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Committee on Import Licensing

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IMPORT LICENSING SYSTEM OF THE PHILIPPINES

REPLIES BY THE PHILIPPINES TO THE FOLLOW-UP QUESTIONS FROM THE UNITED STATES¹

The following submission, dated 7 October 2022, is being circulated at the request of the delegation of the Philippines.

The Philippines acknowledges the follow-up questions from the United States regarding the Sanitary and Phytosanitary Import Clearance (SPSIC) regime as outlined in G/LIC/Q/PHL/7 and G/LIC/Q/PHL/9, and responds as follows:

On additional guidelines in the importation of Onions: (Items 1-6 of G/LIC/Q/PHL/7)

As a new administration has taken over the leadership of the Department of Agriculture, our capital authorities could possibly review this measure. We shall inform the Committee of developments in this regard.

On the Validity of SPSICs for Meat and Poultry: (Item 7 of G/LIC/Q/PHL/7 and G/LIC/Q/PHL/9 – follow up questions on validity for meat and poultry)

The Philippines Bureau of Animal Industry (BAI) confirmed that the extension of the validity for meat products was implemented to address the difficulties encountered in logistics brought about by the global health crisis. This is also to ensure that animal health and food safety of meat products will not be compromised. In a related development, we wish to inform the US that the Philippines may consider to permanently institute the validity of SPSIC for meat and poultry to 90 days. This will be subject to public consultation with the relevant stakeholders.

On SPSICs and Certificate of Necessity to Import (CNI) on Fish: (G/LIC/Q/PHL/9- follow up questions on fish importation)

Per information from the Philippines Bureau of Fisheries Aquatic Resources (BFAR), the importation of fish is categorized into the following intent of importation:

1. If the fish being imported is intended for canning and processing, and for institutional buyers, it is covered by Fisheries Administrative Order (FAO) 195. There are no defined criteria as to who may import under such activity as long as the requirements set forth therein are met.
2. If the fish being imported is intended for wet markets, it is covered by FAO 259. Under Section 5 of 259, the following are the qualified importers:
 - a. Members of an organization or association from commercial fishing sector that have been in existence for at least three years prior to the effectivity of the FAO; and
 - b. Registered fisheries associations or cooperatives that have been doing fish trading business and in existence for at least three years prior to the effectivity of this Order.

On whether supermarkets, groceries, and online retailers are considered institutional buyers, per definition provided under FAO 195, these establishments are not to be considered as institutional

¹ Circulated on 21 September 2022 in document G/LIC/Q/PHL/9.

buyers. Thus, they should not be allowed to import fish without the necessary CNI. The requirement of a CNI is provided for under Section 61 (c) of Republic Act (RA) 8550 (Fisheries Code of the Philippines) as amended by RA 10654.

On Pest Risk Analysis (PRA) and Categorization of Commodities: (Items 8-10 of G/LIC/Q/PHL/7 and G/LIC/Q/PHL/9 – follow up on limitation of validity based on risk)

Per information provided by the Philippines Bureau of Plant Industry (BPI), PRA and categorization of commodities are two independent processes. DA Quarantine Administrative Circular No. 01, series of 2014 (Guidelines for the Categorization of Commodities of Plant Origin) is the domestic guideline based on International Standard for Phytosanitary Measures (ISPM) 32. This guideline specifies that:

- a. Category 1 commodities do not require an SPSIC;
- b. Category 2 commodities, PRA may be necessary for pests that may not be eliminated by the processes applied to the commodity; and
- c. Category 3 and 4 commodities, PRA is definitely necessary.

The list of commodities that were categorized based on the said classification is provided in the said guidelines which is available at: [QAC-0114.pdf \(pntr.gov.ph\)](#).

The must ship-out date validity of 20-days for fresh and 60-days for non-fresh is implemented, since the pest risk probability of reinfestation varies depending on the status and condition of commodity to be imported. Validity for commodities under categories 1 and 2 are longer because these commodities present little or no risk compared with categories 3 and 4 which present a greater pest risk. The Bureau follows a policy that issued SPSIC is valid for one shipment. The ISPM 32 applies not only to imported plants and plant products but also as a guide for exported commodities.

The differentiated arrival date requirements were required for monitoring purposes of import arrivals and in consideration of the travel period as well as the distance of the country of origin to the Philippines.

According to BPI, the imported fresh fruits and vegetables intended for a specific market is part of the assessment on an existing PRA which limits the market mainly for monitoring purposes, but such PRA can be revisited upon the request of the trading partner. The "high-end market" applies to selected market such as hotels and restaurants.

On distribution of imported pork in the National Capital Region (NCR): (Item 11 of G/LIC/Q/PHL/7)

According to BAI, the distribution of imported pork in the NCR under the MAV plus mechanism is to stabilize the price of pork due to high inflation rate caused by low supply of pork. This is due to the restricted movement in the distribution of pork to control the spread of the African Swine Fever (ASF) which severely affected the neighbouring regions that supply its required volume of pork.
