminating information on international developments in food safety.

Regulatory Agencies: A number of different regulatory bodies exist in the Philippines and these are often supported by specialist commissions which focus on specific technical matters such as meat inspection, biosafety, etc. The main regulatory bodies monitoring the safety aspects of imported agriculture and food products are the Bureau of Animal Industry (BAI), Bureau of Fisheries & Aquatic Resources (BFAR) and the Bureau of Plant Industry (BPI). All these bureaus are under the jurisdiction of DA.

Republic Act No. 3639 (RA 3639) established the BAI and empowered it to prescribe standards for quality in the manufacture, importation, labeling, advertising, distribution and sale of livestock,
poultry, meat products, dairy products and animal feeds and veterinary supplies in the country. The BAI is also charged with preventing, controlling, containing and eradicating communicable animal disease by regulating the flow of animals and animal products in the country.

Presidential Decree No. 7 (PD 7) authorizes the National Meat Inspection Commission (NMIC) to implement policies and procedures governing post production flow of livestock, meat and meat products both locally produced and imported through the various stages of marketing. The NMIC supervises the operations of abattoirs and meat establishments and conducts ante- and post-mortem inspections of meat. The Meat Import/Export Services of the NMIC ensures that imported or exportable meat and meat products are produced under acceptable conditions and systems.

In June 2004, Republic Act 9296 (RA 9296) otherwise known as the National Meat Inspection Code was signed into law and its Implementing Rules and Regulations (IRR) were issued in October 2005. The law, which transfers certain NMIC functions to the Local Government Units, was crafted to harmonize Philippine meat inspection laws with international standards to enable the domestic meat processing industry to participate in global trade. Moreover, the NMIC was officially renamed the National Meat Inspection Service (NMIS).

While the BAI has jurisdiction over the import of both live animals and meat, the NMIS plays a key role in the enforcement of the regulations over fresh, chilled and frozen meat and poultry imports into the Philippines.

The Bureau of Plant Industry (BPI), created through series of laws - Republic Acts, Presidential Decrees, Executive and Administrative Orders, has the primary task of promoting the development of plant industries through research and development, crop production and protection and effective technology promotion and transfer.

Presidential Decree No. 1433 (PD 1433), the Plant Quarantine Law authorizes the DA through the BPI to exercise inspection and certification and/or treatment activities on imported and exportable plant products such as fruits and vegetables. PD 1433 also mandates the BPI to prevent the introduction of exotic pests into the country, to prevent further spread of existing plant pests and to enforce phytosanitary measures for the export of plants, plant products and regulated articles.

Presidential Decree No. 704 (PD 704) gives the Bureau of Fisheries and Aquatic Resources the administrative responsibility to control fish and other marine products. The Fisheries Post-Harvest Technology Division (FPHTD) of BFAR issues commodity clearances (i.e., import permits) and other requirements for the import of fish and fishery products.
IMPORT REGULATIONS

All imported food and agricultural products are required to comply with the Philippines’ food health and phytosanitary laws. In general, none of these products is allowed to enter the Philippines if it is deemed to pose a danger to human life or well-being, either directly or indirectly.

All food and agricultural products, including plant products that enter the Philippines, are required to pass through procedures designed to check that they are not contaminated with any pest and that they are fit for their intended use.

At present, national microbiological standards for food have not yet been established. Philippine food regulations are thus generally patterned after CODEX Alimentarius Commission guidelines as well as regulations established by the FDA of the United States and similar regulatory bodies in other countries.

The health and phytosanitary regulations and procedures applied on imported agriculture and food products are broadly similar for all types of products. Under Philippine import laws, it is the responsibility of the importer to ensure that any product entering the country’s customs territory is in full compliance with Philippine health and phytosanitary regulations. The enforcing authorities will check for compliance by inspecting the goods and relevant import/export documentation and decide on whether the goods may enter the Philippines.
In cases of non-compliance, the goods may be required to be treated before being released or they may be rejected and ordered destroyed or disposed of outside the Philippines. It is therefore very important that importers and exporters ensure that compliance is achieved before the goods are shipped to the Philippines.

Following are the list of requirements for the registration of food products: Category I

1. Letter of application for registration from importer/distributor;
2. Accomplished Affidavit of Undertaking, typewritten and notarized;
3. Accomplished product list by product classification, three (3) copies;
4. Valid License to Operate (from BFAD) with name of supplier/source(s) of imported food product;
5. Copy of sales invoice;
6. One sample of each product in commercial presentation and a copy of the label that is in conformance with Codex Labeling Regulations and BFAD requirements.
   In lieu of product sample, a colored picture of each product may be submitted. A sticker indicating the name and address of the importer must be attached if such information is not printed on the label;
7. Registration fee of Pesos 200 per product.
Category II

1. Letter of application for registration from importer/distributor;
2. Valid License to Operate (LTO) as an importer/distributor (issued by BFAD);
3. Product Information
4. List of ingredients in decreasing order of proportion. For additives with prescribed limit, the amount added must be indicated;
5. Finished product specification (physico-chemical and microbiological);
6. Samples of the product in its commercial presentation for laboratory analysis;
7. Loose label and labeling materials to be used for the products;
8. Estimated shelf-life, parameters used and methods for determining shelf-life;

IMPORT REGULATIONS FOR FOOD PRODUCTS

The Philippines is a signatory to the World Trade Organization and has lifted quantitative restrictions (QRs) on imports of food products except for rice. Tariff-Rate Quotas (TRQs) still remain on a number of sensitive products such as corn, poultry meat, pork, sugar and coffee. Minimum Access Volumes (MAV) has been established for these commodities.

The GRP opened its rice market in 2002 when it allowed the private sector, mainly traders, to import rice. Prior to this, the National Food Authority (NFA), was the sole importer of rice. Last year, the NFA expanded rice importation to include farmer groups although this sector was inexperienced in rice importation, and therefore, was unable to fill the allocation it was given. Private sector rice imports are assessed a 50-percent tariff rate and import licenses are regulated by the NFA. Imports by the NFA, on the other hand, usually for buffer stock purposes, are imported duty-free. The GRP recently completed negotiations with other WTO members for the extension of its quantitative restrictions on rice.

Quarantine clearances that serve as import licenses are required prior to the importation of fresh fruits and vegetables as well as meat and meat products. All other food product imports do not have licensing requirements except for commodities entering duty-free or subject to an in-quota tariff such as frozen pork, frozen poultry, fresh/chilled potatoes, coffee beans, corn and coffee extract.

In all cases, imported meat, fish or produce requires that a registered importer be the receiver of the shipment. Consequently, the importer would have to be knowledgeable about the regulations associated with the particular commodity being imported.

IMPORT REGULATIONS FOR MEAT AND MEAT PRODUCTS:

In September 2005, the DA issued Administrative Order No. 26 (AO 26), which updated its Administrative Order No. 39 (2000) or the “Revised Rules, Regulations and Standards Governing the Importation of Meat and Meat Products into the Philippines.” AO 26 reiterates the need for a DA-accredited importer to obtain a Veterinary Quarantine Clearance (VQC) certificate prior to the importation of meat and meat products. A VQC will now be valid for 60 days from the date of issuance, within which the meat or meat products are to be shipped from the country of origin, and may no longer be extended beyond that. A VQC is non-transferable and can only be used by
the consignee to whom it was issued. A one shipment/bill-of-lading per VQC issued policy will be strictly adhered to. There is a great deal of sensitivity in the Philippines about Indian food products that are packed in cartons with labels indicating shipment to another country. It is recommended that such markings be covered or removed since the Philippines does not require the cartons to be marked for export to the Philippines.

**IMPORT REGULATIONS FOR BEEF AND BEEF PRODUCTS:**
In January 2004, the Philippine Department of Agriculture issued regulations that only beef and beef products derived from cattle under 30 months of age will now be allowed entry into the country. Other specified requirements include: only deboned and deglanded muscle cuts of beef from healthy and ambulatory cattle devoid of nerves and any specified risk materials (SRMs) will be allowed entry. Moreover, the production or slaughter date of the cattle must be provided on the packaging label.

**IMPORT REGULATIONS FOR LIVE ANIMALS:**
The conditions are specified in the Philippine Import Health Protocol for Live Cattle. As with meat and meat products, importers are required to obtain a Veterinary Quarantine Clearance (VQC) Certificate from BAI prior to the shipment of animals. Specific import terms and conditions contained in the protocol can be obtained from APHIS Veterinary Services. The DA also allows the importation of protein-free tallow with insoluble impurities below 0.15% in weight. For collagen casings of bovine origin, the BAI requires additional FSIS certification that the product was prepared from hides and skins other than that coming from the head.

**IMPORT REGULATIONS FOR FISH AND SEAFOOD:**
In 1999, the Department of Agriculture completed implementing rules and regulations for Republic Act 8550 (RA 8550) of 1998 known as the Fisheries Code. The regulations are embodied in Fisheries Administrative Order 195. The new order clarified the need for importers to obtain quarantine permits.

The importation of fresh/chilled/frozen fish and fishery/aquatic products is allowed only when certified as necessary by the Secretary of Agriculture in order to achieve food security taking into consideration public welfare and safety. Only the importation of fresh/chilled/frozen fish and fishery/aquatic products for canning and processing purposes and those undertaken by institutional buyers is exempt from such certification. Further, all importation must satisfy the Hazard Analysis and Critical Control Point (HACCP) standards as provided under Section 67 of RA 8550.

All fish and fishery/aquatic products imported into the Philippines intended for distribution and further processing must be accompanied by an International Health Certificate issued by the authorized or competent regulatory agency from the country of origin and must be presented as part of the documentation requirements upon arrival. The International Health certificate shall be issued on the basis that the following requirements have been met:
1. Fish and fishery/aquatic products meet the quality of fresh fish prior to freezing shall be graded accordingly to size.
2. The fishery products must be handled and processed hygienically in processing plants and/or
freezer vessels.
3. Frozen fishery products must be kept and maintained at -18°C or lower during transport.
4. Fish and fishery/aquatic products must be subject to visual inspection for parasite check. Fish infested with parasites, must be removed from the batch.

Moreover, the International Health Certificate shall be supported with the following laboratory test results, which shall not exceed for the indicator organisms, such as:

<table>
<thead>
<tr>
<th>Total viable count</th>
<th>10/gram</th>
</tr>
</thead>
<tbody>
<tr>
<td>E. coli</td>
<td>10 to 100/gram</td>
</tr>
<tr>
<td>Salmonella</td>
<td>absent in 25 gram sample</td>
</tr>
<tr>
<td>Shigella</td>
<td>absent</td>
</tr>
<tr>
<td>Vibrio cholerae</td>
<td>absent</td>
</tr>
</tbody>
</table>

Fishery/aquatic products must be packed under hygienic condition to prevent contamination from lubricants, oils, fuels or any hazardous substances. The following information should appear on the packaging and on the accompanying documents:
1. The country of origin written out in full;
2. Species of fish/fishery products weight and content;
3. Address of supplier; and
4. BFAR Inspection stamp mark. Frozen fishery/aquatic products imported in bulk intended for further processing are not covered by this requirement.

**IMPORT REGULATIONS FOR FRESH PRODUCE:**

In response to pressure from domestic vegetable producers to limit imports as well as to crack down on illegal importation of fruits and vegetables into the Philippines, the DA has further tightened its import permit application procedures. In March 2003 through Memorandum No. 18 (MO 18), the Bureau of Plant and Industry imposed additional requirements for all imported fresh fruits and vegetables. The implementation of these additional checks and authentication processes, often times result in delays of imports of the affected products.

BPI regulates imports of fresh fruits and vegetables. All imports of fresh produce require Phytosanitary clearances from BPI, which also serve as import licenses. These permits are applied for by the Philippine importer for each shipment. Shipments of fresh fruits and vegetables must be accompanied by a Phytosanitary Certificate (PC) issued at the port of origin. Like meat and meat product, import permits for fruits and vegetables need to be secured prior to exportation from the United States. The date of shipment should not be earlier than the import permit.

In January 2006, the APHIS Regional Office in Manila submitted the pest list for the following U.S. vegetables: broccoli, cauliflower, lettuce, carrots, cabbage and celery to BPI as requested, in order for it to conduct a pest risk analysis. BPI and APHIS are currently in the process of negotiating the import protocols for the concerned vegetables. According to BPI, the target date for completion of pest risk analysis is January 2007. In the interim, BPI has expressed willingness to allow these products entry into the country provided that they are intended for the high-end market (i.e., hotels, restaurants and supermarkets). However, while BPI insists that it continues to process and issue import permits, Philippine importers have reported some delays in obtaining the permits.
In 1995, BPI established plant health regulations, which allow the import of apples, grapes, oranges, potatoes, onions, and garlic, provided these products when necessary, undergo a specified cold treatment to control targeted pests.

**IMPORT REGULATIONS FOR PET FOOD:**
Requirements for pet food are similar to import procedures for meat and meat products. BAI requires foreign manufacturers of processed dog and cat food and/or Philippine importers to apply for accreditation and to be registered with BAI prior to importation. All pet food products entering the Philippines need to be accompanied by a sanitary certificate issued by the relevant regulatory body. Like meat products, a VQC needs to be secured from Animal Feeds Division of the BAI before the goods are shipped out.

**GENETICALLY ENGINEERED FOODS:**
The Rules and Regulations for the Importation and Release into the Environment of Plants and Plant Products Derived from the Use of Modern Biotechnology (AO8) was signed into law in 2003 and became effective on July 1, 2003. Under AO8, all GE plant varieties (“regulated article”) must be evaluated by a third party panel of Philippine scientists for food, feed and environmental safety prior to entering the Philippines. Any commodity or food containing an unapproved variety regardless of country of origin will be prohibited from entering the Philippines.

**FOOD FORTIFICATION LAW:**
The Philippine Food Fortification Law of 2000 or RA 8976 became effective on November 7, 2005. All staple foods -- rice, sugar, flour, salt and cooking oil -- will require fortification by law.

The Philippine government has identified Vitamin A, iron, and iodine as the three most needed micronutrients in the country. Food and agriculture companies would now be required to fortify their products as mandated by RA 8976. The law aims to provide 50 percent or more of the recommended daily allowance (RDA) of Vitamin A and iron among at-risk groups, particularly children below 6 years old and women of reproductive age.
This law applies to all manufacturers or producers, importers, traders, tollees, retailers repackers of staple foods as well as restaurants and food service establishments. The Department of Health through BFAD and the National Nutrition Council are responsible for implementing and monitoring the program. BFAD is mandated to regularly monitor food fortification levels and shall see to it that the fortification process complies with DOH standards. Sanctions for non-compliance include fines of not more than P1 million and revocation of permits and licenses depending on the gravity of the offense.

**COPYRIGHT AND/OR TRADEMARK LAWS**
All copyright and trademark regulations are contained in the Intellectual Property Code of the Philippines (Republic Act No. 8293). The Philippine Intellectual Property Office under the Department of Trade and Industry is in charge of enforcing these regulations and ensuring that intellectual property rights are enforced.
Trademark: A trademark may not be registered if it is immoral, deceptive or of a scandalous matter; if it is the flag, coat of arm or insignia of the Philippines or any of its political symbols; a name, portrait or signature identifying a particular living individual without that person’s written consent; identical with a registered mark whether or not registered in the Philippines but well known internationally; if it misleads the public; signs that are generic for the goods or services; shapes that may be necessitated by technical factors; color alone, unless defined by a given form and/or anything contrary to public order or morality.

An applicant for a trademark may be a natural person, or juridical person and all applications should be in the name of the applicant, who may sign the application. If there is more than one applicant, all should be named as applicants but any individual applicant may sign the application for and on behalf of all applicants.

A certificate of registration shall remain in force for ten (10) years; provided that, without need of any notice from the Bureau of Trademarks, the applicant shall file a declaration of actual use and evidence to that effect within one year from the fifth (5th) anniversary of the date of registration of the mark. If the owner failed to use the mark, he/she should also file an affidavit of Non-Use with the Bureau of Trademarks showing that non-use of the same is due to causes beyond his/her control. The registration may also be renewed for a period of ten (10) years after its expiration, and there is no limit as to the number of times the registrant may request a renewal of registration provided the prescribed fees are paid.

The application for registration of the mark shall be in Filipino or in English and shall contain a request for registration; name and address of applicant; state of which the applicant is a national or where domiciled; the law under which it is organized when the applicant is a juridical entity; appointment of an agent or representative or an indication of claims on priority of an earlier application (if applicable). A reproduction of the mark in the prescribed format must also be submitted along with the list of goods and services for which the registration is sought.

Copyright: Copyright registration is available for books, poetry, plays, short stories, newspapers and newspaper articles, magazines and magazine articles, comic books, musical compositions (words and/or music), recordings, choreographic works, pantomimes, motion pictures, filmstrips, television programs, photographs, paintings, drawings, prints, maps, architectural plans, scale models, sculptural works, craft works, jewelry designs, fabric designs, computer programs, and databases.

In general, a copyright lasts for the life of the author, plus 50 years. The term is different for commissioned works and works where a corporation is the author.
Only accredited and/or registered individuals or businesses may import food products into the Philippines. Importers must obtain accreditation from relevant Philippine regulatory bodies (i.e., License to Operate (LTO) from BFAD for processed foods, Certificate of Accreditation from BAI for meat and meat products and BPI for fresh fruits & vegetables).

Determine whether food or agriculture products can enter the Philippines. Only acceptable countries as determined by the relevant regulatory body may export food and agriculture products to the Philippines.

In the case of meat and poultry, imports can only be made from foreign meat establishments (i.e., abattoirs/slaughterhouses), which are accredited by the Department of Agriculture.

Import licenses/permits must be obtained from the relevant regulatory body for the goods to be imported to the Philippines before the products are shipped from the exporting countries. Veterinary Quarantine Certificates (VQC) must be obtained from BAI and Import Permits (IP) from BPI prior to importation. A Certificate of Registration (CR), renewable annually, must be secured from BFAD prior to initial importation.

All agricultural and food products entering the Philippines must be accompanied by a phytosanitary or health certificate issued by the regulatory body in the exporting country. This is required to be submitted for inspection along with the import permit to facilitate physical inspection of the goods and customs clearance at the port of entry.
COUNTRY OF ORIGIN MARKING

General Rule:

Every article of foreign origin (or its container), imported into the Philippines shall be marked in:

- Any official language of the Philippines
- A conspicuous place as legibly, indelibly and permanently as the nature of the article (or container) will permit
- Such manner as to indicate to an ultimate purchaser in the Philippines the name of the country of origin of the article

Exceptions:

- Incapable of being marked
- Cannot be marked prior to shipment to the Philippines without injury
- Cannot be marked prior to shipment to the Philippines, except at an expense economically prohibitive of its importation
- Marking of a container of such article will reasonably indicate the origin of such article
- Such article is a crude substance
- For use by the importer and not intended for sale in its imported or any other form
- To be processed in the Philippines by the importer or for his account otherwise than for the purpose of concealing the origin of such article and in such manner that any mark contemplated by this Section would necessarily be obliterated, destroyed or permanently concealed
- An ultimate purchaser, by reason of the character of such article or by reason of the circumstances of its importation must necessarily know the country of origin of such article even though it is not marked to indicate its origin
- Such article was produced more than 20 years prior to its importation into the Philippines
- Such article cannot be marked after importation except at an expense which economically prohibitive, and
  The failure to mark the article before importation was not due to any purpose of the importer, producer, seller or shipped to avoid compliance with this section

Marking of Containers

Immediate container, if any, of such articles, or such container of such article

- Shall be marked in such manner to indicate to an ultimate purchases in the Philippines the name of the country of origin of such articles
- In any official language of the Philippines


Marking Duty

- For failure to mark- marking duty of 5% ad valorem, except when such article is exported or destroyed under customs supervision and prior to the final liquidation of the corresponding entry

Delivery Withheld Until Marked

No imported article shall be delivered
- Until such article and/or its containers shall have been marked in accordance with the provisions of Sec. 303 of the TCCP, and
- Until the amount of marking duty estimated to be payable shall be deposited

Failure or Refusal to Mark

- Within 30 days after due notice shall constitute an act of abandonment of said articles
- Disposition shall be governed by the provisions relative to abandonment of imported articles (Sec. 1801- 1803, TCCP)

CONTROL MEASURES TO ADDRESS SAFETY AND QUALITY IN THE PROCESSED FOOD INDUSTRY

1. Hygienic Safety Manufacturing Practices (GMP)

GMP covers the fundamental principles, procedures and means needed to design a suitable environment for the production of acceptable quality. GMP codes and the hygienic requirements they contain are the relevant conditions for the hygienic manufacture of foods.

GMP is a basic requirement by BFAD before a License to Operate (LTO) is given to establishments which manufacture processed foods. Food processors are required to comply with A.O. 208 otherwise known as current Good Manufacturing Practices (cGMP) and company’s established standard operating procedures.

- Building and grounds
- Equipment and other facilities
- Sanitary facilities and control
- Sanitary operations
- Processes and control
- Personnel

Presently, there are some food processors that are faced with difficulties for GMP compliance particularly small and medium enterprises’ (SME) plants for reasons that complying with GMP required capital to correct structural deficiencies, technical assistance to support in-house knowledge and a commitment to change attitudes and values at the level of both management and worker.
2. Hazard Analysis Critical Control Points (HACCP)

HACCP is a system of food safety control based on a systematic approach to the identification and assessment of hazard associated with food operations and the definition of means for their control (Bryan, 1988). HACCP is also becoming increasingly important for all food businesses as an effective means of ensuring food safety. HACCP identifies before they occur, and establish mechanisms for their control at the stages in production critical to ensuring the safety of food. The control is proactive. The chief advantage of HACCP is that it is proactive; it aims to prevent problems from occurring. HACCP is a trial rather than relying mainly on end product testing.

In the Philippines, some companies of processed foods are adopting principles of HACCP as a minimum system of quality control of raw materials and manufacturing technologies. BFAD inspection activities as a member of the Joint Management Committee (JMC) also indicate that HACCP application is extensively applied only by the processed seafood sector particularly those, which are exporting where HACCP is a mandatory requirement. However, the level of application needs improvement particularly the medium scale plants, which cannot continuously implement HACCP effectively for reasons, lack of adequate knowledge on HACCP and company commitment and resources. For small-scale plants, HACCP is not yet being applied due to lack of technical personnel with knowledge on HACCP.

As mentioned earlier, the exporter of processed seafood products particularly to the US extensively applies HACCP. It is part of the US regulation requiring every exporter of fish and fishery products to apply HACCP in the production of such products Part 123 of Title 21 of Title 21 of the US Code of Federal Regulations.

The JMC composed of BFAD, Bureau of Fisheries and Aquatic Resources (BFAR) and Food Development Center (FDC) is implementing a voluntary accreditation of HACCP to help seafood establishments comply with such requirements comply with such requirements. The three (3) government agencies harmonized their inspection and decision-making procedures for food plant accreditation by conducting joint inspection and audit of seafood processing plants. The plant inspection checklist used covers 8 areas of Standards Sanitary Operating Procedures (SSOP) and HACCP Plan submitted by the company.

3. Safety and Quality Standards

Food Processors also adopt standards of quality for processed foods. BFAD has standards for some of the processed products. In the absence of a particular standard, food processors use the Codex for reference. With the entry of the Philippines into the General Agreement of Tariff and Trade, setting of standards is geared towards making Philippine product standards equivalent to those of the Codex Alimentarius Commission (Codex) since Sanitary and Phytosanitary (SPS) Agreement considers Codex standards as one of the international reference for food safety standards.
**FOOD LABELING**

The following information is required to be on the labels of imported food products:

1. Name of the food;
2. List of ingredients used in the product (in decreasing order of proportion), including additives, flavorings and preservatives used;
3. Net contents and drained weight;
4. Name and address of manufacturer/packer or distributor, including country of origin for imported products and name and the address of Philippine importer/distributor;
5. Lot identification.

Nutritional and Health Claims and Advertising: The label of food that is marketed for special dietary uses, e.g., diabetic foods, must include information concerning its vitamin, mineral and other dietary properties as required by the BFAD, and in a manner that fully informs purchasers of the product’s intrinsic value in terms of its special use.

BFAD has the authority to prescribe general standards and guidelines for food advertisements. It is also responsible for monitoring and ascertaining the veracity of nutritional and medicinal claims in food advertisements in the various media. BFAD may call upon any manufacturer, distributor, or advertiser to desist from inaccurate or misleading nutritional or medicinal claims in their advertisement.

Should any food manufacturer, distributor or advertiser refuse or fail to obey the BFAD order to desist from using false claims, it can be assessed penalties under the law and regulations.

Imported Food Products: The BFAD requires that importers provide advance copies of the labels of the products they intend to import. This information is required for the registration of imported food and drink products. The content of such labels is scrutinized to establish whether it is acceptable under CODEX and BFAD requirements. Nutritional and medical claims made on such labels are one of the factors considered by BFAD when evaluating applications to register foreign products for import into the Philippines, especially Category II products such as food supplements, infant foods and special dietary foods. Products that have labels, which make claims that cannot be easily substantiated, can be banned from entry into the country.

No labeling for biotechnology or organic products is currently required by the Philippine government. Drugs must be labelled with the product’s generic name. The generic name must appear above the brand name, in a larger typeface, enclosed in a border with a contrasting background.

All goods must have labels in English or Filipino with the following information:

- brand, trademark or trade name
Food Safety Standards In Major Export Markets: A Readymade Guide For Agro Exporters

- physical or chemical composition (where applicable)
- metric length
- net contents or weight
- country of manufacture
- name and address of manufacture or repacker

Failure to comply with any part of the above regulations is subject to penalty. Goods not bearing adequate marks of origin are subject to a marking duty of five per cent.

PACKAGING AND CONTAINER REGULATIONS

Codex Alimentarius serves as the Philippine BFAD’s main reference guidelines for policy pertaining to good manufacturing practices and suitability of packaging materials for food use. Hence, compliance with Codex regulations for packaged foods will almost always assure compliance with Philippine regulations. Importers need, however, to register packaged products with BFAD before they are sold at retail outlets (see Section VI).

FOOD ADDITIVE REGULATIONS

Food additives must comply with the Philippine Food Act and the regulations that have been established by the BFAD for such products.

Food additives are broadly defined by BFAD as "any substance that becomes a component part of a processed food product or otherwise affects the characteristics of the food product." As such, they include any substance which has a direct or indirect impact on the food as a result of its use in producing, manufacturing, processing and preparing the food product, and in packing, treating, packaging, transporting, and/or holding the food product.

PESTICIDE AND OTHER CONTAMINANTS

The Fertilizer and Pesticide Authority (FPA) was created in 1977 by Presidential Decree No.1144 (PD 1144). The FPA is the designated national authority for registration matters. FPA licenses pesticide distributors and dealers and issues import certificates. Registration may be suspended or cancelled when there is imminent danger of misuse of the products or violations of regulations by handlers. Education, training and certification of pesticide handlers and agro-medical officers are also significant activities of the FPA. Registration of new and toxic pesticides requires evaluation by the FPA for risk and benefits.

While the FPA is the designated regulatory agency for registration matters, the Bureau of Plant Industry (BPI) is the agency mandated to monitor the levels of pesticide residue in crops to protect both local and international consumers. It also monitors the level of chemical residues on agricultural crops and by-products and recommends policies for the safety of
consumers. Moreover, BPI determines and evaluates practices on the use of pesticides for possible modification.

**ANTIOXIDANTS**

Substances used to preserve food by retarding deterioration, rancidity or discoloration due to oxidation. Restriction/Maximum Level of Use

<table>
<thead>
<tr>
<th>Substance</th>
<th>Restriction/Maximum Level of Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ascorbic Acid</td>
<td>GMP</td>
</tr>
<tr>
<td>Ascorbyl palmitate</td>
<td>GMP</td>
</tr>
<tr>
<td>Butylated hydroxyanisole</td>
<td>0.02 %</td>
</tr>
<tr>
<td>* Butylated hydroxyanisole</td>
<td>0.02 %*</td>
</tr>
<tr>
<td>Calcium ascorbate</td>
<td>GMP</td>
</tr>
<tr>
<td>Dilauryl thiodiisopropionate</td>
<td>0.02 %*</td>
</tr>
<tr>
<td>Erythorbic acid</td>
<td>GMP</td>
</tr>
<tr>
<td>Ethoxynquin</td>
<td>100 ppm for color preservation of chili powder and paprika</td>
</tr>
<tr>
<td>Lecithin</td>
<td>GMP</td>
</tr>
<tr>
<td>Propylgallate</td>
<td>0.02 %</td>
</tr>
<tr>
<td>* Sodium Ascorbate</td>
<td>GMP</td>
</tr>
<tr>
<td>Sodium erythorbate</td>
<td>GMP</td>
</tr>
<tr>
<td>Stannous chloride</td>
<td>11-20 ppm calculated as tin*</td>
</tr>
<tr>
<td>Thidipropionic acid</td>
<td>0.02 %*</td>
</tr>
<tr>
<td>Tertiary butyl hydroquinone (TBHQ)</td>
<td>0.02%*</td>
</tr>
<tr>
<td>Alpha-tocopherol</td>
<td>GMP</td>
</tr>
<tr>
<td>Tocopherol (mixed concentrate)</td>
<td>GMP</td>
</tr>
</tbody>
</table>