



Republic of the Philippines

Department of Agriculture

BUREAU OF FISHERIES AND AQUATIC RESOURCES

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FISHERIES ADMINISTRATIVE

ORDER NO. _____

Series of 2019

SUBJECT: REGULATION ON THE CATCHING, TRANSPORTING, SELLING AND TRADING OF PUERULUS AND JUVENILE SPINY LOBSTERS (*Palinuridae*).

WHEREAS, lobsters are among the most sought high value commodity both in local and international markets. The status of the stocks have resulted to high level of fishing pressure which specifically involved indiscriminate catching, selling and trading of the species. Further, this results to reduction of potential yield from the fishery and decreased economic benefits that could be obtained from the stock;

WHEREAS, significant drop in lobster production was recorded in 2016, from 32.87metric tons in 2012 to 6.10 MT in 2016 (PSA, 2016) where areas of ARMM, Guimaras, CARAGA, Bicol and Davao Region are the main producers;

WHEREAS, there are 5 common species of spiny lobsters (*Palinuridae*) in the Philippines, the Ornate spiny lobster (*P. ornatus*), Scalloped spiny lobster (*P. homarus*), Longlegged spiny lobster (*P. longipes*), Painted spiny lobster (*P. versicolor*), and Pronghorn spiny lobster (*P. penicillatus*);

WHEREAS, to properly manage our fishery resources, experts expressed that collection of puerulus is much better than collection of juveniles since substantial number can be taken with no impact on recruitment to adult population;

WHEREAS, the hatchery technology for lobsters is yet to be developed, since aquaculture grow-out of this commodity relies solely from wild-sourced fry. Thus, BFAR, academe and other relevant institutions should initiate the development of hatchery technology to provide the need for lobster fry of the aquaculture industry;

WHEREAS, pending the results a comprehensive study to support management of the lobster resources, BFAR and NFRDI should conduct nationwide seed/fry assessment and determine the lobster hotspots including production data in capture and aquaculture assessment;

WHEREAS, section 104 of RA 8550 as amended by RA 10654 states that "Exportation of breeders, spawners, eggs or fry in this Code shall be punished under this Act: Provided, that the export of hatchery-bred or captive-bred breeder, spawner, egg or fry, may be allowed subject to the regulations to be promulgated by the Department;

50 **NOW THEREFORE**, the following provisions of this Order are hereby adopted and
51 implemented:

52
53 **SECTION 1. Definition of Terms**
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- 55 1) **Spiny lobster** - locally known as *banagan*, species belonging to family
56 *Palinuridae* of Subphylum *Crustacea*, called spiny lobsters due to the many spines
57 on their carapace and basal segments of the long second antennae
58
- 59 2) **Puerulus** - swimming and non-feeding transitional stage, short lived and lasting
60 for 2-3 weeks prior to juvenile. Looks like a very small lobster, but is still CLEAR.
61 This is the seed lobster that is fished to supply lobster farming.
62
- 63 3) **Length at first maturity (L_m/L_{50})** - length at maturity, defined as minimal size
64 attained at maturity or the size at which 50% of the fish at that size are mature.
65
- 66 4) **Juvenile lobster** - size of the species that is less than the Length at first maturity
67 (L_m/L_{50}).
68
- 69 5) **Carapace Length** - measured from the rear of the eye socket to the rear of the
70 carapace on a line parallel to the center line of the body shell (See Figure Below).
71

72 **SECTION 2. Prohibition.** It shall be unlawful for any person, association, cooperative,
73 partnership or corporation to catch, transport, trade and sell Puerulus and
74 juvenile lobsters from the wild measuring less than the maturity Carapace
75 length as prescribed in Table 1 of this Order.
76

77 Further, the Exportation of breeders, spawners, eggs or fry are prohibited
78 as per provisions of Section 104 of the Amended Fisheries Law.
79

80 **SECTION 3. Exemptions.** The collection, transporting, selling and trading of Puerulus
81 and juvenile is allowed under following conditions, pending the
82 development of hatchery technology for spiny lobsters:
83

- 84 a. Collection of puerulus and juveniles for local aquaculture purposes
85 provided that growers and collectors should be
86 registered/licensed/permitted and certified by the Local Government
87 Unit. Further, their transport and trading should be accompanied by
88 Local Transport Permit . Furthermore, the LGU through MAO/CAO in
89 consultation with the Fisheries and Aquatic Resources Management
90 Council shall maintain a Registry of consolidators, gatherers, buyers and
91 traders pursuant to Rule 19.1 and 19.3 of Amended Fisheries Code.
92
- 93 b. Collection of-Puerulus and juvenile for research and academic purposes
94 is allowed provided Permits to Conduct Research are secured from the
95 Department of Agriculture.
96

97 The Secretary of Agriculture through the BFAR Director may also grant
98 an exemption or special permit to collect Puerulus and juvenile to

99 support the development of hatchery technology of spiny lobsters.

- 100
101 c. For future development of hatchery technology for lobsters,
102 transporting, selling and trading of hatchery-bred or captive-bred lobster
103 puerulus and fry are allowed. (No hatchery technology yet)
104

105 **SECTION 4. Penal Clause.** In accordance with Sec 128 of the amended Fisheries Law,
106 Violation of this Order shall subject the offender to a fine of One hundred
107 thousand pesos (P100,000.00) to Five million pesos (P5,000,000.00),
108 depending on the socioeconomic impact and seriousness of the violation,
109 volume and value of the fisheries product, damage to the environment due
110 to the violation, and the habituality of the offender.

111
112 In case of exportation of breeders, spawners, eggs or fry, the offender shall
113 be punished, upon conviction by a court of law, of eight (8) to ten (10)
114 years imprisonment, in accordance with Section 104 of the Amended
115 Fisheries Law.
116

117
118 **SECTION 5. Repealing clause.** All Orders, rules and regulations inconsistent with this
119 Order shall be deemed revoked;
120

121 **SECTION 6. Separability Clause.** If any portion or provision of this Order is declared
122 unconstitutional or invalid, the other sections or provisions thereof which are not
123 affected thereby shall continue to be in full force and effect.
124

125
126 **SECTION 7. Effectivity.** This Order shall take effect fifteen (15) days after its
127 publication
128 in the official gazette and/or in two (2) newspapers of general circulation.
129

130
131 Issued this ___ day of ___, 2019 at Quezon City, Metro Manila, Philippines
132






133 Recommending Approval:
134

135
136 **EDUARDO B. GONGONA**
137 Undersecretary of Fisheries, DA
138 Director, Bureau of Fisheries & Aquatic Resources
139

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141 Approved:
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143 **EMMANUEL F. PIÑOL**
144 Secretary
145 Department of Agriculture
146

Table 1. List of Lobster species and their corresponding carapace maturity Length (cm)

		Species	Common Name	Carapace Maturity Length (cm) (CL)	Length max (cm) (TL)	Reference
1		<i>Panulirus homarus</i>	scalloped spiny lobster	4.3	31	Sealifebase
2		<i>Panulirus longipes</i>	longlegged spiny lobster	Female: 5-5.5 Male: 5.5-6	30	Sealifebase E.D. GOMEZ, M.A.R. JUNIO and N.A. BERMAS, 1993
3		<i>Panulirus ornatus</i>	ornate spiny lobster	Male: 9.8 Female: 10.7	50	Sealifebase A. Kasim, M.Z. Zakaira
4		<i>Panulirus versicolor</i>	painted spiny lobster	7.8 cm	40	Sealifebase
5		<i>Panulirus penicillatus</i>	pronghorn spiny lobster	Male: 7.2-7.4 cm Female: 5.6-6.6 cm	40	Sealifebase Y. Chang, C. Sun, Y. Chen, S. Yeh, W.C. Chiang, 2006

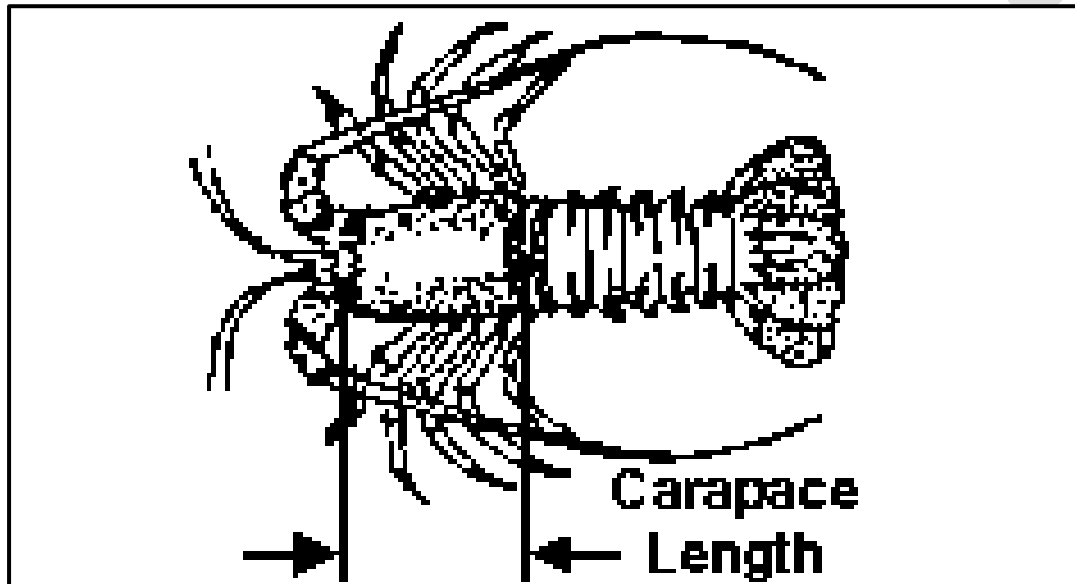


Figure. Diagram for the measurement of carapace length for lobsters which is measured from the rear of the eye socket to the rear of the carapace on a line parallel to the center line of the body shell

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