



Republic of the Philippines
Department of Health
FOOD AND DRUG ADMINISTRATION



FDA CIRCULAR
No. **2016-008**

12 JUL 2016

SUBJECT : Recognition of Licenses and Identification (IDs) Cards Issued by the Fertilizer and Pesticide Authority (FPA) to Pest Control Operators (PCOs) and Pesticide Applicators, Respectively

I. BACKGROUND

On 08 February 2007, during the case of Fertilizer and Pesticide Authority (FPA) vs. Manila Pest Control Company (MAPECON) and Woodrow Catan, G.R. 161594, , the Supreme Court has ruled that the FPA shall have jurisdiction only over agricultural pesticides and not over pesticides used in the household, business establishments, and offices in urban areas. As a consequence of such pronouncement, DOH-BFAD Advisory No. 2008-003 entitled, "Import Permits; Initial Registration and Renewal of Existing Certificates of Product Registration covering Household Pesticide Products, as well as, Licenses to Operate of Entities Manufacturing or Importing/Exporting/Distributing such Products and Raw Materials" has been issued, transferring the jurisdiction over household pesticides from FPA to the Department of Health (DOH), through the Bureau of Food and Drugs (BFAD), now known as the Food and Drug Administration (FDA).

II. OBJECTIVES

This circular is being issued for the purpose of recognizing the licenses and identification cards issued by the FPA to pest control operators (PCOs) and pesticide applicators, respectively, prior to the 23rd day of November 2007, until such time that the FDA has issued the implementing guidelines on the licensing and training program of the aforementioned entities.

III. SCOPE

This circular shall apply to FPA licenses issued to PCOs and the FPA identification cards issued to pesticide applicators signifying their completion of the FPA's training and accreditation program.



IV. DEFINITION OF TERMS

As used in this circular, the following terms shall be defined as:

1. Certified Pesticide Applicator (CPA) – refers to the one who has attended a four-day training course and passed an examination administered by the FPA. [Reference: FPA Pesticide Regulatory Policies and Implementing Guidelines, December 2001]
2. FDA – refers to the Food and Drug Administration
3. FPA – refers to the Fertilizer and Pesticide Authority
4. Household Pesticides – refers to any material or mixture of substances used for the control of pests (e.g. flies, mosquitoes, cockroaches, ants, rodents) found in places of human habitation, work and recreation. They shall include pesticides used for the control of pest in homes, yards, and gardens but shall exclude chemicals used in commercial agricultural production, golf courses, maintenance, pest extermination in industrial products and related uses. [Reference: FPA Pesticide Regulatory Policies and Implementing Guidelines, December 2001]
5. Pest Control Operator (PCO) – means an establishment allowed to enter into contracts for the commercial application of pesticides for extermination and/or fumigation work. [Reference: FPA Pesticide Regulatory Policies and Implementing Guidelines, December 2001]

V. GUIDELINES:

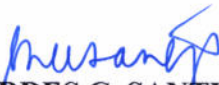
The following guidelines shall be implemented:

1. The FDA shall honor and recognize all existing licenses and identification cards issued by FPA to PCOs and pesticide applicators respectively, prior to 23 November 2007.
2. All FPA licensed PCOs and FPA-CPAs shall only use FDA-registered household pesticides.
3. Handling and actual application of household pesticides shall only be done by FPA-CPAs with the knowledge and approval of the FPA-licensed PCOs.
4. The FPA-licensed PCOs shall be responsible for the activities of their respective FPA-CPAs.

5. The rules and regulations promulgated by FPA prior to 23 November 2007 shall be in effect while the recognition of the licenses and identification cards issued by the FPA as provided in this Circular is in effect. Entities found to be in violation of FPA's rules and regulations shall be subjected to appropriate legal actions.
6. PCOs and CPAs shall be subject to FDA's post-marketing surveillance.

VI. EFFECTIVITY

This Circular shall take effect fifteen (15) days after publication in two newspapers of general circulation and shall remain valid unless otherwise revoked, repealed or rescinded.


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