



DEPARTMENT ADMINISTRATIVE ORDER NO. 03
Series of 2008

SUBJECT : RULES AND REGULATIONS CONCERNING THE SAFETY OF LOW VOLTAGE EQUIPMENT

Pursuant to Republic Act 4109, series of 1964; Executive Order No. 101, series of 1976; Executive Order No. 913, series of 1983; Executive Order No. 133, series of 1987; and Republic Act 7394, series of 1992, the following rules and regulations governing the Safety of Low Voltage Equipment that are placed in the market or put into service in The Philippines, is hereby promulgated for the guidance of all concerned.

1. OBJECTIVE

To take all appropriate measures to ensure that all electrical equipment that are placed in the market or put into service in the Philippines are-

- a) constructed in accordance with good engineering practices and safety standards prevailing in the International Community
- b) installed and maintained in a manner that they do not endanger the safety or life of persons, domestic animals, and
- c) used in applications for which they were made.

To carry into effect this objective, the following requirements should be met:

1.1. Technical requirements:

The electrical equipment shall be so constructed or fabricated in accordance with good engineering practices concerning safety and specified as harmonized standards, PNS or other relevant standards and technical documents. The principal elements of safety objectives are listed in Annex 1 hereof.

1.2. Administrative requirements:

The manufacturer or his duly authorized representative shall comply with administrative procedures and instructions and make available the necessary records and documents requires by the regulatory authority (e.g. conformity assessment procedures, marking on the product, technical files, declaration of conformity, and instructions for use if relevant).

2. SCOPE

2.1. This DAO covers electrical equipment placed in the market and designed for use with input voltage ranging from 50 to 1000V for alternating current, and from 75V to 1500V for direct current.

2.2. This DAO shall not apply to Low Voltage Equipment (LVE) and Phenomena listed in Annex 2 hereof.

3. DEFINITIONS

For purposes of this DAO, the following definitions shall apply:

3.1. Accredited Laboratory- A testing, analysis or calibration laboratory, formally recognized by an official body for its competence to carry out testing, analysis or calibration tasks under established rules complying with ISO/IEC standard requirements.

3.2. Authorized Representative- The person or entity duly authorized in writing, by the manufacturer to act for and in his behalf .

3.3. Bureau of Product Standards (BPS)- BPS is the Philippines' National Standards Body (NSB) under the Department of Trade and Industry mandated to develop, implement and coordinate standardization activities in the Philippines. It is primarily involved in standards development and standards implementation/promotion.

3.4. Conformity Assessment- A systematic examination to determine the extent to which a product, process or service complies with specified requirements.

3.5. Conformity Assessment Body (CAB)- An official body designated by the regulatory authority to conduct Conformity assessment.

3.6. Certificate of Conformity (CoC)- A document issued by listed CABs under the rules of a certification system, providing confidence that a duly identified product, process or service is in conformity with the requirements.

3.7. Declaration of Conformity (DoC)- A declaration by the manufacturer or his duly authorized representative, that the product meets all the essential requirements provided by existing and applicable Rules and Regulations.

3.8. Department of Trade and Industry (DTI)- Under EO 133, the DTI serves as the primary coordinative, promotive, and facilitative arm for trade, industry and investment activities.

3.9. Designation- The authorization given by a Designating Body for a Conformity Assessment Body, to perform conformity assessment activities as specified under this DAO.

3.10. Designating Body- The Body appointed by a Member Country, which is given the responsibility to identify, designate and monitor Conformity Assessment Bodies as specified herein.

3.11. Harmonized Standard- A Philippine National Standard (PNS) presumed to comply with essential requirements of regulation and adopted by the regulatory authority.

3.12. Import Commodity Clearance (ICC)- A document issued by BPS-DTI attesting that the quality and/or safety of an imported product conforms to a PNS or BPS recognized international/foreign standard.

3.13. International Standard- A standard developed under the WTO principles for international standards development such as those developed by International standardization bodies like the International Organization for Standardization (ISO),

International Electro technical Commission (IEC), International Telecommunication Union (ITU) and those developed by foreign standards bodies under these principles.

3.14. Low Voltage Equipment (LVE) also referred to as "Equipment"- All electrical or electronic equipment including components, parts, finished products, systems and installations, with input voltage rating as indicated in item 2.1.

3.15. Manufacturer- The person or entity responsible for the design/manufacture/construction/fabrication of electrical equipment and see to it that they comply with technical specifications.

3.16. Philippine National Standard (PNS)- A standard promulgated by the BPS relating to product specifications, test methods, terminologies and standardization procedures, guidelines or practices.

3.17. PS License- A document issued by BPS-DTI to an entity to use the PS Quality and/or Safety Certification Mark for its product.

3.18. Registration Mark- An indication that a regulated product has been registered with a concerned Regulatory Authority under a mandatory registration scheme of a Member Country if required.

3.19. Registration- The process by which an application filed by a supplier of a regulated product is approved by a Regulatory Authority on the basis of Certificate of Conformity issued by a listed CAB. To avoid any doubts, "Registration" does not require any conformity assessment activity by the Regulatory Authority over and above the conformity assessment by a listed CAB.

3.20. Regulatory Authority- An entity mandated by law to formulate, develop, implement and enforce rules and regulations.

3.21. Supplier- A person (natural or juridical) that places a product in the market. It includes importer, manufacturer, trader and distributor.

3.22. Technical documentation or technical file- A set of documents required to be submitted by a supplier to the Regulatory Authority, reflecting that a regulated product has been tested and certified as complying with essential requirements.

3.23. DAO: Department Administrative Order

3.24. R.A.: Republic Act

3.25. E.O.: Executive Order

3.26. R.A. 4109:1964: An Act to Convert the Division of Standards under the Bureau of Commerce into a Bureau of Standards, to provide for the Standardization and/or Inspection of Products and Imports of the Philippines and for other purposes.

3.27. R.A. 7394:1992: The Consumer Act of the Philippines.

3.28. E.O. 133:1987: Reorganizing the Department of Trade and Industry, its Attached Agencies, and for other Purposes.

3.29. E.O. 101:1976: Authorizing the Bureau of Standards to Promulgate Rules and Regulations on the Marking of Goods Standardized by the Bureau.

3.30. E.O. No. 913:1983: Strengthening the Rule-Making and Adjudicatory Powers of the Minister of Trade and Industry in Order to Further Protect Consumers.

3.31. DAO No. 01, Series of 1997: Revised Rules and Regulations concerning the Philippine Standard (PS) Quality and/or Safety Certification Mark Scheme and its Implementing Guidelines.

3.32. DAO No. 02, Series 2007: Defining the Responsibilities and Liabilities of Manufacturers, Importers, Traders, Wholesalers, Distributors, Retailers Service providers and or their Agents, with Regard to Products/Services Covered by Philippine Standard Certification Mark Schemes and Prescribing Penalties for Violation Thereof.

3.33. DAO No. 05, Series of 2001: Revised Rules and Regulations concerning the Import Commodity Clearance (ICC) and its Implementing Guidelines.

4. ROUTES TO COMPLIANCE

4.1 LVE included in the List of PNS under Mandatory Product Certification dated 01 October 2006 & its future amendments.

4.1.1 The product certificate for Mandatory Products shall be issued by a certification body listed as Conformity Assessment Body (listed CAB).

4.1.2 The manufacturer or his authorized representative shall;

- a) Comply with the essential requirements as referred to item 1;
- b) Issue a declaration of conformity (see Annex VI);
- c) Retain the technical file (see Annex VII) containing the PS license or ICC certificate to be presented on request of the authorities; and
- d) Affix PS or ICC mark (see Annex VIII).

4.1.3 To comply with technical requirements, the manufacturer shall use a Philippine National Standard.

a) For conformity assessment procedures DAO 1:1997 and DAO 5:2001 and its future amendments applies according to Annex III.

b) For High Risk products (give the list or indicate where we find the list of high risk products), system 5 of ISO guide 67 [2004] applies according to Annex IV.

c) For Medium Risk products (give the list or indicate where we find the list of medium risk products), system 1 of ISO guide 67 [2004] applies according to Annex V.

d) For Low Risk products (give the list or indicate where we find the list of low risk products), Requirements for Declaration of Conformity (DoC) based ISO/IEC 17050-1:2004 - Conformity Assessment- Supplier's Declaration of Conformity – Part 1: General requirements

4.2 LVE not included in the List of PNS under Mandatory Product Certification dated

01 October 2006 and its future amendments.

- 4.2.1 The manufacturer or his authorized representative shall;
- a) Comply with essential requirements as referred to item 1.
 - b) Issue a declaration of conformity (see Annex VI);
 - c) Retain the technical file, including conformity assessments reports or certificates CoC as issued by a listed CAB for registration to regulatory authority if required, according to the standards or specifications used, to be presented on request of the authorities and;
 - d) Affix a marking on equipment prior to placing on the market or putting into service.
- 4.2.2 To comply with technical requirements the manufacturer may use harmonized PNS or in its absence the following as prioritized:
- a) International standards;
 - b) Regional standards;
 - c) National standards;
 - d) Other technical specifications.

5 MANUFACTURER RESPONSIBILITIES

- 5.1 The manufacturer or his authorized representative shall abide by R.A. 4109:1964, R.A. 7394:1992, E.O. 133:1987, E.O. 101:1976, E.O. 913: 1983, and their implementing rules and regulations, and orders which the BPS issues in pursuance with its authority under the law. The manufacturer or his authorized representative shall comply with the rules and regulations stated in the DAO 1:1997 and DAO5:2001 and their future amendments.
- 5.2 In case of non compliance with this Order, DAO No. 2, Series 2002 and its future amendments will apply.
- 5.3 The manufacturer or his duly authorized representative shall ensure that its certified product conforms at all times and undertake in writing that it shall be liable for any damage caused by the said product to any consumer.

6 RESPONSIBILITIES AND AUTHORITIES OF REGULATORY AUTHORITY

The Regulatory Authority is responsible for the implementation and enforcement of this Order. Any violations or infraction of this rules and regulations by any person, corporation or entity shall be a cause for administrative sanction by the Regulatory Authority and impose fines and penalties in accordance with the existing laws, rules and regulations.

7. SEPARABILITY CLAUSE

Should any provision of this Order or any part thereof be declared invalid, the other provisions, so far as they are separable from the invalid ones, shall remain in force and effect.

8. FINAL PROVISIONS

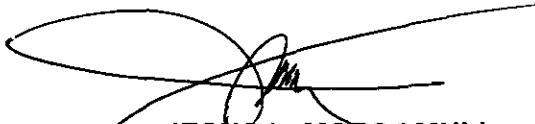
The provisions of this Order may be amended in the future.

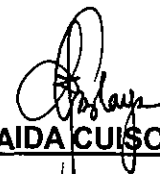
9. EFFECTIVITY

This Order shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

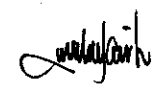
Done in Makati City, this Feb. 07, 2008.

RECOMMENDED BY:


JESUS L. MOTOOMULL
Bureau Director
Bureau of Product Standards


ZENAIDA CUISON MAGLAYA
Undersecretary
Consumer Welfare & Trade Regulation Group

APPROVED:


PETER B. FAVILA
Secretary

ANNEX I

PRINCIPAL ELEMENTS OF THE SAFETY OBJECTIVES FOR ELECTRICAL EQUIPMENT DESIGNED FOR USE WITHIN CERTAIN VOLTAGE LIMITS

1. General conditions:

- a) The essential characteristics, the recognition and observance of which will ensure that electrical equipment will be used safely and in applications for which it was made, shall be marked on the equipment, or, if this is not possible, on an accompanying notice;
- b) The manufacturer's brand name or trade mark should be clearly printed on the electrical equipment or, where that is not possible, on the packaging;
- c) The electrical equipment, together with its component and parts should be made in such a way as to ensure that it can be safely and properly assembled and connected;
- d) The electrical equipment should be so designed and manufactured as to ensure that protection against the hazards set out in points 2 and 3 of this Annex is assured providing that the equipment is used in applications for which it was made and is adequately maintained.

2. Protection against hazards arising from the electrical equipment:

Measures of a technical nature should be prescribed in accordance with point 1, in order to ensure:

- a) That persons and domestic animals are adequately protected against danger of physical injury or other harm which might be caused by electrical contact direct or indirect;
- b) That temperatures, arcs or radiation which would cause a danger, are not produced;
- c) That persons, domestic animals or property are adequately protected against non-electrical dangers caused by the electrical equipment which are revealed by experience;
- d) That the insulation must be suitable for foreseeable conditions.

3. Protection against hazards which may be caused by external influences on the electrical equipment:

Technical measures are to be laid down in accordance with point 1, in order to ensure:

- a) That the electrical equipment meets the expected mechanical requirements in such a way that persons, domestic animals or property are not endangered;
- b) That the electrical equipment shall be resistant to non-mechanical influences in expected environmental conditions, in such a way that persons, domestic animals or property are not endangered;
- c) That the electrical equipment shall not endanger persons, domestic animals or property in foreseeable conditions of overload.

ANNEX II

List of LVE and Phenomena excluded from the scope of this rules and regulations:

1. Aeronautical equipment, parts and appliances in the field of civil aviation;
2. Radio equipment used by radio amateurs within the meaning of the Radio Regulations; Kits of the components to be assembled by radio amateurs and commercial equipment modified by and for the use of radio amateurs which are not regarded as commercially available equipment;
3. Electrical equipment for radiology and medical purposes;
4. Radio and Telecommunication Terminal Equipment;
5. Electrical parts for goods and passenger lifts;
6. Electricity meters;
7. Electric fence controllers;
8. Radio-electrical interference;
9. Specialized electrical equipment for use on ships, aircraft or railways which complies with the safety provisions drawn up by international bodies in which The Philippines participates;
10. Equipment used in an explosive atmosphere;
11. Equipment not intended to be placed on the market or put into service e.g. used for exhibits, trade fairs or sent to an authorized representative or to an assembler, an installer or a repair shop;
12. Equipment intended for export;
13. Equipment or parts not provided to the end user;
14. Components for which conformity assessment is not possible when not integrated in equipment like IC's, electronic components.

ANNEX III

**CONFORMITY ASSESSMENT PROCEDURES
FOR LVE LISTED ON THE BPS MANDATORY PNS**

1. Locally produced LVE

BPS issues the PS License to a manufacturer whose product has successfully passed the requirements of the Product Certification Scheme. With the license, the manufacturer affixes the PS Mark on his product or product package.

Department Administrative Order No. 01, Series of 1997 and its future amendments: Revised Rules and Regulations concerning the Philippine Standard (PS) Quality and/or Safety Certification Mark Scheme apply.

2. Imported LVE

BPS issues the ICC to an importer whose product has successfully passed the requirements of the Product Certification Scheme. With the clearance, the importer affixes the ICC Mark on his product or product package.

Department Administrative Order No. 05, Series of 2001 and its future amendments: Revised Rules and Regulations concerning the Import Commodity Clearance (ICC) Certification Scheme apply.

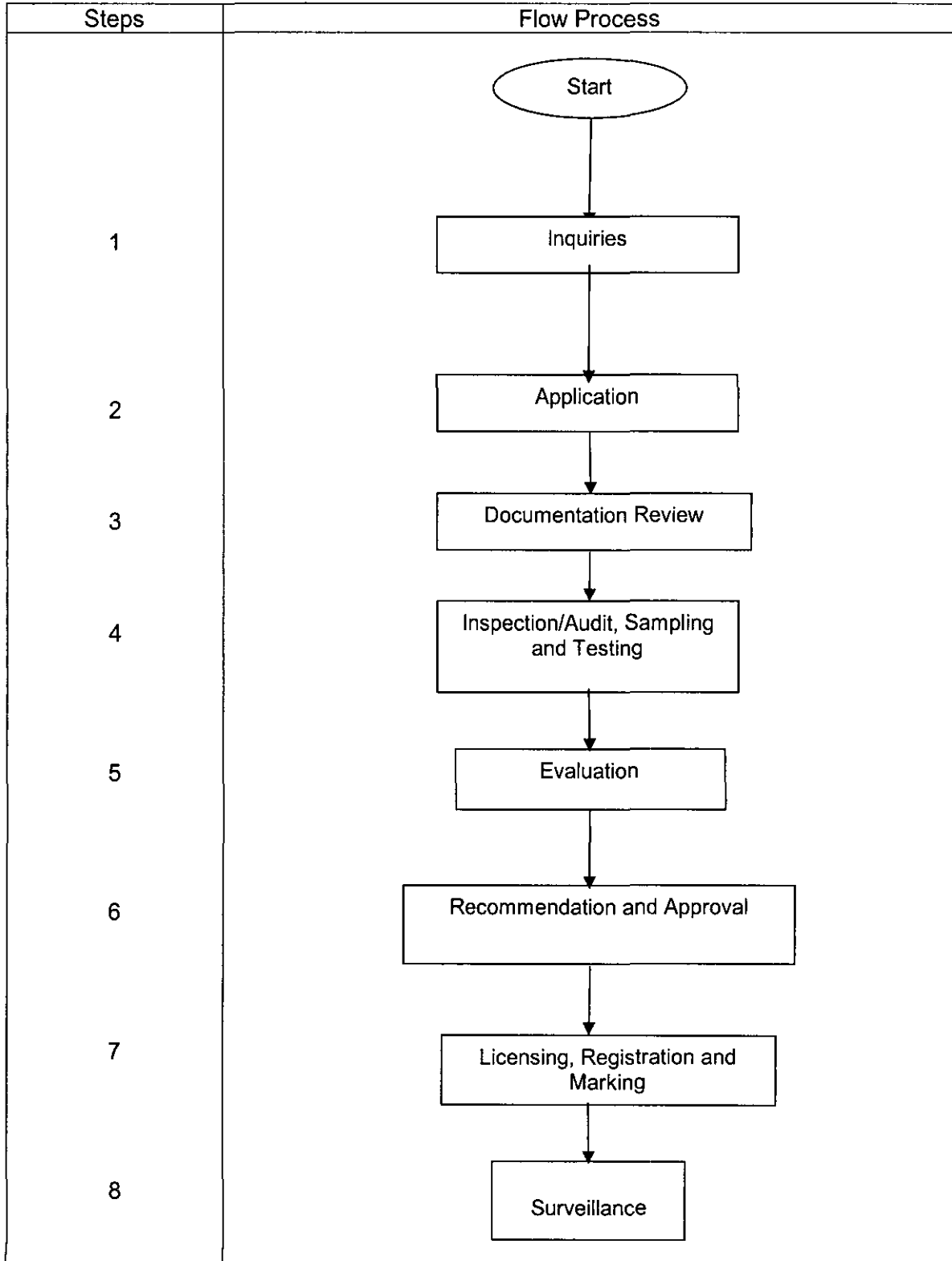
3. All listed LVE

A separate marking shall be affixed on the equipment or product packaging in both cases upon compliance to item 4.1.

ANNEX IV

**CONFORMITY ASSESSMENT PROCEDURE FOR HIGH RISK PRODUCTS
(ISO Certification System 5 Certification Process based on Risk Assessment)
(Mandatory Certification)**

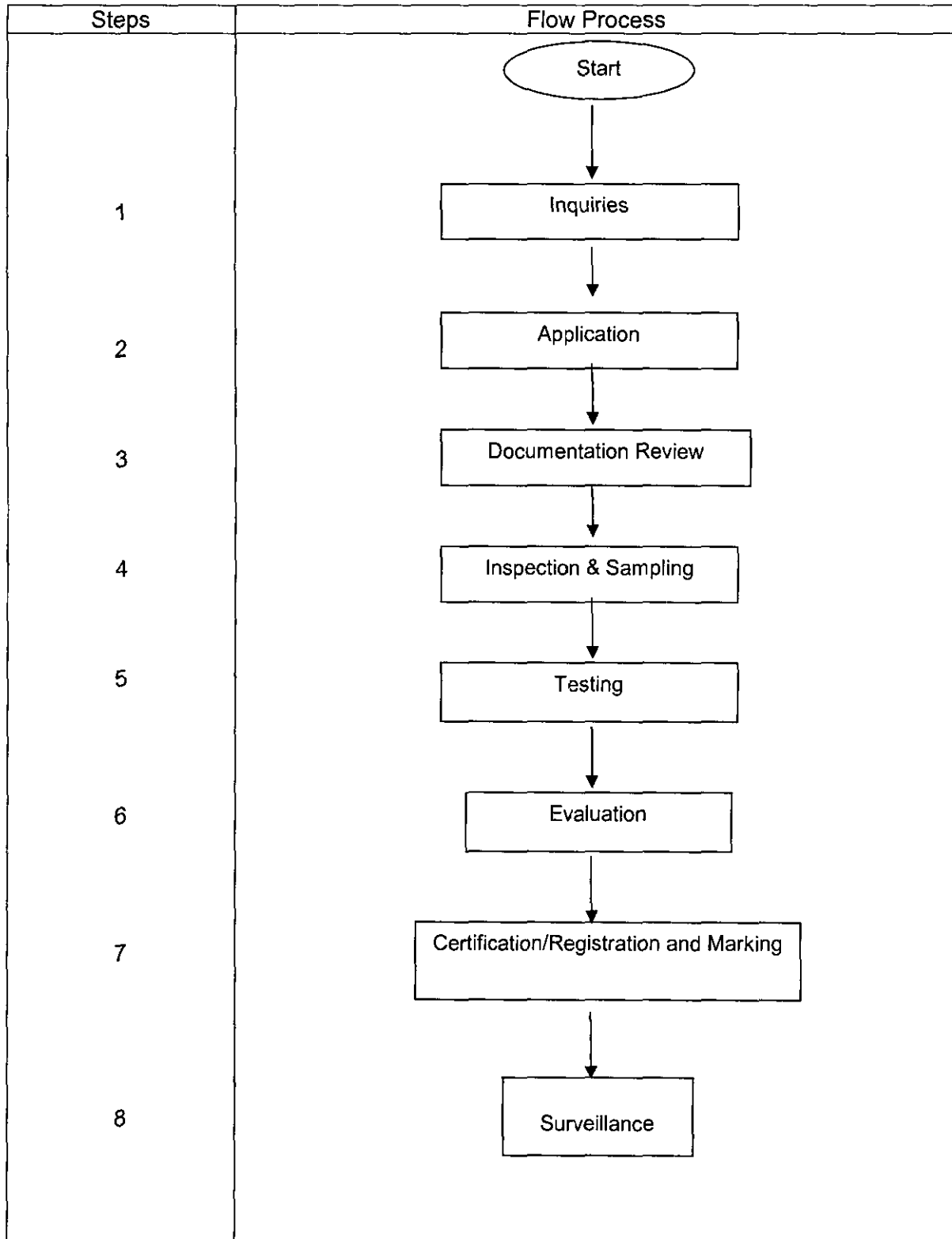
CERTIFICATION PROCESS FOR SYSTEM 5



ANNEX V

**CONFORMITY ASSESSMENT PROCEDURE FOR MEDIUM RISK PRODUCTS
(ISO Certification System 1 Certification Process based on Risk Assessment)
(Registration)**

CERTIFICATION PROCESS FOR SYSTEM 1



ANNEX VI

DECLARATION OF CONFORMITY

The declaration of conformity must contain, at least, the following:

- a reference of this rules and regulations,
- statement "The product complied with the essential requirements of this Order."
- a reference of PS/ICC certificate number if applicable,
- a non ambiguous identification of the equipment to which it refers.
- the name and address of the manufacturer and, where applicable, the name and address of his authorized representative in the country.
- a dated reference to the technical specifications under which conformity is declared to ensure the conformity of the equipment with the provisions of this *rules and regulations*,
- the date of that declaration,
- the identity and signature of the person empowered to bind the manufacturer or his authorized representative.

ANNEX VII

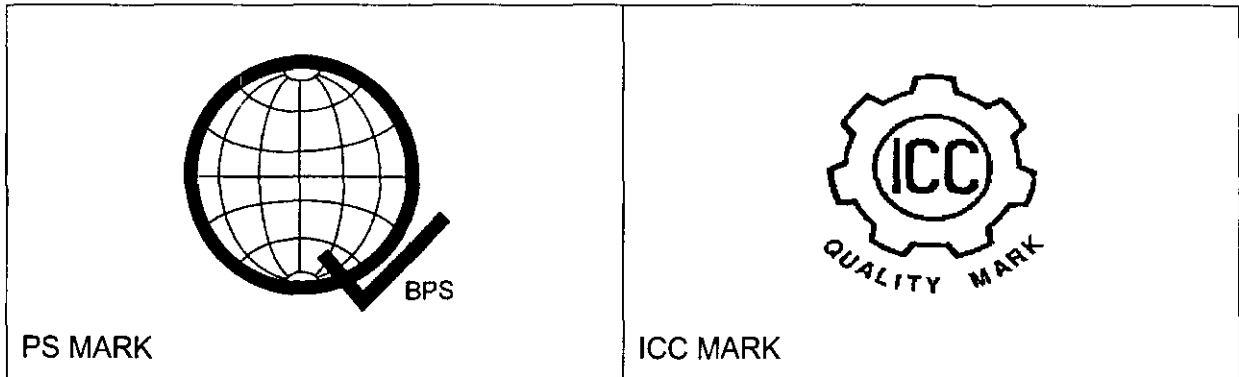
TECHNICAL FILE/DOCUMENTATION

The technical documentation must enable the conformity of the equipment with the *essential requirements* to be assessed. It must cover the design and manufacture of the equipment, in particular:

- a general description of the equipment;
- evidence of compliance with the PNS or in the absence of a PNS, an international standard provided it will suit the Philippine conditions, like test reports or certificates
- where the manufacturer has not applied a PNS, or has applied them only in part, a description and explanation of the steps taken to meet the *essential requirements* of this rules and regulations, including a description of the *electrical product safety assessment*, results of design calculations made, examinations carried out, test reports, etc.;

ANNEX VIII

"PS" or "ICC" MARK



The "PS" or "ICC" mark must have a height of at least 5mm. If the "PS" or "ICC" marking is reduced or enlarged the proportions must be respected.

The "PS" or "ICC" mark must be affixed to the equipment or to its data plate. Where this is not possible or not warranted on account of the nature of the equipment, it must be affixed to the packaging, if any, and to the accompanying documents.

SUBJECT: Addenda to the Implementing Rules and Regulations of Republic Act No. 7394, Otherwise Known as the Consumer Act of the Philippines or the Department Administrative Order No. 2, Series of 1993 on the Matter of Chapter IV on Labeling and Fair Packaging.

WHEREAS, Republic Act No. 7394 or the Consumer Act of the Philippines declares that it is the policy of the State to protect the interests of the consumer, promote his general welfare and to establish standards of conduct for business and industry. Towards this end, the State shall implement measures to achieve the following objectives: (a) protection against hazards to health and safety and (b) protection against deceptive, unfair and unconscionable sales act and practices, among others;

WHEREAS, the same Act further declares that the State shall enforce compulsory labeling, and fair packaging to enable the consumer to obtain accurate information as to the nature, quality and quantity of the contents of consumer products and to facilitate his comparison of the value of such products;

WHEREAS, the State's authority to enforce compulsory labeling and fair packaging is consistent with the Philippine obligation to the General Agreement on Tariff and Trade ("GATT"), particularly on Article III on National Treatment on Internal taxation and Regulation;

WHEREAS, there is a need to update and tighten existing implementing rules on product labeling, proper and correct description of goods, product labels with foreign characters/languages, data/information on product contents and origins and other similar purposes;

NOW, THEREFORE, pursuant to the provisions of the Consumer Act of the Philippines, the following Order is hereby prescribed for the information, guidance and compliance of all concerned:

Section 1. Scope and Coverage. This Order shall apply to all consumer products, whether locally manufactured or imported, being sold in the Philippines and falling under the jurisdiction of the Department of Trade and Industry ("DTI") as contemplated by R. A. No. 7394.

Section 2. Mandatory Translation in English or Filipino Language in the Label. It shall be mandatory for all manufacturers, distributors, importers or repackers of consumer products covered herein, whether locally manufactured or imported, to indicate in their labels or packaging, a parallel translation in the English or Filipino language of the nature, quality and quantity and other relevant information or instructions of such consumer products in a manner that cannot be easily removed, detached or erased under ordinary handling thereof.

Stickers and other similar removable labels shall not be allowed except for those labels that may specifically be required by other applicable rules and regulations.

Section 3. Mandatory Specific Labeling and Packaging Requirement. In addition to the provisions of Chapter IV of the Consumer Act and its Department Administrative Order No. 2, Series of 1993 ("Implementing Rules and Regulations"), it is required that all consumer products sold in the Philippines, whether manufactured locally or imported, shall indicate and specify the following:

- (a) country of manufacture;
- (b) required information of consumption duration safety (i.e. good until December 2008);
- (c) warranty of the manufacturer;
- (d) weight content prior to packaging;
- (e) consumer complaint desk address; and
- (f) all other information that fits the parameter of the consumers' right to information.

Section 4. Coordination and Cooperation Between the Department of Trade and Industry ("DTI") and Bureau of Customs ("BOC") in Making All Consumer Products Compliant with Product Labeling Requirements. The Department of Trade and Industry ("DTI"), together with the participation of a DTI-accredited nationwide consumers organization, shall exchange information with the Bureau of Customs ("BOC") to ensure that all imported consumer products comply with the provisions of Chapter IV of the Consumer Act of the Philippines and its Implementing Rules and Regulations governing product labeling and fair packaging.

The BOC shall ensure that the aforementioned requirements on labeling are complied with prior to the release of imported product.

Section 5. Repealing Clause. All previous Orders which are inconsistent with this Order are hereby repealed or amended accordingly.

Section 6. Penal and Administrative Sanctions. Any violation of this Order shall be dealt with in accordance with the Consumer Act of the Philippines and its Implementing Rules and Regulations such as impounding and quarantine of goods and repatriation of shipment to the country of origin with cost borne by the importer.

Section 7. Transitory Period for Compliance. There is hereby prescribed a transition period for the compliance of the manufacturers, distributors, importers and repackers of consumer products sold in the Philippines, whether manufactured locally or imported, which shall be at least six (6) months from the effectivity of this Order.

Section 8. Separability Clause. In the event that any provision of this Order is declared unconstitutional, the validity of the other provisions shall not be affected by such declaration.

Section 9. Publication and Effectivity. This Order shall be published in two (2) newspapers of general circulation and shall take effect fifteen (15) days after its publication.

Issued this 21st day of January 2008 in Makati City, Philippines.

Approved:

PETER B. FAVILA
DTI Secretary

Recommending Approval:

VICTORIO MARIO A. DIMAGIBA
Director
Bureau of Trade Regulation and
Consumer Protection

ZENAIDA CARMON MAGLAYA
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MONDAY, JANUARY 28, 2008 | A9 | PD1