

**[DA ADMINISTRATIVE ORDER NO. 17, S. 1998,
December 04, 1998]**

**ESTABLISHMENT OF THE BUREAU OF AGRICULTURE AND
FISHERIES PRODUCT STANDARDS (BAFPS)**

Whereas Republic Act No. 8435 (RA 8435), otherwise known as The Agriculture and Fisheries Modernization Act of 1997, provides for the establishment of the Bureau of Agriculture and Fisheries Product Standards (BAFPS) in consonance with "the policy of the state that all sectors involved in the production, processing, distribution and marketing of food and non-food agricultural and fisheries products shall adhere to and implement the use of product standards in order to ensure consumer safety and promote the competitiveness of agriculture and fisheries products."

Whereas effective implementation and enforcement of agriculture and fisheries product standards require better coordination and strengthening of various aspects of standards formulation and implementation which currently reside in a number of government agencies;

NOW, THEREFORE, the BAFPS is hereby established.

Section 1. The BAFPS shall have the following powers and functions as defined in Section 63 of RA 8435:

1.1 "Formulate and enforce standards of quality in the processing, preservation, packaging, labelling, importation, exportation, distribution, and advertising of agriculture, livestock and fisheries and aquaculture products;

1.2 Conduct research on product standardization, and alignment of the local standards with the international standards; and

1.3 Conduct regular inspection of processing plants, storage facilities, abattoirs, as well as public and private markets in order to ensure freshness, safety and quality of products."

Section 2. For the purpose of this Administrative Order, standards-related definitions in RA 8435, its Implementing Rules and Regulations (DA AO 6, 1998) and the Philippine National Standards (PNS) 01: Part: 1998 shall apply.

Section 3. In collaboration and coordination with the appropriate Department and other government agencies, including but not limited to the Bureau of Product Standards and the Department of Trade and Industry; the Department of Science and Technology; and the Bureau of Food and Drugs of the Department of Health; state and private universities and colleges (SPUCs); local government units (LGUs); and the private sector, including people's organizations (POs) and non-government organizations (NGOs) the BAFPS shall formulate and enforce standards of quality

that will ensure human, animal and plant health and safety, environmental protection, competitiveness and efficiency in the marketing and trade of agriculture, livestock and fisheries and aquaculture products. Enforcement shall include the formulation and implementation of standards utilized in the enforcement of quarantine rules and regulations.

Section 4. The specific scope, timetables and mechanisms of implementation of the BAFPS functions shall be formulated in collaboration with the concerned agencies and promulgated through issuance by the Secretary of Agriculture and/or Memoranda of Agreement among the concerned agencies.

Section 5. On matters related to fisheries product standards, the BAFPS shall coordinate with the Bureau of Fisheries and Aquatic Resources (BFAR) and the Philippine Fisheries Development Authority (PFDA), the agencies primarily responsible for the formulation and implementation of these standards, as provided for by the Philippine Fisheries Code of 1998 (R.A. 8550). The specific relationship of BAFPS with BFAR and PFDA shall be defined in an administrative order (AO) to be issued by the Secretary of Agriculture.

Section 6. In collaboration and coordination with government agencies and the private sector, the BAFPS shall, more specifically:

6.1 develop and implement the codes of practice and guidelines for food safety, postharvest handling, primary and secondary processing, packaging, labelling, advertising, distribution and marketing of agriculture, livestock and fisheries and aquaculture products;

6.2 ensure the participation of representatives of all concerned parties, both government and non-government, in the formulation of agriculture, livestock and fisheries and codes of practice, to enable adequate domestic adjustment to these;

6.3 form multi-sectoral technical committees consisting of government agencies, SPUs and private sector representatives to undertake the formulation of national standards on agriculture, livestock and fisheries and aquaculture products, and subject these standards to periodic review and revision, if necessary;

6.4 transmit standards covering agriculture, livestock and fisheries and aquaculture products promulgated as national standards to the Bureau of Product Standards of the Department of Trade and Industry for assignment of PNS number;

6.5 assist government offices and agriculture and fisheries enterprises to establish the scientific basis for food safety and trade standards and codes of practice, and harmonize these with internationally accepted standards and practices;

6.6 monitor and disseminate developments and trends in international food safety standards and codes of practice, ensure timely assessment of impact on domestic products and determine appropriate courses of action;

6.7 in collaboration with the Department's Policy Analysis Service (DA-PAS), provide the organization and manpower expertise to ensure effective preparations and background for government participation in deliberations on international food standards, including those related to the World Trade Organization (WTO)

agreements on Sanitary and Phytosanitary (SPS) Measures and Technical Barriers to Trade (TBT), and other standards adopted by the Food and Agriculture Organization (FAO), World Health Organization (WHO), the Codex Alimentarius Commission, the Office Internationale des Epizooties (OIE), the International Plant Protection Convention (IPPC) and other international bodies formulating food safety and trade standards, and, subject to the direction of the Secretary, be responsible for government participation in the deliberation of the above international bodies;

6.8 serve as the Philippines' National Inquiry Point for SPS and other food safety and standards concerns;

6.9 represent the Department in inter-agency bodies involved with standardization and consumer protection;

6.10 establish and maintain, in collaboration with the National Information Network (NIN) and appropriate research institutions and SPUCs, the database, Management Information System (MIS), Monitoring and Evaluation (M & E), research, and other information related to commodity and food safety standards;

6.11 in collaboration with the Bureau of Agricultural Research (BAR) and appropriate research institutions and SPUCs conduct research related to agriculture and fisheries product standards;

6.12 recommend to the Secretary the designation of appropriate agencies empowered to enforce the regulatory provisions of RA 8435, consistent with existing laws;

6.13 conduct product testing, surveillance and inspection of food handling, processing and storage facilities, including abattoirs, fish ports and landing areas and markets, for compliance with approved standards and codes of practice, and establish and operate testing centers and research laboratories for this purpose;

6.14 establish an inspection and Certification systems including third party accreditation to ensure the cost-effective and efficient implementation of standards and codes of practice;

6.15 in collaboration with appropriate offices and entities, determine and implement the recall from the market of commodities found to be unfit for human consumption or pose a hazard to humans, animal or plant health, and undertake procedures for the destruction or disposal of confiscated commodities;

6.16 in consultation with the appropriate agencies, recommend to the Secretary the filing of appropriate administrative, civil or criminal action for imposition by the proper courts of justice of appropriate sanctions and penalties for acts found in violation of standards-related regulations;

6.17 levy and collect fees for inspection, testing, certification and other services. Provided, that the schedule of fees shall be determined in consultation with the Department of Finance, Commission on Audit and the Department of Budget and Management (DBM), and subject to the approval of the Secretary of Agriculture, except in instances where the collection of said fees is provided for under other laws. Provided, further, that such fees shall be deposited to the Bureau of Treasury