

**[ BAI ADMINISTRATIVE ORDER NO. 16, S. 2005,  
August 31, 2005 ]**

**RULES GOVERNING THE IMPORTATION OF LIVE CATTLE FROM  
BRAZIL**

WHEREAS, the Department of Agriculture conducted an inspection and evaluation of animal health status and bovine production system of Brazil for possible accreditation to export live cattle to the Philippines;

WHEREAS, after thorough evaluation, the Department of Agriculture found favorable conditions that merit allowing the importation of live cattle from Brazil.

NOW, THEREFORE, I, ARTHUR C. YAP, Secretary of the Department of Agriculture, by the power vested in me by law, do hereby issue this order granting accreditation to Brazil to export live cattle into the Philippines, subject to the following conditions:

1. The minimum requirements set by the OIE especially in relation to the List A and B diseases present in Brazil on the importation of live cattle shall be followed;
2. Only cattle from FMD-free areas of Brazil will be allowed for importation;
3. Imported cattle shall be allowed only to FMD endemic areas in the Philippines where vaccination is practiced;
4. There will be a separate protocol on the importation of feeder and breeder cattle, imported feeder cattle shall be for slaughter purposes only and shall not be used in any case as a breeder animals; and,
5. There should be a veterinary quarantine officer from the Philippines to undertake a pre-shipment quarantine of at least thirty (30) days and witness the loading of cattle at the port of embarkation to examine any clinical signs of diseases in cattle and other necessary documents for the export of cattle into the Philippines.

All importation of live cattle shall be accompanied by a Veterinary Quarantine Clearance (VQC) to import signed by the Secretary of the Department of Agriculture or his duly authorized representative and have complied with the rules and regulations of the Department of Agriculture.

All orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Order are hereby repealed or amended accordingly.

*SECTION II. Scope -*

- a. Only meat and/or meat products referred to in Annex "A"\* as defined in Section I (M) and (N) are covered by this Order.

b. All importations of meat and/or meat products into the Philippines destined to be unloaded into the customs territories for direct consumption, repacking and relabeling/rebranding, processing and manufacturing, marketing and distribution and/or re-export are covered by this Order.

c. Transshipped meat and/or meat products into the Philippines are not covered by this Order.

### *SECTION III. Application for and Issuance of VQC/SPS Clearance -*

a. Prior to the importation of meat and/or meat products from the country of origin, an accredited importer as defined in Section I (B) shall first secure a VQC/SPS Clearance from BAI. This provision shall be subject to review and modification by the DA depending on the compliance performance of importers and FMEs.

b. The accredited importer (applicant) shall:

1. Submit a duly accomplished application form to import (attached as Annex "B"\*) indicating and certifying the nature of the import application and a disclosure that the meat and/or meat products are still at the country of origin and have not been boarded yet to a vessel/aircraft;
2. Submit the relevant pro-forma invoice; and
3. Pay the necessary application fee/s to BAI.

c. The application, processing, and receipt of VQC shall only be undertaken by the president/CEO/general manager of the firm or through its authorized representative/s.

d. The BAI in consultation with NMIS as appropriate shall issue VQC upon determination of the following:

1. The absence of relevant diseases, pests, and/or contaminations at the relevant area/region/country of origin in/from which live animals are being domesticated, produced, slaughtered, processed, packed, canned, loaded/boarded, and transported including the route/s of the vessel/aircraft in which imported meat and meat products might be carried;
2. The FME is in 'good standing' as defined in Section I (I);
3. The accredited importer is in 'good standing' as defined in Section I (J);
4. The appropriate and specific risk management conditions relevant to the importation of specific meat and/or meat products based on OIE and Codex; and
5. Other factors necessary and pertinent to SPS concerns.

e. Based on above considerations, BAI shall approve/disapprove the application within 5 working days from the receipt of complete application documents. The approved VQC shall contain the BAI seal and the signature of the BAI Director.

f. Upon issuance of VQC, the accredited importer shall immediately provide the exporter with a copy (i.e. electronic copy, facsimile) of the approved VQC, which shall be the basis for health and safety for the issuance of IVC by the NVA at the country of origin.

g. The VQC is valid for 60 days without extension from the date of issuance, within which meat and/or meat products are to be shipped out from the country of origin as indicated in the bill of lading or airway bill. Shipment made beyond the validity period shall render such shipment illegal and therefore shall be confiscated and disposed of in accordance with Section X herein.

h. The VQC is not transferable and therefore shall only be used by the consignee for whom this was issued.

i. Only the president/CEO/general manager of the importing firm and its authorized representatives are allowed to receive the approved VQC provided in Section III (C).

j. The One Shipment/BILL OF LADING - Per VQC Policy as defined in Section I (R) shall be strictly adhered to in the conduct of importation, such that a VQC can only be used relative to the shipment described therein. Any shipment made in violation of this provision shall render the same unlawful and subject the shipment to the disposition prescribed under Section X; furthermore the importation shall be deemed a violation of the herein Administrative Order subject to the Penalty Provisions as contained in Section XI hereunder.

k. No VQC shall be issued after the shipment has left the port of origin and any misrepresentation of such fact shall render the VQC invalid and the importation illegal and subject to Section X hereof.

*SECTION IV. Personal and Non-Commercial Importation* - Importation of fresh, frozen and uncooked meat products for personal and non-commercial consumption shall not be allowed unless covered by a valid VQC and IVC.

*SECTION V. General Requirements and Conditions* -

a. Only FMEs as defined in Section I (H and I) recognized by the National Veterinary Administration of the exporting country are allowed to export into the Philippines. Recognition extended by the local, provincial, and/or regional veterinary administration/authorities at the country of origin is not recognized by DA.

b. Only accredited importers as defined in Section I (B) are allowed to file an application for VQC for the importation of meat and meat products and to import from FMEs.

c. The accredited importer shall ensure that its exporter at the country of origin has received a copy (i.e. electronic copy, facsimile) of the approved VQC/SPS Clearance prior to the shipment/boarding of meat and/or meat products to the Philippines.

d. The accredited importer shall ensure that the date of shipment of goods (as reflected in the Bill of Lading/Airway Bill) is not earlier than the date of the issuance of VQC.

e. The seal of the container of imported meat and/or meat products must be maintained throughout the chain of importation. The fact that an imported meat or meat product is transshipped or made to pass through other ports other than original port of origin before arriving in the Philippines shall not validate the VQC and IVC, unless the original seal has been broken.

*SECTION VI. Additional Measure, Temporary Import Ban and Resumption of Trade -*

A. During emergency cases/situations, DA shall exercise its authority and powers under existing laws in the 'timely' imposition of a temporary import ban on the importation of relevant meat and/or meat products from relevant areas/regions/countries to ensure human and animal health/life are secured and protected. In the promulgation of an import ban, DA shall:

1. Suspend the issuance of VQC for relevant applications;
2. Cancel/revoke all relevant VQCs issued;
3. Suspend all relevant shipments; and
4. Confiscate all relevant shipments and dispose these shipments in accordance with Section X;

B. Emergency cases/situations include the following:

1. Outbreak of any relevant OIE notifiable disease;
2. Danger/occurrence of contamination (e.g., dioxin contamination); and/or
3. Other cases important to public health and safety as determined by DA.

C. In the imposition of any import ban, DA shall consider the following:

1. The recommendations of OIE, World Health Organization (WHO), and/or Codex;
2. The risk management and communication measures undertaken by the exporting government are not sufficient as may be determined through readily available information;
3. The importance as to the presence in the source country or part of the country of the relevant diseases, contaminations and/or other cases important to public health and safety;
4. The results of any risk assessment undertaken by DA based on readily available information; and/or
5. Other circumstances which warrant the imposition of a ban.

D. The temporary import ban shall be lifted based on the following consideration;

1. The recommendations of OIE, World Health Organization, and/or Codex;
2. The risk management and communication measures undertaken by the exporting government are already sufficient;
3. The results of any risk assessment undertaken by DA based on readily available information; and
4. Other considerations that warrant the resumption of importation.

E. In cases of emergency situations referred to in Section VI (B) which do not necessarily require immediate banning of meat and/or meat products, DA may

institute extra/additional measure/s apart from the regular measures, standards and requirements necessary to ensure the safety and wholesomeness of any meat and/or meat products that may be imported from the relevant area/region/country where such emergency cases occur.

*SECTION VII. Packing and Labeling Requirements* - The accredited importer shall ensure that the shipment shall comply with the following packing and labeling requirements:

A. The packing materials and containers in direct contact with the meat and/or meat products must be of food grade quality based on the standards set by Codex or equivalent standards as may be determined by DA.

B. All wood packaging materials of imported meat/meat products shall be treated in accordance with the International Standards on Phytosanitary Measures No. 15 (ISPM No. 15).

C. All food additives/preservatives shall be declared in the label as appropriate/applicable.

D. The packaging must meet the minimum labeling requirement as follows:

1. Registered trade name of the exporter or brand name of the product;
2. Business name and address of the exporter;
3. Country of origin;
4. Lot identification;
5. Product description and list of ingredients;
6. Net quantity of contents, in terms of weight, measure of numerical count rounded to the nearest tenths (expressed in METRIC SYSTEM);
7. Date of manufacture and packaging;
8. Date of minimum durability ("best before") or expiration date; and
9. Handling and storage instructions

E. The label on each box/packaging of the imported meat and/or meat products must be written in English or Filipino and each character of the text should not be less than 2.5 mm (for pre-printed or stamped) and 5 mm (for stenciled or hand painted).

*SECTION VIII. Border Control Inspection and Clearance and Release Procedures* -

A. Border control shall be conducted strictly for all shipment of meat and/or meat products. To ensure timely initiation and completion of veterinary and meat inspection and clearance, the importer/consignee or his/her authorized representative shall submit to the Veterinary Quarantine Officer (VQO) all the required documents pertinent to the shipment as prescribed in Section VIII (C.1).

B. Upon arrival of any shipment of meat and/or meat products at the port of entry as defined in Section I (S), this shall be subjected to documentary verification and evaluation, veterinary inspection by DA. Only upon completion of these mandatory activities and clearances shall the BOC release the shipment.

C. At the port of entry, the VQO shall: