

MEMORANDUM CIRCULAR NO. 23-07
Series of 2023

To : All Manufacturers and Importers of Black and Galvanized Longitudinally Welded Lightweight Steel Tubes Covered by DAO 19-16, Series of 2019 and Others Concerned

SUBJECT : Transitory Provision for Mandatory Product Certification and Market Monitoring and Enforcement of Black and Galvanized Longitudinally Welded Lightweight Steel Tubes under MC 22-14, Series of 2022

WHEREAS, the Department Administrative Order (DAO) 19-16, Series of 2019 took effect on 22 February 2020, the objective of which is to strictly ensure that steel pipe products comply with the specified quality requirement/s as prescribed therein;

WHEREAS, Clause 7.7 of MC 22-14, Series of 2022 states that mandatory certification for Black and Galvanized Longitudinally Welded Lightweight Steel Tubes shall commence on 14 July 2024 to ensure that all steel pipes products covered by DAO 19-16, Series of 2019 distributed in the local market bear Philippines Standard (PS) License Mark;

WHEREAS, Clause 7.9 of MC 22-14, Series of 2022 states that market monitoring and enforcement of the Fair Trade Enforcement Bureau (FTEB) and DTI RO/PO shall commence on 14 July 2025 to ensure that all Black and Galvanized Longitudinally Welded Lightweight Steel Tubes covered by DAO 19-16, Series of 2019 distributed in the local market bear the Philippine Standard (PS) Certification Mark;

WHEREAS, the DTI has been receiving numerous reports on the proliferation of uncertified, misleading and substandard lightweight steel tubes in the Philippine market, where DTI has verified and confiscated a significant volume of nonconforming products through intensified market monitoring and enforcement;

WHEREAS, Rule 23 of DAO 19-16, Series of 2019 specifically stipulates that "BPS may issue such guidelines/procedures as may be necessary in the implementation of this Order";

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

1. Transitory Provisions

- 1.1 All importations of black and galvanized longitudinally welded lightweight steel tubes covered by MC 22-14, Series of 2022 shall be subject for inspection and verification by BPS/DTI RO/PO or BPS-recognized Inspection Body within six (6) months after the date of effectivity of this Circular. Certificate of Exemption and corresponding mark shall be issued by BPS upon satisfactory result of inspection and verification.
- 1.2 All local and foreign manufacturers of black and galvanized longitudinally welded lightweight steel tubes covered by MC 22-14, Series of 2022 shall apply and secure a Philippine Standard (PS) Quality and/or Safety Certification Mark License within six (6) months after the date of effectivity of this Circular.
- 1.3 All local manufacturers of black and galvanized longitudinally welded lightweight steel tubes shall have a valid PS License prior to manufacture, distribution, and/or selling six (6) months after the effectivity of this Circular.

1.4 All importation of black and galvanized longitudinally welded lightweight steel tubes covered by MC 22-14, Series of 2022 shall be sourced from a foreign manufacturer with a valid PS License six (6) months after the date of effectivity of this Circular and shall comply with the SOC application requirements prescribed by DAO 19-16, Series of 2019 and this Circular.

1.5 All uncertified black and galvanized longitudinally welded lightweight steel tubes covered by MC 22-14, Series of 2022 that are already distributed or offered for sale in the local market or remaining inventories at the local manufacturer's plant or warehouse prior to the effectivity of this Circular shall apply for a certification from the BPS within twelve (12) months after the date of effectivity of this Circular. The application shall be supported by the requirements prescribed under Clause 7.8 of MC 22-14, Series of 2022.

Certificate of Exemption and corresponding mark shall be issued upon satisfactory result of evaluation.

1.6 To ensure strict compliance, market monitoring and enforcement shall be conducted by the Fair Trade Enforcement Bureau (FTEB) and DTI RO/PO twelve (12) months after the effectivity of this Circular. After this period, only black and galvanized longitudinally welded lightweight steel tubes bearing a valid PS Mark and other BPS-issued certification mark shall be sold, offered for sale or distributed in the local market. All non-compliant products shall be subject to the following:

- a. First Offense - Notice of Violation shall be issued but retailers/distributors shall only be advised to pull-out the items from the selling area.
- b. Second Offense onwards - Notice of Violation shall be issued subject to the regular adjudication process.

2. Repealing Clause

All other orders or parts thereof which are inconsistent with the provisions of this Circular are hereby repealed or amended accordingly.

This Memorandum Circular shall be effective immediately after its publication in a 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 15th day of June in the year 2023.



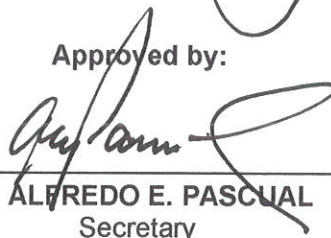
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