



Republic of the Philippines
OFFICE OF THE SECRETARY
Elliptical Road, Diliman
1100 Quezon City

October 27, 2020

DEPARTMENT CIRCULAR

No. 15
Series of 2020

SUBJECT : GUIDELINES FOR THE ESTABLISHMENT, ADOPTION AND ENFORCEMENT OF THE NATIONAL LIST OF PHILIPPINE NATIONAL STANDARDS / PHILIPPINE AGRICULTURAL AND BIOSYSTEMS ENGINEERING STANDARDS (PNS/PABES)

WHEREAS, Section 2, Article I of the Republic Act No. 10601, otherwise known as the "Agricultural and Fisheries Mechanization Law (AFMech Law)", declares the policies of the state to:

Ensure the quality and safety of machineries and equipment locally manufactured or imported by strengthening regulation through the development and enforcement of machinery and machine performance standards, regular testing and evaluation, registration, and the accreditation and classification of suppliers, assemblers and manufacturers to ensure compliance to prescribed quality standards.

WHEREAS, pursuant to Section 21, Article V of the R.A. 10601 (supra), *the DA through the Bureau of Agriculture and Fisheries Standards (BAFS), in coordination with the DTI, the DOST, the BoAE and the AMTEC and in consultation with the accredited associations of farmers and fisherfolk, agricultural machinery assemblers, manufacturers and distributors and agricultural engineers shall develop standards specifications and test procedures of agricultural and fishery machinery and equipment. These standards should be in conformity with the International Standards Organization (ISO) and shall be part of the existing Philippine Agricultural Engineering Standards (PAES);*

WHEREAS, Section 21, Article V of the R.A. 10601 (supra), further states that *the Department of Agriculture (DA) and the local government units (LGUs), in collaboration with the Board of Agricultural and Biosystems Engineering (BoABE), shall enforce the developed standards on the manufacture, sale and distribution of agricultural and fisheries machinery and equipment, and its accreditation system for agricultural and fisheries facilities and establishments;*

WHEREAS, Section 24, Article VI of the R.A. 10601 (supra), states that one of the mandates of the Bureau of Agricultural and Fisheries Engineering (BAFE) to coordinate and monitor the enforcement of standards and other regulatory policies on agricultural and fishery engineering;

WHEREAS, Section 36, Article IV of the Republic Act No. 10915, otherwise known as the "Philippine Agricultural and Biosystems Engineering Act of 2016", stipulates that *the existing Philippine Agricultural Engineering Standards (PAES) shall be transformed into a Philippine Agricultural and Biosystems Engineering Standards (PABES) and shall serve as Code of Technical Standards of all registered and licensed Agricultural and Biosystems Engineers (ABEs) in the practice of their profession.*

WHEREAS, only eight (8) volumes of PAES were adopted containing standards for production and post-production machinery, agricultural buildings and structures, engineering materials, and standards for earth, gravel, bituminous and concrete Farm-to-Market Roads (FMR) by the DA thru A.O. No. 10, Series of 2000; A.O. No. 6, Series of 2001; A.O. No. 11, Series of 2002; A.O. No. 5, Series of 2004; A.O. No. 7, Series of 2005; A.O. No. 28, Series of 2009; A.O. No. 8, Series of 2011; and A.O. No. 12, Series of 2011;

WHEREAS, there are existing PNS/PABES developed by BAFS and University of the Philippines Los Baños - Agricultural Machinery Testing and Evaluation Center (UPLB-AMTEC) in collaboration with various government agencies, State Universities and Colleges (SUCs), and private stakeholders that are not yet adopted by the DA;

WHEREAS, as BAFS continues to develop or revise standards to respond to the needs of the industry and changes in current practices, and in view of the existing PNS/PABES not yet adopted by the DA, there is a need to establish a mechanism to facilitate faster adoption and enforcement of the PNS/PABES;

NOW, THEREFORE, I, SECRETARY WILLIAM D. DAR of the Department of Agriculture, in accordance with the Agricultural and Fisheries Mechanization Law of 2013 and in view of the foregoing, the following guidelines are hereby issued:

Section 1. Objectives

The provisions of this Circular aim to establish the National List of PNS/PABES and its mechanism for adoption. Likewise, the Circular will provide the procedures for the review and approval of PNS/PABES for inclusion or exclusion to the National List including any amendment.

In addition, this Circular aims to provide the National List of PNS/PABES to be utilized by the DA Regional Field Offices, Attached Bureaus and Agencies, Local Government Units (LGUs), State Universities and Colleges (SUCs), Manufacturers, Fabricators, Assemblers, Distributors, Dealers, Importers, Exporters (MFADDIEs), National Government Agencies (NGAs) and private stakeholders, and to serve as reference in the enforcement of technical regulations of DA-BAFE.

Section 2. Definition of Terms

As referred in this Circular, the following terms shall be understood to have the corresponding definitions as provided below:

- a. Amendment - refers to any modification of specific parts of the National List such as inclusion of newly developed or revised PNS/PABES or removal of existing PNS/PABES from the National List;
- b. Review Committee (RC) – refers to the committee organized by DA-BAFE primarily tasked to review and evaluate the PNS/PABES for its inclusion/exclusion in the National List;
- c. National List - refers to the established and adopted list of PNS/PABES that will serve as reference to the DA Regional Field Offices (RFOs), Attached Bureaus and Agencies, LGUs, SUCs, MFADDIEs, NGAs and private stakeholders, and in the enforcement of technical regulations of DA-BAFE; and
- d. Philippine National Standard (PNS) / Philippine Agricultural Biosystems Engineering Standards (PABES) – document, established by consensus, and approved by a recognized body, used as reference for the monitoring of specifications and testing and evaluation of agricultural and fisheries machinery and infrastructures.

Section 3. Establishment of the National List of PNS/PABES

3.1 The BAFE shall establish and maintain the National List of PNS/PABES for agricultural and fisheries machinery and infrastructure.

3.2 The National List shall serve as a guide and reference for the following agencies:

- a. All government offices in the procurement of agricultural and fisheries machinery and infrastructure;

- b. Manufacturers, fabricators, assemblers, distributors, dealers, importers and exporters (MFADDIEs) for manufacturing, fabricating, assembling, distributing, dealing, importing or exporting of agricultural and fisheries machinery;
- c. State Universities and Colleges (SUCs) as reference by Agricultural and Biosystems Engineering students, faculty and staff; and
- d. Private stakeholders as reference for the purchase of agricultural and fisheries machinery or as technical reference for Agricultural and Biosystems Engineers (ABEs)

3.3 All PNS/PABES included in the National List shall be considered adopted and shall be utilized by the DA RFOs, Attached Bureaus and Agencies, LGUs, SUCs and NGAs, and shall serve as reference in the enforcement of technical regulations of DA-BAFE.

Section 4. Creation of the Review Committee (RC) for the Evaluation of the Amendment in the National List

4.1 The BAFE shall create an RC and shall be composed of technical staff from the following agencies:

1. BAFE;
2. BAFS – Standards Development Division (BAFS-SDD);
3. UPLB-AMTEC; and
4. Professional Regulatory Board-Agricultural and Biosystems Engineering (PRB-ABE)

4.2 The RC shall review and evaluate the existing, revised and newly developed PNS/PABES before it can be included or excluded in the National List on a regular basis or as deemed necessary.

4.3 The BAFE Director shall act as the Advisor of the RC and the BAFE-Standards Regulation and Enforcement Division (BAFE-SRED) shall act as Secretariat for the RC.

NOTE: The RC may consult or invite other experts or stakeholders during the review and evaluation of the PNS/PABES as deemed necessary.

Section 5. Mechanism for the Amendment of the National List

5.1 The BAFS shall officially inform the BAFE regarding any newly developed or revised PNS/PABES through the submission of a certified true copy of the approved PNS/PABES. A one-year transitory period shall be observed before the inclusion of newly developed or revised PNS/PABES in the National List.

NOTE: During the transition period, any test report issued is still valid and shall be used as reference in the procurement. After the transitory period, the supplier shall apply for a retest based on the newly adopted PNS/PABES.

5.2 If the PNS/PABES included in the National List undergoes revision, the BAFS shall officially inform the BAFE through writing, specifying the target year of approval of PNS/PABES being revised.

NOTE: The current approved version of the PNS/PABES being revised shall remain valid and shall be used as reference in the implementation of all regulatory functions of the DA RFOs, Attached Bureaus and Agencies, LGUs and NGAs until an amendment to the National List was issued.

5.3 In the event that a PNS/PABES included in the National List is considered outdated through a written manifestation from any relevant stakeholder in the form of a scientific review, technical report or documented evidence, the BAFE shall convene the RC to review and evaluate the actions to be taken to the PNS/PABES specified in the National List. The actions to be taken can be in the form of:

- a. Retaining the standard in the National List and issuing a technical justification on its necessary inclusion;



- b. Retaining the standard in the National List and issuing a technical document on how to meet the requirements of the standard; or
- c. Removal of the standard in the National List and endorsement of the standard to DA-BAFS for review and revision.

5.4 All amendments to be made on the National List shall be approved by the DA Secretary.

Section 6. Publication and Updating of the National List

The BAFE shall publish and update the National List in its official website after its approval. BAFE may also opt to publish the updated National List through print and other media. Likewise, BAFE shall ensure that the published National List is updated and available for public viewing.

Section 7. Adoption and Enforcement of the PNS/PABES

All concerned stakeholders shall adopt the PNS/PABES included in the National List. Specifically, it shall be enforced as follows:

- a. The BAFE shall enforce the National List in the implementation of technical regulations for all agricultural and fisheries engineering programs and projects;
- b. The DARFOs, DA Attached Bureaus and Agencies, LGUs, SUCs and NGAs shall enforce the National List on all their agricultural engineering programs and projects;
- c. The PNS/PABES included in the National List shall serve as technical reference for all Agricultural and Biosystems Engineers (ABEs) in the signing and sealing of plans, designs, and specifications of DA RFOs, DA Attached Bureaus and Agencies, LGUs, SUCs and NGAs agricultural machinery, infrastructures and other agricultural engineering projects;
- d. The BAFE, DA Regional Agricultural Engineering Division – Standards Regulation and Enforcement Section (DA-RAED-SRES) and the LGUs shall monitor the enforcement of standards on all agricultural and fisheries machinery, infrastructures and other agricultural engineering projects included in the National List; and
- e. The AMTEC shall utilize the National List as reference during the conduct of testing and evaluation.

Section 8. Effectivity of the National List

Upon approval of this Circular, the National List of PNS/PABES for agricultural and fisheries machinery shall take effect immediately. All amendments therein shall also take effect immediately once published.

Section 9. Separability Clause

Should there be any provision of this Circular or any part thereof be declared invalid, the other provisions, so far as they are separable, shall remain in force and effect.

Section 10. Repealing Clause

All existing circulars, rules and regulations, or parts thereof, in conflict with, or inconsistent with any provisions of this Circular are hereby repealed or modifies accordingly.



Section 11. Effectivity

This Circular shall take effect upon approval of the DA Secretary and fifteen (15) days after its publication in a newspaper of general circulation, and its filing with the National Administrative Register of the University of the Philippines Law Center.

Done this 16th of November 2020.

Approved by:



WILLIAM D. DAR, Ph.D.
Secretary

DEPARTMENT OF AGRICULTURE
TELEPHONE: (02) 8698-5000 FAX: (02) 8698-5001
In replying pls cite this code :
For Signature: S-11-20-0220
Received : 11/10/2020 11:33 AM

A food-secure Philippines
with prosperous farmers and fisherfolk

