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FISHERIES ADMINISTRATIVE

ORDER NO. 273

Series of 2025

SUBJECT: *Rules and Regulations Governing the Exportation of Fish and Fishery/ Aquatic (FFA) Products Intended for Human Consumption*

WHEREAS, Section 12 of the Republic Act 10611, otherwise known as the “Food Safety Act of 2013” aims to strengthen the food safety and traceability regulatory system in the country intended for local distribution, export and import, and requires that the fish and fishery products shall be compliant with the national and international food safety standards as well as recommended codes of practice for the inspection and certification based on sanitary and phytosanitary measures and other international agreements to which the Philippines is a party;

WHEREAS, the World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary (SPS) Measures recognizes that member-countries have the right to establish and maintain an effective and comprehensive regulatory system to ensure that the required SPS measures are necessary to protect human, animal or plant life or health;

WHEREAS, Sections 61 (c) and (d), 62, 65(I), 67 and 105 of Republic Act 8550 as amended by RA 10654 (the “Amended Fisheries Code”) mandated the Department of Agriculture - Bureau of Fisheries and Aquatic Resources (DA - BFAR) to set quality grades / food safety requirements and traceability system for all fishery products for export and import, and to implement an inspection system for fish processing establishments consistent with international standards to ensure product quality and safety;

WHEREAS, Republic Act No. 11032 or the Ease of Doing Business and Efficient Government Service Delivery Act of 2018 aims to streamline the current systems and procedures of government services;

WHEREAS, there is a need to streamline, harmonize and strengthen existing rules and regulations to enhance transparency and to facilitate trade without compromising safety of human, animal or plant health or cause damage to the environment;

WHEREAS, Department of Agriculture Department Circular No. 06, series of 2023, has institutionalized and harmonized definition and application of terminologies relevant to granting authorization and recognition to stakeholders engaged in and/or intending to engage in regulated activities in the agricultural and fisheries sector under the jurisdiction of the Department. Furthermore, said instrument aims to streamline the requirements and procedures for granting the same across all DA regulatory agencies;

WHEREAS, the Department of Agriculture (DA) through the Bureau of Fisheries and Aquatic Resources (DA-BFAR) leads and coordinates efforts to ensure that fish and



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fishery/ aquatic products, sold in local or international markets and imported are safe for human consumption and meet the requirements of the Codex Alimentarius Commission (CAC) and Philippine National Standards (PNS) taking into full consideration the local conditions while maintaining a sustainable fisheries industry;

WHEREAS, it is important to provide a consolidated guide for the DA-BFAR fish inspectors to ensure full and unified conformity with internationally accepted protocols and procedures for inspection and certification, as well as provide a reference document for persons/entities engaged in the primary production, pre-processing, holding and packing; processing, storage, transportation, distribution, sale, import and export of the fish and fishery / aquatic products on the requirements that they need to comply with, such as but not limited to Good Aquaculture Practices (GAqP), Good Handling Practices (GHP), Good Manufacturing Practices (GMP), Sanitation Standard Operating Procedure (SSOP) and Hazard Analysis and Critical Control Point (HACCP) requirements;

WHEREAS, in view of the foregoing premises, there is a need to amend Fisheries Administrative Order No. 227, series of 2008, to provide rules and regulations for exporting fish and fishery/aquatic (FFA) products regardless of country of destination.

NOW THEREFORE, recognizing the need to streamline, harmonize and strengthen existing rules and regulations, and to ensure that the fish and fishery aquatic products meet the national and international sanitary and quality standards consistent with the import and export rules pursuant to RA 8550 as amended by RA 10654, I **Francisco P. Tiu Laurel Jr.**, Secretary of the Department of Agriculture, in accordance with the powers vested in me by law, do hereby issue this amended Fisheries Administrative Order (FAO) consolidating and harmonizing the rules and regulations on the inspection and certification of fish and fishery/aquatic products and establishments/ facilities.

CHAPTER I

GENERAL PROVISIONS

Article 1

Scope and Limitation

1. This Order lays down specific hygiene rules of primary and post-harvest stages of fish and fishery / aquatic (FFA) products to be compiled by all fishery and aquaculture business operators (FABO) intending to export fish and fishery / aquatic (FFA) products for human consumption regardless of country of destination.
2. This Order shall apply for the recognition of exporting country's food safety management system and listing of their establishments before they can be allowed in the Philippine market

3. This Order shall apply to all Fishery and Aquaculture Business Operators (FABO) including its satellite or supply chain facilities.
4. This Order shall not apply to processing of FFA products intended for personal / institutional preparations or directly supplied by fisherman for personal consumption.

Article 2 Definition and Acronyms

As used in this Code, the following definitions shall apply:

1. Terms and phrases

Accreditation – is the formal recognition by an independent body, generally known as an accreditation body that a certification body is capable of carrying out certification. Accreditation is not obligatory but it adds another level of confidence, as “accredited” means the certification body has been independently checked to make sure it operates according to international standards. In the Philippines, the official accreditation body is the Philippine Accreditation Bureau (PAB). Food Safety Regulatory Agency (FSRA) can provide Official Accreditation which is the procedure by which a government agency having jurisdiction formally recognizes the competence of an inspection and / or certification body to provide inspection and certification services.

Approval - procedure wherein the DA-BFAR formally recognizes an establishment as meeting the requirements of this Order and being competent to carry out the required HACCP program.

Approval Number - a number assigned to a fishery establishment by the DA-BFAR certifying its compliance with the requirements of this Order.

Audit - a systematic and functionally independent examination to determine whether activities and related results comply with planned arrangements and whether these arrangements are implemented effectively and are suitable to achieve objectives.

Authorized Officer - persons duly authorized in writing by the DA-BFAR to enforce this Order and other fishery laws, rules and regulations; synonymous with *Control Officer*.

Aquaculture - fishery operations involving all forms of breeding, raising, and farming of fish and other fishery species in fresh, brackish, and marine water

areas, by means of hatcheries, cages, pens, ponds, and similar operations as defined in FAO No 214, Series 2001.

Bivalve molluscs - filter-feeding lamellibranch molluscs, such as oysters, mussels, clams, and scallops.

Certificate of Registration (COR) - is an official document issued only by the DA-BFAR attesting that the product concerned is obtained from duly registered aquaculture farms.

Certification - Third-party attestation related to products, processes, systems or persons

Chilled fish - fresh fish that has been subjected to zero degree Celsius (0°C).

Clean seawater - natural, artificial, or purified seawater or brackish water that does not contain microorganisms, harmful substances, or toxic marine plankton in quantities capable of directly or indirectly affecting the health quality of food.

Clean water - clean seawater and fresh water of a similar quality.

Competent Authority - the DA-BFAR, or other officially designated national and regional authority having the legal competence to enforce relevant national and international food safety regulations, and to verify and certify compliance with the regulatory requirements applied to the export of FFA products for all importing countries.

Contaminant - any biological or chemical agent, foreign matter, or other substances not intentionally added to food which may compromise food safety or suitability.

Contamination - the presence or introduction of a contaminant.

Cross Contamination - Contamination of raw materials, in-process and finished products brought about by other ingredients.

Control body - an independent third party to which the DA-BFAR has formally delegated certain specified control tasks.

Critical Control Point (CCP) - a step in the production and processing chain where activities are carried out, or conditions prevail which can influence the safety of the product, and where control can be exercised over one or more factors to prevent or eliminate the hazard or reduce it to an acceptable level.

Equivalence - the capability of different systems or measures to meet the same objectives; and "**equivalent**" means different systems or measures capable of meeting the same objectives.

Establishment - any unit of a food business comprising the site, buildings, and other structures, but excluding those such as administrative offices where food is not handled and those where food handlers do not enter.

European Union (EU) - one or more of the EU territories listed in Chapter VIII; the term must be considered as synonymous with the **European Community**.

Export - the commercial of fishery and aquatic products to all importing countries, whether for profit.

Factory vessel (FV)- any vessel on board which fishery products undergo one or more of the following operations followed by wrapping or packaging and, if necessary, chilling or freezing: filleting, slicing, skinning, shelling, shucking, mincing, or processing.

Fish - includes all fish and other aquatic species such as crustaceans (crabs, prawns, shrimps, and lobsters), cephalopods (squid, cuttlefish, and octopus), molluscs (clams, mussels, scallops and oyster) and gastropods (snails).

Fish Inspection - assessment of the capability of fish processing plants to implement and comply with food safety and quality control measures prescribed in this FAO.

Fish Inspectors - refers to CA personnel qualified to conduct audit and inspection of establishments of animals, including fish, and food, and the processing thereof, and of food businesses, their management and production systems, including documents, finished product testing and feeding practices, and of the origin and destination of production inputs and outputs, in order to verify compliance with applicable legal requirements.

Fish Processing Establishment - any premises or facility where fish and fishery / aquatic products are handled, prepared and / or processed, packaged, or stored, synonymous with **Fishery establishment**.

Fisheries - all activities relating to the act or business of fishing, culturing, preserving, processing, marketing, and exporting aquatic resources.

Fish / Fishery and Aquatic Products (hereafter, FFA products) - products of aquatic animals or parts thereof, including finfish and all crustaceans, molluscs, echinoderms and other aquatic products, seawater, and freshwater animals, in whatever form whether fresh, chilled, frozen, or processed, including fish oils, squalene and blubbers intended for human consumption.

Fish / Fishery / Aquatic Products Business - any public or private business engaged in commercial activities related to any stage of production, processing, and distribution of FFA products for export to all importing countries.

Fishery and Aquaculture Business Operators ('FABO') - the natural or legal entity, such as individuals, associations, partnerships, cooperatives, or corporations, responsible for ensuring that requirements of food law are met within the FA business under their direct control, and the management within the establishment to whom such responsibility has been delegated.

Fishery Establishments - any unit of a food business including fishpond, hatcheries, fishing / freezer vessels, freezing and cold storages, ice plant, processing plant, pre-processing plant, fish landing sites/ports, auction/wholesale markets, and all other businesses involved in the food chain.

Fishing vessel - any boat, ship, or other watercraft equipped to be used for taking of live fish and aquatic species or aiding or assisting one or more vessels in the performance of any activity relating to fishing, including supply, preservation, storage, transportation and/or processing.

Food hygiene - the measures and conditions necessary to control hazards and to ensure fitness for human consumption of the food considering its intended use.

Food safety - the assurance that food is processed properly and when consumed will not be harmful to the consumers.

Freezer vessel (ZV) - any vessel on board which freezing of fishery products is carried out, where appropriate after preparatory work such as bleeding, heading, gutting and removal of fins and, where necessary, followed by wrapping or packaging.

Fresh fishery products - unprocessed fishery products, whether whole or prepared, including products packaged under vacuum or in a modified atmosphere, that have not undergone any treatment, other than chilling to ensure preservation.

Frozen fish - fish which has been subjected to a freezing process to reduce its temperature to, and maintain it at, minus 18 degrees Celsius (-18°C) to preserve its quality.

Good Aquaculture practices (GAqP) - use of responsible aquaculture according to guidelines agreed between the DA-BFAR and stakeholders; Fisheries AO No 214, 2001: "Code of Practice for Aquaculture".

Good Manufacturing Practices (GMP) - a set of guidelines implemented in the fishery establishments and processing plants to ensure product safety and quality, and which includes adherence to rules and regulations relating to plant construction, sanitary operation and personnel hygiene.

Good Hygiene Practices (GHP) - form the basis of all food hygiene systems that support the production of safe and suitable food. The HACCP approach focuses on control measures for significant hazards rather than relying only on end-product inspection and testing. (Food Agriculture Organization)

Growing area - an area in the sea, estuarine or lagoon containing a natural species of shellfish; a site for the culture of shellfish.

Hazard Analysis and Critical Control Points system (HACCP) - preventive quality management system, defined by Codex Alimentarius, that identifies, evaluates and controls hazards that are significant to the safety of a specific product; .

HACCP Compliance Certificate - a written document issued by the DA-BFAR attesting that the establishment is HACCP compliant.

HACCP Plan - a company's written document defining the formal procedures to be followed in accordance with the seven Codex HACCP principles.

Hazard - a biological, chemical or physical agent in, or condition of, food or feed with the potential to cause an adverse health effect on humans or aquatic organisms.

Identification Mark - a mark applied to the wrapping or packaging of FFA products by FABO to indicate that the establishment in which the products have been produced has been approved by Official Controls carried out in accordance with "The National Inspection Control Plan for Export".

Inspection - examination of establishments of animals, including fish, and food, and the processing thereof, and of food businesses, their management and production systems, including documents, finished product testing and feeding practices, and of the origin and destination of production inputs and outputs, in order to verify compliance with applicable legal requirements.

IUU Fishing - refers to illegal, unregulated, and unreported fishing. Illegal Fishing activities refer to fishing activities conducted by Philippine fishing vessels operating in violation of Philippine laws, Regional Fisheries Management Organizations (RFMOs), and laws of other coastal states. Unregulated fishing refers to fishing activities conducted by:

- a. Vessels without nationality but operated by Filipino and / or Filipino corporation.

- b. Philippine flagged fishing vessels operating in areas managed by RFMOs to which the Philippines is not a part to; or
- c. Philippine flagged fishing vessels operating in areas or fish stocks where there are no applicable conservation and management measures.

And the unreported fishing refers to fishing activities which have not been reported, or have been misreported to the Department, in contravention of national laws and regulations of the Philippines or undertaken in the area of competence of a relevant RFMO which have been reported or have been misreported, in contravention of the reporting procedures of that organization and further elaborated by regulations to be promulgated by the Department.

License To Operate (LTO) – refers to the process by which the DA-BFAR approve an application, of a person, corporation, cooperative, agriculture or fishery establishment, or other juridical persons, for authority to operate an establishment or to engage in any activity in the primary production and post-harvest stages of the food supply chain to produce safe primary and post-harvest animal and plant food and inputs. It includes facilities involved in activities related to agrochemicals and other inputs in the primary and post-harvest stages of production. The approval will require proving capability to operate a facility or establishment or to engage in activities in the primary production and postharvest stages of the food supply chain and covered by the license. (FSA 2013)

Local Transport Permit (LTP) – permit for domestic movement or authorizing an individual to bring, carry or ship aquatic wildlife, by products or derivatives acquired from legal sources from the point of origin to the final destination within the country, which is different from the auxiliary invoice issued by the local governments and/or the DA-BFAR for the transport and domestic movement of fish and aquatic products derived from aquaculture or conventional fishing; (FAO 233)

Mechanically separated fishery product (analog or surimi-based products)- any product obtained by removing flesh from fishery products using mechanical means that result in the loss or modification of the flesh structure;

Microbiological criteria - criteria defining the acceptability of a product, a batch of fishery products or a process, based on the absence, presence, or number of microorganisms, and/or on the quantity of their toxins/metabolites, per unit(s) of mass, volume, area or batch.

Monitor - the act of conducting a planned sequence of observations or measurements of control parameters to assess whether a CCP is under control.

Non-compliance - failure to meet the requirements of any feed or food law, and the rules for the protection of human and fish health.

Official Certification - procedure by which the DA-BFAR or a designated control body provides written, electronic or equivalent assurance concerning compliance with food law or food safety requirements.

Official Control - any form of control that the DA-BFAR or a designated control body performs to verify compliance with food law or food safety requirements, including those for aquatic animal health.

Official Detention - procedure by which the DA-BFAR ensures that FFA products are not moved or tampered with, pending a decision on their final disposition; it includes storage by FABO in accordance with the instructions from the DA-BFAR.

Official Veterinarian - veterinarian appointed by a competent authority, either as staff or otherwise, and appropriately qualified to perform official controls and other official activities in accordance with this Order.

Philippine Rapid Alert System for Food and Feed (Phil RASFF) - The PhilRASFF is a system for the immediate notification of direct or indirect risks to human health in relation to human food, food contact material, or feed produced and/or traded locally and/or internationally, as well as of serious risk to animal health or the environment.

Packaging - the placing of one or more wrapped foodstuffs in a second container, and the latter container itself.

Post-harvest facilities - these facilities include, but are not limited to, fish port, fish landing, ice plants and cold storages, fish processing plants.

Potable water - water meeting the minimum requirements on the quality of water intended for human consumption, as set out in the Philippine National Standard for Drinking Water (PNSDW);

Prepared fishery products - unprocessed fishery products that have undergone an operation affecting their anatomical wholeness, such as gutting, heading, slicing, filleting, and chopping.

Pre-processing plant or establishment - a facility where preliminary processing or preparation of product is undertaken.

Pre-Shipment Inspection refers to the practice of employing private companies to check shipment details such as price, quantity and quality of goods ordered overseas. The Agreement on PSI recognizes that principles of the GATT Agreement apply to such activities.

Processed fishery products - processed products resulting from the processing of fishery products or from the further processing of such processed products.

Processing - any action that substantially alters the initial product such as heating, steaming, smoking, curing, maturing, drying, marinating, or a combination of these processes, but does not include those processes regarded as resulting in 'unprocessed products'.

Reefer vessel (RV) means a vessel equipped to store and transport palletized or loose cargo (bulk) goods in temperature-controlled holds or chambers.

Registration - the process by which all post-harvest facilities such as fish processing plants, ice plants, and cold stores, fish ports/landings and other fishery business establishments are registered with, and licensed by the LGUs, respecting the minimum standards prescribed for such facilities by the DA-BFAR.

Residue Monitoring Plan - the national plan setting out an annual schedule for monitoring the groups of residues and substances required by importing countries' legislation.

Risk - a function of the probability of an adverse health effect and the severity of that effect, consequential to a hazard.

Sampling for Analysis - taking feed or food or any other substances at random (including from the environment) relevant to the production, processing and distribution of feed or food or to the health of animals, in order to verify through analysis compliance with feed or food law or animal health rules.

Sanitary / Health Certificate - a document issued by the DA-BFAR attesting that the FFA product has been derived and manufactured in conformity with established product sanitary / hygiene standards relevant to public health requirements.

Sanitary and Phytosanitary Import Clearance (SPSIC) - document issued by the concerned DA bureau or agency prior to importation to ensure that the products being imported meet SPS measures to protect human, animal or plant life or health, ensuring that the agricultural and fishery products are safe for consumers, and to prevent the spread of pests or diseases among animals or plants.

Sanitation Standard Operating Procedures (SSOP) - written procedures to be followed to ensure that processing and production are carried out under sanitary and hygienic conditions to achieve food safety.

Shellfish - all species of univalves and bivalves which are filter feeders, such as lamellibranch molluscs and gastropods.

Simplified HACCP - refers to a food safety program that applies the measures enumerated in Chapter II Article 4.1 of the "Rules and Regulations Governing the

Exportation of Fish and Fishery/ Aquatic (FFA) Products Intended for Human Consumption and its Code of Good Practice Along the Supply Chain for Compliance by Fishery and Aquaculture Business Operator (FABO)" provided that the provisions pertain to Control Points (CP) only.

Surveillance - a careful observation of one or more aquatic feed or FA businesses, their operators and their activities.

Traceability - the ability to trace and follow a FFA product through all stages of production, processing and distribution from and including primary production up to and including its storage, transport, sale or supply to the final consumer and, where relevant, the import, production, manufacture, storage, transport, distribution, sale and supply of any ingredient or feed used in its production or preparation.

Unprocessed - FFA product that has not undergone processing; this includes products that have been gutted, cleaned, filleted, cut, sliced, boned, minced, skinned, trimmed, chilled, frozen, deep frozen or thawed. However, deep- frozen bivalves must be regarded as "processed products" for the purposes of this Order.

Verification - checking, through examination and the provision of objective evidence, whether specified requirements have been fulfilled.

Wrapping - the placing of a FFA product in a wrapper or container in direct contact with the product concerned, and the wrapper or container itself

2. The terms '*where necessary*', '*where appropriate*', '*adequate*' and '*sufficient*' must mean, respectively, where necessary, where appropriate, adequate, or sufficient to achieve the objectives of this Order.

3. For the purpose of this Order, the following acronyms shall apply:

ACMSF	- Advisory Committee on the Microbiological Safety of Food
CA	- Competent Authority
DA	- Department of Agriculture
DA-BFAR	- Bureau of Fisheries and Aquatic Resources
EU	- European Union (also European Community)
FFA product	- Fish / Fishery and Aquatic product
FABO	- Fishery and Aquatic products Business Operators
FAO	- Fisheries Administrative Order
GAqP	- Good Aquaculture Practices
GHP	- Good Hygiene Practices
GMP	- Good Manufacturing Practices
HACCP	- Hazard Analysis and Critical Control Point
IEC	- International Electrotechnical Commission
ISO	- International Standards Organization

IUPAC	- International Union of Pure and Applied Chemistry
LGU	- Local Government Unit
PNSDW	- Philippine National Standards for Drinking Water
RA	- Republic Act
SPS	- Sanitary and Phytosanitary Measures
SSOP	- Sanitation Standard Operating Procedures
TMA-N	- Trimethylamine-Nitrogen
TVB-N	- Total Volatile Base-Nitrogen
WTO	- World Trade Organization

CHAPTER II

RESPONSIBILITIES OF FISHERY AND AQUACULTURE BUSINESS OPERATOR (FABO)

Article 3

General Obligations

1. FABO managing buying stations, artisanal fishing boats, pre- processing plants, fish landing areas, auction markets, transport, ice plants, cold storage warehouses, and processing establishments shall comply with the basic requirements of the relevant provisions of the PD 856 - Code of Sanitation of the Philippines and in addition to the provisions of this Order.
2. FABO shall comply with the relevant provisions in Chapters I to V of the Implementing Code of Practice for this Order ("*The Code of Good Hygiene Practice (GHP) and Operational Requirements for Compliance by the Fishery and Aquaculture Business Operators (FABO)*") and take all necessary steps to meet the food safety objectives of this Order.
3. In addition, unprocessed FFA products exported or imported by FABO shall comply with the international standards relevant to food safety requirements of importing countries as provided in the Implementing Code of Practice of this Order, that relates to:
 - specified maximum levels for certain contaminants such as histamine, heavy metals, dioxins and PCB-like materials;
 - microbiological criteria;
 - permitted veterinary drugs and maximum residues arising from their use; and
 - food contact materials;

Where standard numerical limits are not specified, FABO shall apply the existing standards of the importing countries or the Codex Alimentarius Commission standards, whichever is appropriate.

Where sampling protocols and procedures or analysis methods are not specified, FABO may use other equivalent methods provided that the results thereof are scientifically validated in accordance with the internationally recognized protocols.

4. FABO shall not use any substance other than potable water or, when appropriate clean water or clean seawater, in contact with FFA products, unless the DA-BFAR has specifically authorized such use, and upon compliance with any necessary conditions of use in accordance with the internationally recognized protocols.
5. FABO must always cooperate with the DA-BFAR during Official Controls carried out in accordance with "The National Inspection Control Plan for Export".
6. FABO shall be the primary responsible for ensuring the safety of the fish and fishery / aquatic products and for the compliance of their production with this Order.
7. FABO shall ensure that fish and fishery / aquatic products are prepared according to standards, codes of practice and other control measures as prescribe in this Order

Article 4

Hazard Analysis Critical Control Point Systems

1. FABO shall establish and implement permanent procedures based on the HACCP principles as a science-based system that identifies, evaluates and controls hazards that are significant for food safety at critical control points during a given stage in the food supply chain including its transportation, which specifically to:
 - a) conduct hazard analysis to prevent, eliminate, or reduce to acceptable levels;
 - b) identify the CCPs in which control is essential to prevent or eliminate a hazard or to reduce it to acceptable levels;
 - c) establish critical limits at CCPs which separate acceptability from unacceptability for the prevention, elimination, or reduction of identified hazards;
 - d) establish and implement effective monitoring procedures at CCPs;
 - e) establish corrective actions when, based on monitoring, a CCP is not under control;
 - f) establish procedures carried out regularly, to verify that the measures outlined in subparagraphs (a) to (e) are working effectively; and
 - g) establish documents and records commensurate with the nature and size of the food business to demonstrate effective application of the measures outlined in subparagraphs (a) - (f).

2. FABOs land-based fishery establishments or facility supplying raw materials to processing plants such as buying stations, pre-processing plant, shucking stations for shellfish, auction markets, fish landing, ice plants and cold storage warehouses, shall have a food safety program, based on a simplified HACCP system and correct implementation of appropriate GAqP for aquaculture fish, GHP and or/ GMP, to:
 - a) identify relevant hazards and steps in their operations which are critical to the safety of their FFA product;
 - b) implement effective control procedures at those steps;
 - c) monitor control procedures to ensure their continuing effectiveness; and
 - d) review control procedures at an appropriate frequency.

As such, establishments shall be issued with a Simplified HACCP certificate. The simplified HACCP refers to a food safety program that applies HACCP principles pertaining to Control Points (CP) only.

3. When any modification is made to the product or process, the FABO shall review their control procedures and make any changes necessary to ensure FFA product safety.
4. FABO shall ensure that all documents describing the procedures developed in accordance with this Article must comply with following:
 - a) provide the DA-BFAR with evidence of compliance with paragraph 1 or 2, in the manner that the DA-BFAR requires;
 - b) are always up to date;
 - c) are retained for an appropriate period based on the shelf-life of the product, or other period that the DA-BFAR may specify; and
 - d) are made available to the DA-BFAR on demand.

These documents shall include, as may be necessary, records of monitoring and control activities in accordance with the HACCP plan, such as sanitation checks, temperature, pest control, instrument calibration, medical and training certificates, and product traceability.

Article 5

Approval for the Issuance of License to Operate (LTO) of Establishments

1. FABO shall comply with the GHP/GMP and SSOP requirements as basis for the issuance of the License to Operate to include:
 - a. Good Manufacturing Practices:
 - i. Raw Material Control and traceability
 - ii. Pest Control
 - iii. Facilities and Equipment Maintenance

- iv. Personnel Health and Training
 - v. Plant Layout and Premises
 - vi. Complaints and Product Recall
 - vii. Records Management
- b. Sanitary Standard Operating Procedure:
- i. Safety of Water used in the processing and in the manufacture of the ice;
 - ii. Condition and cleanliness of food contact surfaces, pieces of equipment and containers used during the processing;
 - iii. Application of measures to prevent cross-contamination of the food, packaging material and contact surfaces;
 - iv. Proper maintenance of hand washing, hand sanitizing, and toilet facilities;
 - v. Protection of product, packaging material and contact surfaces from adulteration;
 - vi. Proper labeling, storage and use of toxic compounds;
 - vii. Assurance of personnel health condition through specific health program to prevent contamination of the product, packaging materials and contact surfaces; and
 - viii. Implementation of a pest control program in the plant.
2. FABO may be allowed to process and distribute locally or export FFA products only if they have been obtained from, prepared, and handled exclusively in establishments that:
- a) meet the applicable requirements of the Code of Good Hygiene Practice (GHP) and Operational Requirements for Compliance by the Fishery and Aquaculture Business Operators (FABO) and the relevant provision of Article 4 of this Order; and
 - b) the DA-BFAR has inspected, approved, and licensed in accordance with the National Inspection Control Plan for Export laying down rules for the organization and implementation of official controls on FFA products for human consumption.
3. FABO shall comply with the administrative requirements on the approval of license to operate of the establishments, as set out in the following and their future amendments:
- a) Implementing Code of Practice to this Order (The Code of Good Hygiene Practice (GHP) and Operational Requirements for Compliance by the Fishery and Aquaculture Business Operators) and relevant provision of Article 4 of this Order;
 - b) BAC No. 251 (Traceability of Fish and Fishery / Aquatic Products);

- c) FAO No 210, series of 2001 (Export of Fresh, Chilled and Frozen Fish and FA products).
 - d) FAO 233, series of 2010 (Aquatic Wildlife Conservation) – Local Transport Permit; and
 - e) FAO No. 268, series of 2023 (Rules and Regulations Governing the Catch Certification or Documentation Scheme for fish and fishery products intended for export that require Catch Certificates)
4. FABO shall always cooperate with the DA-BFAR during the licensing and approval process, by:
- a) notifying the DA-BFAR of each establishment under its control that carries out any of the stages of production such as aquafarms or mariculture farms, fishing boats/vessels, buying stations, fish landing facility, pre-processing plant, ice plants, cold storages, processing and transport vehicle for local distribution, export and import of FFA products; and
 - b) ensuring that the DA-BFAR is provided with up-to-date information on such establishments, including any significant change in activities and any closure of an existing establishment.
5. Upon compliance with all the requirements, FABO shall be issued with a non-transferable License to Operate per facility. Said License to Operate shall be valid for two (2) years. Any request for renewal thereof shall be submitted to BFAR at least thirty (30) days prior to its expiration.

The LTO and the HACCP or Simplified HACCP certificate shall be issued separately.

6. FABO shall procure imported raw materials of FFA products only from the DA-BFAR licensed foreign country establishments compliant with the protocol stated in paragraph 1, 2 and 3 Article 5 of this Order.

Article 6

Imported Raw Materials to be Processed in the Philippines Intended for Export

1. FABO shall ensure that any imported FFA products intended for export, whether having been subjected to further processing, are compliant with the following:
- a) the imported raw materials that will be processed in the Philippines must come from the country of origin and fishery establishment that is accredited and shall appear on the list of approved country/establishments by the importing country.

- b) in the case of live bivalve molluscs, echinoderms, tunicates and marine gastropods, the production area must appear on the list of approved country / shellfish growing areas as required by the importing country.
- c) For FABO importing the raw materials to be processed in the Philippines intended for re-export:
 - i. the country of origin of raw materials shall be in accordance with paragraph a, and c of the Order;
 - ii. the country of origin of raw materials shall provide product health certificates with attestations in accordance with the requirements of the importing country; and
 - iii. the DA-BFAR shall issue SPSIC prior to the importation.
- 2. Fish catch landed at the cold storage warehouse of a third country from the foreign flag state vessel with the intention to export the fish, the FABO shall ensure that it is in accordance with the item 1 paragraph a Article 6 of this Order as required by the importing country.
- 3. For fish catch trans-shipment at port from the foreign flag state vessel to the third country flag state vessel intended to be exported, the FABO shall ensure that the third country flag vessel is compliant with paragraph 1.a Article 6 of this Order as required by the importing country.
- 4. FABO importing food containing both products of plant origin and processed FFA products, to be further processed and/or otherwise handled prior to export, shall ensure that the processed FFA products contained in such food satisfy the requirements stated in Article 6.1 of this Order.
- 5. FABO must be able to demonstrate to the DA-BFAR that they have complied with the Article 6.1 and 6.2 of this Order following the appropriate national or international inspection and certification, or through other appropriate documentation.

Article 7

Documentary Requirements for the Issuance of Health Certificates (HC) and Export Commodity Clearance (ECC)

All FABO including Trader-Exporter shall have their establishment approved prior to the export of FFA products and shall submit the following documents for the issuance of Health Certificate (HC) and Export Commodity Clearance (ECC):

A. Health Certificates:

- 1. Application Form
- 2. Packing List

3. Pro-forma invoice
4. Pre-shipment inspection report
5. Laboratory Test For Paralytic Shellfish Poison (PSP)*
6. Other documents that the importing country may require
*for bivalve mollusks and shellfish

B. Export Commodity Clearance:

Documents	Dried	Fresh, Chilled	Frozen	Live	Shell & Shell craft
1. ECC Application	✓	✓	✓	✓	✓
2. Proforma Invoice	✓	✓	✓	✓	✓
3. Local Transport Permit or Auxiliary Invoice	✓	✓	✓	✓	✓
4. Certificate of Taxonomic Identification	*	*	*	*	*
5. Pre-shipment Inspection Report	✓	✓*	✓*	✓	✓
6. Health Certificate	✓	✓*	✓*	✓*	N/A
7. Export Declaration	✓	✓	✓	✓	✓

* If necessary or as required by the importing country

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.

Article 8
Labeling Requirements

FABO shall ensure that FFA products intended for export have an Identification Mark applied in accordance with the provisions of Chapter V of the Implementing Code of Practice to this Order, and shall comply with the requirements of "The Code of Good Practice for the Organization and Implementation of Official Controls Protocols".

FABO shall provide product identification codes if the product has been produced in accordance with this Order.

Article 9

Sanitary / Health Certificates

1. FABO shall ensure that official sanitary/health certificates and Export Commodity Clearance are issued to consignments of exported FFA products as outlined in Fisheries Administrative Order No. 210, series, 2001.
2. Sanitary/health certificates must be issued by the DA-BFAR in accordance with "The Code of Good Practice for the Organization and Implementation of Official Controls Protocols".
3. FABO shall secure local transport permits as stated in Section 30 of the Fisheries Administrative Order No. 233 for the transfer or transport of FFA products from one place to another place prior to entry to commerce.
4. FABO shall ensure that imported FFA products have a sanitary/ health certificate issued by the competent authority of the exporting country and Sanitary and Phytosanitary Import Clearance (SPSIC) issued by the DA-BFAR.

Article 10

Traceability

1. FABO shall operate traceability procedures without prejudice to BAC 251, series of 2019 (Traceability System for Fish/Fishery Aquaculture Products), for ingredients, raw materials and FFA products, at all stages of production, processing and distribution, and be able to:
 - a) identify any person or business that has supplied them with any food or feed product, or substance intended, or likely to be, incorporated into FFA products;
 - b) identify businesses to which they have supplied their products; and
 - c) provide this information to the DA-BFAR on demand.
2. Imported FFA products or those intended for export shall be adequately labelled or otherwise identified through relevant documentation with the application of an appropriate production / batch code.
3. Subject to the additional information that may be required under Paragraph 4 of this Article, FABO shall provide:
 - a) the scientific name of the fish species used;
 - b) the production method, described as follows, according to whether the fish was caught, at sea or in freshwater, or farmed:
 - i. in English: '... caught ...' or '... caught in freshwater ...' or '... farmed ...' or '... cultivated ...'; or

- ii. as specified in the Official language of the Member State of destination (for products destined for EU Member States or ASEAN Member States or Eurasian Economic Union Member States).
- c) an indication of the catch area, in accordance with the following:
 - i. for products caught at sea, a reference to the appropriate Food and Agriculture Organization designated catch area (zone) given in Chapter VI of the Code of Practice;
 - ii. for products caught in freshwater, a reference to the Philippines as the origin of the product;
 - iii. for farmed products, a reference to the Philippines as the country in which the product undergoes the final development stage. If the product is obtained from farms in more than one country, this fact shall also be required.

Operators may indicate a more precise catch area.

4. Where a consignment or product contains a single species from a variety of origins or a combination of species, additional information must be provided, as appropriate to the following cases:
- a) different fish species: the scientific name for each.
 - b) the same species, but derived from a variety of production methods: the method for each batch.
 - c) the same species, but derived from a variety of catch areas or fish farming countries:
 - i. at least the catch area of the batch which is most representative in terms of quantity; and
 - ii. a statement that the products also come from different catch or fish farming areas.

Article 11

Inspection Fees

Inspection fees to be collected for the issuance of the License To Operate (LTO) shall be utilized in the strengthening of the Official Food Control System particularly on the fisheries inspection service of the DA-BFAR.

The Inspector's Fees for new applicants and renewal of establishment shall be as follows:

Type of Exporter	Inspection Fee
Manufacturer	Php 4,000.00
Trader	Php 2,000.00

Proceeds will be allocated for strengthening of the implementation of the DA-BFAR's food safety control system:

1. Logistics
2. Inspection equipment and sampling tools
3. Personnel enhancement of inspection capabilities
4. Infrastructure

The inspection fee shall be paid thru the DA-BFAR regional office and valid for two years. No refunds shall be considered once the appropriate fees have been paid. In case of failed ratings, another payment shall be imposed.

CHAPTER III

PROHIBITIONS, PENALTIES and SANCTIONS

Article 12

Prohibitions, Penalties and Sanctions

Non-compliance with any provisions of this Order shall be considered as a violation and shall be penalized as follows:

1. Section 37: *Prohibited Acts* of RA 10611 shall apply for FABO that do not conform with the food safety and quality standards, as well as to those who sell/distribute adulterated, banned, unsafe products, misbranded, mislabel, falsely advertise, refuse entry of inspection officers, fail to recall unsafe products, operate without authorization, connive with food inspectors that causes food safety risks to the consumers and shall be penalized under Section 38 of the same Act.
2. Prohibition, Penalties and Sanctions under **Section 105** (*Importation or Exportation of Fish or Fishery Species*), **Section 110** (*Gathering and Marketing of Shell Fishes or Other Aquatic Species*) and **Section 125** (*Failure to Comply with Standards and Trade-Related Measures*) of RA 8550 as amended by RA 10654, whichever is appropriate, shall apply based on the evidence gathered and as prescribed by the adjudication committee.

CHAPTER IV

OTHER PROVISIONS

Article 13

Amendment and Adaptation

1. This Order and the Implementing Code of Practice may be amended or supplemented with the inclusion of such other standards, practices and requirements that may be developed by the DA-BFAR, acting on its own initiative, or to incorporate those of relevant government agencies or international bodies. Such changes shall be adopted and promulgated by the DA-BFAR through legally binding amendments or supplementary issuances.

In particular, the requirements in the Chapters of the Code of Practice may be amended to consider changes that may be specified by Codex Standards as a result of scientific and technical developments.

2. FABO locally producing or exporting and importing FFA products must be aware of, and comply with, these requirements any revisions to those indicated in Article 3.3 of this Order, and to the following:
 - a) additional health standards or checks that may have been introduced by Codex or PNS.
 - b) freshness criteria and limits regarding histamine and total volatile nitrogen.
 - c) health standards and processing requirements for live bivalve molluscs, including:
 - i. limit values and testing methods for biotoxins;
 - ii. virus testing procedures and virological standards;
 - iii. sampling plans, methods and analytical tolerances to be applied during compliance checks;
 - iv. treatments that may be applied in a processing establishment to live bivalve molluscs from class B or C production areas that have not been submitted to purification or relaying; and
 - v. requirements of "The Code of Good Practice for the Organization and Implementation of Official Controls Protocols") relating to live bivalve molluscs.

Article 14 **Miscellaneous Provisions**

1. **Revocation** - Any provisions in previous orders, rules and regulations inconsistent with the provisions of this Order are revoked and superseded accordingly.
2. **Separability Clause.** - If any portion or provision of this Order is declared unconstitutional or invalid, the other portion or portions thereof, which are not affected thereby, must continue in full force and effect.
3. **Effectivity** - This order shall take effect 15 days after its publication in Official Gazette and/or in two (2) newspapers of general circulation and its registration with the office of the National Administrative Register.

Provided that, the specific provisions of any Articles of this Order and Chapter IV of the Code of Practice related to the classification of harvesting areas for live bivalve molluscs shall take effect one year after its effectivity, without prejudice to the safety of any bivalve mollusc intended for local or for export and import.



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- 4. Transitory Clause:** The provisions of this Fisheries Administrative Order shall only apply to cases commenced after its effectivity. All matters pending resolution shall be decided under the procedures existing prior to these rules. In all other cases, these rules shall apply.

The provisions of this Order shall also apply to processed fishery/ aquatic products until the FDA takes full food safety control over processed fish/ aquatic products.

Issued this 8th day of July year 2025 at Quezon City Philippines

Recommending Approval:

DRUSILA ESTHER E. BAYATE
Undersecretary for Fisheries
Chairperson, NFARMC



DA-CO-OSEC-MM20250130-00196

FRANCISCO P. TIULARES JR.
Secretary