



**DEPARTMENT ADMINISTRATIVE ORDER NO. 17-06**  
**Series of 2017**

**SUBJECT: THE NEW RULES AND REGULATIONS CONCERNING THE MANDATORY CERTIFICATION OF PORTLAND CEMENT AND BLENDED HYDRAULIC CEMENT WITH POZZOLAN**

WHEREAS, the Department of Trade and Industry (DTI) is the economic catalyst that enables innovative, competitive, job generating, inclusive business, and empowers consumers;

WHEREAS, the Bureau of Philippine Standards (BPS) [formerly known as Bureau of Product Standards] is mandated by Republic Act No. 4109, Series of 1964 to perform standards development, certification, testing, policy formulation and monitoring functions;

WHEREAS, the same mandate is reiterated in Republic Act No. 7394 or Consumer Act of the Philippines wherein it states that, "it shall be the duty of the State to develop and provide safety and quality standards for consumer products, including performance or use-oriented standards, codes of practice and methods of tests; to assist the consumer in evaluating the quality, including safety, performance and comparative utility of consumer products; to protect the public against unreasonable risks of injury associated with consumer products; to undertake research on quality improvement of products and investigation into causes and prevention of product related deaths, illness and injuries; and to assure the public of the consistency of standardized products";

WHEREAS, to implement the above-cited laws and by virtue of the rule-making power of the DTI Secretary under Executive Order 292 or the 1987 Administrative Code, Department Administrative Order (DAO) No. 4, the Rules and Regulations Concerning the Philippine Standard (PS) Quality and/or Safety Certification Mark scheme of the BPS, and DAO No. 5, entitled the New Rules and Regulations Concerning the Issuance of the Import Commodity Clearance Under the Product Certification Scheme of the BPS were issued in 2008;

WHEREAS, DAO 17-02:2017 was issued on 17 March 2017, amending DAOs No. 5:2008 and No. 4:2008. However, to clarify and resolve certain procedural issues, DAO 17-05:2017 was issued on 17 May 2017, particularly on how to facilitate processing of applications for PS Quality and/or Safety Mark License and Import Commodity Clearance without sacrificing quality and safety and giving business a fair return of investment.

WHEREAS, there is a need to amend DAO 17-05:2017 to address certain issues and concerns raised by stakeholders and to be consistent with Good Regulatory Practices.

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NOW, THEREFORE, pursuant to the Philippine Constitution, Section 9, Article XVI, Republic Act (R.A.) No. 4109, R.A. No. 7394, Executive Order (E.O.) No. 101, Series of 1967, EO No. 913, Series of 1983, EO No. 292, Administrative Code of 1987, Sec 10 (4), Title X, Book IV, the following rules and regulations governing the BPS Mandatory Product Certification Schemes for cement products are hereby prescribed and promulgated for the compliance, information and guidance of all concerned.

**Rule 1. OBJECTIVE**

This DAO aims to strictly ensure that cement products meet the specified safety and/or quality requirement/s prescribed by BPS.

**Rule 2. SCOPE**

This Department Administrative Order prescribes the Rules and Regulations for Mandatory PS Licensing Scheme covering cement products, whether locally manufactured or imported as follows:

2.1 Portland cement covered by PNS 07:2005 - Portland Cement- Specification

2.2 Blended hydraulic cement with pozzolan covered by PNS 63:2006 - Blended Hydraulic Cement with Pozzolan - Specification

**Rule 3. DEFINITION OF TERMS**

For purposes of this Order, the following definitions shall apply:

3.1 **Audit** - a systematic, independent and documented process for obtaining audit evidence, and evaluating it objectively to determine the extent to which the audit criteria are fulfilled. <sup>1</sup>

3.2 **Audit criteria** – set of policies, procedures or requirements used as a reference against which audit evidence is compared. <sup>2</sup>

3.3 **Attestation** – issuance of a statement of conformity based on a decision following review of an audit report, that fulfillment of specified requirements has been demonstrated. <sup>3</sup>

3.4 **Accredited Conformity Assessment Body (CAB)** – inspection body, testing laboratory or certification body accredited under ISO/IEC 17020, ISO/IEC 17025 or ISO/IEC 17065, respectively, in its relevant updated version/edition by the Philippine Accreditation Bureau (PAB) or by an accreditation body that is a signatory to regional/international agreements entered into by the Government of the Republic of the Philippines through DTI [(i.e. Asia-Pacific Laboratory Accreditation Cooperation

<sup>1</sup> ISO 19011:2011

<sup>2</sup> Ibid.

<sup>3</sup> ISO/IEC 17000

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(APLAC), International Laboratory Accreditation Cooperation (ILAC), International Accreditation Forum (IAF)]

- 3.5 **Blended hydraulic cement with Pozzolan** – are produced by blending two types of cementations materials.
- 3.6 **BPS** – Bureau of Philippine Standards of the Department of Trade and Industry
- 3.7 **BPS Recognized Conformity Assessment Body (CAB)** – the Accredited CAB (inspection body, testing laboratory, or certification body) duly qualified by BPS to have the accredited scope and competence to conduct activities relevant to the requirements set forth by BPS, to include but not limited to, CABs recognized by BPS under the Association of South East Asian Nations Mutual Recognition Arrangement (ASEAN MRA), Asia-Pacific Economic Cooperation (APEC) MRA and other regional and bilateral MRAs entered into by the Government of the Philippines through the Department of Trade and Industry. BPS shall issue Recognition Certificate upon completion of all requirements for application for recognition.
- 3.8 **Certification Body** – third party conformity assessment body operating a certification scheme.
- 3.9 **Confirmation** – an action, declaration, document, or statement that corroborates, ratifies, verifies, gives formal approval, or assures the validity of something.<sup>4</sup>
- 3.10 **Conformity Assessment Body (CAB)** – a third party inspection body, testing laboratory and certification body operating within its scope of competence.
- 3.11 **Conformity** – fulfillment of a requirement.<sup>5</sup>
- 3.12 **Critical Testing** – verification testing of cement product's conformance to the 7-day compressive strength and Chemical Composition requirements only.
- 3.13 **DTI** – Department of Trade and Industry
- 3.14 **Determination** – include assessment activities such as testing, measuring, inspection, design appraisal, assessment of services, and auditing to provide information regarding the product requirements as input to the review and attestation functions.
- 3.15 **Evaluation** – systematic examination of the extent to which a product, process, or service fulfills specified requirements.<sup>6</sup>
- 3.16 **International Standard** – a standard developed under the WTO principles for international standards development such as those developed by international bodies like the International Organization for Standardization (ISO), International Electrotechnical Commission (IEC), International Telecommunication Union (ITU) and those developed by foreign standards bodies under these principles.
- 3.17 **Inspection** – examination of a product, process, service, or installation or their design and determination of its conformity with specific requirements, or, on the

<sup>4</sup> Webster's New World Law Dictionary

<sup>5</sup> ISO/IEC 17000

<sup>6</sup> Ibid.

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basis of professional judgment, with general requirements.<sup>7</sup> This includes inventory and sampling.

- 3.18 **Inspection body** – a body that performs inspection.<sup>8</sup>
- 3.19 **ISO** – International Organization for Standardization
- 3.20 **ISO/IEC 9000** - Quality Management System - Fundamentals and Vocabulary
- 3.21 **ISO/IEC 9001** – Quality Management Systems – Requirements
- 3.22 **ISO/IEC 17020** – Conformity assessment – Requirements for the operation of various types of bodies performing inspection
- 3.23 **ISO/IEC 17025** – General requirements for the competence of testing and calibration laboratories
- 3.24 **ISO/IEC 17065** – Conformity assessment – Requirements for bodies certifying products, processes and services.
- 3.25 **ISO 19011** - Guidelines for Auditing
- 3.26 **Lot No./Batch No.** is an identification number permanently marked on the cement bag. This is used to identify production runs of any other product for quality control purposes. It is sometimes referred to as batch number.
- 3.27 **PAB** - Philippine Accreditation Bureau of the Department of Trade and Industry
- 3.28 **Philippine National Standards (PNS)** – Standards promulgated by the BPS.
- 3.29 **Portland Cement** – cement that is manufactured from limestone and clay and that hardens under water.
- 3.30 **Product Certification** – the provision of impartial third-party attestation that fulfillment of specified requirements have been demonstrated.<sup>9</sup>
- 3.31 **PS License** – authority given by BPS to a local/foreign manufacturer, authorizing the use of the Philippine Standard (PS) Certification Mark on its product.
- 3.32 **Review** – verification of the suitability, adequacy and effectiveness of selection and determination activities, and the results of these activities, with regard to fulfillment of specified requirements.<sup>10</sup>
- 3.33 **Sampling** – a method of getting a representative sample of a product shipment according to a specified procedure.
- 3.34 **Silo** – a structure used for storing cement in bulk.
- 3.35 **Statement of Confirmation (SOC)** - a document assuring that the imported cement product was sourced from a cement manufacturer with a valid PS License

<sup>7</sup> ISO/IEC 17020

<sup>8</sup> Ibid.

<sup>9</sup> ISO/IEC 17065

<sup>10</sup> ISO/IEC 17000

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and that the imported cement product appeared to be compliant with specified requirements after undergoing inspection and verification, and which should contain the batch number and manufacturing date of the imported cement.

- 3.36 **Surveillance** – a systematic iteration of conformity assessment activities as a basis for maintaining the validity of the statement of conformity.<sup>11</sup>
- 3.37 **Test Report** – a document that presents test results and other information relevant to a test.
- 3.38 **Testing Laboratory** – a laboratory which measures, examines, or determines the characteristics of performance of material or products. It may also be a laboratory that calibrates inspection, measuring and test equipment.
- 3.39 **Third Party** – a body that is independent of the organization that provides the product/service and is not the user of the product/service (testing, inspection, and sampling).<sup>12</sup>
- 3.40 **Trade mark** – any registered visible signs capable of distinguishing goods or products.
- 3.41 **Trade name** – any registered name or designation identifying or distinguishing an enterprise
- 3.42 **Verification** – confirmation, through the provision of objective evidence, that specified requirements have been fulfilled.<sup>13</sup> This may include product testing.
- 3.43 **Warehouse** – secured premises built purposely for storage of products and to preserve the quality and integrity of the products.

#### **Rule 4. THE PHILIPPINE STANDARD (PS) QUALITY AND/OR SAFETY MARK**

For safety, traceability and accountability purposes, only cement sourced from cement manufacturing plant(s) holding a valid Philippine Standards (PS) Quality and/or Safety Certification Mark License(s) shall be permitted to be distributed in the Philippines.

4.1. **The Philippine Standard (PS) Quality and/or Safety Mark Licensing Scheme** – the Philippine Standard (PS) Quality and/or Safety Mark Licensing Scheme (PS Licensing Scheme for brevity) shall be available to both local and foreign manufacturers selling or distributing cement products in the Philippine market. The License to use the PS Certification Mark shall be granted to a company found to be compliant with the requirements. To ensure compliance of the certified products, regular surveillance activities as per existing DTI rules shall be conducted as follows, as may be applicable:

4.1.1 Local companies holding a valid PS license

4.1.1.1 Annual system and product audit at the factory; and

4.1.1.2 Regular product audit at the warehouse/market

4.1.2 Foreign companies holding a valid PS license

<sup>11</sup> ISO/IEC 17000

<sup>12</sup> *Ibid.*

<sup>13</sup> ISO/IEC 9000

PHILIPPINE STANDARD (PS) QUALITY AND/OR SAFETY MARK

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