



BUREAU OF CUSTOMS

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OCOM Memo No. 41-2023

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MEMORANDUM

TO : ALL DISTRICT COLLECTORS

FROM : BIENVENIDO Y. RUBIO
Commissioner

MAY 23 2023

SUBJECT : AUTHORITY TO INSPECT CONTAINERS WITH FDA-LABELED IMPORTED GOODS

DATE : 17 May 2023

This has reference to the attached letter dated 22 February 2023 from Mr. James A. Layug, Assistant Secretary, Department of Agriculture (DA) requesting authority to inspect shipments classified as food stuff under Republic Act (RA) No. 10611, or the Food Safety Act of 2013.

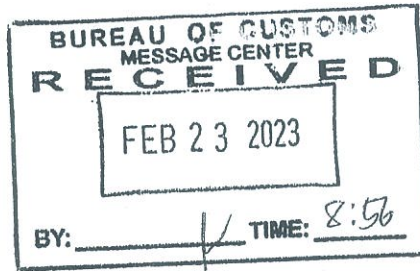
In relation thereto, you are hereby directed to strictly observe Section 12 (b) of the Food Safety Act, which provides that imported foods shall undergo cargo inspection and clearance procedures by the DA, among others, to wit:

"Section 12 Application to Trade.

xxx

(b) Imported foods shall undergo cargo inspection and clearance procedures by the DA and the DOH at the first port of entry to determine compliance with national regulations. This inspection by the DA and the DOH shall always take place prior to assessment for tariff and other charges by the Bureau of Customs (BOC). The BOC and the Association of International Shipping Lines (AISL) shall provide the DA and the DOH documents such as the Inward Foreign Manifest of Arriving Vessels to enable the DA and the DOH to identify shipments requiring food safety inspection. Shipments not complying with national regulations shall be disposed according to policies established by the DA and the DOH; xxx" (Emphasis added)

For strict compliance.



DA-00 OSEC LE20230222 00945

22 February 2023

Hon. BIENVENIDO Y. RUBIO
Commissioner, Bureau of Customs
G/F, OCOM Bldg, Muelle de San Francisco,
Port Area, Manila, Metro Manila



BOC-09-38539

THRU : **JUVYMAX R. UY**
Deputy Commissioner, IG

**SUBJECT : REITERATION OF REQUEST FOR AUTHORITY TO INSPECT
CONTAINERS WITH FDA-LABELED IMPORTED GOODS**

Dear **COMMISSIONER RUBIO**:

Warm greetings!

This pertains to the ¹previous request from the undersigned for the Department of Agriculture Inspectorate and Enforcement (DA IE) for the authority to inspect shipments classified as food stuff under Food and Drug Administration (FDA).

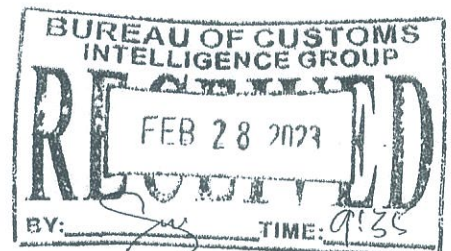
This results in the circumvention of the Department's indispensable importation procedures and processes by unscrupulous traders.

For your kind consideration and prompt response on this matter.

Respectfully yours,

JAMES A. LAYUG, MNSA
Assistant Secretary

CC: **DOMINGO F. PANGANIBAN**
Senior Undersecretary



¹ Assistant Secretary James A. Layug, 2 February 2023

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