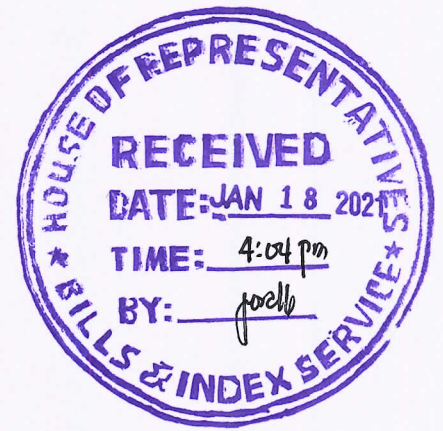




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRES

Second Regular Session

HOUSE BILL NO. 8416

Introduced by Representative **CONRADO M. ESTRELLA III**

**AN ACT STRENGTHENING ANIMAL HEALTH AND VETERINARY SERVICES
IN THE PHILIPPINES AND FOR OTHER PURPOSES**

Explanatory Note

The protection of life, liberty and property and the promotion of the general welfare are fundamental principles undergirding our democratic system of government. To achieve these ends, the State is duty-bound to make essential goods, health and other social services available to all the people and to undertake appropriate health manpower development and research responsive to the country's health needs and problems.

Animals raised for food and for other food products produced domestically or imported from abroad constitute a substantial source of our people's food supply. Ensuring animal health and the ready availability and accessibility of efficient, competent and effective veterinary services that secure, enhance and sustain animal health, and the safety of food products from animals, are imperative toward achieving food security, public health and public safety today and in the future.

The spate of animal disease epidemics such as the deadly swine flu here and abroad adversely affected the livelihood of many in the animal industry and the whole agricultural sector of the economy. These epidemics also endangered public health and safety with the vulnerability of the market to infected meat and other food products that are produced in the country and imported from various foreign countries because of unreliable and weak

production and import regulatory regimes, monitoring systems, procedures and rules.

Strengthening the country's capability to quickly respond to address animal disease epidemics as well as that of sustaining a comprehensive national program including a regulatory regime to ensure animal health and the availability and accessibility of competent animal health and veterinary services nationwide is, therefore, imperative.

We need to focus on improving our animal health and veterinary services, the regulatory frameworks, as well as the systems and processes to deliver these services for the benefit of our people.

Thus, this bill puts forth as state policy the promotion of animal health, the strengthening and enhancement of veterinary services and systems, and recognition of the importance of animal health and veterinary services as public good and as vehicles for achieving public safety and welfare.

Towards the realization of this policy, this bill seeks to establish a competent national authority for animal health and veterinary services, ensure efficient delivery of sanitary measures, encourage the active participation of various veterinary service providers and animal industry practitioners in instituting stronger safety regulatory safeguards and sustained food security, continuing improvement of public health and enhancement of the animal industry's global trade competitiveness.

Under the premises, immediate passage of this bill is imperative.



REP. CONRADO M. ESTRELLA III
Deputy Speaker

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

Chapter I

INTRODUCTORY PROVISIONS

SECTION 1. Title. - This Act shall be known as the "Animal Health and Veterinary Services Act".

SECTION 2. Declaration of Policy - It shall be the policy of the State to promote and protect animal health, strengthen and enhance veterinary services and systems, and recognize the importance of animal health and veterinary services as public good. Toward these ends, the State shall establish a competent national authority for animal health and veterinary services, ensure efficient delivery of sanitary measures, encourage the participation of various veterinary service providers and animal industry practitioners in ensuring the attainment of stronger safeguards and sustained food security for the country's animal population, continuing improvement of public health and environment, and enhancement of global trade competitiveness.

SECTION 3. Coverage. - This Act shall apply to all programs, activities and undertakings of persons, natural and juridical, including corporations, associations, organizations, farmers, and private or government entities that, directly or indirectly, deal with animal health and related matters such as, but not limited to:

1. Animal and zoonotic disease diagnosis, treatment, prevention, control and eradication;

2. Early detection systems and compulsory reporting of important animal diseases and zoonoses;

3. Regulation and monitoring of (a) animals, animal products and by-products and animal production practices (b) animal facilities, premises, equipment, means of transportation and other inanimate objects in contact with animals and/or animal products (c) animal feeds, feed

1 ingredients, supplements and additives, (d) veterinary drugs/products, veterinary biological and
2 immunological products, veterinary cosmetics and veterinary devices;

3 4. Training and research on animal health; and

4 5. Use of veterinary drugs, veterinary biologicals and diagnostic reagents in animals.

5
6 **SECTION 4. Objectives.** The State shall endeavor to achieve the following objectives:

- 7 1. Protect human and environmental health from hazards caused by animal diseases and
8 zoonoses;
- 9 2. Establish a modern and responsive veterinary services;
- 10 3. Formulate, promote, enforce, implement rules, policies and programs for the promotion of
11 animal health with the One Health Approach;
- 12 4. Institutionalize national and local inter-agency, multi-sectoral cooperation on animal health
13 and veterinary services programs;
- 14 5. Ensure animal production food safety and security; and
- 15 6. Promote compliance with and harmonization of sanitary and phytosanitary (SPS) measures
16 and other veterinary protocols with international standards.

17
18 **SECTION 5. Definition of Terms.** - As used in this Act, the following terms and phrases
19 shall mean as follows:

- 20 1. **Accreditation** – the formal recognition by an independent and competent body, generally
21 known as an accreditation body. Accreditation is not obligatory but it adds another level
22 of confidence, as being “accredited” means that the certification has been issued after a
23 process of independent checking to make sure the accredited entity operates according to
24 international standards.
- 25 2. **Animal** - vertebrate and invertebrate species whether domestic or wild (exotic or
26 indigenous) which may be food producing, companion, aquatic, or laboratory including
27 birds, worms, bees and butterflies. The term excludes human and aquatic mammals.
- 28 3. **Animal Effects** - litter or manure, hay, fodder or the like, used as blankets, chains,
29 harnesses, ropes, buckets, boxes or crates and the like, used by animals.
- 30 4. **Animal Facility** – permanent or temporary structures or premises generally used for
31 purposes of caring, breeding, rearing, holding, gaming, training, trading, transporting,
32 treating, testing and exhibiting animals, such as but not limited to farms, zoos, aviaries,
33 apiaries, kennels, racetracks, cockpits, pet shops, pounds, animal rescue centers, airport
34 and seaport quarantine stations, animal holding facilities including those found in ports,
35 railways and bus stations, stables, livestock auction markets, slaughterhouses, veterinary
36 clinics, veterinary hospitals, and other similar facilities.
- 37 5. **Animal Feeds** - mixture or combination of feed ingredients, supplements and additives, in
38 any form, by specific formula to be fed directly as sole rations to animals which are capable
39 of furnishing the nutritional needs or requirements of animals in order to maintain life,
40 promote growth, production and reproduction without any additional substance except
41 water. This includes commercial, non-commercial and on-farm feeds.
- 42 6. **Animal Health** - the over-all physical condition and well-being of animal(s).
- 43 7. **Animal Health Technician** – a properly trained person who is authorized to carry out
44 designated tasks related to veterinary medicine under the immediate supervision of a

1 veterinarian.

- 2 8. **Animal Identification** - the combination of the identification and registration of an animal
3 individually, with a unique identifier, or collectively by its epidemiological unit or group,
4 with a unique group identifier.
- 5 9. **Animal Identification System** - the inclusion and linking of components such as
6 identification of establishments, owners, person or persons responsible for the animal(s),
7 animal movements and other records with an animal identification.
- 8 10. **Animal Industry** - any activity relating to the production, breeding, caring, rearing,
9 holding, trading, transporting and use of animals; animal processing; and manufacturing,
10 trading and marketing of animal production inputs such as, but not limited to feeds,
11 veterinary drugs and biologicals.
- 12 11. **Animal Production Food Safety** - measures taken in farms and production areas to
13 safeguard the health of the consuming public and ensure that the food derived therefrom is
14 safe and of sufficient quantity or supply. This includes measures taken to regulate and
15 control the introduction of non-food animals to the food chain.
- 16 12. **Animal Products and By-Products** - any meat, fat, milk whey, cream, butter, cheese, egg
17 or other food or foodstuffs derived from an animal; or any part of the viscera of an animal,
18 hide, skin, hair, wool, feathers, shell, horn or hoof; or any article or substance derived from
19 dung, urine, feces, bone, or blood of an animal; or any secretion of an animal or any product
20 or biological preparation made or derived from any animal tissue or animal secretion; or
21 any article or substance derived from an animal such as semen, whether or not in
22 combination with any article or substance; or any article or substance or thing that is
23 declared by order to be an animal product for the purposes of this Act.
- 24 13. **Capacity building** - defined as the development and strengthening of human and
25 institutional resources of public and private sectors including non-government
26 organizations.
- 27 14. **Capacity development** - comprehensive and sustainable process whereby people,
28 organizations and society strengthen, create, adapt and maintain capacity over time.
- 29 15. **Certification** - the procedures by which official certification bodies or officially recognized
30 certification bodies provide written or equivalent assurance that an establishment/entity
31 conforms to requirements set by Bureau of Animal Industry.
- 32 16. **Chief Veterinary Officer** - a veterinarian who has the responsibility and competence of
33 ensuring and supervising the implementation of animal health and welfare measures,
34 international veterinary certification and other standards and guidelines in the Terrestrial
35 Animal Health Code of the World Organization for Animal Health or *Organization*
36 *International des Epizooties* (OIE) in the entire country.
- 37 17. **Communicable Animal Diseases** - diseases which are transmissible from one animal to
38 another.
- 39 18. **Competent Authority** - the veterinary authority or other governmental agency of a country
40 having the responsibility and competence for ensuring or supervising the implementation
41 of animal health and welfare measures, international veterinary certification and other
42 standards and recommendations in the OIE Terrestrial Animal Health Code and in the OIE

1 Aquatic Animal Health Code in the whole territory.

2 19. **Confiscation** – the taking into custody of animals, animal parts and products, and animal
3 effects for having been the subject of any violation of rules and regulations or for posing
4 risks to general human and animal welfare by a competent authority for its proper disposal.

5 20. **Disease** – the impairment of the normal state of living animals showing sub-clinical,
6 clinical and pathological manifestations with infectious and non-infectious conditions.

7 21. **Domestic movement** – the transfer/transport of animals, animal product, by-products and
8 effects within the country.

9 22. **Early detection system** – a system for the timely detection and identification of animal and
10 zoonotic diseases which includes the following characteristics, namely; (a) representative
11 coverage of target animal populations by veterinary field services; (b) ability to undertake
12 effective disease investigation and reporting; (c) access to laboratories capable of
13 diagnosing and differentiating relevant diseases; and (d) training program for veterinarians
14 and animal health technicians for detecting and reporting unusual disease occurrence.

15 23. **Emerging Disease** – a new infection resulting from the evolution or change of an existing
16 pathogenic agent, a known infection spreading to a new geographic area or population, or
17 a previously unrecognizable pathogenic agent or disease diagnosed for the first time and
18 which has a significant impact on animal or public health.

19 24. **Epidemiology** – the science concerned with the study of factors determining and
20 influencing the frequency and distribution of disease, injury and other health-related events
21 and their causes in a defined population.

22 25. **Eradication** – the elimination of a pathogenic agent or disease from the country or
23 zone/area/region.

24 26. **Establishment** – entities engaged in the manufacture, production, preparation, handling,
25 importation, exportation, sale, storage, offer for sale, distribution, transfer, use, testing,
26 promotion, advertising or sponsorship of animals, animal products and by-products,
27 veterinary drugs or products and veterinary biological products, animal feeds and feed
28 ingredients, veterinary cosmetics, and veterinary devices.

29 27. **Exportation** – the transportation of commodities such as live animals, animal products,
30 animal by-products, animal effects, animal feeds, veterinary drugs/products and veterinary
31 biological products from the Philippines to another country.

32 28. **Exotic Animal Diseases** – any disease known to exist in foreign countries which is likely
33 to be introduced in the country through importation of animals, animal products, animal
34 by-products or animal effects, animal feeds, veterinary drugs/products and veterinary
35 biological products.

36 29. **Fake Veterinary Drugs** – counterfeit, falsified, unregistered veterinary drugs/products, as
37 well as unapproved parallel imports, compounded pharmaceuticals and illegal autogenous
38 vaccines.

39 30. **Feed Ingredients** – all articles, in any form, that are added or mixed into the composition
40 or which are used as raw materials in the formulation of a feed or ration, base feed, base
41 mix, concentrate, feed supplement, feed additive, specialty feed and/or special feed

1 preparation purporting to supply additional nutrients, such as but not limited to, proteins,
2 carbohydrates, fats, minerals, vitamins, growth promoting factors and/or correcting
3 nutritional disorders.

4 31. **First Border Inspection** – assessment and verification done on incoming animals, animal
5 products and by-products, animal effects, animal feeds veterinary drugs and products, and
6 veterinary biological products at international ports of entry by veterinary quarantine
7 officers.

8 32. **Hazard** - a biological, chemical or physical agent, or a condition of an animal or animal
9 product with the potential to cause an adverse health effect.

10 33. **Importation**- the bringing into the country of commodities such as live animals, animal
11 products, animal by-products, animal effects, animal feeds, veterinary drugs/products and
12 veterinary biological products from foreign countries.

13 34. **Indemnification** - the payment for any loss of animals or damage to its by-products in
14 accordance with the guidelines established by the Veterinary Authority.

15 35. **Livestock** - food animals including poultry.

16 36. **Networking** – the act of making contact and exchanging information with other people,
17 groups and institutions to develop mutually beneficial relationships, or to access and share
18 information between or among computers.

19 37. **Notifiable Disease** - disease listed by the Veterinary Authority, and that, as soon as
20 detected or suspected, must be brought to the attention of the Veterinary Authority, in
21 accordance with national regulations.

22 38. **Notification** - the procedure by which the Local Veterinary Authority informs the National
23 Veterinary Authority, of the occurrence of an outbreak of disease or infection.

24 39. **OIE (Office Internationale des Epizooties)** or the World Organization for Animal Health
25 - the intergovernmental organization responsible for improving animal health and
26 veterinary services and is recognized as a reference organization by the World Trade
27 Organization (WTO).

28 40. **Pre-border Inspection** – assessment of animal health inspection and biosecurity system of
29 exporting countries prior to authorization of export.

30 41. **Poultry** – chickens, turkeys, guinea fowl, gamefowls, ducks, geese, quails, pigeons,
31 pheasants, partridges, and ratites reared or kept in captivity for breeding, production of
32 meat or eggs for consumption or for re-stocking supplies of game.

33 42. **Quarantine** - the act of isolating animals from other animals to ensure no direct or indirect
34 contact with other animals so as to prevent the transmission of specified pathogen(s) while
35 the animals are undergoing observation, and, if appropriate, testing and treatment, for a
36 specified length of time and to determine their freedom from disease.

37 43. **Quarantine Station** - a facility under the control of the veterinary service authority where
38 animals are maintained in isolation with no direct contact or indirect contact with other
39 animals, to ensure that there is no transmission of specified pathogen/s outside the
40 establishment while the animals are undergoing observation for a specified length of time

and, if appropriate, testing and treatment.

44. **Risk Analysis** - the whole process of determining the hazards, the likelihood of the hazards to occur, and how grave any occurrence would be. The process consists of the following steps, namely, planning, hazard identification, risk assessment, risk management, and risk communication.

45. **Sanitary and Phytosanitary Measures (SPS)** – measures applied (a) to protect human or animal life from risks arising from additives, contaminants, toxins or disease-causing organisms in their food; (b) to protect human life from plant-or animal-carried diseases; (c) to protect animal or plant life from pests, diseases, or disease-causing organisms; and (d) to prevent or limit other damage to a country from the entry, establishment or spread of pests. This also includes SPS measures taken to protect the health of fish and wild fauna, as well as of forests and wild flora.

46. **Second Border Inspection** – activities done by a competent authorities such as the BAI, NMIS and BFAR at authorized facilities such as cold storages and quarantine areas where thorough and final inspection of animals, meat and fish products are carried out.

47. **Shipping Permit** - the document issued by the BAI authorizing the person indicated therein to ship or transport the stated commodity to their indicated destination(s).

48. **Swill** - kitchen refuse and scraps of waste food mixed with water for feeding to pigs.

49. **Traceability** - a tool for controlling disease in animals and food safety, and it involves the ability to follow or monitor any link between animal health, food safety and the organoleptic characteristics of food to its origin.

50. **Transshipment** - the shipment of goods or containers to an intermediate destination, and from there, to yet another destination.

51. **Vaccination** - the successful immunization of susceptible animals through the administration of appropriate immunizing agents comprising of antigens or bacterins or any agent appropriate to the disease to be controlled.

52. **Veterinarian** - a person who has been registered and issued a valid certificate of registration and professional identification card by the Professional Regulatory Commission Board of Veterinary Medicine of the Philippines.

53. **Veterinary Authority** - the government authority, comprising of duly licensed veterinarians and allied professionals, having the responsibility and competence of administering and supervising the implementation of animal health and welfare measures, international veterinary certification and other standards and guidelines in the Terrestrial Code of the OIE.

54. **Veterinary Biological Products** - all components of microorganisms (viruses, bacteria, fungi, protozoa, etc.) or products of microorganisms, antigens, antisera, bacterins, immunoglobulins and analogous products of natural or of synthetic origin, including genetically modified organisms, diagnostic kits and reagents, serums, toxins and antitoxins intended for use in the diagnosis, prevention and treatment of animal diseases and for veterinary research purposes.

55. **Veterinary Cosmetics** - any substance or preparation intended to be placed in contact with

the various external parts of the animal body or with the teeth, mucous membranes of the oral cavity, with a view exclusively or mainly to cleaning them, grooming them, changing their appearance and/or correcting the body odor, and/or protecting the body or keeping the same in good condition.

56. **Veterinary Devices** - any instrument, apparatus, implement, machine, appliance or contrivance, including their components, parts and accessories intended for use in the diagnosis, cure, mitigation, treatment and prevention of animal diseases or to affect the structure or any function of the body or animals.

57. **Veterinary Drugs** - articles for use in the diagnosis, cure, mitigation, treatment or prevention of diseases of animals.

58. **Veterinary Health Certificate**- the document issued by the Veterinary Quarantine Service Officers specifying among others therein that the animals, animal products and by-products or animal effects intended for international or domestic transport are free from any communicable animal diseases or are not carriers thereof.

59. **Veterinary Products** - collectively refer to veterinary biologicals, veterinary drugs/products, veterinary devices, and veterinary cosmetics as defined herein and to other substances applied to animal facilities such as but not limited to disinfectants, insecticides, and substances that modify or extend physiological functions, behaviors or availability such as but not limited to hormones, growth promotants, stimulants, enhancers, probiotics and acidifiers.

60. **Veterinary Officer** - a duly-licensed veterinarian employed or deputized by the Director of the BAI specifically tasked to investigate, diagnose and control animal diseases, including the performance of such duties and functions provided in this Act and other laws.

61. **Veterinary Services** - the activities in the implementation of animal health, welfare, feed control and animal production food safety by government and non-government organizations.

62. **Zone** - a part of a country defined by the Veterinary Authority, containing an animal population or subpopulation with a specific animal health status with respect to an infection or infestation for the purposes of international trade or disease prevention or control.

Chapter II

STRUCTURE, POWERS AND FUNCTIONS OF THE BUREAU OF ANIMAL INDUASTRY (BAI)

SECTION 6. Organizational Structure - The technical, administrative, finance and support services of the BAI shall be strengthened as may be necessary to effectively carry out the provisions of this Act.

SECTION 7. Powers and Functions - The BAI shall have the following principal powers:

1. **Regulatory Powers and Functions** - The BAI shall assume full control and direction of the conduct of animal disease surveillance, early disease detection and epidemiological investigation and disease diagnosis, prevention, control and eradication; and shall be the sole national controlling authority to regulate animal health, animal welfare, animal

1 production food safety and matters connected with or pertaining to, but not limited to,
2 general sanitary measures, risk analysis, animal quarantine and inspection, animal feeds
3 and feed ingredients, veterinary drugs and products, veterinary biological products, and
4 other pharmaceuticals and products used on animals and the environment, animal facilities,
5 equipment, veterinary devices and veterinary cosmetics, veterinary research, animal
6 production and international certification procedures. The BAI, in coordination with the
7 competent authority on meat and meat products inspection, shall also be responsible for
8 the regulation of importation and transport or movement of all meat products, including
9 processed meat products.

- 10 2. ***Technical Assistance and Supervision over Veterinary Offices and Veterinary Related***
11 ***Functions of all National Government Agencies and Local Government Units*** – The BAI
12 shall provide training for capacity building and strengthening of livestock and veterinary
13 services related functions of all national government agencies and Local Government Units
14 (LGUs). It shall exercise technical supervision over veterinary offices and veterinary
15 related functions of all national government agencies and LGUs. This includes oversight
16 authority to require mandatory notification and coordination, submission of reports and
17 other pertinent data regarding animal disease situations within the respective areas or
18 jurisdictions of other government agencies and local government units.
- 19 3. ***Emergency Preparedness and Response*** – The BAI shall lead and direct the investigation
20 and management of outbreaks of dangerous communicable and zoonotic animal diseases,
21 where the animal and/or human health status of the country is in actual or imminent danger,
22 and the economic status and food security of the country are threatened. The BAI shall
23 make the proper coordination with the concerned LGUs and regional officials on its
24 activities.
- 25 4. ***Visitorial Power*** – The BAI, through its duly authorized personnel, upon presenting
26 appropriate credentials or authority to the owner, manager, or any person-in-charge, shall
27 have the power to enter and inspect the premises of livestock and poultry farms and other
28 animal establishments, conduct collection of laboratory specimens and samples, and when
29 required by circumstances, and as authorized by the Director, impose preventive and
30 control measures therein, in coordination with concerned owners and caretakers.
- 31 5. ***Declaration of Quarantine*** – The BAI Director or his authorized representative through a
32 written order of quarantine shall cause the immediate seizure, holding or detention for such
33 period, as warranted, for observation and mandatory testing of animals, animal parts,
34 products, and by-products, animal feeds, feed ingredients, feed supplements and feed
35 additives, veterinary biologicals, veterinary drugs and products, and veterinary devices,
36 and such other materials or substances which are suspected or deemed to be affected with
37 or carriers of dangerous animal diseases, or found to be undocumented, or of unknown
38 source and condition, and posing an imminent danger, threat and injury to the overall
39 animal health situation in the country.
- 40 6. ***Management of Antimicrobial Resistance (AMR) and Antimicrobial Use (AMU)***.
41 The BAI shall establish and strengthen its capability to manage AMR and AMU and
42 undertake surveillance and control of the development and spread of antimicrobial resistant
43 pathogens in animal production and in the food chain using the One Health approach.
- 44 7. ***Confiscation and Disposal*** – The BAI Director or his authorized representative, through
45 appropriate destruction order, shall have the authority to immediately confiscate and

1 dispose of animals, animal parts, products, and by-products, animal feeds, feed ingredients,
2 feed supplements/additives, veterinary biological products, veterinary drugs/products,
3 veterinary devices, other potential vectors of animal diseases and such other materials or
4 substances that are declared prohibited or banned; or showing signs and symptoms of
5 dangerous animal diseases; or, in case of animal feeds, veterinary drugs/products,
6 biological and other materials or substances, tested positive for adulteration, or
7 contamination with toxic chemicals or substances.

8 Articles or items that are undocumented, or of unknown source and conditions, not covered
9 in the preceding paragraph which the possessor, owner, consignee or importer, as the case
10 maybe, failed to substantiate through submission of requisite documents, or establish the
11 origin thereof and its compliance with pertinent regulations within seventy-two (72) hours
12 from quarantine shall, likewise, be subject to confiscation and appropriate disposal.

13 8. *Call for Assistance* - The BAI Director may call upon any government agency for any form
14 of assistance consistent with its powers, duties, and responsibilities for the purpose of
15 ensuring the effective and efficient implementation of this Act and the rules and regulations
16 promulgated hereunder.

17 9. *Authority to Deputize* - The BAI Director shall have the authority to deputize government
18 and private veterinarians to perform disease control functions, administer measures to
19 address any animal health concerns, and for such other functions for the proper
20 implementation of national disease control policies and programs at all levels.

21 Chapter III

22 PROFESSIONAL AND TECHNICAL STAFFING OF VETERINARY SERVICES

23 SECTION 8. *Chief Veterinary Officer.* The Director of the Bureau of Animal Industry,
24 who must be a duly licensed veterinarian, shall be the Chief Veterinary Officer (CVO) of the
25 country. He shall be primarily responsible for the formulation and administration of the
26 implementation of national policies, strategies, priorities and action plans on animal health, animal
27 welfare and animal production food safety. He shall also represent the country in official
28 international dialogues on animal health matters.
29

30 The CVO shall coordinate and establish linkages with allied government agencies, the
31 private sector, and the academe in the implementation of plans and programs in animal disease
32 prevention, control and eradication, to ensure prompt mobilization of all essential personnel and
33 resources in the event of animal disease emergencies.

34 The CVO shall address current, recurring, new and prospective national issues and
35 concerns on animal health, animal welfare, safe animal feeds and animal food production safety
36 and security, with regional and global impact through the help of other allied government agencies
37 and stakeholders.

38 SECTION 9. *Veterinary Officers (VOs) and Animal Health Technicians (AHTs)* - With
39 the approval of the Secretary of the Department of Agriculture (DA), the BAI Director shall
40 appoint veterinarians and other personnel as Veterinary Officers (VOs) and Animal Health
41 Technicians (AHTs). He may deputize other personnel in regional offices and local government
42 units as VOs and AHTs. He shall prescribe the duties and responsibilities of the VOs and AHTs.

1 In the interest of the service, the VOs and AHTs shall be entitled to incentives, overtime
2 fees and reimbursement of expenses for services rendered outside of office hours which shall be
3 chargeable to the parties served, at the rates to be prescribed by the Secretary of Agriculture upon
4 the recommendation of the BAI Director.

5 **SECTION 10. Veterinarians** – All government agencies and private entities performing
6 veterinary and related functions shall cooperate fully with the BAI Director as CVO and comply
7 with the policies and technical standards for veterinary services and practices set by the BAI and
8 the Professional Regulation Commission (PRC).

9 **SECTION 11. Magna Carta for Public Health Workers And Magna Carta for Scientists,**
10 **Engineers, Researchers and other Science and Technology Personnel in Government** - VOs,
11 AHTs, and other veterinarians employed or deputized by the BAI, including their administrative
12 and support personnel directly exposed to veterinary public health related activities shall be
13 entitled to additional compensations, and other benefits provided under Republic Act No. 7305,
14 also known as the *Magna Carta for Public Health Workers* and Republic Act No. 8439, also
15 known as the *Magna Carta for Scientists, Engineers, Researchers and other Science and*
16 *Technology Personnel in Government*.
17

18 Chapter IV

19 ADVISORY COMMITTEES

20 **SECTION 12. -National and Regional Advisory Committees for Animal Diseases and**
21 **Emergency** - The existing National and Regional Advisory Committees on Animal Disease
22 Control and Emergency (NAC-ADCE/RAC-ADCE), are hereby renamed as the National
23 Veterinary Advisory Committee (NVAC) and Regional Veterinary Advisory Committees
24 (RVAC) tasked to provide advice to the Secretary of Agriculture on matters relating to animal
25 diseases and emergencies..

26 The Chairperson of the NVAC shall be a duly licensed veterinarian of good standing,
27 competence and probity in the veterinary profession. He shall be designated as such by the
28 Secretary of Agriculture.

29 The manner of designating the members of the committee and sub-committees shall be
30 prescribed and approved by the Secretary of Agriculture upon recommendation of the BAI
31 Director. The composition of the committee shall be updated from time to time as may be
32 necessary.

33 **SECTION 13. Duties and Functions.** - The NVAC and RVAC shall be directly
34 responsible to the Secretary of Agriculture and shall perform the following duties and functions:

- 35
- 36 1. Provide advice and recommendations to the DA Secretary on the following issues and
37 concerns:
 - 38 a. Prevention, control, eradication and monitoring of economically harmful
39 animal diseases including those transmissible to humans.
 - 40 b. Procedures to be followed in times of emergencies e.g nationwide epidemic of
41 food animal diseases and during disasters, man-made and natural.
 - 42 c. Verification of reports of emerging animal diseases. Assist in the dissemination
43 of information in all aspects of animal diseases.
 - 44 2. Create special working committees to address special issues and concern of the
45

1 Department through the Bureau of Animal Industry and the National Meat Inspection
2 Service.

3 **SECTION 14. *Other Advisory Committees*** – Other Advisory Committees may be created
4 to assist the DA Secretary and the BAI in the implementation of various programs and projects.
5 All advisory committees shall be administratively and financially supported by the BAI.
6

7 **Chapter V**

8 **DEPARTMENT OF AGRICULTURE REGIONAL OFFICES AND** 9 **LOCAL GOVERNMENT VETERINARY OFFICES** 10

11 **SECTION 15. *Regional and LGU Assistance and Cooperation*** – The DA Regional Field
12 Offices (RFOs) and Local Government Units (LGUs) shall assist, coordinate with, and closely
13 cooperate with the BAI in the implementation of the provisions of this Act. They shall extend any
14 available manpower, security, material and financial resources for the implementation of national
15 animal disease prevention and control measures, animal welfare and other related national programs
16 being undertaken by the BAI within their respective jurisdictions.

17 **SECTION 16. *Creation of Veterinary Positions*** – All provincial, city and municipal
18 governments shall create the position of provincial, city and municipal veterinarian respectively.

19 **SECTION 17. *Responsibilities of Regional, Provincial, City and Municipal***
20 ***Veterinarians*** - In addition to the duties of the regional veterinary officers and duties of LGU
21 veterinarians as provided in Section 489 of Republic Act No. 7160, also known as the "Local
22 Government Code of 1991" and in all other relevant laws, they shall also perform the following:

- 23 1. Ensure the implementation of policies, rules and regulations issued by the BAI and other
24 concerned agencies in accordance with the provisions of this Act and its related laws,
25 rules and regulations, towards the enforcement of animal disease prevention, control
26 measures and regulations.
- 27 2. Extend assistance, as may be necessary, to the BAI and other concerned agencies in the
28 implementation or enforcement of animal disease prevention and control measures
29 within their area of responsibility.
- 30 3. Comply with all reportorial and documentary requirements needed by the BAI and other
31 concerned agencies in the implementation of this Act.
- 32 4. Establish database for animal facilities and establishments in their jurisdiction as defined
33 under this act.
- 34 5. Link with national technical networks and administrative networks and comply with
35 respective standards in the practice of veterinary medicine.
36

37 **SECTION 18. *Issuance of Mayor's Permit*** – LGUs shall issue required permits to
38 operate any farm, clinic, animal facility, kennel or any other veterinary establishment only to
39 owners and operators thereof who have secured the required clearance from the provincial, city
40 or municipal veterinarian that attest to the compliance of the establishment with all the
41 requirements prescribed under national laws, rules and regulations.
42
43

1 **Chapter VI**

2 **ROLE OF ALLIED GOVERNMENT AGENCIES**
3 **AND NON-GOVERNMENT AGENCIES**

4 **SECTION 19. *Allied Government Agencies*** – The BAI Director as the CVO may call
5 upon allied government agencies and the academe in the implementation of this Act.

6 **SECTION 20. *Other Agencies and Sectors*** – The BAI may enter into agreements with
7 other entities in the government and private sectors, academe and other relevant agencies such as,
8 but not limited to the Department of the Interior and Local Government (DILG), Department of
9 Education (DepEd), Department of Health (DOH), Department of Finance (DOF), Department of
10 Trade and Industry (DTI) and Department of National Defense (DND) and relevant stakeholders
11 in the implementation of plans and programs in animal disease prevention, control and eradication,
12 and to ensure prompt mobilization of all essential personnel and resources in the event of animal
13 disease emergencies.
14

15 **Chapter VII**

16 **ANIMAL HEALTH AND ANIMAL PRODUCTION FOOD SAFETY**

17 **SECTION 21. *Duty to Report Notifiable Diseases*** – The BAI Director shall issue the list
18 of Notifiable Animal Diseases. This list shall be updated at least annually.

19 All animal and livestock producers, owners, operators, farm managers, farm veterinarians,
20 animal facility operators and farm consultants who have in their possession or care, animals or
21 animal products infected or suspected to be infected, or have reasonable grounds to believe that
22 the animal or animal product is infected with a Notifiable Disease are duty bound to report to the
23 concerned Local Government Unit Veterinary Office or to the BAI and DA RFO immediately or
24 within 24 hours by the quickest means possible.

25 **SECTION 22. *Proper Disposal of Potentially Infective Materials*** – Dead animals,
26 manure and other potentially infective materials from regular operations of farms, clinics, animal
27 facilities shall be disposed in accordance with existing laws, rules and regulations and other
28 specific guidelines set by BAI.

29 **SECTION 23. *Animal Disease Surveillance and Epidemiology*** – All agencies and
30 entities performing veterinary services shall be responsible for monitoring animal disease situation
31 by conducting regular surveillance of the animal and livestock population in their respective
32 jurisdictions and shall report to the BAI as provided in Chapter VII of this act.

33 **SECTION 24. *National Registry and Traceability of Livestock*** – A national registry of
34 animal facilities and establishments and a traceability system shall be established by the BAI.
35 These include the development of appropriate unique animal identification system and farm
36 classification system in consultation with livestock stakeholders and in accordance with accepted
37 standards and parameters.
38

39 **SECTION 25. *Mandatory Vaccination*** – The BAI shall issue a list of disease requiring
40 mandatory vaccination to prevent, control, and eradicate emerging or re-emerging, communicable
41 and exotic diseases. All animals shall have to be vaccinated in accordance with the guidelines
42 issued by the BAI. In case of refusal to vaccinate by concerned owners or managers of relevant

1 establishments despite due notice, the BAI is authorized to require the LGU concerned to revoke
2 the Mayor's and Business Permits issued for the operation of the establishments.

3 **SECTION 26. *Emergency Preparedness*** – The BAI shall draft the National Emergency
4 Preparedness and Disaster Plans in response to animal health and animal production food safety
5 issues. Measures shall be developed consistent with the one health approach and shall be regularly
6 tested through simulation exercises.

7
8 **SECTION 27. *Animal Health Information System*** – The BAI shall strengthen the animal
9 health information system involving other agencies and stakeholders on animal health through the
10 establishment of an effective information network. The database on animal facilities and
11 establishments shall be established by the LGUs and shall be integrated into the Philippines
12 Animal Health Information System (Phil-AHIS).

13 **SECTION 28. *Risk Analysis*** – Principles of risk analysis shall be incorporated in all
14 policy formulation and standard setting such as risk-based declaration of animal diseases, but not
15 limited to, the importation of animals, animal products, by-products, veterinary biological
16 products, animal feeds and animal effects.

17 **SECTION 29. *Veterinary Public Health*** - The BAI shall take the lead role in the
18 formulation and implementation of veterinary public health programs and activities particularly in
19 the prevention and control of zoonoses and animal production food safety.

20 **SECTION 30. *Prohibition of Swill Feeding*** - Feeding of left over food or swill is
21 prohibited since it is considered potentially infective material. The DENR together with concerned
22 government agencies shall undertake initiatives to transform swill into safe material for animal
23 feeding and other uses.

24
25 It shall be the duty of the LGUs to monitor the disposal of swill in their localities in
26 accordance with the guidelines set by the BAI.

27
28 **SECTION 31. *Mandatory Engagement of the Professional Services of Veterinarians*** –
29 All animal facilities and establishments such as, but not limited to, farms, zoos, kennels, apiaries,
30 aviaries, livestock markets, animal race tracks and cockpits, shall engage the professional services
31 of a veterinarian based on a minimum number of animals and other parameters to be prescribed
32 by the BAI in consultation with concerned sectors.

33 **SECTION 32. *Farm Inspection and Certification*** – The BAI, in consultation with
34 stakeholders, shall establish standards and parameters on farm inspection and certification.

35 36 **CHAPTER VIII**

37 **QUARANTINE MEASURES, FACILITIES, AND BORDER SECURITY**

38 The BAI shall upgrade the veterinary quarantine system in order to prevent the entry of
39 animal diseases and other hazards into the country. This shall include modernizing and upgrading
40 the quarantine stations to facilitate the inspection of animals, animal products, animal by-products,
41 animal feeds and feed ingredients, veterinary drugs and products, veterinary biologicals, veterinary
42 cosmetics and veterinary devices, through the construction of first and second border facilities,
43 and designated cold examination areas at ports, checkpoints, installing disinfection systems and
44 proper disposal facilities and procedures for condemned items as listed in this paragraph.

1 **SECTION 33. *Import Border Control*** - The BAI shall institute measures to protect the
2 country's borders through the implementation of the following: pre-border measures based on risk
3 analysis, first border measures, second border measures and release from custom zones. The BAI
4 shall issue periodically a list of prohibited importations from countries known or declared to be
5 infected with dangerous communicable animal diseases. All kinds of wildlife that are subject to
6 veterinary quarantine regulations shall be under BAI jurisdiction. All transshipments of live
7 animals, animal products, animal by-products, animal feeds and feed ingredients, veterinary drugs
8 and products, veterinary biologicals, veterinary cosmetics and veterinary devices at domestic or
9 international ports of call shall comply with the animal health and welfare rules and regulations
10 prescribed by the BAI.

11 **SECTION 34. *Export Control*** - No animals, animal products, animal by-products, animal
12 feeds and feed ingredients, veterinary drugs/products, veterinary biologicals, veterinary cosmetics
13 and veterinary devices shall be allowed to be exported and loaded on board ships and airplanes or
14 any vehicle unless (1) it is accompanied by the prescribed documents and such other documents
15 as may be required by the competent authority of the country of origin, and (2) it has complied
16 with the quarantine requirements of the country of destination. The Veterinary Quarantine Office
17 (VQO) will issue the clearance for the release of all outgoing vessels or aircrafts.

18 **SECTION 35. *Domestic Movement*** - All inland and inter-island shipments of animals,
19 animal products, animal by-products, animal feeds, feed ingredients, veterinary drugs and
20 products, veterinary biologicals, veterinary cosmetics and veterinary devices from one province or
21 region or island province or region to another shall be accompanied by a Veterinary Health
22 Certificate and Shipping Permits duly issued by the BAI or its duly authorized representative. All
23 agencies/entities managing airports and seaports shall require the owners, agents or masters of
24 carriers, or vessels or other means of transport to secure and submit a copy of the clearance from
25 the Veterinary Officer/Inspector or his deputies assigned thereat as a prerequisite to issuance of
26 clearance to depart from the port. The VQO will issue Clearance for release of all incoming and
27 outgoing domestic vessels or aircraft.

28
29 **35.1. *Illegal or Unauthorized Movement*** - Shipments of animals, animal products, animal
30 by-products, animal feeds and feed ingredients, veterinary drugs/products, veterinary biologicals,
31 veterinary cosmetics and veterinary devices which are found to be in violation of this Act and its
32 implementing rules and regulations, or orders of the BAI Director or his duly authorized
33 representative shall be confiscated and disposed of in the manner prescribed by the BAI

34 **35.2. *Registration of Commercial Livestock Traders and Shippers*** - All commercial
35 livestock traders and shippers or handlers who are engaged in the inter-provincial, inter-regional
36 and inter-island shipment and transportation of livestock shall register with the BAI in order to
37 maintain disease free areas and achieve safe, clean and orderly handling of commodities through
38 the various stages of marketing and distribution.

39 **Section 36. *Quarantine Protocols***- The BAI shall establish and implement protocols for
40 the following : Prescribing Standard Operating Procedures for Veterinary Quarantine Services;
41 Declaration of Affected Areas; Premises or Zones under Quarantine; Movement in Infected Areas;
42 Lifting of Order of Quarantine; Duty of Owner or Holder; Controlled Shipments; Depopulation
43 Order; Destruction Order; Cleaning and Disinfection (CDO) Order; Disease-Free Areas; and
44 Disposal of Food and Garbage From Vessels or Planes.

SECTION 37. *Expenses of Quarantine and Authority to Dispose*—The owner, consignee or possessor of the imported animals placed under the 30-day quarantine shall shoulder all quarantine-related costs such as testing of animals, and shall reimburse the BAI for other incidental expenses incurred during the quarantine period of such animals. In case of failure to do so after a Notice of Release of Quarantine has been issued and duly served, the BAI is authorized, after due notice to the owner, consignee or possessor concerned, to auction off the animals to recover expenses incurred.

SECTION 38. Non-Liability Clause - All charges for insurance, storage, demurrage, cartage, labor and other incidental expenses relative to the inspection, disinfection and disposition, and other post border requirements shall be paid by the importer, exporter, shipper or consignee, as the case may be.

SECTION 39. *The Veterinary Quarantine Officer (VQO)* - The VQO or any other authorized personnel of the Veterinary Quarantine Service shall not be held liable for damages to the live animals, meat products, commodities or any other damages in the course of implementation of the provisions of this Act, as well as its implementing rules and regulations except in cases of gross negligence of duty.

SECTION 40. Role of the Bureau of Customs (BOC), Philippine Ports Authority (PPA), Civil Aviation Authority of the Philippines (CAAP) & Other Ports - The BOC, PPA, CAAP and other seaport and airport authorities shall coordinate and cooperate with the Veterinary Quarantine Service in the enforcement of this act and its implementing rules and regulations, to ensure safe shipping and transportation, or shipment and transport of animals, animal products, animal by-products, animal effects, animal feeds, and veterinary drugs/products and veterinary biologics.

The CAAP and other airport authorities shall provide, free of charge, appropriate facilities and adequate space for Veterinary Quarantine Offices in all airports in the country. The PPA and other seaport authorities shall likewise provide, free of charge, sufficient space for the Veterinary Quarantine Stations or Offices within all port premises.

Chapter IX

DISEASE COMPENSATION AND ERADICATION TRUST FUND

SECTION 41. *Creation of a Disease Compensation and Eradication Trust Fund*– A Disease Compensation and Eradication Trust Fund is hereby established and the initial amount or seed fund of One Billion Pesos (P 1,000,000,000.00) is hereby appropriated for the purpose. Thereafter, the Fund shall be included in the annual General Appropriations Act in such amounts as may be warranted by existing needs and requirements. The Fund shall be held in a special trust account by the Bureau of Treasury to be released to the BAI in accordance with existing rules and regulations. The Fund shall not be reduced below One Billion Pesos (1,000,000,000.00) annually and any unobligated amount remaining after a fiscal year shall not revert to the General Fund.

SECTION 42. *Fund Utilization* - The Fund shall be applied for the payment of compensation to the owner of animals under conditions prescribed by the BAI. It shall also be utilized for the payment of expenses for activities directly connected with controlling, eradicating and preventing the spread of any animal disease that is notifiable, emerging or re-emerging, exotic and zoonotic, including administrative expenses.

SECTION 43. Coverage of Compensation- Only those owners of animals that were stamped out pursuant to the Depopulation Order issued by the Director, as recommended by NVAC and as approved by the Secretary of Agriculture, to prevent further spread of the disease should be indemnified. Owners of dead animals due to notifiable and emerging or re-emerging, exotic and zoonotic diseases are not compensable.

SECTION 44. *Compensable Amount* -The amount of compensation shall not exceed sixty per cent (60%) of the market value of the animals that are ordered depopulated on account of disease.

SECTION 45. Issuance of Compensation Guidelines – Guidelines for the payment of compensation shall be prescribed by the BAI in consultation with stakeholders.

Chapter X

VETERINARY DIAGNOSTIC AND ANALYTICAL LABORATORIES

SECTION 46. Accreditation – The BAI shall be responsible for regulating both government and private veterinary testing laboratories. Only results from duly accredited veterinary diagnosis and analytical testing laboratory facilities shall be recognized for purposes of diagnosis, analysis and other laboratory services. The BAI shall develop guidelines and standards in the accreditation of various veterinary laboratory facilities and adopt quality systems towards international certification.

Section 47. National Veterinary Laboratory System- A National Veterinary Laboratory System that includes among others, diagnostic, analytical and chemical laboratories both public and private, shall be established to meet all the needs of the Veterinary Services for a sustainable, effective, safe and efficient implementation of the provisions of this Act. The laboratory system shall include modern infrastructure, equipment, maintenance and personnel. It shall be regularly reviewed, audited and updated through national, regional or international proficiency testing and competency assessment programs. It shall be responsible for gaining access to international reference laboratories or OIE reference laboratories to obtain further confirmatory tests.analysis.

SECTION 48. *Biosafety and Biosecurity* – Standards and guidelines for laboratory biosafety and biosecurity shall be established and complied with by veterinary and feed analysis laboratories based on national and international recommendations.

SECTION 49. *Reference Diagnostic Laboratory* - The BAI laboratory shall serve as the national reference laboratory for animal disease diagnosis and analysis. The laboratories shall be encouraged to join international competency assessment to maintain its capacity as a reference laboratory.

Chapter XI

ANIMAL FEEDS AND VETERINARY DRUGS AND PRODUCTS

SECTION 50. Controlling Authority— To protect animal and public health in the country, the BAI is the national controlling authority for veterinary biological products, veterinary drugs/products, veterinary devices, veterinary cosmetics, mixed animal feeds, feed ingredients, feed supplements, feed additives, concentrates, base feeds, base mixes, specialty feeds, special feed nutrient preparations, other feed products and their establishments. The BAI shall prescribe

1 the necessary rules and regulations on the manufacture, production, importation, exportation,
2 distribution, handling, storage, sale and use thereof.

3 **SECTION 51. *Licensing of animal feeds, veterinary drugs and products, and biologics***
4 ***establishments*** - Any entity desiring to engage in the manufacture, production, importation,
5 exportation, repacking, distribution and sale of veterinary biological products, veterinary drugs
6 and products, veterinary devices, veterinary cosmetics, mixed animal feeds, feed ingredients, feed
7 supplements, feed additives, concentrates, base feeds, base mixes, special feeds, special feed
8 nutrient preparations, and other feed products shall secure a license to operate from the BAI.

9 **SECTION 52. *Registration of Products*** - Each type, brand or kind of veterinary
10 biological product, veterinary drug and product, veterinary device, veterinary cosmetics,
11 veterinary cosmetics, mixed animal feed, feed ingredient, feed supplement, feed additive,
12 concentrate, base feed, base mix, specialty feed, specialty feed nutrient preparation, and other feed
13 product, manufactured, imported, distributed, exported or offered for sale shall first be registered
14 with the BAI.

15
16 **SECTION 53. *Importation of Animal Feeds, Veterinary Biological products, Veterinary***
17 ***Drugs and Related Products*** - Importation of veterinary biological products, veterinary drugs and
18 products, veterinary devices, veterinary cosmetics, mixed animal feeds, feed ingredients, feed
19 supplements, feed additives, concentrates, base feeds, base mixes, specialty feeds, special feed
20 nutrient preparations, other feed products without valid SPS and permits duly issued by the BAI
21 shall not be allowed entry. All in-transit shipments at the time of the occurrence of a foreign
22 disease or contagion shall be subjected to strict quarantine and laboratory testing, or automatically
23 denied entry and/or confiscation and disposal, as the BAI may determine, in the overriding
24 interests of protecting the animal and public health of the country.

25
26 **SECTION 54. *Temporary Revocation and Suspension of License or Permit, and***
27 ***Stoppage of Production*** - Failure of any grantee of a license and permit to comply with any of
28 the provisions of this Act and its implementing rules and regulations shall be sufficient ground for
29 the temporary suspension or revocation of the license or permit issued, stoppage of production and
30 marketing of products, and the issuance of recall orders for products without prejudice to the
31 immediate conduct of formal proceedings against the grantee or licensee.

32 33 34 Chapter XII

35 CAPACITY BUILDING AND DEVELOPMENT

36 **SECTION 55. *Capacity Building*** - The BAI and ATI shall design an appropriate capacity
37 building program that follows the Day One and advanced competencies prescribed by OIE. The
38 program shall be implemented across national and local government units to address needs and
39 issues on animal health. The academe and the private sector shall be encouraged to adopt and
40 implement the program.

41 **SECTION 56. *Capacity development*** - The government shall ensure that necessary tools
42 to implement animal health programs and address animal health challenges are developed and
43 applied. These may include, but not limited to, use of epidemiology assessment tools, laboratory
44 assessment tools and diagnostic kits, data management and analysis.

45 46 47 Chapter XIII

INSTITUTIONAL COLLABORATION

SECTION 57. *Participation in International Meetings and Workshops on Animal Health* - The veterinary services at central and local unit levels shall ensure that veterinary staff attend relevant international and national forums, conferences and workshops on animal health to keep abreast with current developments on animal health.

SECTION 58. *Collaboration with Partners to Strengthen Animal Health Capacity* - The veterinary services at the central and local levels shall ensure that collaboration and cooperation with international development partners and national development partners involved in strengthening capacity on animal health are maintained and enhanced.

SECTION 59. *Compliance with International Obligations and Standards* - The designated competent authority on animal health shall be responsible for supervising the implementation of animal health and welfare measures, international veterinary certification, and complying with international implementation standards and reporting obligations.

CHAPTER XIV

PROHIBITIONS AND PENALTIES

SECTION 60. *Failure to Report Notifiable Diseases* - All animal producers, owners, operators, farm managers, farm veterinarians, and farm consultants who have sufficient knowledge of a notifiable disease and fail to report it to the LGU Veterinary Office or to the BAI or to the DA- RFO within 24 hours by the quickest means possible shall be fined for the first offense, the amount of not less than Twenty Thousand Pesos (P20,000.00) and for each succeeding offense by a fine of not less than Thirty Thousand Pesos (P30,000.00), or imprisonment for not less than Thirty (30) days but not more than six (6) months, or both at the discretion of the court.

SECTION 61. *Obstruction of Duty* - any person who disobeys, evades, obstructs or hinders the BAI Director or any of the BAI enforcement officers or deputized officers to perform their duty shall, upon conviction, be penalized with a fine of Twenty Thousand Pesos (P20,000.00). A repetition of the same offense shall be penalized with a fine of not less than Fifty Thousand Pesos (P50,000.00) or imprisonment of not less than six (6) months but not more than one (1) year, or both at the discretion of the court, and cancellation of the registration, permit or license of such person, farm or establishment owner, transport operator, whichever is applicable.

SECTION 62. *False Statement* - A person who knowingly makes any false declaration or misleading statement in his application for a license, certificate of product registration or permit shall, upon conviction, be penalized with a fine of not less than Fifty Thousand Pesos (P50,000.00) or imprisonment of not less than one (1) month but not more than six (6) months, or both at the discretion of the court.

SECTION 63. *Non-registration of Transport Facilities and Equipments* - Failure of the owner to register vessels, vehicles, and equipment related to transport of animals, animal products and by-products, animal feeds and feedstuffs, veterinary drugs/products, veterinary biological products, veterinary devices and other products shall, upon conviction, be penalized with a fine of not less than Twenty Thousand Pesos (P20,000.00) or imprisonment of not less than thirty (30) days but not more than sixty (60) days, or both, at the discretion of the court.

SECTION 64. *Non-observance of Prescribed Procedures* - Any person or establishment operator which (a) during the course of regular operation fails to observe BAI prescribed procedures, or (b) during seizure, detention or quarantine fails to seek clearance from BAI on the

1 handling, disposal, or destruction and removal of live or dead animals, animal products, animal
2 by-products, animal effects, veterinary biological products, veterinary drugs and products and
3 veterinary devices, animal feeds and feed ingredients, shall, upon conviction, be penalized by a
4 fine of not less than Fifty Thousand pesos (P50,000.00) or imprisonment of not less than thirty
5 (30) days but not more than sixty (60) days, or both at the discretion of the court.

6 **SECTION 65. *Unauthorized Operation and Use of Registration Number*** - Establishment
7 operators and owners found without a valid license to operate from BAI or unlawfully using the
8 registration number of another establishment shall, upon conviction, be penalized with a fine of
9 not less than One Hundred Thousand Pesos (P100,000.00) or imprisonment of not less than thirty
10 (30) Days but not more than one (1) year, or both, at the discretion of the court.

11 **SECTION 66. *Failure to Display and Use of Fake or Expired Registration Certificate*** -
12 Establishment operators found not displaying the License to Operate or displaying fake or expired
13 licenses in the premises of their establishments shall, upon conviction, be penalized by a fine of
14 not less than Twenty Thousand Pesos (P20,000.00) for the First Offense and closure of said
15 establishments for the second offense.

16 **SECTION 67. *Illegal Manufacture and Marketing of Animal Feeds, Veterinary***
17 ***Drugs/Products and Veterinary Biological Products*** - Any person or establishment operator
18 engaged in the manufacture, trade, importation, distribution, use or sale of banned, substandard,
19 tampered, adulterated, deficient, unlabeled or mislabeled, unbranded or misbranded, expired,
20 repacked, unregistered or damaged through improper handling of veterinary biological products,
21 veterinary drugs/products, veterinary devices, mixed animal feeds, feed ingredients, feed
22 supplements, feed additives, premixes, base feeds, base mixes, concentrates, specialty feeds,
23 special feed nutrient preparations and other feed products, in any form shall, upon conviction, be
24 penalized by a fine of not less than One Hundred Thousand Pesos (P100,000.00) but not more than
25 Five Hundred Thousand Pesos (P500,000.00) or imprisonment for not less than thirty (30) days
26 but not more than one (1) year or both, at the discretion of the court.

27 **SECTION 68. *Illegal Acts on Labeling of Fake and Adulterated Veterinary Drugs and***
28 ***Products and Veterinary Biological Products*** - Any person or establishment operator found guilty
29 of tampering, altering, mutilating, destroying, obliterating or removing the whole or any part of
30 the labeling material packages and tags or labels of; or using fake or adulterated veterinary
31 biological products, veterinary drugs/products and veterinary devices, mixed animal feeds, feed
32 ingredients, feed supplements, feed additives, base feeds, base mixes, concentrates, specialty
33 feeds, special feed nutrient preparations and other feed products, in any form, shall, upon
34 conviction be penalized with a fine of not less than One Hundred Thousand Pesos (P100,000.00)
35 but not more than One Million Pesos (P1,000,000.00) or imprisonment of not less than sixty (60)
36 days but not more than one (1) year or both, at the discretion of the court.

37 **SECTION 69. *Illegal Use and Sale of Veterinary and Human Drugs*** - Any person found
38 to be using and selling unauthorized veterinary or human drugs for animals raised for human
39 consumption shall upon conviction, be penalized with a fine of not less than Twenty Five
40 Thousand Pesos (P25,000.00) but not more than One Hundred Thousand Pesos (P100,000.00) or
41 imprisonment of not less than thirty (30) days but not more than one (1) year, or both, at the
42 discretion of the court.

43 **SECTION 70. *Refusal to Vaccinate Animals*** - Refusal of an owner or caretaker to have
44 his animals vaccinated against diseases covered by mandatory vaccination shall, upon conviction,
45 be penalized with a fine of not less than Ten Thousand Pesos (P10,000.00) or imprisonment for
46 not less than ten (10) Days but not more than thirty (30) days, or both, at the discretion of the
47 court.

SECTION 71. Other Violations of this Act - Any person, officer of a corporation, association, organization or establishment found to be in violation of any of the provisions of this Act that are not covered by the foregoing provisions, or rules and regulations issued therewith, shall, upon conviction, be penalized with a fine of not less than Twenty Thousand (20, 000) Pesos but not more than One Hundred Thousand (P100,000) Pesos or imprisonment for not less than thirty (30) days but not more than one (1) Year, or both, at the discretion of the court.

SECTION 72. *Exceptions* -Nothing in this Chapter shall be construed as requiring the Director to certify for prosecution any first violation of this Act whenever sufficient compliance and public interest, with no damage caused to the public or any individual, will be adequately served by a suitable written notice of violation and warning duly endorsed by the appropriate Hearing Committee described under Chapter XV hereof, and recommended by the Director to the Secretary of Agriculture for approval.

SECTION 73. *Repeated Violations* – Any person found to have committed a second violation of the same offense shall suffer the penalty of fine and imprisonment prescribed for said offense.

Chapter XV

REVOCATION AND SUSPENSION PROCEEDINGS

SECTION 74. *Institution of Complaint* - The Director or upon the instance of any interested party may file a complaint before the hearing committee for the formal suspension or revocation of the license or permit duly issued by the BAI for violation of the terms and conditions thereof, or any provisions of the rules and regulations applicable thereto.

SECTION 75. *Hearing Committee* - A hearing committee is hereby created to hear any complaint filed under the preceding section. It shall be composed of at least three (3) members. The Assistant Director and two (2) Division Chiefs or other BAI Officers as may be designated by the Director, as members thereof.

SECTION 76. Powers and Functions – The Hearing Committee shall have the following powers and functions:

1. To conduct formal investigation and hearings on the cases before it and make recommendations for appropriate actions thereon for approval of the Director;

2. To administer oaths, issue summons and subpoenas requiring the attendance and testimony of witnesses or the production of such books, papers, contracts, records, statement of accounts, agreements, and other documents as may be material to a just determination of the matter under investigation, and to testify in any investigation or hearing conducted in pursuance to this Act.

3. To hold any person in contempt, directly or indirectly, and impose appropriate penalties therefore ranging from One Thousand Pesos (P1,000.00) to Ten Thousand Pesos (P10,000.00).

4. To enjoin any or all acts involving or arising from any case pending before it which, if not restrained forthwith, may cause grave or irreparable damage to any party or the government;

5. The Committee shall use every and all reasonable means to ascertain the facts, issues and applicable laws, rules and jurisprudence in each case speedily and objectively and without regard to technicalities of law or procedure, all in the interest of due process.

In any proceeding before the Committee, the parties may be represented by a legal counsel. The Committee report, when approved by the Director, shall be final and binding on the parties

1 after the lapse of fifteen (15) days from its date of receipt by said parties. Subject to execution
2 pending appeal, any aggrieved party may appeal to the Secretary of Agriculture within the same
3 period.

4 5 Chapter XVI

6 GENERAL PROVISIONS

7 **SECTION 77. Confidentiality of Technical Information** - The BAI shall undertake such
8 measures as may be necessary to protect trade, industrial and policy data of industry stakeholders
9 acquired or gathered during the course of official business when disclosure of such information
10 will prejudice the competitiveness or operational viability of concerned persons or entities.

11 **SECTION 78. Non-Liability Clause.** All implementors of this Act shall not be held liable
12 for any damages and losses incurred by any individual or entity arising from the lawful
13 performance of their duties and functions under this Act.

14 **SECTION 79. Regulatory Fees and Retention of Income**

- 15 1. The BAI shall have the authority to impose charges and fees for the services rendered
16 subject to the approval of the Secretary of Agriculture which are payable to the BAI.
- 17 2. All income of the BAI collected relative to the enforcement of regulatory and
18 laboratory activities as mandated by this act shall be deposited in an authorized
19 government depository bank as a special account called Animal Health Protection
20 Fund. Any interest earned by such fund shall form part of the retained income. Such
21 fund shall be used primarily for but not limited to the acquisition and expansion of
22 office and laboratory space, human resource development and expansion, animal health
23 research, purchase of laboratory equipment and motor vehicles, the upgrading of its
24 current facilities and equipment, and maintenance, other operating expenses of the
25 central and regional laboratories, and other activities, services of the agency in the
26 performance of its mandate and support enforcement and monitoring activities subject
27 to the approval of the Secretary of the DA.
- 28 3. The special regulatory fund shall be allowed to accept grants, donations and other
29 endowments from local and external sources in accordance with pertinent laws, rules
30 and regulations.
- 31 4. Any contribution, donation, bequest, subsidy or financial aid which may be made to
32 the BAI for the implementation of this Act shall constitute as an allowable deduction
33 from the taxable income of the donor/giver and shall be exempted from donor's tax.
- 34 5. The retention, use and application of this fund shall not be delayed, amended, altered,
35 or modified, or affected in any way by an order or directive from any executive office,
36 but will be subject to the general accounting rules and guidelines of the Commission
37 on Audit (COA). The primary purpose of the fund as herein stated shall prevail over
38 any other purpose that may be pursued by BAI on its own initiative or through an order
39 or directive by any higher office. The BAI shall submit annually to the Secretaries of
40 Agriculture and Budget & Management a report on how funds were utilized including
41 its accomplishments.
- 42 6. There shall also be established a legal fund, insuch amountas may be approved by the
43 Secretary of the DA, out of the interest earned from the retained income for use in case

1 of legal actions against the officials, employees of the BAI in the course of the exercise
2 of their official functions and duties.

3 **SECTION 80. *Foreign and Local Grants and Aids*** – The BAI, in itself, or in
4 collaboration with other agencies shall receive grants and other funds for its research activities
5 and various programs.

6 **SECTION 81. *Veterinary Education*** – The BAI in coordination with the Commission on
7 Higher Education (CHED) and PVMA shall regularly provide recommendations to make the
8 veterinary medical curriculum responsive to the animal health and veterinary services needs and
9 of the country.

11 Chapter XVII

12 TRANSITORY PROVISIONS

13 **SECTION 82. *Implementing Rules and Regulations*** – The BAI shall formulate and
14 recommend to the Secretary of Agriculture the necessary rules and regulations for the full
15 implementation of this Act, provided, that the implementing rules and regulations shall be
16 submitted to both Houses of Congress for information and guidance. Such rules and regulations
17 shall take effect upon publication in 2 newspapers of general circulation and submission of three
18 (3) certified copies thereof to the National Administrative Register of the UP Law Center.

19 **SECTION 83. *Modification Plan***.The BAI shall formulate the guidelines and
20 organizational modification plan for the strengthening of BAI to implement the provisions of this
21 Act subject to the approval of the Secretary of Agriculture.

22 **SECTION 84. *Creation and Reclassification of Positions*** – The BAI is hereby authorized
23 to create, upgrade, collapse or reclassify existing positions to veterinary and related positions
24 necessary to effectively implement the provisions of this Act.

26 Chapter XVIII

27 FINAL PROVISIONS

28 **SECTION 85. *Appropriations*** – The appropriations for the BAI included in the budget of
29 the Department of Agriculture under the current General Appropriations Act shall be used to
30 effectively carry out the implementation of this Act. The appropriation may be augmented by the
31 income which the agency is authorized to use under this Act. Thereafter, such sums as may be
32 necessary for its continued implementation shall be included in the annual General Appropriations
33 Act.

34 **SECTION 86. *Mandatory Review*** - The Congress of the Philippines shall undertake a
35 mandatory review of this Act at least once every five (5) years or as often as it may deem
36 necessary, to ensure that animal health and veterinary service policies and guidelines remain
37 responsive to changing circumstances.

38 **SECTION 87. *Repealing Clause*** - Any provision of law or regulation inconsistent with
39 this Act shall be considered modified or repealed accordingly. However, the provisions of Act No.
40 3639, Republic Act No. 8435, as amended, otherwise known as the "Agricultural Fisheries
41 Modernization Act", Executive Order No. 292, otherwise known as the "Administrative Code of
42 1987", Republic Act No. 1556, as amended by Presidential Decree No. 7, otherwise known as the
43 "Livestock and Poultry Feeds Act", Act No. 3101, Republic Act No. 1071, Republic Act No. 1578,

1 otherwise known as the "Livestock Promotion Fund", Batas Pambansa Blg. 97, Republic Act No.
2 8485, otherwise known as the "Animal Welfare Act of 1998", Republic Act No. 10631, otherwise
3 known as the "Anti-Rabies Act of 2007", and such other laws which are not inconsistent with this
4 Act shall remain valid and in full force and effect.

5 **SECTION 88. *Separability Clause*** - If any portion or provision of this Act is declared
6 unconstitutional or invalid, the other portions or provisions hereof, which are not affected thereby,
7 shall continue to be in full force and effect.

8 **SECTION 89. *Effectivity***- This Act shall take effect fifteen (15) days after its publication
9 in the Official Gazette or in two (2) newspaper of general circulation.
10

11 APPROVED,