

DEPARTMENT OF HEALTH -
FOOD AND DRUG ADMINISTRATION -
DEPARTMENT OF AGRICULTURE -
NATIONAL MEAT INSPECTION SERVICE

29 June 2016

JOINT ADMINISTRATIVE CIRCULAR

No. 02

SUBJECT: Transfer of Functions in the Regulation of Processed Meat

I. RATIONALE

Prior to the Republic Act No. (RA) 10611 *Food Safety Act of 2013*, the Department of Agriculture – National Meat Inspection Service (DA-NMIS) is the sole national competent authority tasked to implement policies, programs, guidelines, rules and regulations over meat and meat products pursuant to the Implementing Rules and Regulations (IRR) of RA 9296, otherwise known as the Meat Inspection Code of the Philippines. The IRR of RA 9296 was supplemented by the Joint DA-NMIS and Department of Health – Food and Drug Administration (DOH-FDA) Administrative Order No. 01 s. 2009, which delineated the functions and shared responsibilities of DA-NMIS and DOH-FDA in the regulation of meat products.

Pursuant to Section 15, Section 16, and Section 18 of Article V of the IRR of the *Food Safety Act of 2013*, the DOH, through the FDA, is now responsible for the assurance of safety of processed and pre-packaged food products, whether locally produced or imported, including meat products. Rule 39.3 (d) and 39.3 (e), Section 39 of Article XIII thereof states the efficient and orderly transfer and absorption of functions, duties and responsibilities from the DA-NMIS to DOH-FDA. Hence, the DOH and DA jointly issue and promulgate the rules and regulations herein.

II. OBJECTIVES

1. To ensure efficient and orderly transition of functions, duties, and responsibilities from the DA-NMIS to DOH-FDA on the regulation of processed meat; and
2. To provide guidance to all manufacturers, exporters, importers, distributors, wholesalers, and retailers of meat and meat products on the mandates of DA-NMIS and DOH-FDA.



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DOH/FDA/DA-NMIS
Supervisor / Administrative Officer

III. SCOPE

This Joint Administrative Circular shall apply to all manufacturers, exporters, importers, distributors, wholesalers and retailers of meat and meat products for commercial distribution.

IV. DEFINITION OF TERMS

For purposes of this Circular, the following terms shall mean:

1. **Certificate of Product Registration (CPR)** refers to an official document issued by the FDA and NMIS as proof that the product passed the registration requirements and standards for food.
2. **Confiscation/ Seizure** refers to the taking into custody of livestock and or poultry carcasses, edible or inedible part/s from said carcasses and processed meat by the controlling authority for its proper disposal for violation of pertinent rules and regulation.
3. **Establishment** refers to a sole proprietorship, a partnership, a corporation, an institution, an association or an organization engaged in the manufacture, importation, exportation, sale, offer for sale, distribution, donation, transfer, use, testing, promotion, advertising, or sponsorship of food products, including the facilities.
4. **Label** refers to a display of written, printed or graphic matter upon immediate container (not including package liners) of any article.
5. **License to Operate (LTO)** refers to an official document issued by DA-NMIS and DOH-FDA as proof that the establishment passed the licensing requirements and standards for meat establishment.
6. **Meat** refers to fresh, chilled or frozen edible carcass including offal derived from food animals intended for commercial distribution.
7. **Processed Meat** refers to meat that has undergone processing, including but not limited to heating, smoking, curing, drying, marinating, or combination of those processes that alter the meat's chemical composition intended for commercial distribution.
8. **Post-Market Surveillance (PMS)** refers to activities involved in safety and quality monitoring of food products. This shall also include, among others, adverse effects, events reporting, product safety update reporting, inspection of licensed establishments, monitoring of promotions and advertisements, and collection and testing of food products in the market.



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9. **Post Meat Establishment Control (PMEC)** refers to the regulatory measures conducted on meat after certification for transport up to the time of retail sale for the enforcement of regulations governing meat inspection.
10. **Recall** refers to measures applied to remove unsafe or unsuitable meat and processed meat that have already been supplied or made available to consumers.

V. GENERAL GUIDELINES

1. The DA-NMIS shall have jurisdiction over meat.

It shall have regulatory authority over establishments slaughtering, importing, exporting, selling, offering for sale, transferring, or distribution including marketing and advertising and/or promoting meats.

2. The DOH-FDA shall have jurisdiction over processed meat.

It shall have regulatory authority over establishments manufacturing, importing, exporting, selling, offering for sale, transferring, or distribution including marketing and advertising and/or promoting processed meat.

VI. SPECIFIC GUIDELINES

1. Site, Design and Construction

The DA-NMIS and DOH-FDA shall enforce their respective requirements relative to location, standard design and construction of establishments.

2. Operations

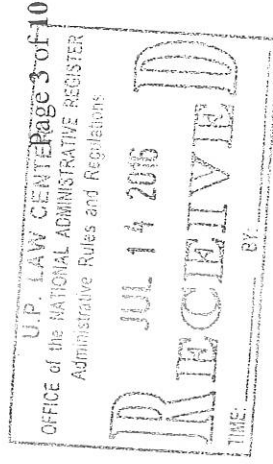
- a. The DA-NMIS and DOH-FDA shall issue their respective LTOs to establishments under their respective jurisdictions.

- b. In case of establishment with both slaughtering and processing activities in one building or location, close coordination between the two agencies shall be adhered to in the approval of LTO applications.

3. Supervision

- a. The DA-NMIS and DOH-FDA shall enforce their respective mandates relative to the operation of establishments under their respective jurisdictions.

- b. Programs on Good Manufacturing Practices (GMP), Good Operating Practices (GOP), Sanitation Standards Operating Procedures (SSOP) and Hazard Analysis Critical Control Points (HACCP) currently implemented



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by both agencies shall be harmonized and levelling of procedures shall be jointly undertaken to ensure seamless interfacing in plants under joint jurisdiction.

c. The DA-NMIS and DOH-FDA shall mutually share information involving any violation or non-conformance by establishments under their respective jurisdiction.

4. Products

a. Category

- i. The sole jurisdiction of DA-NMIS is over fresh meat, i.e. warm, chilled, frozen, or thawed including minimally processed meat such as blanching and natural surface flavoring.
- ii. The sole jurisdiction of the DOH-FDA is over processed meat. The DOH-FDA may call on other concerned agencies or entities to ensure that processed meat satisfy safety and quality standards prior to registration and trade.

b. Standards

- i. The DOH-FDA and DA-NMIS shall coordinate with standard setting agencies to ensure alignment with the Philippine National Standard (PNS).
- ii. The formulation of new standards shall conform to the delineation of jurisdiction over product category.

c. Registration

The DA-NMIS shall transfer to the DOH-FDA the list of registered processed meat with a valid CPR on or before the turnover of jurisdiction on processed meat from the former to the latter.

d. Labelling

The DA-NMIS and DOH-FDA shall require the proper labelling of products under their respective jurisdiction as provided under existing laws, rules and regulations, and standards.

e. Certification

- i. Any certification which may be required relative to trade (local and/or international) of the meat and processed meat shall be



issued by the controlling authority following the delineation of responsibility.

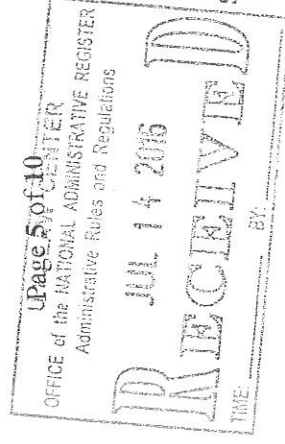
ii. The following certifications are issued by controlling authorities:

Agency	Local	Export
a. DOH-FDA	Good Manufacturing Practices (GMP); and Hazard Analysis Critical Control Points (HACCP)	Export Clearance; and Export Commodity Clearance
b. DA-NMIS	Good Manufacturing Practices (GMP); Good Operating Practices (GOP); Hazard Analysis Critical Control Points (HACCP); Meat Inspection Certificate (MIC) for local meat; Certificate of Meat Inspection (COMI) for imported meat; Utilization Certificate of Imported Meat; and Meat Transport Vehicle Registration	Official Meat Inspection Certificate (OMIC)

5. Importation and Exportation

- The importation of processed meat shall conform to the rules and regulations of the DOH-FDA and other concerned agencies.
 - The exportation of processed meat coming from domestic or imported materials shall conform to the existing DA-NMIS and DOH-FDA rules and regulations in accordance with their respective mandate.
6. Post Marketing Surveillance (PMS)/Post Meat Establishment Control (PMEC)

The conduct of PMS / PMEC such as but not limited to sampling, testing, recall, confiscation/ seizure, and destruction shall be in accordance to the delineation of product responsibility.



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7. Advertising and Promotion

Permits relative to advertising and promotion shall be secured in accordance to the delineation of product responsibility.

8. Consumer Complaints

Consumer complaints involving products within the jurisdiction of DA-NMIS and DOH-FDA shall be governed by the relevant provisions of the Consumer Act of the Philippines (Republic Act No. 7394) and other applicable laws.

VII. SANCTIONS OR PENALTIES

1. Sanctions and or penalties shall be meted out by the agency having jurisdiction over the establishment and or product as stipulated in RA No. 10611 (2013), RA No. 9711 (2009), RA No. 9296 as amended by RA No. 10536 (2013) and other relevant laws.
2. Administrative sanctions shall be imposed on erring establishments in accordance with the regulations of the DOH-FDA and DA-NMIS. In case the establishment is licensed by both agencies, notice of administrative sanction/s imposed by one agency shall immediately be furnished to the other agency.

VIII. TRANSITORY PROVISIONS

For smooth transition, the following directives are hereby imposed and made effective immediately:

1. The DA-NMIS shall provide the list of meat processing plants issued with a valid LTO and CPR of processed meat to DOH-FDA on or before 30 June 2016 and shall cease to accept applications thereafter.
2. Consumer complaints filed prior to 01 July 2016 shall be acted upon by the DA-NMIS until the closure of the case.
3. The DOH-FDA shall recognize the validity of the LTO including GMP and HACCP certifications issued to meat processing plant and CPR of processed meat issued by DA-NMIS as of 30 June 2016.
4. Renewal of the registration of processed meat and licenses of establishments manufacturing, importing or exporting, selling, offering for sale, transferring, or distributing processed meat shall be in accordance with the existing FDA guidelines on renewal of authorizations.
5. The DOH-FDA may call upon DA-NMIS for technical assistance related to the transfer of functions over processed meat.



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6. The two agencies shall jointly undertake an information campaign to notify stakeholders of the transfer of DA-NMIS regulatory functions on processed meat to DOH-FDA and endeavour to continuously coordinate and cooperate with each other for the effective implementation of this Circular.

IX. REPEALING CLAUSE

The provisions of existing Memorandum Circulars, Implementing Rules and Regulations and other issuances that are inconsistent with the provisions of this Circular are hereby modified, revoked or repealed accordingly.

X. SEPARABILITY CLAUSE

In the event one or more of such provisions are held unconstitutional, the validity of other provisions shall not be affected thereby.

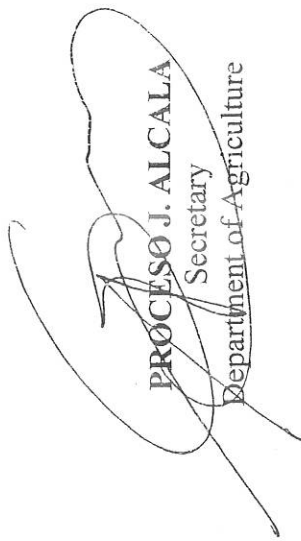
XI. EFFECTIVITY

This Joint Administrative Circular shall take effect 15 days after its publication in two (2) newspapers of general circulation and submission of copy to National Administrative Register at UP Law Center, Diliman, Quezon City.

NOW THEREFORE, the parties have herein below affixed their signature to the joint DA-NMIS and DOH-FDA Administrative Circular No. 02 this 29th day of June 2016.


JANETTE P. LORETO-GARIN, MD, MBA-H

Secretary
Department of Health


PROCESO J. ALCALA

Secretary
Department of Agriculture

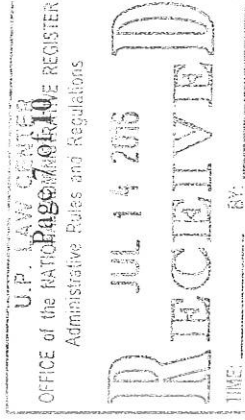
DEPARTMENT OF AGRICULTURE



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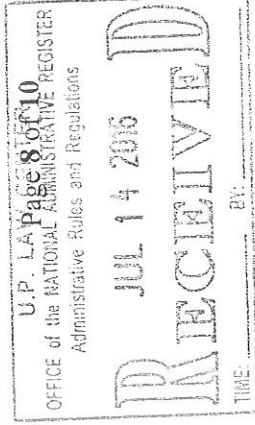
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Counsellor in Planning
Secretary / Department of Health

Keywords	Transfer of Function in the Regulation of Processed Meat DOH - Department of Health DA - Department of Agriculture FDA - Food and Drug Administration NMIS – National Meat Inspection Service <i>Republic Act 10611 “Food Safety Act of 2013”</i>
Related issuances, laws, directives	



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ANNEX A

DELINEATION TABLE

Bases of Delineation	a) Product	b) Process	c) Establishment	d) Issuance of permit / authorization
DA-NMIS	Raw meat (including yakitori), Mechanically Separated Meat (MSM) and Minimally Processed Meat ¹	Slaughtering, blanching ² (as initial process for dressing), dressing, fabrication/cutting, chilling, freezing and thawing	Slaughterhouse, poultry dressing plant, meat cutting plant, cold storage of raw meat, distribution center of raw meat	Authorizations: 1. License-to-Operate for Establishments 2. Meat Inspection Certificate (MIC) for Local 3. Certificate of Meat Inspection (COMI) for Imported 4. Meat Transport Vehicle Registration Certifications: 1. Good Manufacturing Practices (GMP)
DOH-FDA	Processed Meat	Canning, thermal process, curing, marination, salting, drying, cooking, and other processing technologies which alter the chemical structure of the meat	Manufacturing plant, commissaries, distribution center of processed meat, warehouse of processed meat	Authorizations: 1. License to Operate (inclusive of Processed Meat Products in Cold Storages) 2. Certificate of Product Registration for Processed Meat Products Certifications: 1. Good Manufacturing Practices 2. HACCP Certification
Joint DA-NMIS / DOH-FDA	-	Sharing of inspection reports as additional basis for issuance of respective authorizations	Sharing of records of authorizations from NMIS to FDA	Sharing of records of authorizations from NMIS to FDA



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		Meat	2. Good Operating Practices (GOP) 3. Hazard Analysis Critical Control Points (HACCP) 4. Utilization Certificate of Imported Meat				
			NMIS: 1. Official Meat Inspection Certificate (Export) 2. Certificate of Utilization (Imported)		Export/Commodity Clearance depending on the country of destination	Coordination between NMIS (for the raw materials) and FDA (for the processed finished product) documents; Coordination as well with BOQ	
		Included in GMP	Registration of Meat Transport Vehicle on Raw Meat – Fresh Warm, Chilled, Frozen and Thawed (of food animal origin)				
	Handling of Consumer Complaints	Raw Meat – Fresh Warm, Chilled, Frozen and Thawed	Processed Meat Products, Cooked Meat	Epidemiological Investigation (Joint DA-DOH Team)			
	h) Sales and Promo Permit	Raw Meat – Fresh Warm, Chilled, Frozen and Thawed	Processed Meat Products, Cooked Meat				

Minimally processed meat refers to meat with added salt and pepper specifically for the purpose of enhancement of natural flavors.

² Blanching refers to a heat process typically applied to a food for the purpose of inactivating enzymes and/or fixing the product colour. (CAC/RCP 8-1976)





Republic of the Philippines
UNIVERSITY OF THE PHILIPPINES DILIMAN
Diliman, Quezon City
TIN - 000-864-006-002



OFFICIAL RECEIPT
No. **UPD- 3271297**

DATE: **7- 14- 2016**

PAYOR

NMS

PARTICULARS

AMOUNT

Shawing fee 1 pile

P

20 -

AMOUNT IN WORDS:

TOTAL *→* P *20*

Twenty pile only

MODE OF PAYMENT

☐ CHECK/PMO

☐ CASH

Drawee Bank/Location

Check No.:

Date:

Received the
amount stated
above.

MARILYN N. CELLONA
Special Collecting Officer
U.P. Law Complex

CASHIER

ORIGINAL (Payee)

Note: Write the number and date of this receipt on the back of check or money order received.

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