



DEPARTMENT OF TRADE AND INDUSTRY
BPS Memorandum Circular No. 22 : Series of 2009

IMPLEMENTING GUIDELINES
FOR THE MANDATORY CERTIFICATION A.C. SUPPLIED ELECTRONIC BALLASTS FOR FLUORESCENT
LAMPS COVERED BY PNS IEC 61347-1:2002 "Lamp Control Gear-Part 1: General and safety requirements"
and PNS IEC 61347-2-3:2002 with Amd. 1:2006 "A.C. Supplied Electronic ballasts for fluorescent lamps –
Part 2: Particular Requirements for AC supplied electronic ballast for fluorescent lamps"

Pursuant to Republic Act No. 4109, Republic Act No. 7394, Executive Order No. 913, series of 1983, Executive Order No. 101, series of 1967, Department Order No. 48, series of 2008, Department Administrative Order No. 2, series of 2007, Department Administrative Order No. 7, series of 2006, Department Administrative Order No. 4, series of 2008, Department Administrative Order No. 5, series of 2008, PNS IEC 61347-1:2002 and PNS IEC 61347-2-3:2002 with Amd. 1:2006, the following guidelines are hereby issued for the information, guidance and compliance of all manufacturers, importers wholesalers, dealers, agents, retailers and other concerned stakeholders.

1. SCOPE

These guidelines specify the rules and regulations on the implementation of PNS IEC 61347-1:2002 "Ballast for tubular fluorescent lamps for general lighting service – General and safety requirements" and PNS IEC 61347-2-3:2002 with Amd. 1:2006 "A.C. Supplied Electronic ballasts for fluorescent lamps for general lighting service – Particular Requirements".

These implementing guidelines cover AC supplied electronic ballast for tubular fluorescent lamps specifically with ratings from 10 watts to 40 watts for T12, T10, T9, T8 and T5 halophosphate and triphosphate fluorescent lamps with G13 and G5 caps.

Ballast for modular Compact Fluorescent Lamps are excluded in these implementing guidelines.

2. DEFINITION OF TERMS

For the purpose of these guidelines, the definition of terms provided for by DTI's DAO 2:2007, DAO 4:2008 and DAO 5:2008 shall apply together with the following definition of terms:

- 2.1. **DAO 2:2007** – Department Administrative Order No. 2 series of 2007 - Defining the responsibilities and liabilities of manufacturers, importers, traders, wholesalers, distributors, retailers, service providers and or their agents, with regard to products/services covered by Philippine Standard Certification Mark Schemes and prescribing penalties for violation thereof.
- 2.2. **DAO 4:2008** – Department Administrative Order No. 4 series of 2008 – The new rules and regulations concerning the Philippine Standard (PS) Quality and/or Safety Certification Mark Scheme of the BPS.

BUREAU OF PRODUCT STANDARDS

3F, Trade and Industry Building
361 Sen. Gil J. Puyat Avenue, Makati City, Philippines
Telephone: (632) 751-3123, 751-4736 Fax: (632) 751-4706
E-mail Address: bps@dti.gov.ph • Website: www.bps.dti.gov.ph

Membership:

- International Organization for Standardization (ISO)
- Enquiry Point for WTO Technical Barriers to Trade (WTO-TBT)

- 2.3. **DAO 5:2008** – Department Administrative Order No. 5 series of 2008 – The new rules and regulations concerning the issuance of Import Commodity Clearance under the Product Certification Mark Scheme of the BPS.
- 2.4. **BPS** -Bureau of Product Standards
- 2.5. **BPSTC** -Bureau of Product Standards Testing Center
- 2.6. **DTI** -Department of Trade and Industry
- 2.7. **PAO** – Philippine Accreditation Office
- 2.8. **BOC** – Bureau of Customs
- 2.9. **NPO** – National Printing Office
- 2.10. **A.C. supplied electronic ballast** – mains-supplied a.c. to a.c. inverter including stabilizing elements for starting and operating one or more tubular fluorescent lamps, generally at high frequency;
- 2.11. **A.C. Supplied Electronic ballasts for fluorescent lamps** – throughout these guidelines, a.c. supplied electronic ballasts for fluorescent lamps shall pertain to *product*;
- 2.12. **Philippine Standard (PS) Quality and/or Safety Certification License** – Document issued by BPS to a company authorizing its use of the PS Quality and/or Safety Certification Mark on the products which conformed to the requirements based on DAO 4:2008;
- 2.13. **Manufacturer**– An entity engaged in the manufacture of discharge lamps;
- 2.14. **PS Licensee** - A manufacturer licensed by BPS to use the PS Quality and/or Safety Certification Mark;
- 2.15. **Import Commodity Clearance (ICC)** -The document attesting that the imported discharge lamps passed the requirements of the specific standard and is governed by DAO 5, Series of 2008.
- 2.16. **Importer** -An entity engaged in the importation of a.c. supplied electronic ballasts for fluorescent lamps.
- 2.17. **Dealer/Retailer**- An entity engaged in the sale of a.c. supplied electronic ballasts for fluorescent lamps.
- 2.18. **ICC Holder** -Importer granted by BPS a License to use ICC Mark on its a.c. supplied electronic ballasts for fluorescent lamps.
- 2.19. **ICC Mark**- For the purpose of this guideline, it refers to the ICC logo with the corresponding ICC number which is in the form of sticker(s) issued by BPS or its authorized printing agency/entity.
- 2.20. **Basic Model/Type** -One that represents a set of generic characteristics of a group of discharge lamps, and whose main component together with the design are distinct including energy source, electrical characteristics, and other physical or functional characteristics.
- 2.21. **Test Samples** – discharge lamps picked out at random from the batch.
- 2.22. **Type Testing** – conformity testing on the basis of one or more specimens of a product representative of the production.

3. AUTHORITIES AND RESPONSIBILITIES OF THE DTI

- 3.1. In addition to the duties and responsibilities specified in DAO 2:2007, DAO 4:2008 and DAO 5:2008, BPS shall:
- 3.1.1 Inform the licencees/ ICC Holders of any changes in the standard.
 - 3.1.2 Maintain and disseminate a registry of PS licensees/ICC Holders for AC supplied electronic ballast. The registry may be posted in the BPS Standards and Conformance Portal (www.bps.dti.gov.ph) or other means, as appropriate.
 - 3.1.3 Conduct the final evaluation of all factory and product assessment reports, test reports and other relevant documents of the DTI Regional /Provincial Offices and/or Recognized Inspection/Testing Bodies.
 - 3.1.4 Issue, deny, or revoke licenses/certificates based on the evaluation of factory and product assessment, product testing and compliance or non-compliance with the requirements of DAO 2:2007, DAO 4:2008 and DAO 5:2008 and other BPS rules and regulations.
 - 3.1.5 Coordinate with appropriate DTI offices in identifying and implementing appropriate legal action against manufacturers and/or assemblers violating the above-stated laws, rules and regulations, department administrative orders, these implementing guidelines, the requirements of the specific standard, and its implementing memoranda and circulars.
 - 3.1.6 Coordinate with the NPO on the printing of ICC Mark in accordance with BPS rules/directives to be issued.

4 APPLICATION FOR PS OR ICC MARK

- 4.1 Manufacturers shall apply for the Philippine Standard (PS) Quality and/or Safety Certification License to BPS, or through the nearest DTI Regional or Provincial office. Requirements, procedures and processing of PS application are governed by DAO 4:2008 and its implementing rules and regulations.
- 4.2 Importers shall apply for the Import Commodity Clearance (ICC) on a per shipment per bill of lading basis to the nearest DTI Regional or Provincial office. Requirements, procedures and processing of ICC application are governed by DAO 5:2008 and its implementing rules and regulations.

5 PRODUCT IDENTIFICATION AND TRACEABILITY

- 5.1 Manufacturers/Importers shall ensure that their AC supplied electronic ballasts are labeled as to the product identification and traceability of the production lot or batch.
- 5.2 Product Identification and traceability using lot/batch number shall be marked on each product or packaging.
- 5.3 Importers shall submit the summary of product identification and traceability of the lot/batch being imported on a per shipment per bill of lading basis upon submission of ICC application.

6 SAMPLING

- 6.1 A duly authorized DTI/BPS representative shall take six (6) pieces of test samples per type/model for independent testing;

- 6.2 Test sample(s) shall be taken at random either at the customs custody, importer's or manufacturer's warehouse or at the open market.
- 6.3 Test sample(s) for independent test shall be packed/sealed and signed in the presence of a DTI/BPS representative or BPS designated inspector and shall be sent by the manufacturer or importer to the BPS designated/recognized testing laboratory within three (3) working days. The authorized DTI/BPS representative shall ensure that Request for Test form is properly filled-up, signed and issued to the manufacturer or importer.
- 6.4 Prior to testing, there shall be no preparation, modification or adjustment, special quality control, testing or assembly procedure conducted in any manner on a test sample or any parts and sub-assemblies thereof, which is not normally performed during production and assembly.

7 INDEPENDENT TESTING

- 7.1 The official testing laboratory shall be the BPS designated or recognized testing laboratory (ies) to include PAO accredited testing laboratories.
- 7.2 Samples shall be tested at 230 V, 60 Hz and shall comply with the requirements of PNS IEC 61347-1:2002, PNS IEC 61347-2-3:2000 and these implementing guidelines.
- 7.3 If in the determination of BPS that the test samples failed to conform to the requirements of the standard, the manufacturer/importer may undertake corrective action(s) on the product non-conformity (ies). Another set of samples shall be drawn for testing after corrective action(s) has been undertaken.
- 7.4 If in the determination of BPS and testing laboratory that there are differences between the tested sample and the drawn sample from the production or actual shipments that will affect safety, applicable testing shall be conducted.
- 7.5 In the case of product with accompanying Test Report submitted to BPS, verification of the product through testing or inspection may be conducted, as appropriate.
- 7.6 All test results shall be held strictly confidential by the BPS designated/recognized testing laboratory concerned. Copies of test report furnished to the manufacturers/importers by BPS are for product certification purposes only.

8 DISPOSITION OF SAMPLES

- 8.1 All remaining samples for monitoring and testing purposes shall be returned to the manufacturer/importer, unless waived, or the due time for sample retrieval has lapsed.
- 8.2 Samples which failed to comply with the requirements of PNS IEC 61347-1:2002 and PNS IEC 61347-2-3:2000 may be stored at the concerned testing laboratory for reference purposes and in the event that the manufacturer/importer contests the result of tests. Should the test results was not contested after two (2) months of its issuance, the test report is deemed final and the samples shall be returned to the manufacturer/importer or disposed of in a manner deemed appropriate, under existing accounting and auditing rules.



- 8.3 BPS and the testing laboratory shall not be liable for whatever damage sustained by the test samples during transport and testing. The manufacturer/importer, upon receipt of notice of disposal of test samples, arranges within one (1) month time to pick up the samples at the concerned testing laboratory. Otherwise, BPS designated/recognized testing laboratory shall dispose the samples in a manner deemed appropriate.

9 VALIDITY OF TEST REPORT

- 9.1 For PS Licensees, the test results shall be valid for one (1) year ;
- 9.2 For ICC applications, testing shall be on a per shipment basis.

10 COMPLIANCE AND RESPONSIBILITIES OF THE PS LICENSEE and ICC HOLDERS

10.1 Compliance

- 10.1.1 PS Safety Certification Mark License shall be issued to the manufacturer/assembler for the type(s)/ model(s) tested when the results of factory and/or product assessments show conformity to the requirements specified in DAO 4:2008, its implementing rules and regulations, PNS IEC 61347-2-3:2000, these implementing guidelines and other DTI/BPS rules and regulations.
- 10.1.2 An Import Commodity Clearance (ICC) shall be issued to importers whose product conforms to the requirements of PNS IEC 61347-2-3:2000, these implementing guidelines and other DTI/BPS rules and regulations.

10.2 Responsibilities of the PS Licensee

The licensee shall abide by the Terms and Conditions of the PS license and is governed by DAO 4:2008 and its implementing rules and regulations.

10.3 Responsibilities of the ICC Holders

- 10.3.1 The ICC Holder shall abide by the Terms and Conditions of the ICC and is governed by DAO 5:2008 and its implementing rules and regulations.

11 REQUIRED MARKINGS

- 11.1 In addition to the required markings of PNS IEC 61347-2-3:2000, the following shall be marked on the product and/or on its packaging:

11.1.1 PS Certification Mark

11.1.1.1 The design of the PS Certification Mark shall be in accordance with Annex 1 of DAO 4:2008 respectively, and shall only be placed/put on certified products.

11.1.1.2 The PS Mark with corresponding certification number shall be permanently fixed on the product and/or on its packaging covered by the corresponding PS Safety Certification Mark License.

11.1.1.3 The PS Certification Mark shall not be used on any product in a misleading manner.

11.1.2 ICC Mark

11.1.2.1 The design of the ICC Mark shall be in accordance with Annex 1 of DAO 5:2008 respectively, and shall only be placed/put on certified products.

11.1.2.2 The ICC Mark with the distinct certification number issued by DTI/BPS shall be affixed on the product and/or on its packaging covered by the corresponding Import Commodity Clearance.

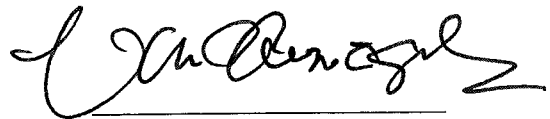
11.1.2.3 The ICC Mark with the distinct certification number shall not be used in any product or batch/shipment other than the product or batch/shipment with which it is issued or in any misleading manner.

12 MONITORING AND MARKET SURVEILLANCE

The BPS / DTI Regional/Provincial Offices shall at any time monitor and inspect products in the market for conformance to the requirements of DAO 2:2007, DAO 4:2008, DAO 5:2008 and the specific standard. If the products are found not in conformity, DTI/BPS shall impose necessary sanctions and take appropriate legal actions, in accordance with the relevant laws, rules and regulations.

13 EFFECTIVITY

DTI-BPS shall issue a timetable for implementation of these implementing guidelines and shall be effective immediately after its issuance.



ATTY. VICTORIO MARIO A. DIMAGIBA
BPS Director-In-Charge

12/17/09

Date

12/17

12/17/09