

OPERATIONS MANUAL FOR THE ISSUANCE OF IMPORT COMMODITY CLEARANCE FOR IMPORTED CERAMIC TILES COVERED BY PNS ISO 13006:2007 – DEFINITIONS, CLASSIFICATION, CHARACTERISTICS AND MARKINGS

Pursuant to Republic Act 4109; Republic Act 7394; Executive Order No. 913, Series of 1983; Executive Order No. 101, series of 1967; Department Administrative Order (DAO) No. 5, series of 2001 and its future revision and amendments; Department Administrative Order (DAO) No. 2, series of 2007 and its future revision and amendments; and Philippine National Standard (PNS) ISO 13006:2007, Ceramic Tiles – Definitions, classification, characteristics and marking, the following operations manual is hereby issued for the information, guidance and compliance of all concerned and for compliance of all importers, wholesalers/distributors, dealers/retailers and other concerned stakeholders.

1.0 SCOPE

This operations manual specifies the rules and regulations in the implementation of mandatory product certification for ceramic wall and floor tiles under PNS ISO 13006:2007.

The standard as stated in PNS ISO 13006:2007 defines terms and establishes classifications, characteristics and marking for ceramic tiles of the best commercial quality. It applies to both extruded tiles and dry-pressed tiles.

2.0 DEFINITION OF TERMS

For the purpose of these guidelines, the following definitions shall apply:

- 2.1 **BPS** - Bureau of Product Standards
- 2.2 **DTI** - Department of Trade and Industry
- 2.3 **Import Commodity Clearance (ICC)** - a document attesting that the imported ceramic tiles passed the requirements of the specific standard and is governed by DAO 5, Series of 2001 and its future amendments.
- 2.4 **Importer** - An entity engaged in the importation of ceramic tiles.
- 2.5 **Dealer/Retailer** - An entity engaged in the sale of ceramic tiles.
- 2.6 **ICC Holder** - An importer issued by BPS an ICC and granted the use of ICC Mark on its product.
- 2.7 **Ceramic tiles** - thin slabs made from clay and/or other inorganic raw materials, generally used as coverings for floor walls, usually shaped by extruding or pressing at room temperature but may be formed by other processes, then dried and subsequently fired at temperatures sufficient to develop the required properties; tiles can be glazed or unglazed and are incombustible and unaffected by light.

BUREAU OF PRODUCT STANDARDS

3/F, Trade and Industry Building
361 Sen. Gil Puyat Avenue, Makati City, Philippines
Telephone (632) 751-3123, 751-4724 Facsimile: (632) 751-4720

E-Mail: bps@dti.dti.gov.ph | <http://www.bps.dti.gov.ph>

Membership:

- International Organization for Standardization (ISO)
- International Accreditation Forum (IAF)
- International Laboratory Accreditation Cooperation (ILAC)
- Enquiry Point of WTO Technical Barriers to Trade (WTO-TBT)

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- 2.8 **Production Unit** – Ceramic tiles that are produced using the manufacturer’s normal production processes for units to be distributed in commerce.
- 2.9 **Test Samples** – Ceramic wall and floor tiles picked out at random from a batch.
- 2.10 **Conditional Release** – Document issued to the importer allowing the temporary release of goods from Custom’s custody while awaiting issuance of Import Commodity Clearance.

3.0 AUTHORITIES AND RESPONSIBILITIES OF THE DTI

- 3.1 In addition to the duties specified in DAO 5, Series of 2001, BPS shall:
 - 3.1.1 Inform the ICC holders or importers of any changes in the standard.
 - 3.1.2 Maintain and disseminate a registry of ICC holders for ceramic tiles.
 - 3.1.3 Coordinate with the DTI Regional/Provincial Offices in the implementation of this operations manual, especially in the conduct of inspection, inventory, verification and sampling relative to the BPS` ICC Certification Mark Scheme
 - 3.1.4 Conduct final evaluation of all ICC applications, test reports and other relevant recommendations of the DTI Regional/Provincial Offices.
 - 3.1.5 Issue or deny ICC based on findings under sub-clause **3.1.4**.
 - 3.1.6 Coordinate with the DTI Regional or Provincial Offices and the DTI Office of Legal Affairs in identifying and implementing appropriate legal action against importers, distributors, dealers and retailers found to be violating any provision of the above-stated laws, rules and regulations, department administrative orders, this operations manual, the requirements of the specific standard and its implementing memoranda and circulars.
- 3.2 DTI Regional/Provincial Offices
 - 3.2.1 Facilitate the processing of Import Commodity Clearance i.e. evaluate ICC application, conduct sampling and issue or deny Import Commodity Clearance based on the recommendation of BPS.
 - 3.2.2 Conduct market monitoring and enforcement of standard.
 - 3.2.3 Take legal action against violators of the standard, operations manual and other DTI rules and regulations.

4.0 APPLICATION FOR ICC

- 4.1 Importers of ceramic wall and floor tiles shall apply for the ICC to the nearest DTI Regional or Provincial Office / BPS on a per shipment per bill of lading/airway bill basis.
- 4.2 Application forms for ICC shall be available for Php 300.00. Check payments shall be payable to DTI.

- 4.3 Application forms shall be completely filled-up by the applicant-company and duly notarized.
- 4.4 Application for ICC shall be filed in triplicate together with the following documents:
 - 4.4.1 Packing List
 - 4.4.2 Certified true copy of Import Entry
 - 4.4.3 Commercial Invoice
 - 4.4.4 Bill of Lading/Airway Bill
 - 4.4.5 Certified True Copy of Custom's Examiner's Findings
 - 4.4.6 DTI Business Registration Certificate/SEC Registration Certificate
 - 4.4.7 Summary of Batch Numbers of the product covered by the mandatory standard
 - 4.4.8 Power of Attorney (In cases where the ICC application is filed by persons with managerial/supervisory capability connected with the company authorizing them to process said ICC application).
 - 4.4.9 Board resolution (in cases where the application is filed by persons with managerial or supervisory capability connected with the corporation authorizing them to process said ICC application).
 - 4.4.10 Where applicable, original copy of test reports from the Accredited Testing Laboratory of the country of origin to be sent directly to BPS / DTI Regional/Provincial Offices where the application is filed.
- 4.5 Incomplete application forms and attachments shall not be processed accordingly.

5.0 PROCESSING

The duly authorized DTI / BPS personnel shall evaluate the application for ICC. Applications for the ICC shall be processed through any of the following three (3) options:

5.1 Import Shipment without Foreign Test Certificate/Report

- 5.1.1 An importation without test certificate may be issued conditional release from Custom's custody by the DTI Regional/Provincial Office / BPS, upon importer's compliance with Custom's requirements and any other requirements of the DTI.
- 5.1.2 The applicant-company through its chief executive officer shall concur to the conditions of the conditional release and sign it accordingly before DTI/BPS issues the conditional release.
- 5.1.3 In the event that the chief executive officer of the applicant-company is not available, only authorized representative (personnel of the applicant company with managerial responsibility) shall sign the conditional release on behalf of the importer upon submission of a valid power of attorney of board resolution in case of corporation.
- 5.1.4 Custom's brokers shall not be allowed to sign the conditional release on behalf of the importer.
- 5.1.5 Pending the issuance of the ICC, no distribution, sale, use and/or transfer to any place other than the warehouse(s) specified in the conditional release, in whole or in part, shall be made by the importer or any person. To ensure

that no distribution, sale, use and/or transfer to any place other than the warehouse(s) specified in the conditional release, the importer shall allow authorized DTI personnel to conduct inspection and inventory of the import shipment within the official working hours.

5.1.6 The said import shipment shall be subjected to product assessment as specified in clause 6.0

5.2 Import Shipment with Foreign Test Certificate/Report

5.2.1 In order for an importer to avail of this option a Memorandum of Understanding (MOU) and/or Mutual Recognition Agreement (MRA) shall first be entered into by BPS and its counterpart National Standards Body (NSB) or testing laboratory of the exporting country.

5.2.2 Original copy of the foreign test certificate / report based on specific Philippine National Standard covering import shipments issued by the testing laboratory from the country of origin shall be forwarded directly to Bureau of Product Standards for proper evaluation as to conformance with the requirements of the standard and other laws, rules and regulations.

5.2.3 If the result of evaluation (as specified in clause 5.2.2) showed that the importation conformed to the requirements of the specific Philippine National Standard and compliance with other DTI laws, rules and regulations on importation, BPS shall then inform the concerned DTI Regional/Provincial Office that it interpose no objection for the issuance of the corresponding ICC on a per shipment per Bill of Lading/Airway Bill basis. Hence, in this case, product assessment (clause 6.0) is no longer required.

5.2.4 When necessary and deemed appropriate by the BPS, all shipments covered with foreign test certificate/report shall be subject for verification tests to determine compliance with the specific Philippine National Standard.

5.2.5 In the event that verification tests of import shipments reveal inconsistencies of the quality of the actual products with the test certificates issued in the country of origin, all subsequent import shipments of such products from that country shall be subjected to a per shipment product assessment (clause 6.0) by DTI Regional/Provincial Offices regardless of who the importers are and notwithstanding their certification abroad. This per shipment product assessment shall continue until such time that the consistency of the quality of import shipments with test certificates issued in the country of origin is re-established to the satisfaction of DTI.

5.2.6 It shall be the policy of the BPS that local test results prevail over the foreign test certificate/report.

5.3 Import Shipment with Philippine Standard (PS) Quality and/or Safety Certification Mark

5.3.1 Imported ceramic wall and floor tile manufactured by foreign companies and issued the License to use the Philippine Standard (PS) Quality Mark as per DAO 1:1997 and its amendments or revisions thereafter shall be issued a Certificate of Exemption.

6.0 PRODUCT ASSESSMENT

6.1 Product Identification and Traceability

6.1.1 Importers shall be required to submit the summary of product identification and traceability of the lot/batch being imported. It shall be the basis for the issuance of the ICC so as to reconcile the batch issued clearance with the actual ICC certificate.

6.1.2 Importer shall ensure that the imported products are labeled as to the product identification and traceability of the production lot or batch in accordance with this operations manual.

6.2 Sampling

6.2.1 A duly authorized DTI/BPS representative shall conduct random sampling either directly from the Bureau of Customs' warehouse or at the importer's warehouse. Sampling shall be according to Table A.

Table A. Sampling Scheme for Imported Ceramic Tiles

PER PRODUCT TYPE	A - Extruded
	B - Dry-pressed
PER WATER ABSORPTION CLASSIFICATION	Group I
	Group IIa
	Group IIb
	Group III
PER USAGE	Floor tiles
	Wall tiles
PER SIZE GROUP (m²)	Area<0.04
	0.04-0.08
	0.09-0.12
	0.13-0.22
	Area>0.22
PER BRAND	each brand
PER BILL OF LADING	each BL

6.2.2 The minimum number of samples required in order to satisfy the minimum tests for ICC compliance (in accordance with Table C) is indicated in Table B.

Table B. Minimum Samples Required

PRODUCT CLASSIFICATION - PER USAGE	NUMBER OF TEST SPECIMEN				
	Size Group (m ²)				
	Area<0.04	0.04-0.08	0.09-0.12	0.13-0.22	Area>0.22
WALL TILES	30	20	20	10	10
FLOOR TILES	30	25	25	15	10

6.2.3 Sample(s) drawn for testing shall be properly sealed and signed by the authorized DTI/BPS representative in such a way as to preserve the integrity of the samples. It shall be sent within (3) working days to the BPS Testing Center and/or BPS accredited/recognized testing laboratory by the importer. The said laboratory shall issue acknowledgement of receipt of test samples.

6.2.4 The authorized DTI/BPS representative shall issue Request for Test (properly filled-up and signed) to the importer upon the conduct of sampling. The said Request for Test shall be submitted to the testing laboratory together with the drawn samples for testing.

6.3 Independent Test

6.3.1 The testing laboratory for ceramic wall and floor tiles samples shall be the BPS Testing Center and/or BPS accredited/recognized testing laboratory. The testing laboratory shall follow the test methods as per PNS ISO 13006:2007.

6.3.2 All imported ceramic wall and floor tiles shall comply with the requirements of PNS ISO 13006:2007 and this operations manual. As a minimum requirements, Table C enumerates the required tests for imported ceramic tiles.

Table C. Test Requirements

TEST REQUIREMENTS	Floor Tiles	Wall Tiles
1. MARKING AND SPECIFICATION	✓	✓
2. QUALITY REQUIREMENTS		
2.1 Dimension and surface quality	✓	✓
2.2 Physical Properties	✓	✓
2.2.1 Water absorption	✓	✓
2.2.2 Modulus of rupture	✓	✓
2.2.3 Breaking strength	✓	✓
2.2.4 Resistance to deep abrasion - unglazed tiles	✓	X
2.2.5 Resistance to crazing - glazed tiles	✓	✓

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Note: Chemical Properties – Optional

6.3.3 Tiles are classified accordingly as per Table 1 of PNS ISO 13006:2007.

6.3.4 Imported ceramic tiles shall follow the declared nominal dimensions of glazed wall tiles specified in Tables A.1, nominal dimensions of glazed and unglazed ceramic mosaic tiles specified in Table A.2 and nominal dimensions of floor tiles specified in Table A.3 of Annex A of PNS 154:2005. Ceramic wall and floor tiles with nominal dimensions outside what is declared in the Tables A.1, A.2 and A.3 are not allowed.

6.3.5 All test results shall be held strictly confidential by the BPSTC and/or BPS accredited/recognized laboratory concerned. Copies furnished to the importers are for product certification purposes only.

6.4 Non-compliance

6.4.1 Two separate tests with two (2) failing results shall have been conducted by BPS Testing Center and/or BPS accredited/recognized testing laboratory before a declaration can be made that the product does not conform to the specific standard.

6.4.2 If in the determination of BPS the first sample failed, another set/s of sample/s from the same lot/batch shall be tested. If the retest passed, the lot/batch is declared as complying with the requirements of the standard.

6.4.3 If in the determination of BPS both tests failed to conform to the requirements of the specific standard, the importer will be advised by BPS that their application for ICC is denied.

6.5 Disposition of samples

6.5.1 Tested samples and other remaining samples drawn from a shipment for testing purposes which conform to the requirements of PNS ISO 13006:2007 shall be returned to the importer as per DAO 5, series of 1996 or its future amendments and revisions. The testing laboratory shall not be liable for whatever damage sustained by the test samples during transport and testing.

6.5.2 Samples which failed to comply with the requirements of PNS ISO 13006:2007 may be stored at the concerned test laboratory for reference purposes, in the event that the importer contests the results of the tests.

6.5.3 The importer, upon receipt of notice of disposal of test samples, arranges within one (1) month time to pick up the samples at concerned laboratory. Otherwise, BPS shall dispose the samples in a manner deemed appropriate, under existing accounting and auditing rules.

7.0 ISSUANCE OF IMPORT COMMODITY CLEARANCE

7.1 An Import Commodity Clearance (ICC) shall be issued to importers whose ceramic wall and floor tiles conforms to the requirements of PNS ISO 13006:2007, Terms and conditions of the ICC provided in by Department Administrative Order No. 5, series of 2001, "Revised Rules and Regulations Concerning the Issuance of Import Commodity Clearance," and its future amendments; and its implementing guidelines.

8.0 DENIAL OF IMPORT COMMODITY CLEARANCE

8.1 Imported ceramic wall and floor tiles not complying with the following requirements shall be denied Import Commodity Clearance:

- 8.1.1 PNS ISO 13006:2007
- 8.1.2 Product Identification and Traceability
- 8.1.3 Labeling requirements
- 8.1.4 Payment of testing fees and charges
- 8.1.5 Provisions of this operations manual
- 8.1.6 Terms and conditions stipulated on the conditional release
- 8.1.7 Memorandum-Circulars, and
- 8.1.8 Other DTI/BPS rules and regulations

8.2 All imported ceramic tiles denied the requisite Import Commodity Clearance shall not be disposed of in the domestic market in any manner. They must be properly disposed of in accordance with the provisions of the Tariff and Customs Code and other pertinent rules and regulations.

9.0 IMPORT COMMODITY CLEARANCE MARK

9.1 The design of the ICC Mark shall be in accordance with the attached illustration.

9.2 The ICC Mark shall be permanently fixed on the product/or on its packaging covered by the corresponding ICC.

9.3 The ICC Mark shall not be used on ceramic tiles in any misleading manner.

10.0 RESPONSIBILITIES OF THE ICC HOLDERS

10.1 The ICC holder shall observe and abide by the provisions of R.A. 4109, E.O. 913, Series of 1983, E.O. 133, Series of 1987, R.A. 7394, DAO 5:2001 and their implementing rules and regulations and shall comply with any and all other directives and orders which the BPS may issue in pursuance with its authority under the law.

10.2 The ICC holder shall ensure that its certified product conforms at all times to the specific standard. The ICC holder shall affix the Import Commodity Clearance (ICC) Mark only on certified products covered by a valid ICC.

10.3 The ICC holder/applicant shall give the duly authorized representative(s) of the BPS or DTI Regional/Provincial Offices access during working hours to the premises where product is being stored, for the purpose of evaluating the product and to conduct inventory relative to the issuance of the Import Commodity Clearance (ICC).

10.4 As part of the market monitoring/enforcement and wherever possible, samples of the certified product shall be drawn from the market in coordination with the company representative. The company/ICC holder shall shoulder samples drawn from the market and testing thereof. Upon the option of the BPS, samples may be drawn at the warehouse site when appropriate.

10.5 The ICC holder/applicant shall pay the applicable fees and charges as billed or stipulated by BPS or DTI Regional/Provincial Offices.

- 10.6 The ICC is issued on a per shipment per Bill of Lading basis and non-transferable.
- 10.7 The ICC holder shall provide his customers, whether wholesalers or retailers, with a copy of the ICC and the ICC marks to be affixed on the products, if applicable, and/or on the packaging.
- 10.8 The ICC holder may determine the most appropriate manner of meeting the ICC marking requirements (through stickers, rubber stamping etc.) provided marking are legible and reasonably conspicuous.
- 10.9 Any infraction of this operations manual shall constitute sufficient grounds for the institution of administrative sanctions/fines against a licensee, which will include suspension, withdrawal, cancellation of the license, without prejudice to the penal provisions of R.A. 4109, DAO 2:2007, E.O. 913, Series of 1983, and R.A. 7394.

11.0 MONITORING

- 11.1 BPS / DTI Regional/Provincial Offices shall at any time monitor and inspect ceramic tiles in the market for conformance to the requirements of the specific standard. If the products are found not conforming to the specific standard, the DTI / BPS shall make appropriate actions or impose the necessary legal actions in accordance with the relevant laws, rules and regulations.

12.0 EFFECTIVITY

- 12.1 These guidelines shall take effect immediately.



JESUS L. MOTOOMULL
Bureau Director

30 July 2007

Date