



**MEMORANDUM CIRCULAR NO. 21-04**

Series of 2021

To : All Manufacturers, Importers, Traders, Distributors, Retailers of Household Appliances and Others Concerned

Subject : Extension of the Transitory Provision for Market Monitoring and Enforcement of Products under the DAO No. 18-03 Series of 2018

**WHEREAS**, DAO 18-03:2018 took effect on 25 August 2019 as prescribed by the Memorandum Circular (MC) No. 18-08:2018, the objective of which is to update the versions of the Philippine National Standards (PNS) for household and similar electrical appliances being implemented by the Bureau of Philippine Standards (BPS) under its Mandatory Product Certification Schemes and to enhance consumer protection by including additional commonly used household appliances in the BPS' List of Products under Mandatory Certification;

**WHEREAS**, MC No. 20-01:2020 was issued on 03 February 2020 as supplemental guidelines for the implementation of DAO 18-03:2018 which states that market monitoring and enforcement shall be conducted beginning 01 January 2021 to ensure that household appliances distributed in the local market are affixed with the Import Commodity Clearance (ICC) sticker or Philippine Standard (PS) Certification Mark;

**WHEREAS**, concerns were raised relative to the transitory period provided under MC No. 20-01:2020 particularly on the challenges faced by the importers and manufacturers to strictly comply with the requirement on ensuring that all products covered by DAO 18-03:2018 distributed in the local market are affixed with the corresponding BPS certification marks due to the community quarantines, lockdowns and travel restrictions implemented for more than three (3) months in the country amidst the Corona Virus Disease (COVID-19) pandemic;

**WHEREAS**, RA 11469 or the "Bayanihan to Heal as One Act", wherein it states that, "In view of the continuing rise of confirmed cases of COVID-19, the serious threat to health, safety, security, and lives of our countrymen, the long-term adverse effects on their means of livelihood, and the severe disruption of economic activities, a state of national emergency is hereby declared over the entire country." And that in Section 3 of this RA, it states that there is an urgent need to, "promote and protect the collective interests of all Filipinos in these challenging times";

**WHEREAS**, considering the volume of appliances that are already released and distributed in the Philippine market prior to the implementation of DAO 18-03:2018 as declared to the BPS by the concerned importers through the submission of lists of remaining inventories, there is a need for BPS' further action on the proper disposition of these uncertified products;

**WHEREAS**, it is the responsibility of the Department to review its technical regulations and balance the interests of the stakeholders without compromising the safety of the consumers;

**WHEREFORE**, foregoing premises considered, this Memorandum Circular is hereby issued for the guidance of all concerned;

1. All products covered by DAO 18-03:2018 manufactured or imported prior to 25 August 2019 shall be allowed for continued distribution or selling until 30 June 2021. The covered products are as follows:
  - 1.1 Spin extractor
  - 1.2 Electric oven

- 1.3 Turbo broiler
- 1.4 Electric grill
- 1.5 Induction cooker
- 1.6 Electric pressure cooker
- 1.7 Electric juicer
- 1.8 Electric food mixer
- 1.9 Electric food processor
- 1.10 Electric kettle
- 1.11 Slow cooker
- 1.12 Multi-cooker
- 1.13 Fully-automatic washing machine
- 1.14 a.c./d.c. electric fan
- 1.15 Television sets with display size above 114 cm (45 inches) up to 140 cm (55 inches)
- 1.16 Refrigerator with storage capacity below 142 liters (5 cu.ft.) and above 227 liters (8 cu.ft.) up to 567 liters (20 cu.ft.)
- 1.17 Non-inverter type air conditioner with cooling capacity above 36,000 kj/hr. up to 38,000 kj/hr.
- 1.18 Inverter type air conditioner with cooling capacity up to 38,000 kj/hr.

2. To ensure strict compliance, market monitoring and enforcement shall be conducted beginning 01 July 2021. Only products bearing the Import Commodity Clearance (ICC) sticker or Philippine Standard (PS) Mark shall be allowed for distribution in the local market. All products non-complying with this requirement shall be subject to the following:

2.1 First Offense – Notice of Violation shall be issued but retailers/distributors shall only be advised to pull-out the items from the selling area.

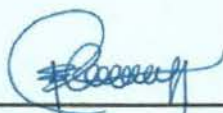
2.2 Second Offense onwards – Notice of Violation shall be issued subject to the regular adjudication process.

This Memorandum Circular shall be effective immediately after its publication in a national newspaper of general circulation, a copy of which shall be submitted to the UP Office of National Administrative Register.

For the information and guidance of those concerned.

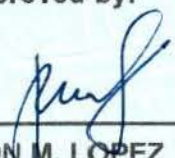
Done in the City of Makati this 25th day of January in the year 2021.

Recommended by:

  
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**NEIL P. CATAJAY**  
Director  
Bureau of Philippine Standards

  
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**ATTY. RUTH B. CASTELO**  
Undersecretary  
Consumer Protection Group

Approved by:


  
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**RAMON M. LOPEZ**  
Secretary

**MEMORANDUM FOR THE SECRETARY**

LS Ref. No. LDP-01-2021-006



Digitally signed  
by Riola Joan  
Karen Angsico

From : **ATTY. JOAN KAREN A. RIOLA**  
Assistant Secretary 

Date : 21 January 2021

Subject : **Review of Draft Memorandum Circular on the Extension of the Transitory Provision for Market Monitoring and Enforcement of Products under DAO No. 18-03, Series of 2018**

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This refers to the request for review of the draft Memorandum Circular (MC) on the extension of the transitory provision for market monitoring and enforcement of products under Department Administrative Order (DAO) No. 18-03, Series of 2018.<sup>1</sup>

Noting that the DAO is generally consistent with the policy under Bayanihan Acts 1<sup>2</sup> and 2,<sup>3</sup> and operational in nature, we defer to the Bureau of Philippine Standards with respect to the technical matters and have no further comments.

For your consideration.

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<sup>1</sup> Mandatory Philippine National Standards (PNS) for Household and Similar Electrical Appliances.

<sup>2</sup> Republic Act No. 11469, "Bayanihan To Heal As One Act"

<sup>3</sup> Republic Act No. 11494, "Bayanihan To Recover As One Act"

**LEGAL SERVICE**