

Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Office of the Secretary
Elliptical Road, Diliman, Quezon City

ADMINISTRATIVE ORDER

No. 5

Series of 2000

Subject: Rules and Regulations to Maintain Mindanao as FMD-Free Zone

WHEREAS, reports gathered by the Department of Agriculture (“DA”) have shown that incidences of Foot and Mouth Disease (“FMD”) continue to occur in most provinces of Luzon and some parts of Visayas.

WHEREAS, the whole island of Mindanao has been free of FMD for the past 20 years, and has been declared as an FMD-free zone locally on March 29, 1993 by the virtue of Administrative Order No. 8 signed by Secretary Roberto S. Sebastian.

WHEREAS, Luzon was declared an FMD calamity area last June 15, 1995 by virtue of Executive Order # 25, and recently, an FMD outbreak occurred in the province of Iloilo on September 6, 1999.

WHEREAS, there is a danger of spreading FMD by shipping and transporting FMD-susceptible animals, namely pigs, cattle, carabao, goat and sheep, their fresh meat, their semi-processed meat and semi-processed milk, their semi-processed by-products, dung of pigs and ruminants, and animal effects like hay, straw, forage or similar material coming from infected areas to the FMD-free areas like Mindanao.

WHEREAS, the threat of spreading the FMD from Luzon and Visayas to Mindanao is increasing considering that there are direct flights and sea routes from FMD-infected areas to Mindanao.

WHEREAS, there is a need to maintain the whole island of Mindanao as an FMD-free zone and to be recognized as such by the office International Des Epizooties (“IOE”) in order for our livestock and livestock products to be able to enter the world market and help the present administration in making Mindanao as Food Basket of the Country.

WHEREAS, in order to maintain Mindanao as an FMD-free zone, all concerned agencies of the government, LGU’s and concerned sectors shall cooperate in the effort towards maintaining Mindanao as an FMD-free zone

WHEREAS, the recent outbreak of FMD affecting province of Iloilo, livestock farmers in Mindanao are very much worried that it may soon reach the shores of Mindanao unless a comprehensive plan and measures are in place to prevent its entry into the island.

NOW THEREFORE, I EDGARDO J. ANGARA, Secretary of Agriculture, pursuant to Section 18, Chapter 4, Title IV, Book IV of Executive Order No. 292, and the provisions of Administrative Order No. 9, Series of 1993 implementing Republic Act No. 7394, otherwise known as Consumer Act of the Philippines, do hereby issue this Order.

Section 1. Definition of Terms

- a. *FMD-Susceptible Animals* – refers to hog, cattle, carabao, sheep and goat.
- b. *Meat* – refers to fresh, chilled or frozen part of a carcass, including edible offal from but not limited to cattle, buffalo, pigs, goat, sheep, horse and poultry but excluding meat derived from marine animals under the Convention on International Trade of Endangered Species of Wild Fauna and Flora (“CITES”).
- c. *Meat Products* – refers to meat referred above, which has been subjected to treatment by cooking, drying, salting, brining or smoking.
- d. *Animal By-Products* – as used in this Order refers to hides, horns, skin, bones, hooves or other parts or products of pig, cattle, carabao, goat and sheep unsuitable for human consumption
- e. *Fully-Processed Meat Products* – refers to meat products which have been subjected to such treatment that will ensure the destruction of FMD Virus according to the following procedures and that necessary precautions were taken after processing to avoid contact of the meat with any potential source of FMD Virus.

1. Canning

Meat is subjected to heat treatment in a hermetically sealed container to reach an internal core temperature of at least seventy (70°) degrees centigrade for a minimum of thirty (30) minutes or to any equivalent treatment which has been demonstrated to inactivate the FMD Virus.

2. Thorough Cooking

Meat, previously deboned and defatted, shall be subjected to heating so that an internal temperature of seventy (70) degrees centigrade or greater is maintained for a minimum of thirty (30) minutes.

3. Drying After Salting

When *rigor mortis* is complete, the meat must be deboned, salted with cooking salt (NaCl) and completely dried. It must not deteriorate at ambient temperature.

Drying is defined in terms of the ratio between water and protein which must not be greater than 2.25:1

- f. *Semi-Processed Meat Products* – refers to meat products which have not been subjected to such treatment as enumerated in paragraph (e) that will ensure the destruction of FMD Virus.
- g. *Fully-Processed Animal Products* – are those animal products which have been subjected to such treatment that will ensure destruction of the FMD virus such as heat treatment of at least seventy (70) degrees centigrade for a minimum of thirty (30) minutes or through drying after salting with cooking salt.
- h. *Semi-Processed Animal Products* – as used in this Order refers to those animal products which have not been subjected to such treatment that will ensure the destruction of the FMD virus as stated in paragraph (g) of this Section.
- i. *Animal Effects* – as used in this Order refers to any hay, forage or similar materials used as blankets and the likes for FMD-susceptible animals.

Section 2. General Requirement for Movement of FMD-Susceptible Animals, their Meat, Meat Products, and By-Products. All shipments of FMD-susceptible animals, their meat, meat products, and by-products from one province to another shall require a written authority/permit from the Director of the Bureau of Animal Industry (BAI) or his duly authorized representative.

In case of meat and meat products, a Certificate of Inspection from the National Meat Inspection Commission (“NMIC”) is required in addition to the written authority from the Director of BAI or his duly authorized representative.

Section 3. Prohibition of Movement of FMD-Susceptible Animals, their Meat, Meat products and By-Products. The shipment of FMD-susceptible animals, their fresh/frozen meat and semi-processed meat products, dung of pigs and ruminants; semi-processed hides and horns; semi-processed milk of FMD-susceptible animals; dung of pigs and ruminants including any hay, straw, forage or similar material from Luzon and Visayas to Mindanao is prohibited.

The shipment of fully-processed meat products and by-products of FMD-susceptible animals from Luzon and Visayas to Mindanao shall be allowed provided it has complied with the requirement under Section 2 of this Order and Meat Inspection Certificate shall specify therein that it was packed and handled in such a way that it can be exposed to a source of FMD virus.

Section 4. Shipment of FMD-Susceptible Animals, their Meat, Meat Products and By-Products within Mindanao and from Mindanao to Visayas and Luzon. The shipment of FMD-susceptible animals, their meat, meat products and by-products within Mindanao and from Mindanao to Visayas and Luzon shall be allowed provided it has complied with the requirement under Section 2 of this Order.

Section 5. Shipment of Meat and Meat Products from Areas where no Personnel of the NMIC is assigned. In case of shipments of meat and meat products from areas without any personnel from the NMIC, a Certificate of Inspection from the Provincial/City/Municipal Veterinarian, as the case maybe, shall be required in addition to the authority/permit from the Director of BAI or his duly authorize representative.

Section 6. Special Shipments. Special Shipments may be allowed from non-FMD infected areas subject to guidelines promulgated by the DA provided there has been no FMD outbreak for the past five (5) years in the area concerned. However, in all cases under this section, a negative laboratory result from FMD shall be required before the permit is granted.

No unloading of FMD-susceptible animals destined for FMD-free zones is allowed during stopover of aircrafts or vessels in FMD-affected areas.

Section 7. Status of the Prohibition in Case Certain Regions of Visayas and Luzon are Officially declared as FMD Free Zone. In case certain regions of Visayas or Luzon are officially declared as FMD-free zones by the government or by other officially recognized accrediting body, the shipment of FMD-susceptible animals, their meat and semi-processed meat products, semi-processed hides and horns, semi-processed milk of FMD-susceptible animals, dung of pigs and ruminants, any hay, straw, forage or similar materials from the said region to Mindanao and other officially declared FMD-free zones shall be allowed subject to the requirement specified under Section 2 of this Order.

Section 8. Duties and Responsibilities of the National Meat Inspection Commission.

It shall be the duty and responsibility of the NMIC to see to it that meat and meat products that are allowed to be shipped to Mindanao and other FMD-free zones have been packed and handled in such a way that it cannot be exposed to a source of FMD virus, and that the packing and handling have been in accordance with the rules and regulations issued by the NMIC.

Section 9. Duties and Responsibilities of Livestock Farms and Establishments.

It shall be the duty and responsibility of the livestock farms and establishments to see to it that bio-security measures are instituted in their farms and that their convoys/trucks/personnel are properly disinfected after arrival from FMD-infected areas.

It shall be mandatory on the part of the owners, operators, managers, farm veterinarians, farm consultants of livestock farms and establishments to report immediately the occurrence or existence of FMD in their farms or establishments or within their vicinity.

It shall also be mandatory for commercial livestock farms and establishments to have their farms or establishment accredited by the DA through Veterinary Quarantine Services before they allowed to ship or transport their animals, meat and meat products from one province to another.

Section 10. Duties and Responsibilities of Shipping Lines, Airlines and Other Common Carriers as well as Cargo Forwarders.

- (a) It shall be the duty of the shipping lines, airlines, and other common carriers, as well as cargo forwarders, their owners, managers, employees or agents not to allow the loading of any FMD susceptible animals, their meat, meat products and by-products without the written authority/permit issued by the Director of the BAI or his duly authorized representative.
- (b) Shipping lines departing from FMD-affected areas to Mindanao shall see to it that all livestock vans/crates are thoroughly cleaned and disinfected before loading, and ships who shall refuse to do so may not be allowed to load any livestock for succeeding voyage or voyages.
- (c) Shipping lines departing for Mindanao shall install footbaths at the foot of the stairs/gangplanks for passengers to step on prior to boarding or disembarking the vessel.
- (d) Shipping lines docking at the ports of Mindanao shall not source their meat and meat products from FMD-affected areas and shall properly swill in accordance with the recommendation of the Veterinary Quarantine Office in the port concerned.
- (e) All ships, airplanes and other common carriers calling at the port/airport of Mindanao are subject to inspection by Veterinary Quarantine Officers before its departure to Mindanao and upon their arrival at the port of Mindanao. Owners, agents, operators, and master thereof shall provide the needed assistance to the Veterinary Quarantine Officers in the performance thereof.

- (f) Ships or aircraft whose animal cargo is found positive for FMD shall be properly disinfected at the expense of the shipping line or airline concerned under the supervision of the Veterinary Quarantine Services.

Section 11. Transshipment of Imported Animals and Meat. Imported animals destined for Mindanao may be transshipped through Luzon or Visayas, provided it is not allowed to get out of the port and are handled in such a way that it will not be exposed to the FMD Virus. Imported meat destined for Mindanao and FMD-free areas shall not be allowed to be stored in any storage facilities in FMD-affected areas.

Section 12. Disposition of Illegal Shipments. Unauthorized shipment of animals, meat, meat products and by-products, FMD vaccines and other items shall be disposed of in accordance with the following guidelines:

- (a) **Animals** – FMD-susceptible animals without signs of FMD shall not be allowed to be unloaded or if already unloaded shall be seized and returned immediately to their place of origin or source. Any unreasonable refusal on the part of the owner or consignee to immediately return the animal to its place of origin shall be ground for confiscation or detention of the animal at the owner or consignee. Animals found to be diseased with FMD shall be immediately be condemned and disposed of by burning and/or burying in a deep pit.
- (b) **Meat and Meat Products** – Unauthorized shipment of meat and meat products shall be ordered returned immediately to its place of origin, or in case of refusal of the owner or shipper or consignee shall be seized, condemned and disposed by burning or burying in a deep pit.

Meat and meat products showing signs of FMD or positively identified to be from FMD-infected animals shall immediately be seized, condemned and disposed by burning and/or burying in a deep pit

- (c) **FMD Vaccines** – Unauthorized shipment of FMD vaccines shall be seized and turned over to the BAI for proper disposition.
- (d) **Other Items** – Other items not enumerated above shall be seized and returned to their place of origin or source. Refusal on the part of the owner or consignee shall be a ground for the confiscation and disposal by burning and/or burying in deep pit.

Any cost incurred in the disposition of illegal shipment shall be paid/shouldered by the shipper, trader, person or corporation liable for such violation.

All seizures of animals, meat, meat products and by-products and other items must be properly documented, witnessed and covered by appropriate custody/acknowledgement receipt prior to condemnation or release.

Section 13. Non-Liability Clause – All charges for storage, demurrage, cartage, labor incident to inspection, cost of disinfection and disposition or condemnation under this order shall be paid by the shipper, trader, person or corporation liable, and the Director of BAI or his duly authorized representative shall not be held liable for damages to the commodity or any other damages in the course of the implementation of the provisions of this Order.

Section 14. Presumption of Guilt – Any person having in his possession, control or custody FMD-susceptible animal, its meat and meat products as well as those that are regulated or prohibited to be shipped under this Order shall, upon demand by competent authorities, exhibit the documents prescribed in the preceding sections. Failure to exhibit the required document within the reasonable period shall be prima facie evidence that the said animal, animal products and by-products in his possession, control or custody is being transported in violation of the provisions of this Order.

It will be prima facie evidence of guilt on the part of the shipper when the animals in his possession, custody or control are found to be affected with FMD as diagnosed by the Director of BAI or his duly authorized representative.

Section 15. Penalty – Any violation of any provision of this Order by persons, corporations, livestock traders, owner or master of vessels, boats or aircrafts or any common carrier or by any officer thereof shall be rendered them liable to prosecution, and upon conviction they shall suffer penalty of a fine not less than Five Hundred Pesos (P500.00) and not more than double the amount of the value of the animals, meat, meat products and by-products in his possession, control or custody, or by imprisonment of not more than (2) years, or both at the discretion of the court. Carriers of the illegal shipment maybe impounded for a period of not more than one (1) month at the discretion of the court.

Any Veterinary Quarantine Officer/Inspector, officer of the BAI or NMIC found to be grossly negligent in the implementation of the provisions of this Order shall be held administratively liable in accordance with applicable Civil Service Law, Rules and Regulations.

Section 16. Repealing Clause – This Order shall take effect thirty (30) days after its publication in at least two (2) newspapers of general circulation.

(Sgd.) EDGARDO J. ANGARA
Secretary