

- 4.1.2.1 Annual system and product audit at the factory; and
- 4.1.2.2 Regular product audit per shipment

**Rule 5. DOCUMENTARY REQUIREMENTS AND PROCEDURES FOR THE PS LICENSING SCHEME**

**5.1 Application for PS Licensing Scheme shall be supported with the following:**

- 5.1.1 Duly accomplished application form, subscribed and sworn to by the applicant, or his duly authorized management representative. In case of an overseas applicant, the application form shall be duly authenticated by the Philippine Consulate in the country where the manufacturing plant to be audited is located. The requirement of authentication may be waived subject to reciprocity arrangements between the Philippines and the exporting country;
- 5.1.2 For a sole proprietorship: latest Tax Declaration and permit issued by the local government unit having jurisdiction, submitted once a year unless an amendment has been made within the current year; or  
  
For a corporation or partnership: SEC Registration and Articles of Incorporation and By-Laws, submitted once within the validity period of the License, unless an amendment has been made;
- 5.1.3 Quality Management System (QMS) Manual covering the product being applied for PS License, including the product/s' production process; and
- 5.1.4 Oath of undertaking to abide by the Terms and Conditions of the License, respectively signed by the manufacturer/ local office or agent/ importer prior to the approval and release of the PS License.

**5.2 PS License Application Process**

- 5.2.1 Processing of application under this scheme shall replace the PS Scheme under DAO 4:2008 subject to the requirements and transitory provision stated herein.
- 5.2.2 The application shall be site-specific, brand/s-specific, and local office/agent-specific. For foreign manufacturers, only one local importer per license shall be allowed. As such, a separate PS application shall be filed by the local office/agent if needed. Likewise, separate PS application shall be required for all bagging facilities located at site/address other than the specific address indicated in the PS License.
- 5.2.3 Conduct of Factory and Product Audit
  - 5.2.3.1 Assessment on conformity of Quality Management System to PNS ISO 9001 and product specifications to specific PNS shall be conducted upon submission of complete documentary requirements and evaluation that an applicant has satisfactorily complied with requirements herein;

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*Carla Yvette L. Ilarde*  
**MA. CARLA YVETTE L. ILARDE**  
Head, Records Section  
Department of Trade & Industry

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- 5.2.3.2 Audit work shall be undertaken by either the BPS, DTI Regional/Provincial Office, or BPS recognized auditing bodies in accordance with the established procedure on the conduct of the audit. Only those appearing in the BPS official list may be designated as auditors; and
- 5.2.3.3 During the audit, samples shall be drawn for in-plant and independent testing. Samples for independent testing shall be submitted to the BPS recognized testing laboratory. Samples to be drawn shall cover all types being applied for certification.
- 5.2.4 The PS License shall only be issued upon satisfactory results of evaluation of the factory audit report and after determination of product conformance to specific PNS based on pertinent test reports;
- 5.2.5 The applicant may outsource some of its production process provided that the plant to which it will be outsourced has a valid PS license, accountability under the PS License's terms and conditions shall remain solely with the former;
- 5.2.6 If the applicant is a foreign-based manufacturer, the application shall, for purposes of accountability, be filed by its local branch or representative office or representative agency duly registered in accordance with Philippine laws;
- 5.2.7 The PS License shall take effect from the date of its issuance and shall be in full force and effect for a period of three (3) years, subject to the surveillance audits prescribed herein. License can be suspended, withdrawn or cancelled for cause;
- 5.2.8 The PS License holder shall coordinate with BPS or the DTI Regional/Provincial Office through a written notice of the schedule of the re-certification audit submitted at least six (6) months before the expiration date to facilitate the renewal of the PS License. Otherwise, the PS License shall be considered expired immediately after the end period of its validity.

**Rule 6. FILING / PROCESSING OF APPLICATION FOR STATEMENT OF CONFIRMATION OF IMPORTED CEMENT**

6.1 To ensure that the imported cement was sourced from a manufacturer holding a valid PS License and consistently conforms to the requirements of the Standards, the importer shall apply for Statement of Confirmation (SOC) on a per product, per shipment, per Bill of Lading basis. The duly accomplished and subscribed application form shall be supported with the following:

6.1.1 For sole proprietorship registered with DTI, the application shall be accomplished and signed by the owner/importer, and/or filed by the owner/importer or by a representative with at least a managerial/supervisory position duly authorized by virtue of a notarized Special Power of Attorney (SPA); or

For Corporation/Partnership registered with SEC, the application shall be accomplished and signed, and/or filed by any officer or organic employee with at least a managerial position, duly authorized by virtue of a notarized board/partnership resolution or Secretary's Certificate.

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- 6.1.2 Packing List;
  - 6.1.3 Commercial Invoice;
  - 6.1.4 Bill of Lading;
  - 6.1.5 Summary of the production batch/lot and the corresponding manufacturing dates duly certified by the manufacturer's Quality Management Representative or Quality Manager;
  - 6.1.6 Production records reflecting the shipped production batch/lot verifiable during surveillance audits duly certified by the manufacturer's Quality Management Representative or Quality Manager;
  - 6.1.7 DTI Business Registration Certificate for sole proprietorship or Latest SEC Registration Certificate and Articles of Incorporation/Partnership for corporation/partnership;
  - 6.1.8 For single proprietorship, notarized Special Power of Attorney in cases where the application is filed by a person other than the owner/importer/authorized representative as defined herein clearly setting forth the authority of the representative dealing with the Bureau of Philippine Standards;
- For a corporation or partnership, a notarized Board/Partnership Resolution or Secretary's Certificate in cases where the application is filed by a person other than the authorized representative as defined herein clearly setting forth the authority of the representative dealing with the Bureau of Philippine Standards;
- 6.1.9 Latest audited Financial Statement;
  - 6.1.10 List of distributors/retailers with their complete addresses and contact details;
  - 6.1.11 Proof of ownership or contract of lease of warehouse;
  - 6.1.12 Import Entry (may be submitted later prior to release of the certificate);
  - 6.1.13 Surety Bond;
  - 6.1.14 Shipment in bulk shall be accompanied by shipping documents as prescribed by PNS 07 or PNS 63; and
  - 6.1.15 Copy of pre-shipment test reports duly issued by BPS recognized testing laboratory.

**6.2 The application for Statement of Confirmation (SOC) shall be processed as follows:**

**6.2.1 Application for Statement of Confirmation with Pre-shipment Inspection and Testing**

6.2.1.1 The applicant shall submit the duly accomplished and subscribed application form and requirements to the BPS ~~or to the Bureau of Standards~~ **PHILIPPINE STANDARDS** **COPY**

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regional/provincial office. The application shall be filed together with the request to utilize the services of the BPS recognized inspection body and testing laboratory.

6.2.1.2 Upon receipt of the complete application and request, the BPS shall issue the written authority to conduct inspection and verification to the identified BPS recognized inspection body and testing laboratory, copy furnished the applicant;

6.2.1.3 Product inspection shall be conducted at the declared manufacturer's/exporter's warehouse by the BPS or the identified BPS recognized inspection body in accordance with the applicable provisions hereof. As part of the regular product surveillance activities, product samples shall likewise be drawn. The original copy of the inspection report shall be sent directly to the BPS by the BPS recognized Inspection Body within two (2) working days from the date of inspection.

6.2.1.4 Product testing shall be conducted by the identified BPS recognized testing laboratory in accordance with the applicable provisions hereof. The BPS recognized testing laboratory is required to submit directly to the BPS the original copy of test reports of the chemical requirements and the 3-day, 7-day, and (if applicable) the 28-day compressive strength test results.

6.2.1.5 If the result of 3-day or 7-day compressive strength meets the 28-day compressive strength requirement and the chemical composition conform to the requirements of the standards, Certificate of Conditional Release shall be issued. Upon arrival of shipment at the port of entry, the following shall apply:

6.2.1.5.1 The importer shall notify in writing the BPS or the DTI regional/provincial office that the shipment is ready for inspection and sampling.

6.2.1.5.2 Product inspection and sampling shall be conducted within 16 working hours from receipt of the written notice at the port of entry, vessel, or the importer's warehouse, whichever is applicable.

6.2.1.5.3 If inspection shows that the product shipped is consistent with the importation documents as well as with the pre-shipment inspection report submitted, SOC shall be issued by the BPS within 16 working hours from receipt of the inspection report, provided that the shipment arrives at the port of entry within 30-days from the date of product testing. Otherwise, full testing shall be conducted.

6.2.1.5.4 The drawn samples shall be submitted to the BPS recognized testing laboratory within 16 working hours from the date of inspection and sampling for the conduct of Critical Test.

6.2.1.5.5 After the release of the SOC, product distribution, retail or use may commence.

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6.2.1.5.6 If the result of the Critical test shows conformance, the importer shall be informed accordingly. Otherwise, full re-test shall be conducted and the applicable provisions hereto shall apply.

6.2.1.6 If the result of 3 or 7-day compressive strength testing shows conformance but failed to meet the 28-days compressive strength requirements, as well as the chemical composition conforms to the requirements of the standards, Certificate of Conditional Release shall be issued. Upon arrival of shipment at the port of entry, the following shall apply:

6.2.1.6.1 The importer shall notify in writing the BPS/DTI regional/provincial office that the shipment is now ready for inspection and sampling. The shipment may be transferred to any warehouse properly identified and declared by the importer, be it the importer, distributor, or contractor's warehouse, provided however, that the imported product shall not be used or offered for sale/retail.

6.2.1.6.2 Product inspection and sampling shall be conducted within 16 working hours from receipt of the written notice at the port of entry, vessel, or the importer's warehouse, whichever is applicable.

6.2.1.6.3 If inspection shows that the product shipped is consistent with the importation documents as well as with the pre-shipment inspection report submitted, the importer shall be informed accordingly. Otherwise, a Show Cause Order shall be issued.

6.2.1.6.4 The drawn samples shall be submitted to the BPS recognized testing laboratories within 16 working hours from the date of inspection and sampling for the conduct of full product testing.

6.2.1.6.5 If the result of the product surveillance test shows conformance, the SOC shall be issued. Otherwise, re-testing, re-exportation or destruction of the non-conforming product shall be undertaken, at the cost and option of the importer. In addition, the PS License may be suspended, revoked or cancelled upon due notice to the manufacturer.

#### 6.2.2 Application for Statement of Confirmation without Pre-shipment Inspection and Testing

6.2.2.1 The applicant shall submit the duly accomplished and subscribed application form and requirements to the BPS or to the nearest DTI regional/provincial office.

6.2.2.2 Upon receipt of the application complete with all the requirements, Certificate of Conditional Release shall be issued. Upon arrival of shipment at the port of entry, the following shall apply: