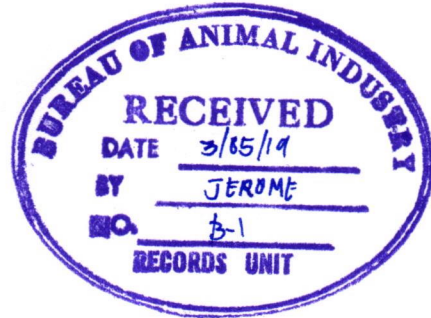




Republic of the Philippines
DEPARTMENT OF AGRICULTURE
 Office of the Secretary
 Elliptical Road, Diliman, Quezon City, 1100 Philippines
 Tax Identification Number: 000-845-895



February 14, 2019

MEMORANDUM CIRCULAR

No. 02
 Series of 2019

SUBJECT: MATERIAL TRANSFER AGREEMENT (MTA) AS A REQUIREMENT FOR THE ISSUANCE OF EXPORT COMMODITY CLEARANCE AND SPS IMPORT CLEARANCE (SPSIC)/VETERINARY QUARANTINE CLEARANCE (VQC) TO IMPORT FOR THE TRANSPORT OF BIOLOGICAL MATERIALS

WHEREAS, the transport of biological materials such as but not limited to, cell lines, plasmids, genetic materials, pathological materials, organisms carrying pathogens or its component, viruses, bacteria and fungi from and to the Philippines for the purpose of conducting analysis, study and investigation in the destination country's laboratory or in any laboratory in the country other than the DA managed laboratories require Export Commodity Clearance and SPS Import Clearance (SPSIC)/Veterinary Quarantine Clearance (VQC) to facilitate authorized shipment of these commodities;

WHEREAS, the use of Material Transfer Agreement (MTA) in the transport of biological materials was recommended by the World Organisation for Animal Health (OIE) to (1) protect the interests of all involved parties (2) help to avoid misunderstandings around the use of materials and (3) clarify ownership of property, as provided in Chapter 1.1.3 of the OIE Manual of Diagnostic Tests and Vaccines for Terrestrial Animals (2018) "*Transport of Biological Materials*";

WHEREAS, there is a need to require MTA as part of application requirement for the export or import of these commodities to define the rights and limitations of the test to be conducted between the provider and the recipient including disclosure and/or publication of its results thereby protecting material integrity and intellectual property;

NOW THEREFORE, I, EMMANUEL F. PIÑOL, Secretary of the Department of Agriculture, in accordance with the powers vested in me by law, do hereby issue this Memorandum Circular requiring the submission of Material Transfer Agreement (MTA) between the Bureau of Animal Industry and the material provider as part of the application requirement for the issuance of Export Commodity Clearance and SPS Import Clearance (SPSIC)/Veterinary Quarantine Clearance (VQC) to Import for the information, guidance and compliance of all concerned.

This Memorandum Circular shall take effect immediately and shall remain in force until revoked in writing. All orders and memoranda inconsistent herewith are deemed revoked or amended accordingly.

EMMANUEL F. PIÑOL
 Secretary