



Republic of the Philippines  
**Department of Agriculture**  
Office of the Secretary  
Elliptical Road, Diliman, Quezon City

FISHERIES ADMINISTRATIVE)  
ORDER NO. 210 :  
Series of 2001..... )

**SUBJECT: Rules and Regulations on the exportation of fresh, chilled and frozen fish and fishery/aquatic products.**

Pursuant to Section 61 (d) and 100 of R.A. No. 8550, the following rules and regulation on the exportation of fresh, chilled or frozen fish and fishery/aquatic product are promulgated for guidance of all concerned.

**Section 1. Definition.** –The terms as used in this order shall be construed as follows:

- a. **Chilled fish.** – Fresh fish that has been subjected to zero degree Celsius ( $0^{\circ}\text{C}$ ).
- b. **Director** – shall refer to the Director of Fisheries and Aquatic Resources.
- c. **Fish processing establishment** – Any premises where fish products are prepared and processed as chilled, frozen, dried, smoked, canned, packaged or stored.
- d. **Fish and fishery/aquatic products.** – include all crustaceans, mollusks and other aquatic products, seawater and freshwater animals or other products of aquatic living resources or parts thereof in whatever form whether fresh, chilled, frozen or processed, including but not limited to seaweeds, squalene and blubbers intended for human consumption.
- e. **Fish inspection** – The assessment of the capability of fish processing plants to implement and comply with the prescribed food safety and quality control measures.
- f. **Food grade** – A state of any ingredient which when added to food or of any material which comes into direct contact with the food will maintain its fitness for human consumption.
- g. **Food grade utensils and equipment** – are utensils and equipment made of food grade materials appropriate for use in processing food products.
- h. **Food safety** – The assurance that food is processed properly and when consumed will not be harmful to the consumers.
- i. **Frozen fish** – is fish which has been subjected to a freezing process sufficient to reduce the temperature of the product to minus 18 degrees Celsius ( $-18^{\circ}\text{C}$ ) in order to preserve its quality and to maintain it at this temperature.
- j. **Good Manufacturing Practices (or GMP).**– A set of rules or guidelines to be implemented in the fish processing plant which includes adherence to existing rules and regulations in force respecting plant construction, personnel hygiene

- and sanitation specific to a product that supports a company's policy and standard.
- k. **Hazard Analysis Critical Control Point (HACCP).** – Preventive quality management system which identifies, evaluates and controls the hazards which are significant to food safety. A HACCP Plan is a company's written document delineating the procedures to be followed in accordance with the seven HACCP principles to ensure food safety.
- l. **Product sanitary/health certification.** – A certification issued by the Bureau of Fisheries and Aquatic Resources attesting that the fish products conform with the established sanitary standards and health requirements.
- m. **Sanitation Standard Operating Procedures (SSOP).** – Written procedures to be followed to ensure that the processing and production of a certain product is carried out under sanitary and hygienic conditions.

**SEC. 2. Requirements for the exportation of fish products. –**

- a. Only fish products which have been processed in fish processing establishments certified by BFAR to be compliant with the SSOP and HACCP system shall be allowed to be exported.
- b. Fish products shall be subjected to product tests required by the importing country at any BFAR laboratory or accredited laboratories the result of which shall be presented to BFAR as among the basis for issuance of the product sanitary/health certificate.
- c. Fish products shall be derived from species whose biological, microbiological and chemical characteristics meet the following standards:

**Microbiological:**

- Aerobic Plate Count (APC)	-	500,000/g
- Escherichia coli	-	11/g
- Salmonella	-	absent in 25 g
- Shigella	-	absent
- Vibrio cholera	-	absent
- Staphylococcus aureus	-	1000/g

**Chemical:**

- Lead (Pb)	-	0.5 ppm
- Mercury (Hg)	-	0.5 ppm
- Cadmium (Cd)	-	0.5 ppm

**Marine biotoxins:**

- Ciguatoxin	-	negative
- Paralytic shellfish toxin	-	40 micrograms/100g
- Histamine	-	200 ppm or 20 mg/100 g

- d. **Physical characteristics.** – Fish products shall meet the minimum physical characteristics appropriate for a specific product established by BFAR.
- e. **Packaging.** – Fish products shall be packed under hygienic and sanitary conditions in a manner and with such precautions to preclude lubricants, oil fuel or any hazardous substances. Packaging materials to be used shall be of food grade.
- f. **Storage** – Fish products shall be stored and maintained at the temperature required for specific products (i.e. zero degree Celsius for fresh/chilled and minus 20 degrees Celsius or below for frozen fishery products).

**SEC. 3. Prohibition** – It shall be unlawful for any person to export fishery products of whatever size, stage or form for any purpose without first securing an appropriate permit therefor from the Bureau of Fisheries & Aquatic Resources.

**SEC. 4. Kinds of export permits.**- The export permits which BFAR may issue are:

- a. *Commercial export permits.* – A permit attesting that the commercial export product is in accordance with the established standards for such products; and
- b. *Gratuitous export permit.*- A permit issued free of charge for fish products intended for sample, personal, educational, exhibit and scientific or similar purposes provided that the volume thereof does not exceed ten (10) kilograms valued at not more than two thousand (2,000.00) pesos.

**SEC. 5. Procedure.**- Applications for an export permit shall be filed on a per shipment basis with the BFAR at least one (1) week prior to the date of exportation, to be accompanied by an export declaration, packing list, and a duly certified check payable to BFAR or cash in the amount of fifty (P50.00) pesos as payment for the processing fee which shall not be refundable and the application non-transferable. Export permits shall expire thirty (30) days after issuance thereof. An unused export permit shall be considered automatically cancelled.

A product sanitary/health certificate shall also be issued on a per shipment basis at least one week before the date of exportation upon payment of fifty (P50.00) pesos as certification fee. The same shall expire thirty (30) days after issuance thereof. An unused certificate shall be considered automatically cancelled.

**SEC. 6. Pre-shipment inspection.**- Fish products shall be inspected prior to its shipment for proper verification, and to ensure completeness of its accompanying documents.

The following information shall be indicated in bold on the packaging/container of the fish products and accompanying documents, except on fish products packed in bulk intended for further processing:

- a. The words “Product of the Philippines” or in the Philippines”
- b. Name of the product

- c. Name and address of the manufacturer
- d. BFAR inspection dates and stamp mark.

Other conditions or information required by the importing countries, may also be included in the product marking/label.

**SEC. 7. Penalty.**- Violation of this order shall hold the offender liable to the penalty of imprisonment for eight (8) years, a fine of eighty thousand pesos (P80,000.00) and forfeiture of the subject fishery product for proper disposition by the Bureau of Fisheries and Aquatic Resources: Provided, That the violator shall also be banned from being a member or stockholder of companies currently engaged in fisheries or those to be created in the future.

**SEC. 8. Repeal** – FAO No. 147 and all other rules and regulations or parts thereof, which are inconsistent with this order, are hereby amended or modified accordingly.

**SEC. 9. Effectivity.**- This order shall take effect fifteen (15) days after its publication the Official Gazette and/or in two (2) news papers of general circulation and fifteen (15) days after registration with the Office of the National Administrative Register.

ISSUED this 17<sup>th</sup> day of MAY, 2001 at Quezon City, Metropolitan Manila, Philippines.

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**PUBLISHED:** May 27, 2001  
 Manila Standard  
 Phil. Daily Inquirer