



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF HEALTH
BUREAU OF FOOD AND DRUGS
Civic Drive, Filinvest Corporate City
Alabang, Muntinlupa City



24 March 2008
MALAYA AT MALUSOG
NA PAMAYANAN

BUREAU CIRCULAR
NO. 2007-006-A

TO : All Food Importers/Distributors and other concerned parties or establishments

SUBJECT : AMENDMENT TO BUREAU CIRCULAR NO. 2007-006 PROVIDING FOR THE "ADDITIONAL REQUIREMENT FOR IMPORTATION OF PROCESSED FOOD PRODUCTS FOR DISTRIBUTION IN THE PHILIPPINES."

Prompted by the proliferation of unsafe imported processed food products in the market and pursuant to the mandate to (a) establish standards and quality measures for foods, drugs and devices and cosmetics, and (b) adopt measures to ensure pure and safe supply of foods and cosmetics, and pure, safe, efficacious and good quality drugs and devices in the country, this Bureau issued Bureau Circular No. 2007-006 dated 12 July 2007 obligating the concerned establishments to submit a copy of Certificate of Free Sale issued by the Regulatory Agency of the country of origin of the imported food product sought to be registered in addition to the existing requirements for the issuance of a license to operate as food importer and registration of the imported product.

However, questions were raised concerning the above requirement, which reveal potential issues that lead to confusion and derail the effective implementation of the aforesaid Bureau Circular, hence; the directives stated therein are hereby modified and expounded accordingly.

I. Directive

1. A Certificate of Free Sale (original copy) or similar certificate attesting that the food product is either freely sold in the country of origin and/or for export shall only be required to be submitted as additional requirement for the registration of a food product sought to be imported into the Philippines for distribution. This requirement is applicable for initial or renewal (whether regular or automatic) applications; provided that, for initial applications which are already pending from the date of issuance of this Circular and those registrations which are due for renewal whether regular or automatic, the same shall be processed accordingly, however, the importers shall be given ninety (90) days from the date of issuance of the Certificate of Registration (new registration) or date of renewal of the registration (regular renewal) or expiry date of the registration (automatic renewal) within which to submit the above-required certificate. Failure to comply shall be a ground for the revocation of the registration.

2. The Certificate of Free Sale or similar certificate shall indicate whether the food product is registered, freely sold in the country of origin, and/or is for export. If it is not registered and/or not to be sold in the country of origin, such facts must likewise be indicated apart from the information that the food product is solely for export. If exported in more than one country other than the Philippines, the country(ies) shall be identified [maximum of five (5) major countries of export] excluding the Philippines.
3. The Certificate of Free Sale or similar certificate must be issued by the health regulatory agency or if not issuing, the trade regulatory agency, or any government agency responsible for the regulation of the food product, of the country of origin of such food product offered for import into the Philippines. The certificate must bear the official seal of the issuing agency and need not be authenticated.
4. If there is no government agency that issues a Certificate of Free Sale or similar certificate, any relevant organization or association duly registered and recognized in the country of origin shall issue such certificate. The fact that no government agency issues said certificate must be indicated apart from the information required in item two (2). The certificate must bear the official seal of the issuing organization and the certificate must be authenticated by the Philippine consulate in that country.
5. If the food product is being manufactured in a country different from the country of origin, the principal state (country of origin) shall be the one responsible in issuing the above-required certificate.
6. Processed food products shall not be imported and admitted into the Philippines if they are not duly registered with the Bureau of Food and Drugs **and** the importer (consignee) thereof is not a holder of a valid license to operate issued by this Office. Both the Certificate of the Product Registration covering the product sought to be imported, as well as, the License to Operate of the importer must be presented to the Bureau of Customs for the release of the food product being imported or offered for import.

For the guidance of all concerned.

This Circular shall take effect immediately.


Prof. LETICIA-BARBARA B. GUTIERREZ, M.S.
Director IV