



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

**FISHERIES ADMINISTRATIVE
ORDER NO. 192
Series of 1997**

SUBJECT : Strengthening of the Fisheries Quarantine Service (FQS) in the Bureau of Fisheries and Aquatic Resources and in the Department of Agriculture Regional Field Units, and prescribing rules, regulations, and procedures thereof

Pursuant to Sections 4, 7, and 18 of Presidential Decree No. 704 and Sec. 5 (c) of Executive Order No. 116, the Fisheries Quarantine Service at the Bureau of Fisheries and Aquatic Resources and at the DA Regional Field Units shall be strengthened and shall be governed by the following rules, regulations, and procedures:

Section 1. Definition of terms. As used in this Order, the following terms and phrases are defined as follows:

- a. **Secretary** – refers to the Secretary of the Department of Agriculture
- b. **Director** – refers to the Director of the Bureau of Fisheries and Aquatic
- c. **Regional Director** – refers to the Regional Director of the Department of Agriculture Regional Field Unit
- d. **fish and fishery products** – fish includes all fishes and other aquatic species such as crustaceans (crabs, prawns, shrimps, and lobsters), mollusks (clams, mussels, scallops, oysters, snails and other shellfish); fishery products include all other products of aquatic living resources in any form, but not limited to seaweeds, fish meals, squalene, blubbers, etc.
- e. **fish pests and diseases** – refers to all organisms capable of doing damage to, undermining the health of, or causing death, or any pathogenic agent injurious to fishes and other fishery products, and concomitantly, to human health
- f. **quarantine** – refers to a place of isolation and/or the act of isolating in an effort to prevent the introduction into, the dissemination from one area to another within the Philippine territory of pests and diseases of fish and fishery products
- g. **fisheries quarantine** – refers to the action/ procedures in an effort to prevent the introduction into, the dissemination from one area to another within the territory of the Philippines of pests and diseases of fish and fishery products

Gintong Ani
"Dadami ang palay,
giginhawa ang bubay"



- h. **port/port of passage** – refers to any airport and/or seaport open to both foreign and domestic movement/trade of aquatic animals and other fishery products. The term includes principal ports and sub-ports for such movement/trade
- i. **Fisheries Quarantine Service** – refers to the unit established within any port of passage that will implement fisheries quarantine functions
- j. **Fisheries Quarantine Officer** – refers to any person designated and/or appointed by the Secretary of Agriculture who will implement fisheries quarantine functions
- k. **exportation** – refers to the act of transporting fish and fishery products from a Philippine port to a foreign port
- l. **importation** – refers to the act of bringing into the Philippines of foreign fish and fishery products
- m. **in transit/transshipment** – refers to those fish and fishery products brought into any port in the Philippines but are not intended for landing at the said port
- n. **inspection/boarding** – refers to the control carried out by the Fisheries Quarantine Officer in implementing fisheries quarantine functions
- o. **carriers** – refers to those aircraft, seacraft, and land-based transportations used for the movement/trade of fish and fishery/aquatic products
- p. **quarantine facilities** – refers to permanent structures in importer's or exporter's premises approved by authorized personnel of the Director or Secretary of Agriculture set to accommodate fisheries quarantine measures and/or requirements

Section 2. Composition and structure. The Fisheries Quarantine Service (FQS), established by the Department of Agriculture, at any port of passage, shall be composed of the following, but not limited to:

- 1. Chief of the Fisheries Quarantine Service
- 2. Assistant Chief of the FQS
- 3. Two (2) Fisheries Quarantine Officers

Section 3. Appointment and designation of Fisheries Quarantine Officers. The Secretary of the Department of Agriculture, being the Chief Quarantine Officer, shall appoint and designate Fisheries Quarantine Officers upon recommendation of the concerned Regional Director of the Department of Agriculture, in consultation with the Director of the Bureau of Fisheries and Aquatic Resources.

The concerned Regional Field Unit of the Department of Agriculture shall provide the administrative supervision and control of the Fisheries Quarantine Service in their area, while the Bureau of Fisheries and Aquatic Resources shall provide the technical supervision of all Fisheries Quarantine Service units through the promulgation of Fisheries Quarantine Orders and Guidelines.

- i. Collect necessary fees and charges prescribed by law in the performance of fisheries quarantine functions;
- j. Cause the disposal and condemnation of fish and fishery products pursuant to the provisions of pertinent quarantine rules and regulations; and,
- k. Perform such other functions as may be directed by the Director and/or the Secretary of Agriculture.

Section 5. Coverage. This Order shall cover the following:

- a. Exportation of fish and fishery products. The Fisheries Quarantine Officer (FQO) shall inspect, certify, and authorize the movement/trade of fish and fishery products in accordance with existing fishery regulations and/or international trade requirements.
- b. Importation of fish and fishery products. The FQO shall inspect all imported fish and fishery products and determine whether such importations are in accordance with existing laws, covered with the required documents, and are free from pests and diseases.
- c. Media that are potential carriers of pests and diseases of fish and fishery products. Quarantine inspection and requirements also cover other forms of plant and animal life, including packing materials and other media that are capable of harboring fishery pests and diseases.
- d. Transport of fish and fishery products in transit. A clearance from the Fisheries Quarantine Service having jurisdiction of the port in transit is required.
- e. Domestic movement of fish and fishery products. Domestic movement of fish and fishery products, whether thru sea, air, and land shall be subject to quarantine inspection and its applied procedures. Such movements shall require a Quarantine Clearance from the port of origin. The issuance of a Quarantine Clearance shall certify that the fish and fishery product in transport is safe, not contaminated with pests and diseases, not in contravention with laws/regulations on trade of endangered/prohibited fish and fishery products. Enforcement of domestic quarantine measures should be undertaken in coordination with the local government unit concerned.
- f. Food provision of vessel crew. Food provision of the vessel, which may endanger the life and limbs of the passengers and crew, shall be subject to quarantine inspection.
- g. Prohibited and regulated fish and fishery products. Fish and fishery products, including their derivatives, protected under local laws and international agreements wherein the Philippines is a signatory, shall be subject to quarantine inspection.

Section 6. Rules and regulations on fish quarantine.

- a. All incoming (imported) live aquatic species and organisms are required to undergo quarantine inspection for determination of presence of diseases and pests. This requirement also applies to fresh/frozen and processed fish and fishery products
- b. Fisheries Quarantine Service units shall charge quarantine service fees as provided in existing laws provided for the purposes.

Section 7. Duties of Importer and Exporter. Fishery product importers, exporters, or their duly authorized representative/s shall submit a declaration to the Director and/or the Secretary of Agriculture or their duly authorized representative/s at or before the time of entry/embarkation of fish and fishery products for importation or exportation. Such declaration shall indicate the name and address of the consignor/consignee; the purpose of importation/exportation; kind/nature and quantity/volume of the commodity; the source country or locality; place and date of unloading or embarkation; and, the registered name of carriers transporting the consignment. This information will serve to determine the appropriate fisheries measures to be undertaken.

Section 8. Entrance and Clearance of Carriers. The owner, operator, agent, or master of carriers plying international and/or domestic routes are hereby required to serve notice of arrival and departure, and provide inward and outward cargo manifests and other declarations of said carriers to the Fisheries Quarantine Service at the port concerned.

Section 9. Non-Liability Clause. All charges for storage, demurrage, cartage, labor, and delays incidental to inspection of aquatic animals and fishery products, including cost of disinfection or disinfestation, and other port of entry requirement, shall be the responsibility of the importer or exporter, as the case may be. Provided, That the Department of Agriculture and/or its authorized representative/s shall not be held liable for damages to the commodity in the course of implementing this Order.

Section 10. Claim for overtime services. The services of Fisheries Quarantine officers performed outside of the prescribed office hours, and the reimbursement of meal, transportation, lodging, and other incidental expenses shall be chargeable to party or parties served at rates to be prescribed by the Secretary of Agriculture.

Section 11. Accreditation of fish quarantine facilities other than those operated by BFAR and DA Regional FQS. To provide for an effective quarantine service by ensuring accommodation of fish and fishery products for quarantine purposes, the BAFR and DA Regional Fisheries Quarantine Service units may accredit fish quarantine facilities operated by institutions and private entities. For this purpose, the DA Regional Director shall identify the prospective quarantine facility. The BFAR will then conduct a technical evaluation of the facilities, the result of which will then be forwarded to the Secretary of Agriculture for approval/disapproval.

Section 12. Penalty. Any violation of this Order shall subject the offender to a fine of from Five Hundred Pesos (P500.00) to Five Thousand Pesos (P5,000.00), or imprisonment of from six (6) months to four (4) years, or both such fine and imprisonment at the discretion of the court. Provided, however, that the Director of

Fisheries and Aquatic Resources or the Regional Director of the Department of Agriculture or his duly authorized representative, is hereby empowered to confiscate, kill/destroy, and dispose illegally imported aquatic animals and fishery products, particularly those afflicted with diseases or pests considered harmful to the country's aquatic resources, as well as in the inspection of food provision of the vessel which may endanger the life and limbs of the passengers and crew.

Section 13. Repealing clause. All orders, rules and regulations inconsistent with this Order are hereby revoked and amended accordingly.

Section 14. Effectivity. This Order shall take effect fifteen (15) days after its publication in the Official Gazette and/or in two (2) newspapers of general circulation.

Issued this 18th day of February 1997 in Quezon City, Metro Manila.

(SGD) SALVADOR H. ESCUDERO III
Secretary

Recommended by:

(SGD) DENNIS B. ARAULLO
Director
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Aquatic Resources

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