



DEPARTMENT ADMINISTRATIVE ORDER NO. 26-07
Series of 2026

Subject : **IMPLEMENTING GUIDELINES CONCERNING THE MANDATORY
PRODUCT CERTIFICATION OF NICOTINE POUCHES**

WHEREAS, the Republic Act No. 11900 (RA11900), or the Vaporized Nicotine and Non-Nicotine Products Regulation Act, declares the policy of the State to regulate the sale and distribution of Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products in order to promote a healthy environment, protect the citizens from any potential hazards of these novel consumer products and ensure that the sale to minors and the illicit trade of Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products in the country are prevented;

WHEREAS, through RA11900, it is the declared policy of the State to ensure that novel consumer products are properly regulated using internationally accepted product safety standards to protect the citizens from the hazards of regulated, unregulated, and substandard Vaporized Nicotine and Non-Nicotine Products, their Devices, and Novel Tobacco Products;

WHEREAS, Section 21 of RA11900 vests the Department of Trade and Industry (DTI) with exclusive jurisdiction over all matters relating to vaporized nicotine, non-nicotine, and novel tobacco products;

WHEREAS, Department Administrative Order No. 22-06 (DAO22-06) (2022) established the mandatory certification framework for vaporized nicotine, non-nicotine, and novel tobacco products;

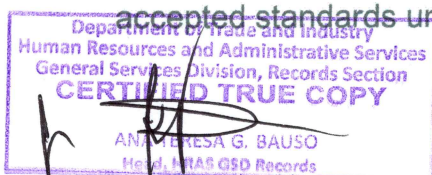
WHEREAS, pursuant to Section 24 of RA11900, the DTI issued DAO22-16 (2022), or the Implementing Rules and Regulations of RA11900;

WHEREAS, the DTI issued DAO24-02 (2024) to supplement DAO22-06 (2022);

WHEREAS, Section 14.1.3 of DAO24-02 (2024) states that for other novel tobacco products, the Bureau of Philippine Standards (BPS) shall issue implementing guidelines upon the availability of Philippine National Standards (PNS);

WHEREAS, Section 6 of DAO 24-08 (2024), or the Amendments to the Implementing Rules and Regulations of RA11900, stipulates that all functions of the BPS under DAO22-06 (2022), as supplemented by DAO 24-02 (2024), shall be implemented by the DTI OSMV;

WHEREAS, DAO24-11 (2024) mandates the adoption of the latest internationally accepted standards unless superseded by a PNS;



OFFICE OF THE SECRETARY

WHEREAS, PNS British Standards Institution Publicly Available Specification (BSI PAS) 8877:2024 has been adopted by the Bureau of Philippine Standards (BPS) as applicable PNS governing Nicotine Pouches;

WHEREAS, World Health Organization (WHO) Tobacco Laboratory Network (TobLabNet) Standard Operating Procedures (SOP) 12 and 14 respectively provides the recommended methods for the quantitative determination of nicotine and pH level in Nicotine Pouches;

WHEREAS, pursuant to Section 3(i) of RA11900, packaging and repackaging activities form part of the manufacturing operations of Novel Tobacco Products; thus, toll packaging facilities engaged in the repackaging of certified semi-finished nicotine pouches into finished products, without altering their contents, dosage, or physical integrity, perform manufacturing activities recognized under the law and are subject to regulatory oversight to ensure compliance with the prescribed standards;

WHEREAS, toll packing is a recognized and established industry practice involving the repackaging of certified semi-finished nicotine pouches into finished products, without altering their contents, dosage or physical integrity, for purposes of lawful distribution and sale, and the conduct of such packaging activities through accredited local facilities supports compliance with applicable quality assurance, traceability and manufacturing standards within the Philippines;

NOW THEREFORE, this Order is hereby issued to implement the mandatory product certification of Nicotine Pouches under the Philippine Standard (PS) Licensing Scheme:

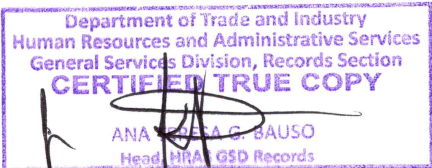
**RULE I
SCOPE**

This Order shall apply to Nicotine Pouches, as defined in this Order, which includes their manufacture, importation, packaging, sale and distribution.

**RULE II
DEFINITION OF TERMS**

Unless otherwise provided, the definitions under DAO24-02 (2024) apply. Additionally:

- A. **Nicotine Pouches** – A Novel Tobacco Product in the form of pre-portioned pouches containing nicotine, designed for buccal absorption without combustion or vaporization, as defined under PNS BSI PAS 8877:2024; for the purposes of this Order, the term “pouches” and “consumable” shall also refer to “Nicotine Pouches”;
- B. **Batch** – Quantity of finished goods or intermediates of consistent quality produced at one time as defined by the manufacturer;
- C. **Packaging** – Any container or wrapping in which a consumer product is enclosed for use in the delivery or display of that consumer product to retail purchasers;



- D. **Semi-finished Product** – An article, which is unfinished or incomplete but possesses the essential character of a finished product in relation to another and intended to be used as a direct input to the latter; and
- E. **Toll Packing** – The process of transferring certified Nicotine Pouches from their original packaging into new retail packaging without altering the contents, dosage or physical integrity of individual nicotine pouches for the purpose of distribution or sale. Repacking shall not include any modification to the product formulation and shall be performed only by DTI-registered Toll Packing Facilities (TPF), with International Organization for Standardization (ISO) 9001:2015 certification or its latest version.

RULE III PRODUCT STANDARDS

Section 1. Reference Standards. The reference standard for Nicotine Pouches shall be PNS BSI PAS 8877: 2024; *Provided*, that if a new PNS is issued based on a current and updated internationally accepted standard, then the new PNS shall be the governing reference to determine the conformance of the covered products.

Section 2. Reference Procedures. The reference procedures for testing Nicotine Pouches shall be WHO TobLabNet SOP 12 for nicotine determination and WHO TobLabNet SOP 14 for pH level determination.

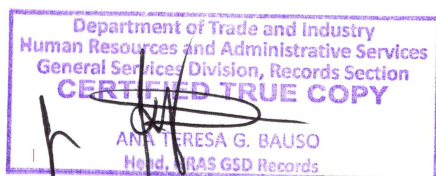
Section 3. Mandatory PS License. These products shall only be imported, distributed, or sold in the Philippines if sourced from a manufacturing facility holding a valid PS license.

Section 4. Exclusion of ICC Scheme. Pursuant to Rule I, Section 2 of DAO24-11 (2024), the Import Commodity Clearance (ICC) scheme shall not apply. Only the PS Licensing Scheme shall be recognized for Nicotine Pouches.

Section 5. Controlled Substances. Nicotine Pouches shall not contain any substance classified as a dangerous drug under Republic Act No. 9165, or the Comprehensive Dangerous Drugs Act of 2002, as amended.

Section 6. Prohibited Acts. Any activity that alters or modifies the Nicotine Pouch or its packaging configuration after manufacture, including changes in labeling, batch traceability, or exposure conditions that may compromise product quality and consumer safety, shall not be permitted.

RULE IV DOCUMENTARY REQUIREMENTS AND PROCEDURES FOR THE REGISTRATION OF TOLL PACKING FACILITY



Section 1. Registration of Toll Packing Facility. The Registration of Toll Packing Facility (TPF) shall be available to both local and foreign TPFs for Nicotine Pouches. The license shall be granted to a company found to be compliant with the requirements of Section 2 of this Rule. To ensure compliance of the Nicotine Pouches, regular surveillance activities as per existing DTI rules shall be conducted as follows and as may be applicable:

For local companies holding a TPF registration:

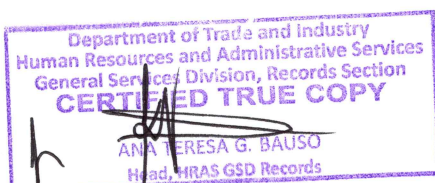
- a. Annual system and product audit at the TPF; and
- b. Random product audit at the warehouse/market

For foreign companies holding a TPF registration:

- c. Annual system and product audit at the TPF; and
- d. Regular product audit per shipment

Section 2. Documentary Requirements. Registration of TPF shall be supported by the following:

- a. Duly accomplished and notarized application form, subscribed and sworn to by the applicant, or his duly authorized management representative;
- b. Oath of Undertaking to abide by the Terms and Conditions of the License, duly signed by the toll packer / local office or agent:
 - 1. For a sole proprietorship: Business Name Registration and permit issued by the local government unit having jurisdiction over it;
 - 2. For a corporation or partnership: SEC Registration and Articles of Incorporation/Partnership and By-Laws; submitted once, unless an amendment has been made; or
 - 3. Latest Income Tax Return or latest audited financial statement, and certification of an accountant on the net worth of the business, submitted once unless an amendment has been made within the current year.
- c. Quality Management System (QMS) Manual covering the product being applied for Registration of TPF, including the description of the products' packing/repacking process;
- d. Product Identification Traceability Procedure including process flow, materials and process control and drawings, among others;
- e. List of all packing/repacking equipment with nominal capacities and serial numbers at each inspection point, together with evidence of ownership, such as but not limited to Official Receipts;
- f. Brief description of equipment maintenance and calibration program for all packing/repacking equipment with their corresponding calibration certificates;
- g. Site location and vicinity map of the TPF, including a detailed facility layout plan such as but not limited to architectural drawings showing production, storage, quarantine, and rejected goods areas;
- h. Valid lease contract of TPF premises; and
- i. Duly notarized toll packing agreement with importer/brand owner/marketing authorization holder.



Section 3. Registration Specificity. Each TPF Registration shall be specific to the TPF, brand, and importer. Only PS License holders may apply for registration of their TPFs.

Section 4. Foreign Applicants. For foreign TPFs, only one local importer per registration shall be allowed. As such, when another local importer outsources the toll packing from the same foreign TPF, a separate Registration of TPF shall be filed.

Section 5. Audit Process. The conduct of audit procedure shall be based on the requirements of Rule 5.2 of DAO22-06 (2022). The DTI shall have the prerogative to require sampling and testing to verify the consistent conformance of the product to standards, as amended or updated, as well as the compliance of the TPF to the provisions of this Order and other applicable rules and regulations.

Section 6. Validity. The Registration of TPF shall be effective from the date of issuance and with full force and effect for a period of three (3) years, subject to mandatory annual surveillance audits and random market audits. The Registration of TPF can be suspended, withdrawn or cancelled at any time for cause and after due process.

Section 7. Renewal. For renewals, the PS License holder or importer with an agreement with its TPF shall, through written notice, coordinate with the DTI for a schedule of the re-certification audit at least six (6) months before the expiration date of its TPF Registration. Otherwise, the TPF registration shall be considered expired immediately after the end period of its validity.

Section 8. Schedule of Fees. The Schedule of Fees shall follow Annex A of DAO22-06 (2022).

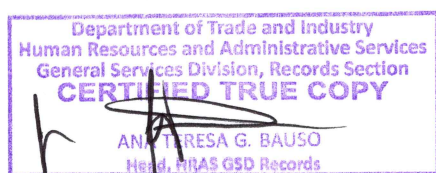
RULE V IMPORTATION OF NICOTINE POUCHES

Section 1. Certificate of Conditional Release. The Certificate of Conditional Release (CCR) shall authorize the conditional release of imported Nicotine Pouches solely for transfer to:

- a. The declared warehouse of the PS License holder; or
- b. In the case of finished products from foreign manufacturers, the declared warehouse address of the local importer; or
- c. In the case of semi-finished products intended for toll packing, the declared warehouse address or storage facility of the registered TPF.

Section 2. Statement of Confirmation. A Statement of Confirmation (SOC) shall be issued by the DTI only upon satisfactory verification that the imported Nicotine Pouches comply with the requirements of this Order and other relevant issuances, as follows:

- a. For imported Finished Products, the SOC shall be consistent with DAO22-06 (2022) and other relevant issuances;



- b. For toll-packed Nicotine Pouches, the SOC shall only be issued after:
1. Satisfactory inspection and verification of the final retail configuration of the Nicotine Pouches and confirmation of compliance with applicable marking, packaging, traceability, and product integrity requirements;
 2. Confirmation that all items subjected to toll packing are fully accounted for through inventory and batch accountability verification covering all imported, processed, rejected, damaged, disposed and finished products. Any discrepancies between the quantities declared in the CCR and those reflected in the SOC shall be properly documented by the TPF; and
 3. Completion of other requirements for SOC application under this Rule.

Section 3. Documentary Requirements. The importer shall apply for either Statement of Confirmation (SOC) for PS-certified Nicotine Pouches on a per shipment per Bill of Lading/Airway Bill basis. The duly accomplished application form, subscribed and sworn, to by the applicant, shall be supported by the following requirements of Rule 6.1 of DAO22-06 (2022), with additional requirements for the purposes of this DAO:

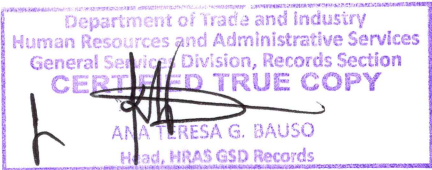
- a. Agreement between the Registered TPF and the importer;
- b. Packing List and Summary of the Production Batch, Lot, or Serial Numbers:
 1. For finished products, the required units of measure shall be declared in “cans” and in “pieces”; and
 2. For semi-finished products intended for toll packing, the required unit of measure shall be declared in “pieces”.
- c. Excise Tax Return; and
- d. Authority to Release Goods.

Section 4. Application Process. The filing and processing for SOC for imported Nicotine Pouches shall follow the provisions of Rule 6 of DAO22-06 (2022).

RULE VI
MARKING REQUIREMENTS

Section 1. Packaging and Labels. Each retail packaging of Nicotine Pouches shall bear legible, indelible and prominently displayed markings in English or Filipino, and contains the following minimum information:

Product Name	Brand and specific product variant, if applicable
Nicotine Content	Declared nicotine content per pouch in milligrams per pouch following: “mg/pouch”
Quantity	Total number of pouches contained in the retail pack
Manufacturing Date	Date of manufacture in the format: MMM-YYYY (e.g., “Jan-2026”) or DD-MMM-YYYY (e.g., “01-Jan-2026”)
Batch or Lot Number	Unique identifiable number traceable to production records



Consumable composition	A list comprising nicotine and ingredients contained in the oral Nicotine Pouches in descending order of weight
Allergens	The presence of the allergenic product or substance shall be declared as part of the product labeling
PS Mark	All PS License holders are required to adopt and use the updated PS Certification Mark logo, together with the corresponding PS License Number, as specified in Rule IV, Section 1 of DAO 24-11 (2024)
Manufacturer's Information	Name, full address, and contact details of the manufacturer
Importer's Information	Name, full address, and contact details of the importer for consumer inquiries or adverse event reporting

Section 2. Product Information Manual. Each product information manual shall bear at least the following information, whether printed on a separate physical document accompanying the product or accessed via a Quick Response (QR) code:

Usage Instructions	Clear directions for proper use, handling and storage
Disposal Instructions	Guidance for environmentally safe disposal of used or expired products
Health Warnings	Information on: • Contraindications • Potential Interactions with Medications • Precautions and Warnings • Potential Adverse Reactions • Overdose and Treatment

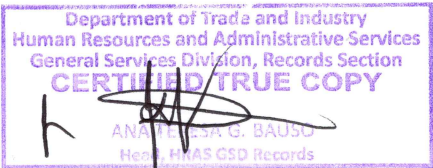
Section 3. Health Warnings. The unit packaging of the Nicotine Pouches shall bear a highly visible, full-color graphic health warning prescribed under Republic Act No. 10643, or The Graphic Health Warnings Law. The content, format, and specifications of the graphic health warning shall be designated by the Department of Health (DOH) Administrative Order (AO) No.: 2022-0046 and its future amendments.

Section 4. Prohibited Flavor Descriptors. Nicotine Pouches shall comply with the applicable guidelines on flavor descriptors as prescribed under DAO25-09 (2025) and its future amendments.

RULE VII

SAMPLING REQUIREMENTS

Section 1. Sample Size. Sampling for the testing of Nicotine Pouches shall be in accordance with the following minimum sampling sizes:



Reference Standard and Procedures	Sampling Size		
	In-Plant Testing	Independent Testing	Reserved Samples
PNŠ BSI PAS 8877:2024 and WHO TobLabNet SOP 12 and 14	150 pouches per flavor/variant	150 pouches per flavor/variant	150 pouches per flavor/variant

RULE VIII
TESTING REQUIREMENTS

Section 1. In-Plant Testing. The manufacturer shall have the capability to conduct the in-plant testing for the nicotine content, pH level, and water activity. Additionally:

- a. In-plant testing performed or conducted in another facility of the same manufacturer shall be allowed, provided that the procedure is properly documented; and
- b. Outsourcing of in-plant testing shall be prohibited.

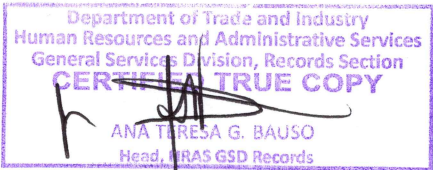
Section 2. Independent Testing. Independent testing shall cover all parameters specified under Rule III, Section 1 and 2 of this Order. Additionally:

- a. Independent testing shall be conducted by a DTI-recognized testing laboratory;
- b. In the absence of a local DTI-recognized testing laboratory, the applicant shall nominate a foreign laboratory accredited under the International Laboratory Accreditation Cooperation (ILAC) Mutual Recognition Arrangement (MRA) and with accreditation from International Organization for Standardization and the International Electrotechnical Commission (ISO/IEC) 17025 and ISO/IEC 9001. The applicant shall seek approval from the DTI prior to submission of samples to the nominated testing laboratory; and
- c. The requirements stated in Rule VIII, Section 2.b shall cease to be implemented whenever there is a local DTI-recognized testing laboratory.

RULE IX
TRANSITORY PROVISIONS

Section 1. Transition Period. A transition period of twelve (12) months shall be granted from the effectivity of this Order to allow stakeholders to comply with the requirements prescribed under the mandatory certification scheme for a PS License for Nicotine Pouches.

Section 2. Remaining Inventory. All Nicotine Pouches that are already distributed or offered for sale in the local market or remaining inventories at the manufacturer's plant or warehouse may apply for voluntary certification within twelve (12) months prior the date of mandatory certification. The application shall be supported by the following:



- a. Summary of Products for certification;
- b. Any documentary proof that the products are locally manufactured or imported prior to the effectivity of this Order (e.g., Production Records, Import Entry, Bill of Lading, Notice of Arrival, etc.); and
- c. The Application for Certification of Remaining Inventories of Nicotine Pouches is attached as Annex A in this Order.

As part of certification, remaining inventory shall be required to undergo inspection. Inspection and sampling, if necessary, shall be conducted by the DTI in accordance with existing Inspection and Sampling Procedures. Under justifiable reasons, inspection and sampling may be re-scheduled; otherwise, appropriate action shall be undertaken. The sampling size shall be determined through a per brand, type/model, flavor and manufacturer basis

Certification or a corresponding mark shall be issued upon satisfactory results of evaluation of the submitted required documents and inspection.

Section 3. End of Transition Period. Upon the conclusion of the transition period, only Nicotine Pouches with a valid PS License and certification shall be allowed for manufacture, importation, distribution, and/or sale. All such products shall fully comply with the applicable standards and requirements within the transition period. Products that fail to meet the prescribed standards after the transition period shall not be sold, distributed, or otherwise placed in the market.

RULE X FINAL PROVISIONS

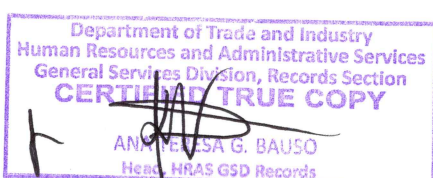
Section 1. Implementation. This Order shall be implemented in coordination with relevant DTI bureaus and offices.

Section 2. Philippine Standard Certification. The PS License shall only be issued upon determination of compliance with the requirements of DAO22-06 (2022), DAO24-02 (2024), and DAO24-11 (2024).

Section 3. Importation of Licensed Nicotine Pouches. Issuance of Certificate of Conditional Release (CCR) and Statement of Confirmation (SOC) for Nicotine Pouches with a valid PS License shall be consistent with the applicable requirements of DAO22-06 (2022) and DAO24-02 (2024).

Section 4. Repealing Clause. All inconsistent provisions of DAO22-06 (2022), DAO24-02 (2024), and all other Orders, issuances or parts thereof that are inconsistent with this technical regulation are repealed or amended accordingly.

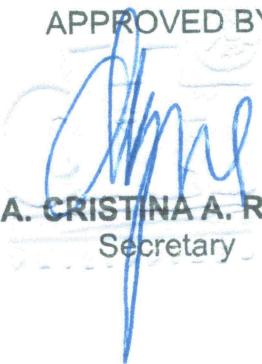
Section 5. Separability Clause. Should any provision of this Order or any part thereof be declared invalid, the other provisions shall remain in force and effect to the extent that they are separable from the invalid ones.



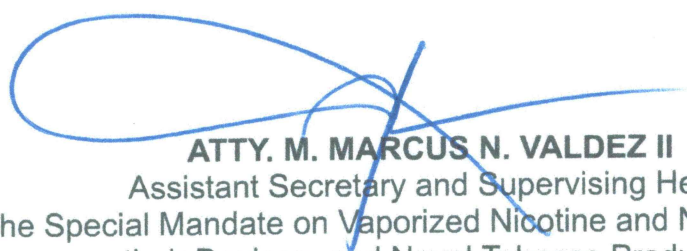
Section 6. Effectivity. This Order shall take effect immediately upon its publication in the Official Gazette or two (2) newspapers of general circulation.

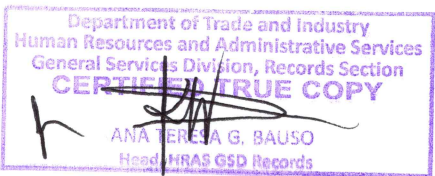
Issued this 02 September 2026 in City of Makati, Metro Manila, Philippines

APPROVED BY:


MA. CRISTINA A. ROQUE
Secretary

RECOMMENDED BY:


ATTY. M. MARCUS N. VALDEZ II
Assistant Secretary and Supervising Head
Office for the Special Mandate on Vaporized Nicotine and Non-Nicotine Products,
their Devices, and Novel Tobacco Products



ANNEX A

Application for Certification of Remaining Inventories of Nicotine Pouches

Applicant Company: ☐ Importer ☐ Distributor ☐ Retailer

Name of Applicant Company: _____ Date (DD-MMM-YYYY): _____

Office Address: _____

Product: _____

Product Details:

Brand	Type/ Model	Date of Arrival in the Philippines	Name of Manufacturer	Country of Origin	Value of Products (in PhP)	Store/Warehouse Address where the products are stored	Batch/Serial No.	Quantity

Total: _____

Declared by

Signature Over Printed Name
Company Representative

