



6 November 2017

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Committee on Technical Barriers to Trade

Original: English

## IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT ON TECHNICAL BARRIERS TO TRADE

### COMMUNICATION FROM THE PHILIPPINES

#### *Revision*

The following communication under Article 15.2 of the Agreement on Technical Barriers to Trade, dated 6 November 2017, has been received from the delegation of the Philippines.

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Pursuant to Article 15.2 of the Agreement on Technical Barriers to Trade, the Government of the Philippines would like to inform the Committee of the measures taken to ensure the implementation and administration of the Agreement as follows:

#### **1 DEVELOPMENT AND APPLICATIONS OF TECHNICAL REGULATIONS AND CONFORMITY ASSESSMENT PROCEDURES**

1.1. There are several agencies that are mandated to regulate specific products. Among these are the Food and Drug Administration (FDA) of the Department of Health (DOH) for processed food products, drugs, cosmetics, devices, toys and substances; the Department of Agriculture (DA) for agricultural products; and the Bureau of Philippine Standards (BPS) of the Department of Trade and Industry (DTI) for some products not covered by the FDA and DA such as electrical and electronic products, building and construction materials, and consumer and chemical products.

1.2. Other product sectors such as radio equipment, radio and telecommunication are regulated by the National Telecommunication Commission (NTC); energy efficiency and conservation by the Energy Utilization Management Bureau of the Department of Energy (DOE-EUMB); air pollution by the Environmental Management Bureau of Department of Environment and Natural Resources (DENR-EMB), among others.

#### **2 STANDARDIZATION**

2.1. Based on the Republic Act No. 7394 or the Consumer Act of the Philippines, the development and implementation of standards are being primarily performed by three (3) government agencies: Department of Health (drugs, cosmetics, devices, and substances); Department of Agriculture (agricultural products); and the Department of Trade and Industry (other products not covered by DOH and DA). There are also other laws that provide mandates for agencies to develop standards such as the R.A. 10611 Food Safety Act of the Philippines; R.A. 3846 an act providing for the regulation of public and radio communication in the Philippines and for other purposes.

2.2. The DTI's Bureau of Philippine Standards (BPS) as established by Republic Act No. 4109 and Executive Order No. 133 is the designated National Standards Body, and as such, acts as the national repository of promulgated Philippine National Standards (PNS).

2.3. The BPS as the National Standards Body is a member to the International Organization for Standardization (ISO) and International Electrotechnical Commission (IEC). The BPS conforms to ISO and IEC processes in formulating, revising and promulgating the PNS. The BPS Directives

contain the guidelines in preparing and finalizing the PNS through the Technical Committee Method and the Fast Track Method.

### 3 TIME ALLOWED FOR COMMENTS

3.1. To ensure the Philippines' implementation of obligations to the provisions of the WTO "Agreement on Technical Barriers to Trade", the DTI-Bureau of Philippine Standards (BPS) functions as the WTO National Enquiry Point and National Notification Authority.

3.2. As the WTO National Enquiry Point and National Notification Authority, the BPS provides information on other WTO Members' notifications through email alerts and weekly TBT bulletin; notification of proposed regulations of government regulatory agencies; liaising on queries received on both domestic and foreign regulations to relevant agencies for appropriate actions; facilitating requests for full text or summary of other WTO Members' proposed regulations; and responding to general queries relevant to standards and conformance as well as BPS regulations.

3.3. The Philippines WTO TBT National Enquiry Point and National Notification Authority contact details are:

Bureau of Philippine Standards  
3/F Trade and Industry Bldg.  
361 Sen. Gil J. Puyat Avenue  
Makati City 1200  
Philippines  
Telephone: (+632) 751.4700  
Fax: (+632) 751.2371  
Email: [bps@dti.gov.ph](mailto:bps@dti.gov.ph)

3.4. The Philippines endeavours to provide a 60-day period for commenting on the notified technical regulations and procedures for conformity assessment. Yet, in certain cases, this period could be more than 60 days or less than the 60-day period.

3.5. The BPS refers the comments on the notified regulations and conformity assessment procedures to the agency responsible of said draft technical regulation.

### 4 RELEVANT LAWS/REGULATIONS

4.1. The Consumer Act of the Philippines (RA 7394) mandates the Department of Agriculture (DA), Department of Health (DOH) and the Department of Trade and Industry (DTI) to develop and implement quality and safety standards for consumer products, including performance or use-oriented standards, codes of practice and methods of tests. There are also other laws that provided mandates for agencies to develop standards such as the Food Safety Act of the Philippines (R.A. 10611); R.A. 3846 an act providing for the regulation of public and radio communication in the Philippines and for other purposes.

4.2. There are several agencies that are mandated to regulate specific products. Among these are the Food and Drug Administration (FDA) of the Department of Health (DOH) for processed food products, drugs, cosmetics, devices, toys and substances; the Department of Agriculture (DA) handled agricultural products; while the other consumer products not covered by the other two agencies are regulated by the Bureau of Philippine Standards of the Department of Trade and Industry.

4.3. Other product sectors such as radio equipment, radio and telecommunication are regulated by the National Telecommunication Commission (NTC); the Department of Energy is the lead agency in the initiative on energy efficiency and conservation through the Energy Utilization Management Bureau (DOE-EUMB); regulations on products that concern air pollution are regulated by the Environmental Management Bureau of Department of Environment and Natural Resources (DENR-EMB), among others.

4.4. The Bureau of Philippine Standards (formerly known as Bureau of Product Standards) of the DTI (BPS), as established by RA 4109, is the recognized National Standards Body. As such it

promulgates standards developed by standards setting bodies such as the Department of Agriculture (DA) and the Department of Health (DOH) as Philippine National Standards (PNS) and acts as the national repository.

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