

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
First Regular Session

COMMITTEE REPORT NO. 1204

08 JUN 2011

Submitted by the Committee on Agriculture and Food on _____
Re: House Bill No. 4831
Recommending its approval in substitution of House Bill No. 2198
Sponsors: Representatives Mark Llandro L. Mendoza, Salvador H. Escudero III, Jeci A. Lapus and Luis R. Villafuerte

Mr. Speaker:

The Committee on Agriculture and Food to which was referred House Bill No. 2198, introduced by Rep. Salvador H. Escudero III, entitled:

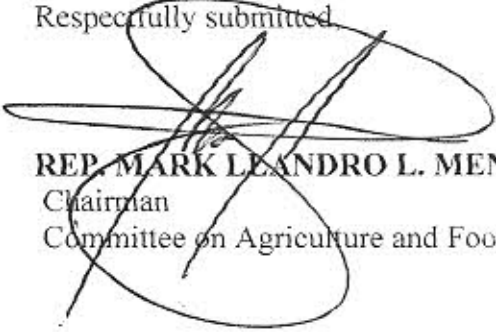
AN ACT PROHIBITING THE SLAUGHTER OF CARABAOS AT CERTAIN AGES AND AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8485 OTHERWISE KNOWN AS THE ANIMAL WELFARE ACT OF 1998

has considered the same and has the honor to recommend to the House that the attached House Bill No. 4831, entitled:

AN ACT PROHIBITING THE SLAUGHTER OF CARABAOS AT CERTAIN AGES AND AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8485 OTHERWISE KNOWN AS THE ANIMAL WELFARE ACT OF 1998

be approved in substitution of House Bill No. 2198 with Reps. Salvador H. Escudero III, Mark Llandro L. Mendoza, Rafael V. Mariano, Jocelyn S. Limkaichong, Joselito Andrew R. Mendoza, Deogacias B. Ramos, Tomas V. Apacible, Jose Ma. F. Zubiri III, Randolp S. Ting, Agapito H. Guanlao, Robert Raymund M. Estrella, Kimi S. Cojuangco, Joseph Gilbert F. Violago, Jeci A. Lapus, Carlos Padilla, Aurelio D. Gonzales, Jr., Pryde Henry A. Teves, Victor J. Yu, Luis R. Villafuerte as authors thereof.

Respectfully submitted,


REP. MARK LLANDRO L. MENDOZA
Chairman
Committee on Agriculture and Food

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15TH CONGRESS
First Regular Session

HOUSE BILL NO. 4831

Introduced by Representatives Salvador H. Escudero, Mark Llandro L. Mendoza, Rafael V. Mariano, Jocelyn S. Limkaichong, Joselito Andrew R. Mendoza, Deogacias B. Ramos, Tomas V. Apacible, Jose Ma. F. Zubiri III, Randolph S. Ting, Agapito H. Guanlao, Robert Raymund M. Estrella, Kimi S. Cojuangco, Joseph Gilbert F. Violago, Jeci A. Lapus, Carlos Padilla, Aurelio D. Gonzales, Jr., Pryde Henry A. Teves, Victor J. Yu, Luis R. Villafuerte

AN ACT
PROHIBITING THE SLAUGHTER OF CARABAOS AT CERTAIN AGES AND
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8485 OTHERWISE
KNOWN AS THE ANIMAL WELFARE ACT OF 1998.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 SECTION 1. Section 6 of Republic Act No. 8485, otherwise known as the *Animal Welfare*
2 *Act of 1998*, is hereby amended to read as follows:

3 “Sec. 6. It shall be unlawful for any person to torture any animal,
4 to neglect to provide adequate care, sustenance or shelter, or maltreat any
5 animal or to subject any dog or horse to dogfights or horsefights, kill or cause
6 or procure to be tortured or deprived of adequate care, sustenance or shelter, or
7 maltreat or use the same in research or experiments not expressly authorized
8 by the Committee on Animal Welfare.

9 **THE SLAUGHTER OF CARABAOS AND BUFFALO IS**
10 **PROHIBITED EXCEPT UNDER THE FOLLOWING CONDITIONS:**

11 **(1) ONLY CARABAOS AND BUFFALO THAT ARE SEVEN**
12 **YEARS OLD OR OVER, IF MALE, AND ELEVEN**

1 YEARS OLD OR OVER, IF FEMALE, MAY BE
2 SLAUGHTERED UPON ISSUANCE OF THE
3 NECESSARY SLAUGHTER PERMIT BY THE
4 AUTHORITIES CONCERNED;

- 5 (2) NO SLAUGHTER PERMIT SHALL BE ISSUED
6 WITHOUT A CERTIFICATE BY THE PROVINCIAL OR
7 CITY VETERINARIAN CONCERNED, OR THEIR
8 AUTHORIZED REPRESENTATIVE, TO THE EFFECT
9 THAT THE CARABAO OR BUFFALO TO BE
10 SLAUGHTERED IS OF THE REQUIRED AGE AND
11 FREE FROM ANY DISEASE.

12 The killing of CARABAOS AND BUFFALO AS PROVIDED
13 HEREIN OR any animal other than [cattle] COWS, pigs, goats, sheep,
14 poultry, rabbits, horses, deer, and crocodiles is likewise hereby declared
15 unlawful except in the following instances:

- 16 (1) WHEN THE CARABAOS OR BUFFALO ARE RAISED
17 IN COMMERCIAL QUANTITY, NOT AS WORK ANIMALS,
18 BUT FOR MEAT OR PROCESSING;

19 [1] (2) When it is done as part of the religious rituals of an established
20 religion or sect or a ritual required by tribal or ethnic custom of
21 indigenous cultural communities; however, leaders shall keep records
22 ion cooperation with the Committee on Animal Welfare;

23 [2] (3) When the [pet] animal is afflicted with an incurable
24 communicable disease as determined and certified by a duly licensed
25 veterinarian;

1 [3] (4) When the killing is deemed necessary to put an end to the
2 misery suffered by the animal as determined and certified by a duly
3 licensed veterinarian;

4 [4] (5) When it is done to prevent an imminent danger to the life or
5 limb of a human being; [and]

6 [5] (6) [When done for the purpose of animal population control;]

7 When the animal is killed after it has been used in authorized
8 research or experiments; and

9 [6] (7) Any other ground analogous to the foregoing as determined and
10 certified by a licensed veterinarian.

11 In the above mentioned cases, including those of [cattle] **COWS**, pigs,
12 goats, sheep, poultry, rabbits, carabaos, **BUFFALO**, horses, deer and
13 crocodiles the killing of the animals shall be done through humane procedures
14 at all times.

15 For this purpose, humane procedures shall mean the use of the most
16 scientific methods available as may be determined and approved by the
17 Committee **ON ANIMAL WELFARE**.

18 Only those procedures approved by the Committee shall be used in the
19 killing of animals.”

20
21 SEC. 2. All existing laws, orders, decrees, rules and regulations or parts thereof
22 inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

23 SEC. 3. This Act shall take effect fifteen (15) days after its publication in at
24 least two (2) national newspapers of general circulation.

25 Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15TH CONGRESS
First Regular Session

HOUSE BILL NO. 2198

Introduced by **REP. SALVADOR H. ESCUDERO III**

EXPLANATORY NOTE

Prior to the enactment of the Animal Welfare Act of 1998 (RA 8485), the slaughter of carabaos of a certain age was prohibited under Executive Order No. 626 which was promulgated by then-President Ferdinand E. Marcos. In 2001, the Bureau of Animal Industry (BAI), thru Memorandum Order No. 3 declared E.O. 626 to have been revoked by RA 8485 and therefore allowed "the slaughter of carabao at any age provided that humane slaughter as embodied [in RA 8485] is undertaken".

In the explanatory provisions of EO 626, it was stated that the ban on the slaughter of carabaos was implemented because conditions then demanded "that the carabao and the buffalo be conserved for the benefit of the small farmers who rely on them for energy needs". The same may now be said in these times.

As gas and crude oil prices continue to skyrocket, the use of fuel-guzzling mechanical farm tractors is no longer feasible for our small farmers. Utilizing the carabao's energy in tilling the fields presents a practical alternative and a long-term solution. Clearly, current conditions are once again calling for the conservation of the Filipino farmer's beast of burden. To continue propagating the species, the prohibition against its indiscriminate slaughter must be reinstated in our laws. In fact, the need to preserve and increase meat, milk and work animals is much more urgent now.

In view of the foregoing, approval of this bill is earnestly sought.


SALVADOR H. ESCUDERO III
Representative
1st District, Sorsogon

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15TH CONGRESS
First Regular Session

HOUSE BILL NO. 2198

Introduced by **REP. SALVADOR H. ESCUDERO III**

AN ACT
PROHIBITING THE SLAUGHTER OF CARABAOS AT CERTAIN AGES AND
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8485 OTHERWISE
KNOWN AS THE ANIMAL WELFARE ACT OF 1998.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 6 of Republic Act No. 8485, otherwise known as the *Animal Welfare Act of 1998*, is hereby amended to read as follows:

“Sec. 6. It shall be unlawful for any person to torture any animal, to neglect to provide adequate care, sustenance or shelter, or maltreat any animal or to subject any dog or horse to dogfights or horsefights, kill or cause or procure to be tortured or deprived of adequate care, sustenance or shelter, or maltreat or use the same in research or experiments not expressly authorized by the Committee on Animal Welfare.

THE SLAUGHTER OF CARABAOS AND BUFFALO IS
PROHIBITED EXCEPT UNDER THE FOLLOWING CONDITIONS:

- (1) ONLY CARABAOS AND BUFFALO THAT ARE SEVEN YEARS OLD OR OVER, IF MALE, AND ELEVEN YEARS OLD OR OVER, IF FEMALE, MAY BE SLAUGHTERED

UPON ISSUANCE OF THE NECESSARY SLAUGHTER PERMIT BY THE AUTHORITIES CONCERNED;

- (2) NO SLAUGHTER PERMIT SHALL BE ISSUED WITHOUT A CERTIFICATE BY THE PROVINCIAL OR CITY VETERINARIAN CONCERNED, OR THEIR AUTHORIZED REPRESENTATIVE, TO THE EFFECT THAT THE CARABAO OR BUFFALO TO BE SLAUGHTERED IS OF THE REQUIRED AGE AND FREE FROM ANY DISEASE.

The killing of any animal other than [cattle] COWS, pigs, goats, sheep, poultry, rabbits, carabaos AND BUFFALO AS PROVIDED HEREIN, horses, deer, and crocodiles is likewise hereby declared unlawful except in the following instances:

☒ (1) When it is done as part of the religious rituals of an established religion or sect or a ritual required by tribal or ethnic custom of indigenous cultural communities; however, leaders shall keep records in cooperation with the Committee on Animal Welfare;

☒ (2) When the [pet] animal is afflicted with an incurable communicable disease as determined and certified by a duly licensed veterinarian;

(3) When the killing is deemed necessary to put an end to the misery suffered by the animal as determined and certified by a duly licensed veterinarian;

(4) When it is done to prevent an imminent danger to the life or limb of a human being. {and}

(5) {When done for the purpose of animal population control;}

When the animal is killed after it has been used in authorized research or experiments; and

- (6) Any other ground analogous to the foregoing as determined and certified by a licensed veterinarian.

In the above mentioned cases, including those of cattle, pigs, goats, sheep, poultry, rabbits, carabaos, BUFFALO, horses, deer and crocodiles the killing of the animals shall be done through humane procedures at all times.

For this purpose, humane procedures shall mean the use of the most scientific methods available as may be determined and approved by the Committee ON ANIMAL WELFARE.

Only those procedures approved by the Committee shall be used in the killing of animals."

SEC. 2. All existing laws, orders, decrees, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 3. This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,

FACT SHEET

House Bill No. 4831
(In substitution of House Bill No. 2198)

AN ACT PROHIBITING THE SLAUGHTER OF CARABAOS AT CERTAIN AGES AND AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8485 OTHERWISE KNOWN AS THE ANIMAL WELFARE ACT OF 1998

Introduced by: Representative Salvador H. Escudero III

Committee Referral: **COMMITTEE ON AGRICULTURE AND FOOD**
Committee Chairperson: **HONORABLE MARK LLANDRO L. MENDOZA**

OBJECTIVE:

- To promote the propagation of carabaos by reinstating the prohibition against its indiscriminate slaughter.

KEY PROVISION:

- Amends Section 6 of Republic Act No. 8485, otherwise known as the *Animal Welfare Act of 1998*, and prescribes the conditions which will allow the slaughter of carabaos and buffalo.



COMMITTEE ON AGRICULTURE AND FOOD

CTSS II, Committee Affairs Department, 3rd Flr., RVM Building, House of Representatives, Constitution Hills, Quezon City
☎ +63 +632 931-5001 local 7139; Fax No. +632 951-4400

8 March 2011

FOR : **THE HONORABLE SPEAKER**

THRU : **ATTY. ARLENE C. DADA-ANRNALDO**
Deputy Secretary General

FROM : **COMMITTEE ON AGRICULTURE AND FOOD**

SUBJECT : **SPOT REPORT ON THE MEETING OF THE COMMITTEE
ON AGRICULTURE AND FOOD HELD ON MARCH 1
2011, 1:30 PM., CONFERENCE ROOMS 1&2, RVM BLDG.,
HOUSE OF REPRESENTATIVES**

1. The Committee approved two (2) bills, with amendments:

- a. HB 1809, also known as the Philippine Small Ruminants Act of 2010. This bill seeks to create the Philippine Small Ruminants Center and establishes satellite centers in all state universities and colleges in agriculture throughout the country; and
- b. HB 2198 which amends section 6 of RA 8485 or the Animal Welfare Act of 1998 to include carabaos and buffalos and fixes the age for the slaughter of these animals.

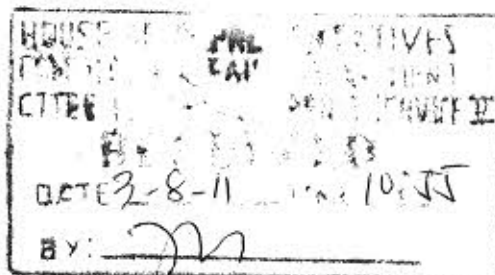
2. The Committee adopted HR 0045, urging the Department of Agriculture (DA) to intensify and expand its program for the breeding of Goats.

For your information.

Rosa D. Guzman
ROSA D. GUZMAN
Committee Secretary

NOTED:

Lina Q. Jones
LINA Q. JONES
Service Director, CTSS II



Cc: The Deputy Speaker
Chairman, Committee on Rules
The Secretary General
The Executive Director, CAD
The Deputy Executive Director
Service Director, CASS

LEGISLATIVE LIBRARY
HOUSE OF REPRESENTATIVES

Republic of the Philippines
Congress of the Philippines
Metro Manila

Tenth Congress

Third Regular Session

Began and held in Metro Manila, on Monday the twenty-eighth day of
July, nineteen hundred and ninety-seven.

[REPUBLIC ACT NO. 8485]

AN ACT TO PROMOTE ANIMAL WELFARE IN THE
PHILIPPINES, OTHERWISE KNOWN AS "THE ANIMAL
WELFARE ACT OF 1998"

*Be it enacted by the Senate and House of Representatives of the
Philippines in Congress assembled:*

SECTION 1. It is the purpose of this Act to protect and promote the welfare of all animals in the Philippines by supervising and regulating the establishment and operations of all facilities utilized for breeding, maintaining, keeping, treating or training of all animals either as objects of trade or as household pets. For purposes of this Act, pet animal shall include birds.

SEC. 2. No person, association, partnership, corporation, cooperative or any government agency or instrumentality including slaughter houses shall establish, maintain and operate any pet shop, kennel, veterinary clinic, veterinary hospital, stockyard, corral, stud farm or stock farm or zoo for the breeding, treatment, sale or trading, or training of animals without first securing from the Bureau of Animal Industry a certificate of registration therefor.

The certificate shall be issued upon proof that the facilities of such establishment for animals are adequate, clean and sanitary and will not be used for, nor cause pain and/or suffering to the animals. The certificate shall be valid for a period of one (1) year unless earlier cancelled for just cause before the expiration of its term by the Director of the Bureau of Animal Industry and may be renewed from year to year upon compliance with the conditions imposed hereunder. The Bureau shall charge reasonable fees for the issuance or renewal of such certificate.

The condition that such facilities be adequate, clean and sanitary, and that they will not be used for nor cause pain and/or suffering to the animals is a continuing requirement for the operation of these establishments. The Bureau may revoke or cancel such certificate of registration for failure to observe these conditions and other just causes.

SEC. 3. The Director of the Bureau of Animal Industry shall supervise and regulate the establishment, operation and maintenance of pet shops, kennels, veterinary clinics, veterinary hospitals, stockyards, corrals, stud farms and zoos and any other form or structure for the confinement of animals where they are bred, treated, maintained, or kept either for sale or trade or for training purposes as well as the transport of such animals in any form of public or private transportation facility in order to provide maximum comfort while in transit and minimize, if not totally eradicate, incidence of sickness and death and prevent any cruelty from being inflicted upon the animals.

The Director may call upon any government agency for assistance consistent with its powers, duties, and responsibilities for the purpose of ensuring the effective and efficient implementation of this Act and the rules and regulations promulgated thereunder.

It shall be the duty of such government agency to assist said Director when called upon for assistance using any available fund in its budget for the purpose.

SEC. 4. It shall be the duty of any owner or operator of any land, air or water public utility transporting pet, wildlife and all other animals to provide in all cases adequate, clean and sanitary facilities for the safe conveyance and delivery thereof to their consignee at the place of consignment. They shall provide sufficient food and water for such animals while in transit for more than twelve (12) hours or whenever necessary.

No public utility shall transport any such animal without a written permit from the Director of the Bureau of animal industry or his/her authorized representative. No cruel confinement or restraint shall be made on such animals while being transported.

Any form of cruelty shall be penalized even if the transporter has obtained a permit from the Bureau of Animal Industry. Cruelty in transporting includes overcrowding, piling of animals in the trunk or under the hood trunks of the vehicle.

SEC. 5. There is hereby created a Committee on Animal Welfare attached to the Department of Agriculture which shall, subject to the approval of the Secretary of the Department of Agriculture, issue the necessary rules and regulations for the strict implementation of the provisions of this Act, including the setting of safety and sanitary standards, within thirty (30) calendar days following its approval. Such guidelines shall be reviewed by the Committee every three (3) years from its implementation or whenever necessary.

The Committee shall be composed of the official representatives of the following:

- (1) The Department of Interior and Local Government (DILG);
- (2) Department of Education, Culture and Sports (DECS);
- (3) Bureau of Animal Industry (BAI) of the Department of Agriculture (DA);
- (4) Protected Areas and Wildlife Bureau (PAWB) of the Department of Environment and Natural Resources (DENR);
- (5) National Meat Inspection Commission (NMIC) of the DA;
- (6) Agriculture Training Institute (ATI) of the DA;
- (7) Philippine Veterinary Medical Association (PVMA);
- (8) Veterinary Practitioners Association of the Philippines (VPAP);
- (9) Philippine Animal Hospital Association of the Philippines (PAHA);
- (10) Philippine Animal Welfare Society (PAWS);
- (11) Philippine Society for the Prevention of Cruelty to Animals (PSPCA);
- (12) Philippine Society of Swine Practitioners (PSSP);
- (13) Philippine College of Canine Practitioners (PCCP); and
- (14) Philippine Society of Animal Science (PSAS).

The Committee shall be chaired by a representative coming from the private sector and shall have two (2) vice-chairpersons composed of the representative of the BAI and another from the private sector.

The Committee shall meet quarterly or as often as the need arises. The Committee members shall not receive any compensation but may receive reasonable honoraria from time to time.

SEC. 6. It shall be unlawful for any person to torture any animal, to neglect to provide adequate care, sustenance or shelter, or maltreat

any animal or to subject any dog or horse to dogfights or horsefights, kill or cause or procure to be tortured or deprived of adequate care, sustenance or shelter, or maltreat or use the same in research or experiments not expressly authorized by the Committee on Animal Welfare.

The killing of any animal other than cattle, pigs, goats, sheep, poultry, rabbits, carabaos, horses, deer and crocodiles is likewise hereby declared unlawful except in the following instances:

(1) When it is done as part of the religious rituals of an established religion or sect or a ritual required by tribal or ethnic custom of indigenous cultural communities; however, leaders shall keep records in cooperation with the Committee on Animal Welfare;

(2) When the pet animal is afflicted with an incurable communicable disease as determined and certified by a duly licensed veterinarian;

(3) When the killing is deemed necessary to put an end to the misery suffered by the animal as determined and certified by a duly licensed veterinarian;

(4) When it is done to prevent an imminent danger to the life or limb of a human being; and

(5) When done for the purpose of animal population control;

(6) When the animal is killed after it has been used in authorized research or experiments; and

(7) Any other ground analogous to the foregoing as determined and certified by a licensed veterinarian.

In all the above mentioned cases, including those of cattle, pigs, goats, sheep, poultry, rabbits, carabaos, horses, deer and crocodiles the killing of the animals shall be done through humane procedures at all times.

For this purpose, humane procedures shall mean the use of the most scientific methods available as may be determined and approved by the committee.

Only those procedures approved by the Committee shall be used in the killing of animals.

SEC. 7. It shall be the duty of every person to protect the natural habitat of the wildlife. The destruction of said habitat shall be considered as a form of cruelty to animals and its preservation is a way of protecting the animals.

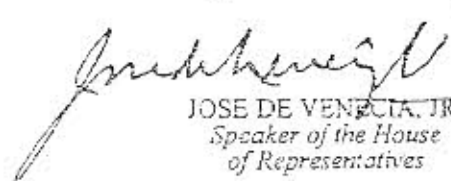
SEC. 8. Any person who violates any of the provisions of this Act shall, upon conviction by final judgment, be punished by imprisonment of not less than six (6) months nor more than two (2)

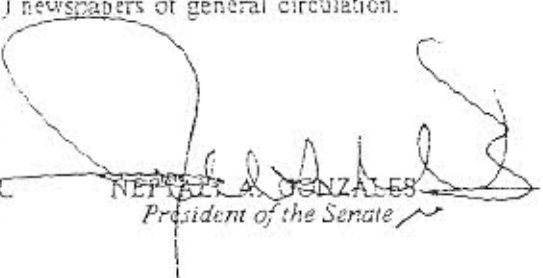
years or a fine or not less than One thousand pesos (P1,000.00) nor more than Five thousand pesos (P5,000.00) or both at the discretion of the Court. If the violation is committed by a juridical person, the officer responsible therefor shall serve the imprisonment when imposed. If the violation is committed by an alien, he or she shall be immediately deported after service of sentence without any further proceedings.

SEC. 9. All laws, acts, decrees, executive orders, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

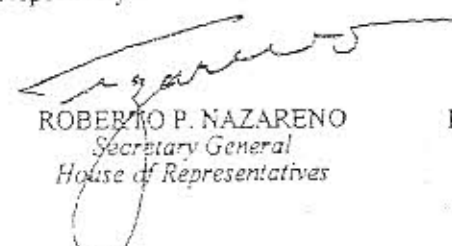
SEC. 10. This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

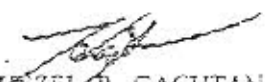
Approved,


JOSE DE VENECIA, JR.
Speaker of the House
of Representatives


NEPOMOCENO A. GONZALES
President of the Senate

This Act, which is a consolidation of Senate Bill No. 2120 and House Bill No. 9274 was finally passed by the Senate and the House of Representatives on February 3, 1998 and February 2, 1998, respectively.


ROBERTO P. NAZARENO
Secretary General
House of Representatives


HAZEL P. GACUTAN
Secretary of the Senate

Approved:

FEB 11 1998


FIDEL V. RAMOS
President of the Philippines