



Republic of the Philippines
OFFICE OF THE SECRETARY
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DEPARTMENT CIRCULAR

No. 05

Series of 2024

SUBJECT : COMPLIANCE WITH QUANTITY IN THE ISSUED SANITARY AND PHYTOSANITARY IMPORT CLEARANCE (SPSIC) FOR THE IMPORTATION PLANTS, PLANTING MATERIALS, AND PLANT PRODUCTS FOR COMMERCIAL PURPOSES

WHEREAS, Department of Agriculture (DA) Department Circular (DC) No.4, Series of 2016, Food Safety Act and other relevant rules and regulations aims to rationalize and enhance the requirements and procedures in the importation of plants, planting materials and plant products for commercial purposes;

WHEREAS, Under DA DC 4, s.2016, the Bureau of Plant Industry (BPI) licensed importers are required to apply for a Sanitary and Phytosanitary Import Clearance (SPSIC) for the importation of plants, planting materials, and plant products to ensure compliance with sanitary and phytosanitary (SPS) requirements imposed by the BPI;

WHEREAS, there is a need to ensure that imported plants, planting materials, and plant products should arrive in compliance with the issued SPSIC particularly in the declared quantity to guarantee that SPS measures were conducted appropriately and effectively to prevent entry of plant quarantine pests and food safety risks.

WHEREAS, there is a need to obtain and secure accurate information of all arriving imported plants, planting materials, and plant products which will guide the Department of Agriculture (DA) in crafting and implementing policies.

NOW, THEREFORE, I, FRANCISCO P. TIU LAUREL, JR., Secretary of the Department of Agriculture, by the power vested in me by law, do hereby issue this Department Circular requiring all BPI-Licensed Importers to import the accurate quantity of plants, planting materials, and plant products as declared in the issued SPSIC.

Section 1. Evaluation of Application for Request for Inspection (RFI). The BPI shall ensure that all accompanying import documents (eg. Phytosanitary Certificate, Bill of Lading, BOC SAD) declaring the weight and quantity of the commodity is equal or within the weight and quantity as declared in the issued SPSIC. Number of packages may vary



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provided that the total weight is still consistent with the issued SPSIC. For containerized goods, applications shall be applied twenty-four (24) hours prior to the arrival of shipment. For bulk shipments via bulk carriers, applications shall be applied twenty-four (24) hours after departure from port origin with loading plan of vessel's cargo. Inconsistent applications shall be rejected informing the importer/authorized representative of the reason for rejection.

Section 2. Validation of actual weight and quantity. BPI Licensed Importers shall be required to submit the Bill of Lading (BL) of the subject consignment to BPI prior to (or upon) ship out for verification of compliance. The BPI, in coordination with the Bureau of Customs (BOC), may conduct the validation of the declared weight and quantity using available equipment (magna scale) in their respective ports of entry. The Department of Agriculture Inspectorate and Enforcement (DAIE) through the Information and Communications Technology Service (ICTS) shall improve and strengthen the utilization of the electronic Inward Foreign Manifest (e-IFM) which can be secured from the Association of International Shipping Lines (AISL) and BOC for consignment information and declaration. Such document can be used as reference to verify shipments prior to arrival. DAIE may also coordinate with the AISL on port operations and other details vital to the operated validation.

Section 3. Excess weight and quantity. No shipment of plants, planting materials and plant products with excess weight and quantity from the issued SPSIC shall be allowed, unless the excess is within the allowable limit of **0.1%** and the whole shipment shall undergo mandatory phytosanitary treatment/post-entry SPS measures. Importers shall pay the appropriate regulatory fees and duties.

Otherwise, such excess in quantity shall either be confiscated or returned to origin with the consent of the importer. All expenses incurred by the Department in dealing with the evaluation and disposal of the excess quantity shall be at the expense of the importer. Non-compliances shall result to sanctions a per DA DC no. 4 series of 2016 and may result to suspension/revocation of license as importer.

Section 4. Repealing Clause. All other provisions in Department Circular No. 04, Series of 2016 shall remain the same. All existing administrative orders, rules, and regulations or parts thereof, which are inconsistent with the provisions of this Department Circular are hereby repealed or modified accordingly.

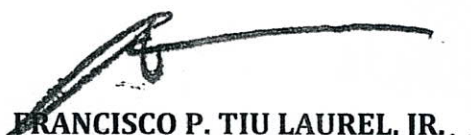


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Section 5. Separability Clause. If any portion of this Department Circular is declared unconstitutional or invalid, the other portions thereof which are not affected thereby shall continue to be in full force and effect.

Section 6. Effectivity. This Circular shall take effect fifteen (15) days after its publication in one newspaper of general circulation or the Official Gazette and its filing with the Office of the National Administrative Register.

Done this 7th day of JUNE 2024.


FRANCISCO P. TIU LAUREL, JR.
Secretary

