



Republic of the Philippines
DEPARTMENT OF ENERGY

DEPARTMENT CIRCULAR NO. DC 2020-12-0025

**IMPLEMENTING THE PHILIPPINE NATIONAL STANDARD SPECIFICATION FOR
KEROSENE (PNS/DOE QS 009:2019)**

WHEREAS, Section 5 (k) of Republic Act No. 7638 otherwise known as the “Department of Energy (DOE) Act of 1992,” empowers the DOE to promulgate necessary rules and regulations to implement the objectives of the Act among which is the integration and rationalization of the various programs of the Government towards self-sufficiency and enhanced productivity in power and energy without sacrificing ecological concerns;

WHEREAS, Presidential Decree No. 1865 (PD No. 1865) prescribes penalties for shortselling and adulteration of petroleum and petroleum products and other acts in the definition of prohibited acts;

WHEREAS, Section 14 of Republic Act No. 8479 (R.A.8479), otherwise known as the “Downstream Oil Industry Deregulation Act of 1998” tasked the DOE, Bureau of Philippine Standards (BPS) of the Department of Trade and Industry (DTI), Department of Environment and Natural Resources (DENR), Department of Science and Technology (DOST), representatives of the fuel and automotive industries and the consumers to set the specifications for all types of fuel and fuel-related products to improve fuel composition for increased efficiency and reduced emission;

WHEREAS, Section 26 of Republic Act No. 8749, otherwise known as the “Philippine Clean Air Act of 1999” directs the DOE, together with the Department of Environment and Natural Resources (DENR), Bureau of Philippine Standards (BPS), and the Department of Science and Technology (DOST) and other stakeholders, to set specifications for all types of fuel and fuel-related products and improve fuel composition;

WHEREAS, in accordance with the above mandate, the DOE-chaired Technical Committee on Petroleum Products and Additives (TCPPA) has developed and subsequently promulgated by BPS the PNS/DOE QS 009:2019 on December 23, 2019 as the current standard specifications for Kerosene, cancelling and replacing PNS/DOE QS 009:2007;

WHEREAS, Department Circular No. 2017-11-0011 provides the revised rules and regulations governing the business of retailing liquid fuels;

NOW, THEREFORE, in consideration of all the foregoing, the DOE hereby requires all Downstream Oil Industry (DOI) participants engaged in the sale of petroleum products, whether in bulk or retail, to comply with the following:

- Section 1. Standard Implementation.** All kerosene sold in the country shall be in compliance with the PNS/DOE QS 009:2019- Kerosene – Specifications;
- Section 2. Quality Monitoring.** The DOE, through the OIMB and the counterpart Field Offices, shall, among others, conduct random quality and quantity sampling and testing of kerosene obtained from the downstream oil facilities to ensure compliance with Section 1 of this Circular:

Section 3. Prohibited Acts. The following acts are prohibited and penalized:

- A. Petroleum Fuel Product Adulteration – failure to meet the required product specifications at the bulk plants/depots as prescribed by the products standards is punishable under Section 4 of PD No. 1865 and its implementing Rules and Regulations.
- B. Adulteration – The possession and sale of Liquid fuels that do not conform with quality standard pursuant to the PNS shall be governed and sanctioned by the Act and its implementing Rules and Regulations under Rule VIII Section 29 of DC 2017-11-0011.

Section 4. Penalties / Sanctions. Any person who commits any prohibited acts under Section 2 herein shall be subject to appropriate sanctions imposed under applicable laws, rules and regulations.

Section 5. Repealing Clause. All circulars and issuances not consistent with this Circular shall be modified and repealed accordingly.

Section 6. Separability Clause. If for any reason, any section or provision of this Circular is declared unconstitutional or invalid, such parts not affected shall continue to remain in full force and effect.

Section 7. Effectivity and Publication. This Circular shall take into effect immediately following its publication in at least two (2) newspapers of general circulation and its filing with the University of the Philippines Law Center — Office of the National Administrative Register.

Issued at Energy Center, Bonifacio Global City, Taguig City.


ALFONSO G. CUSI
Secretary

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