

Commonwealth of the Philippines
DEPARTMENT OF AGRICULTURE AND COMMERCE
Office of the Secretary
Manila

FISHERIES ADMINISTRATIVE ORDER)

NO. 19

September 7, 1939

SUBJECT: Assessed market values of various marine or aquatic products and for other purposes.

1. Pursuant to the provisions of Sections 4, 23-A and 27 of Act 4003, the Fisheries Act, as amended by Commonwealth Act No. 471, the following market values of marine or aquatic products are hereby set for purposes of enforcing the provisions of the Fisheries Act:

- (a) Pinctada maxima (Jameson) - commonly known as the gold-lip pear shell or "concha blanca", per 100 kilos or fraction thereof ₱20.00
- (b) Pinctada margaritifera (Linnaeus) - commonly known as black-lip pearl shell or "concha negra," per 100 kilos or fraction thereof 4.00
- (c) Trochus niloticus Linnaeus - commonly known as smooth top shell, "simong" or "trocha" smooth variety, per 100 kilos or fraction thereof 25.00
- (d) Trochus maximus Koch - commonly known as rough top shell, trochus shell, "simong" or "trocha" rough variety, per 100 kilos or fraction thereof 20.00
- (e) Trochus noduliferus Lamarck - commonly known as "babae" or female "trocha" shell and in the export trade as "hirose" or "putch", per 100 kilos or fraction thereof 6.00
- (f) Turbo marmoratus Linnaeus - commonly known as green snail shell, turban shell, lalong or "bolalo", per 100 kilos or fraction thereof 15.00
- (g) Placuna placenta - commonly known as "capis", per 1000 shells or fraction thereof 3.00
- (h) Other shells, per 100 kilos or fraction thereof 3.00

2. Payment of fee on shells gathered. - The fee on shells gathered, at the rate of five per cent (5%), based on the market values provided in this Order, shall be collected from the (1) owners of pearling or shell collecting boats, (2) licensed divers if not using any vessel, (3) buyers or (4) possessors of such shells, unless it can be proven by such buyers or possessors by proper documents or official receipts that the fees have already been paid by the collectors or gatherers of such shells.

3. Presentation of auxiliary invoice. - Before transporting from the fishing grounds shells gathered under license issued in accordance with the provisions of Fisheries (Fish and Game) Administrative Order No. 11, the collector, dealer or possessor shall list such shells on an auxiliary invoice to be furnished by the Chief, Division of Fisheries, Department of Agriculture and Commerce. This invoice should state the kind, quantity, value and origin of shells and how the five per cent (5%) fee has been paid and who received the payment giving therein the number of the official receipt.

The auxiliary invoice shall be made in quadruplicate and shall accompany the products described therein, from which they must not be separated until the products arrive at their destination.

4. Presentation of invoice. - No owner or master of any vessel plying the Philippine waters shall accept for shipment or discharge shells or otherwise dispose of the shell without having received an auxiliary invoice for the shells.

5. Inspection fee for marine mollusca shells. - Exportation from the Philippines of shells of any species mentioned in Section 1 hereof shall be unlawful, unless such shipment or exportation is properly effected through the customs house at the port of entry. No marine mollusca shells shall be accepted for shipment and exportation abroad by the customs authorities, unless the shipment is covered by a certificate of inspection issued by a representative of the Secretary of Agriculture and Commerce, or the Chief, Division of Fisheries, or a deputy provincial treasurer. Applications for such inspection, accompanied by the export entry for the shells to be exported, shall be filed with the Chief, Division of Fisheries, Department of Agriculture and Commerce, or the nearest deputy provincial treasurer, at least three (3) days prior to the probable date of exportation. An inspection fee equivalent to ten per centum (10%) of the declared value of the exportation shall be collected, but such fee shall in no case be less than ten pesos (₱10.00) for each inspection. Inspected shells shall be properly sealed.

6. Penalty - Any person who shall take marine mollusca, or any shell or valve thereof, in Philippine waters contrary to the provisions of the Fisheries Act, as amended, Fisheries (Fish and Game) Administrative Order No. 11 and this Administrative Order, or otherwise violates any provision thereof shall suffer the penalty provided in Section 79 of Act No. 4003, the Fisheries Act, which is a fine of not more than one hundred pesos (₱100.00), or imprisonment for not more than one month, or both, in the discretion of the court; and, if the offense consists in the taking, possessing, selling, or transferring of undersized shells, the offenders shall be fined five pesos (₱5.00) for each valve of any shell the subject of the illegal act, and such shells shall be confiscated, to be sold at public auction.

7. Compromise. - With the approval of the Secretary of Agriculture and Commerce, the Chief, Division of Fisheries, may at any stage compromise any case arising under the provisions of this Order. (Sec. 76(1), Commonwealth Act No. 471).

8. Repealing provision - Department Administrative Order No. 83, dated March 10, 1932, and all other orders and regulations or parts thereof, inconsistent with the provisions of this Order, are hereby revoked.

9. Effectivity. - This Administrative Order shall take effect sixty days after its publication in the Official Gazette.

(SGD) BENIGNO S. AQUINO
Secretary of Agriculture
and Commerce

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