

**[DTI DEPARTMENT ADMINISTRATIVE ORDER NO.
8, September 11, 1995]**

**REVISED RULES AND REGULATIONS CONCERNING THE
ISSUANCE OF IMPORT COMMODITY CLEARANCE**

Pursuant to the provisions of R.A. 4109, R.A. 7394 and E.O. 913 Series of 1993, the following rules and regulations governing the issuance of import commodity clearances are hereby prescribed and promulgated for the compliance, information, and guidance of importers and all others concerned:

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Scope

1.1 This Department, Administrative Order prescribes the rules and regulations on the issuance of import commodity clearances to import shipments covered by mandatory Philippine National Standards under the implementation authority of the Department of Trade and Industry, through the Bureau of Product Standards.

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Definition of Terms

For purposes of this Order, the following definitions shall apply:

2.1 BPS - Bureau of Product Standards

2.2 Certifying/Testing Organization - An impartial body, governmental or non-governmental, possessing the necessary competence and reliability to test and certify products for conformity to the requirements of standards.

2.3 Test Certificate - A document issued by a third party certifying/testing organization to a particular import shipment/commodity attesting that the sampling, testing and results thereof are in accordance with a specific Philippine National Standard or BPS-recognized international/foreign standard.

2.4 DTI - Department of Trade and Industry

2.5 Evaluation - The actual inspection, sampling and testing of a product.

2.6 International/Foreign Standard - A standard developed by international bodies like the International Organization for Standardization, International Electrotechnical Commission, International Telecommunication Union, or by the National Standards Body of a foreign country.

2.7 Import Commodity Clearance - A document issued by DTI attesting that the quality of an imported product conforms to a Philippine National Standard or BPS-recognized international/foreign standard.

2.8 National Standards Body - A nationally-recognized body whose principal function at the national level, by virtue of its charter or national statutes is the development, promulgation, publication, promotion and implementation of national standards.

2.9 Philippine National Standard - Standards issued or developed by the BPS.

2.10 Conditional Release - Document issued to the importer allowing the temporary release of goods from Customs' custody, upon compliance with customs' requirements, while awaiting issuance of the Import Commodity Clearance.

3

Application for Import Commodity Clearance

3.1 Importers of products covered by mandatory Philippine National Standards shall apply for the Import Commodity Clearance with the nearest DTI Regional/Provincial Office, immediately upon arrival of their import shipments.

3.2 Application for an Import Commodity Clearance shall be made in forms obtainable from the nearest DTI Regional/Provincial Offices. It shall be filed in triplicate, together with the following documents:

3.2.1 Packing List

3.2.2 Import Entry

3.2.3 Invoice

3.2.4 Bill of Lading/Air Waybill

3.2.5 SGS-CRF

3.2.6 Test certificate from the country of origin as issued by the national standards body thereof or its recognized testing authority in that same country establishing conformity of the import shipment to the requirements of the applicable Philippine National Standard or BPS-recognized international/foreign standard.

3.2.7 Power of Attorney (in cases where the ICC application is filed by persons/entity other than the importer)

3.3 An import shipment shall be evaluated by duly authorized DTI Regional/Provincial personnel to determine its compliance with the requirements of the applicable Philippine National Standard or BPS-recognized international/foreign standard.

3.4 To facilitate processing of the Import Commodity Clearance the importer shall have its import shipment inspected, sampled and tested at the country of origin based on the applicable Philippine National Standard or BPS-recognized international/foreign standard by the National Standards Body at the source country or its designated accredited testing authority.

3.5 When necessary, shipments that have been certified abroad as meeting Philippine National Standards may be randomly subjected to resampling and testing by BPS or DTI Regional/Provincial Offices.

3.6 In the event that random checks of import shipments reveal inconsistencies of the quality of the actual imported products with the test certificates issued in the country of origin, all subsequent import shipments of such products from that country shall be subjected to a per shipment sampling and testing by BPS or DTI Regional/Provincial Offices regardless of who the importers are and notwithstanding their certification abroad. This per shipment sampling and testing shall continue for