

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH (15TH) CONGRESS
Third Regular Session



House Bill No. 6848

Introduced by: Rep. BERNADETTE HERRERA-DY

EXPLANATORY NOTE

The trade of dog meat has been illegal in the Philippines since the passage of R.A. 8485, or the Animal Welfare Act of 1998, which states that no animals other than cattle, pigs, goats, sheep, poultry, rabbits, carabaos, horses, deer and crocodiles may be killed for food. However, despite the ban on commercial dog meat trading, the penalty – a nominal fine – did not stop traders from continually breaking the law.

R.A. 9482, or the Anti-Rabies Act of 2007, mandated local government units to prohibit the trade of dogs for meat, and increased the penalty for violations as follows: *Any person found guilty of trading Dog for meat shall be fined not less than Five Thousand Pesos (P5,000.00) per Dog and subjected to imprisonment for one to four years.*

Despite these measures, the illegal trade in dog meat continues to thrive, with around 290,000 canines butchered for food each year, according to the Criminal Investigation and Detection Group of the Philippine National Police. The consumption of dog meat is an established cultural phenomenon in the Philippines, traditionally associated with celebratory events and rituals of mourning.

Commercial dog meat production is a cruel and inhumane practice that must be completely eradicated. According to the World Society for the Protection of Animals, the animals suffer at every stage, from farming or capture to transport, sale and slaughter. For example, dogs are highly social animals that suffer when kept in individual cages, or experience chronic stress when kept in group housing. The dog meat trade also has serious consequences for human consumers, since low profit margins on dog farms often mean that dogs are fed poor quality offal or even the carcasses of other dogs, creating a disease-prone food chain that affects society at large.

Thus, this Act aims to enact stiffer penalties for persons who engage in any stage of the dog meat trade, and to allocate the funds collected through penalty fees to enhance

enforcement of this Act. In order to achieve these aims, the bill is designed to be a stand-alone law separate from the Animal Welfare Act of 1998. It is also intended to incorporate and assume Section 11(7) of the Anti-Rabies Act of 2007.¹

Following the language of the Anti-Rabies Act of 2007, Sections 4(1) and 4(3) use the criteria "per dog" in prescribing the crimes and penalties set forth therein, whereas Section 4(2) uses the criteria of "dog meat" in punishing the sale and purchase of such meat, which can only occur after the fact of torture and killing per se.

Section 4(2) sets forth a range of penalties which allows the trier of fact some discretion in setting the final penalty, in turn dependent on how much meat is traded or sold after the fact of torture and killing.

Sections 4(1), 4(2), and 4(3), *taken together*, are not intended to be an escalating scale of crimes and penalties, although 4(1) and 4(3), if considered without 4(2), are graduated. In particular, Section 4(1) contemplates live dogs, while Section 4(2) contemplates the killing of dogs for purposes of trading their meat.

The term "killing" is thought to be synonymous with "slaughter," thus "slaughter" was selected and used in Section 4(3).

This bill proposes that if a person is guilty of engaging in more than one set of offenses under Section 4, the differing penalties shall not be compounded and the higher penalty shall apply.

On the basis of the foregoing considerations, the passage of this bill is earnestly sought.


BERNADETTE R. HERRERA-DY

¹"(7) Any person found guilty of trading Dog for meat shall be fined not less than Five thousand pesos, (P5,000.00) per Dog and subjected to imprisonment for one to four years."

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House Bill No. 6840

Introduced by: Rep. BERNADETTE HERRERA-DY

AN ACT PUNISHING DOG MEAT TRADE.

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

SECTION 1. *Short Title.* – This Act shall be known as the “Anti-Dog Meat Trade Act of 2013.”

SEC. 2. *Declaration of Policy.* – It is the policy of the State and the purpose of this Act to protect and promote the welfare of all animals in the Philippines, including dogs, and to protect and promote the right to health of the people. Towards these ends, the ban on dog meat trade shall be reinforced through the enactment of stiffer penalties for violators.

SEC. 3. *Prohibitions.* – It shall be unlawful for any person to engage in dog meat trade, including the farming or capture, transport, sale, or slaughter of dogs for the purposes of trading dog meat.

SEC. 4. *Penalties for noncompliance.* – Any person who engages in dog meat trade, including the farming or capture, transport, sale, or slaughter of dogs for the purposes of trading dog meat shall, upon conviction by final judgment, be punished by imprisonment and/or fine, as indicated in the following graduated scale:

- 1) Imprisonment of not less than SIX (6) MONTHS nor more than TWO (2) YEARS, and/or a fine of no more than TEN THOUSAND PESOS (P10,000.00) per dog, if the person is found guilty of farming or capture, transport, and/or sale of live dogs for purposes of trading dog meat.
- 2) Imprisonment of not less than ONE (1) YEAR or more than THREE (3) YEARS, and/or a fine of no more than ONE HUNDRED

THOUSANDPESOS (P100,000.00), if the person is found guilty of transporting, trading, selling, and/or purchasing dog meat.

- 3) Imprisonment of not less than TWO (2) YEARS nor more than FIVE (5) YEARS, and/or a fine of no more than TWENTY FIVE THOUSAND PESOS (P25,000.00) per dog, if the person is found guilty of slaughter of dogs for the purposes of trading dog meat

If a person is guilty of engaging in more than one set of offenses, the differing penalties shall not be compounded and the higher penalty shall apply.

In addition to the punishment of imprisonment and/or fine, the offender is required to attend a forum on animal welfare protection to be conducted by the Committee on Animal Welfare under the Department of Agriculture, in cooperation with an accredited animal welfare non-government organization.

All penalty fees collected pursuant to this Act shall be deposited in the National Treasury in an account specifically designated for the enforcement of this Act and available only for that purpose.

SEC. 5. *Implementing Rules and Regulations.* – The Department of Agriculture, in coordination with the Department of Health, Department of Trade and Industry, Philippine Information Agency, animal welfare and consumer welfare nongovernment organizations, and stakeholders, shall prepare and promulgate the Implementing Rules and Regulations (IRR) of this Act within sixty (60) days after the effectivity of this Act.

SEC. 6. *Separability Clause.* – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 7. *Repealing Clause.* –All laws, presidential decrees, letters of instruction, executive orders, administrative orders, rules, regulations, and other issuances or parts thereof which are contrary to or inconsistent with the provisions of this Act are hereby revoked, repealed or modified accordingly.

SEC. 8. *Effectivity.*– This Act shall take effect fifteen (15) days after its publication in the Official Gazette and in at least two (2) newspapers of general circulation.

Approved,