

factory/plant may apply for multiple licenses. As such, a separate PS License application shall be filed by importer/local office/agent.

5.2.3 Conduct of Factory and Product Audit

5.2.3.1 Upon submission and confirmation of the completeness and compliance of the documentary requirements, an assessment of the Quality Management System's conformity to PNS ISO 9001 and product specifications' conformity to specific applicable version of PNS shall be conducted;

5.2.3.2 Audit shall be undertaken by either the BPS, DTI Regional/Provincial Office, or BPS-recognized auditing bodies based on established audit procedure. Only recognized auditing bodies in the BPS official list may be designated as auditors; and

5.2.3.3 During the audit, samples shall be drawn for all types/sizes of the product to be certified for the purpose of in-plant and independent testing. Independent testing shall be conducted only by BPS-recognized testing laboratory.

5.2.4 The applicant may outsource some of its production process/es, provided that the plant to be used also has a valid PS license. Accountability under the PS License's terms and conditions shall remain solely with the applicant;

5.2.5 If the applicant is a foreign-based manufacturer, the application shall, for purposes of accountability, be made and filed by its local branch or representative office or representative agency who must be duly registered in accordance with Philippine laws;

5.2.6 The PS License shall only be issued upon satisfactory evaluation of the factory audit and determination of product conformance to specific PNS and updated version of the product thereof based on pertinent test reports;

5.2.7 If the evaluation of the factory audit report showed unsatisfactory results, the PS License shall not be issued. Only after the re-assessment and subsequent product compliance shall the BPS issue the PS License;

5.2.8 The PS License shall be effective from the date of issuance and with full force and effect for a period of three (3) years, subject to the surveillance audits prescribed herein. PS License can be suspended, withdrawn or cancelled at any time for cause and after due process;

5.2.9 For renewals, the PS License holder must, through written notice, coordinate with BPS or the DTI Regional/Provincial Office for a schedule of the re-certification audit at least six (6) months before the expiration date. Otherwise, the PS License shall be considered expired immediately after the end period of its validity.

5.2.10 In case of changes materially affecting the PS License and/or license holder's ability to comply with BPS product certification requirements, the license holder shall inform BPS in writing at least fifteen (15) calendar days from prior to the date the changes will take effect. The notice must include a request for

CERTIFIED TRUE PHOTOCOPY

re-certification audit. The validity of the PS License shall be deemed suspended from the date of changes taking effect as indicated in the notice until the release of re-certification audit results. Thereafter, the existing PS License shall be considered expired.

5.2.10.1 Changes may include, but shall not be limited to, change in management or business name; transfer of plant site; addition of brand name; modification of product design and/or specifications.

Rule 6. FILING / PROCESSING OF APPLICATION FOR STATEMENT OF CONFIRMATION OF IMPORTED STEEL PRODUCTS

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

6.1.1 For sole proprietorship registered with DTI, the application shall be accomplished and signed by the owner and filed by the owner or by a duly authorized representative 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 filed by any officer or organic employee, duly authorized by virtue of a notarized board/partnership resolution or Secretary's Certificate;

6.1.2 Packing List;

6.1.3 Commercial Invoice;

6.1.4 Bill of Lading;

6.1.5 Load Port Survey Report;

6.1.6 Summary of the production batch/lot and the corresponding manufacturing dates duly certified by the manufacturer's Quality Management Representative or Quality Manager;

6.1.7 Production records e.g. mill certificates, etc. reflecting the shipped production batch/lot verifiable during surveillance audits duly certified by the manufacturer's Quality Management Representative or Quality Manager;

6.1.8 DTI Business Registration Certificate for sole proprietorship or Latest SEC Registration Certificate and Articles of Incorporation/Partnership for corporation/partnership;

6.1.9 Latest Audited Financial Statement (AFS) or any other valid financial report/certificate;

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;

6.2 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 nearest DTI 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 by the BPS or the identified BPS-recognized inspection body at the declared warehouse in accordance with the applicable provisions hereof. As part of the regular product surveillance activities, product samples shall likewise be drawn. The original 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 test reports.

6.2.1.5 Upon receipt of compliant pre-shipment test results, 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 sixteen (16) working hours from receipt of the written notice at the port of entry, vessel, or the importer's warehouse, whichever is applicable, as far as it is consistent with the Tariffs and Customs Code and applicable issuances by the Bureau of Customs.

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 (e.g. quantity, markings, license number), SOC shall be issued by the BPS within sixteen (16) working hours from BPS' receipt of the

CERTIFIED TRUE PHOTOCOPY

inspection report. Otherwise, full product testing shall be conducted as specified in Rule 8.2 stated herein.

- 6.2.1.5.4 The samples drawn shall be submitted to the BPS-recognized testing laboratory within twenty-four (24) 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 and pending the results of the Critical Test, product distribution, retail or use may commence.
- 6.2.1.5.6 If the result of the Critical Test shows conformance, the importer shall be informed accordingly. Otherwise, a notice of non-conformance informing the importer that full re-test shall be conducted and the applicable provisions hereof shall apply.
- 6.2.1.6 If the result of pre-shipment test showed non-compliance, Certificate of Conditional Release shall nevertheless be issued, subject to the following upon arrival of shipment at the port of entry:
- 6.2.1.6.1 The shipment shall be transferred only to a Customs Bonded warehouse. The importer shall notify in writing the BPS/DTI regional/provincial office that the shipment is ready for inspection and sampling.
- 6.2.1.6.2 Product inspection and sampling shall be conducted within (16) working hours from receipt of the written notice either at the port of entry, vessel, or at the Customs Bonded 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 (e.g. quantity, markings, license number),, the importer shall be informed accordingly. Otherwise, a Show Cause Order shall be issued.
- 6.2.1.6.4 The samples drawn shall be submitted to the BPS-recognized testing laboratories within sixteen (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 full product testing shows conformance, the SOC shall be issued. Otherwise, the application shall be denied and exportation or destruction of the non-conforming product shall be undertaken within ninety (90) days. Exportation or destruction shall be at the cost of the importer. In addition, the PS License may be suspended, revoked or cancelled, subject to due process.

CERTIFIED TRUE PHOTOCOPY

ANGELICA ISABEL P. ISNANI
Administrative Officer V

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 and complete requirements, a Certificate of Conditional Release shall be issued, subject to the conditions stated therein. Upon arrival of shipment at the port of entry, the following shall apply:

6.2.2.2.1 The importer shall notify in writing the BPS/DTI regional/provincial office that the shipment has been transferred and/or is ready for inspection. The shipment shall be transferred only to the warehouse address indicated in the application and shall not be used or offered for sale/retail.

6.2.2.2.2 Product inspection and drawing of samples shall be conducted within sixteen (16) working hours from receipt of the notice at the port of entry, vessel, or the importer's warehouse, whichever is applicable, as far as it is consistent with the Tariffs and Customs Code and applicable issuances by the Bureau of Customs

6.2.2.2.3 If inspection shows that the product shipped is consistent with the importation documents (e.g. quantity, markings, license number), products samples shall be drawn in accordance with the prescribed sampling size herein for full verification testing. Otherwise, a Show Cause Order shall be issued and the provisions hereto shall apply.

6.2.2.2.4 The drawn samples shall be submitted by the applicant to the BPS-recognized testing laboratory within twenty-four (24) working hours from the date of inspection and sampling for the conduct of full testing.

6.2.2.2.5 If the result of the full verification test shows conformance, the SOC shall be issued. Otherwise, a re-testing may be conducted, or the application will be denied and exportation or destruction of the non-conforming product shall be undertaken within ninety (90) days, at the cost and option of the importer. In addition, the PS License may be suspended, revoked or cancelled, subject to due process.

Rule 7. INSPECTION AND SAMPLING

7.1. Inspection and sampling shall be conducted by the BPS, DTI RO/PO or the BPS-recognized Inspection Body within the prescribed time and in accordance with existing BPS Inspection and Sampling Procedure.

CERTIFIED TRUE PHOTOCOPY

7.2. If inspection and sampling cannot be conducted within the prescribed period,, the concerned DTI RO/PO or the BPS-recognized Inspection Body shall inform the BPS in writing of the reason/s therefor within sixteen (16) working hours. Under justifiable reasons, inspection and sampling may be re-scheduled, otherwise, appropriate action shall be undertaken.

7.3. Sampling Size

To determine the specific number of samples for rerolled/deformed steel bars and equal leg steel angle bars, the table¹⁶ below shall apply:

Volume/Quantity	Sample	Sample Size	Acceptance Quality Limit (AQL)	
			ACCEPT ¹⁷	REJECT ¹⁸
			No. of failed/defective samples	
Up to 1,000 MT	1 st set	5	0	2
	2 nd set	5	1	2
Up to 2,000 MT	1 st set	8	0	2
	2 nd set	8	1	2
Up to 5,000 MT	1 st set	20	1	3
	2 nd set	20	3	4
Up to 10,000 MT	1 st set	32	2	5
	2 nd set	32	5	6
Up to 20,000 MT	1 st set	50	3	6
	2 nd set	50	7	8
Up to 60,000 MT	1 st set	80	5	9
	2 nd set	80	11	12
Up to 200,000 MT	1 st set	200	11	16
	2 nd set	200	23	24

Notes:

- For shipments more than 200,000 MT, the sample size and AQL of the 200,000 MT shall apply plus the sample size and AQL of the excess volume/quantity.
- The accept/reject level for the second set row is cumulative of the first and second sets of samples tested.

TABLE 1 – ACCEPTANCE QUALITY LIMIT

¹⁶ Sample Size Code Letters and Table 3-A – Double Sampling Plans for Normal Inspections of PNS ISO 2859-1:2012 were used as reference.

¹⁷ ACCEPT : If the number of failed samples is equal to or less than the number indicated

¹⁸ REJECT : If the number of failed samples is equal to or more than the number indicated