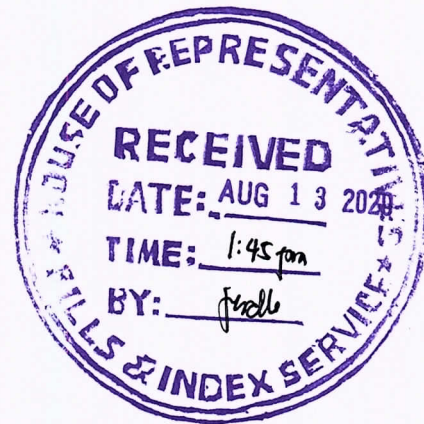


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
First Regular Session

HOUSE BILL NO. **7381**



Introduced by Representative JAKE VINCENT S. VILLA

AN ACT
TO PROHIBIT THE IMPORTATION OF PRODUCTS MADE WITH DOG OR
CAT FUR, INCLUDING THE SALE, MANUFACTURE, OFFER FOR SALE,
TRANSPORTATION, AND DISTRIBUTION OF PRODUCTS MADE WITH DOG
OR CAT FUR IN THE PHILIPPINES

EXPLANATORY NOTE

Section 16 Article to of the 1987 Philippine Constitution, provides:

The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

In 2012, there is an estimated 300,000 dogs that are slaughtered primarily for its meat, among others.¹ In recent years, there are reports that trading of dog meat still exists despite its illegality.² Issues such as strict implementation of the existing law against animal abuse is still apparent. As such, there is a need to widen and strengthen the scope of existing regulations as regards domesticated animals such as cats and dogs.

The measures aims for the following:

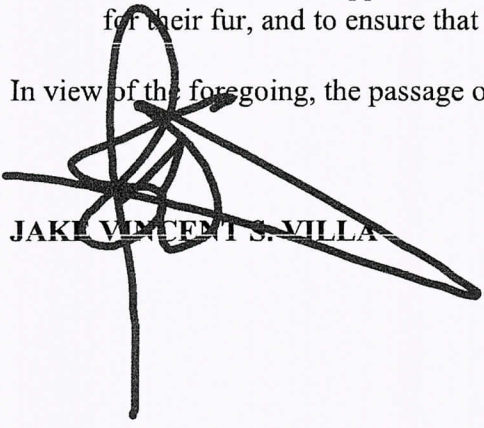
- 1.) to prohibit the sale, manufacture, offer for sale, transportation, and distribution in the Philippines of dog and cat fur products;
- 2.) to require accurate labeling of fur species so that consumers in the Philippines can make informed choices; and

¹ <https://newsinfo.inquirer.net/223405/300000-dogs-killed-for-meat-in-philippines-every-year>.

² <http://www.esdaw.eu/dog--cat-meat---philippines.html>;
<https://ladyfreethinker.org/over-1000-pounds-dog-meat-seized-philippines-bust/>.

- 3.) to prohibit the trade in, both imports and exports of, dog and cat fur products, to ensure that the Philippines market does not encourage the slaughter of dogs or cats for their fur, and to ensure that the purposes of this Act are not undermined.

In view of the foregoing, the passage of this measure is earnestly sought.



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

SECTION 1. *Short Title.* – This Act shall be known as “Dog and Cat Protection Act”.

SECTION 2. *Definition of Terms.* – “For purposes of this Act, the term:

- 1) “Cat fur” refers to the pelt or skin of any animal of the species *felis catus*;
- 2) “Commerce” refers to any transportation for sale, trade, or use on the Philippine territory, and any place outside thereof;
- 3) “Dog or Cat Product” refers to any item of merchandise which consists, or is composed in whole or in part, of any dog fur, cat fur, or both;
- 4) “Dog fur” refers to the pelt or skin of any animal of the species *canis familiaris*;
- 5) “Duly Authorized Officer” refers to any Customs officer, any agent of the National Bureau of Investigation, or any agent or other person authorized by law or designated by the Secretary to enforce the provisions of this Act;
- 6) “Interested Party” refers to any person having a contractual, financial, humane, or other interest;
- 7) “Person” includes any individual, partnership, corporation, association, organization, business trust trust, government entity, or other entity; and
- 8) “Secretary” refers to the Secretary of Trade and Industry.

SECTION 3. *Prohibitions.* –

- (a) **Prohibition on Manufacturing, Sale, and Other Activities.** – No person in the Philippines or subject to jurisdiction of the Philippines may introduce into commerce, manufacture for introduction into commerce, sell, trade, or advertise in commerce, offer to sell, or transport or distribute in commerce, any dog or cat fur product.
- (b) **Imports and Exports.** – No dog or cat fur product may be imported into, or exported from, the Philippines.

SECTION 4. *Labeling.* – This Act shall not apply to articles exempt by reason of the relatively small quantity or value of the fur or used fur contained therein.

SECTION 5. *Enforcement.* –

- (a) **In General.** The Secretary, either independently or in cooperation with local government units, and interested parties, is authorized to carry out operations and measures to eradicate and prevent the activities prohibited by Section 3.
- (b) **Inspections.** – A duly authorized officer may, upon his own initiative or upon the request of any interested party, detain for inspection and inspect any product, package crate, or other container, including its contents, and all accompanying documents to determine compliance with this Act.
- (c) **Seizures and Arrests.** – If a duly authorized officer has reasonable cause to believe that there has been a violation of this Act or any regulation issued under this Act, such officer may search and seize, with or without a warrant, the item suspected of being the subject of the violation, and may arrest the owner of the item. An item so seized shall be held by any person authorized by the Secretary pending disposition of civil or criminal proceedings.
- (d) **Burden of Proof.** – The burden of proof shall lie with the owner to establish that the item seized is not a dog or cat fur product subject to forfeiture and civil penalty under Section 6.
- (e) **Action by National Bureau of Investigation.** – Upon presentation by a duly authorized officer or any interested party of credible evidence that a violation of this Act or any regulation issued under this Act has occurred, the National Bureau of Investigation with jurisdiction shall investigate the matter and shall take appropriate action under this Act.
- (f) **Citizen Suits.** – Any person may commence a civil suit compel the Secretary to implement and enforce this Act, or to enjoin any person from taking action in violation of any provision of this Act or any regulation issued under this Act.

(g) Reward. – The Secretary may pay a reward to any person who furnishes information which leads to an arrest, criminal conviction, civil penalty assessment, or forfeiture of property for any violation of this Act or any regulation issued under this Act.

(h) Regulations. –

(1) In General. – The Secretary shall issue final regulations, after notice and opportunity for public comment, to implement this Act within 180 days after the date of enactment of this Act.

(2) Fees. – The Secretary may charge reasonable fees for expenses to the Government connected with permits or certificates authorized by this Act, including expenses for processing applications; reasonable inspections; and the transfer, handling, or storage of evidentiary items seized and forfeited under this Act.

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

SECTION 6. *Penalties.* –

(a) Civil Penalty. – Any person who violates any provision of this Act or any regulation issued under this Act may be assessed a civil penalty of not more than P20,000 for each violation.

(b) Criminal Penalty. – Any person who knowingly violates any provision of this Act or any regulation issued under this Act shall be subject to imprisonment of one year but not more than three years.

(c) Forfeiture. – Any dog or cat fur product that is the subject of a violation of this Act or any regulation issued under this Act shall be subject to seizure and forfeiture to the same extent as any merchandise imported in violation of the customs laws.

(d) Injunction. – Any person who violates any provision of this Act or any regulation issued under this Act may be enjoined from further sales of any fur products.

(e) Applicability. – The penalties in this section apply to violations occurring on or after date enactment of this Act.

SECTION 7. *Separability Clause.* – If any provision of this Act is held invalid or unconstitutional, the same shall not affect the validity and effect the validity and effectivity of the other provisions hereof.

SECTION 8. *Repealing Clause.* – All law, decrees, orders, and issuances, or portion thereof, which are inconsistent with the provisions of this Act, are hereby repealed, amended or modified accordingly.

SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved.