

Republic of the Philippines  
Department of Agriculture and Natural Resources  
BUREAU OF PLANT INDUSTRY  
M a n i l a

ADMINISTRATIVE ORDER NO. 12 )  
SERIES OF 1949 (Revised) )

October 7, 1958

SUBJECT: Regulating the Importation of cacao plants and parts thereof, such as fresh cacao beans, pods or budsticks, etc., particularly of the Forastero and Trinitario types of cacao including their hybrids from West Africa, Colombia, Ceylon, etc. in order to prevent the introduction into the Philippines of cacao diseases and pests known as the Swollen Shoot Virus, Witches Broom (Marasmius perniciosus), virus diseases, etc. except for certain purposes and under certain conditions; and prohibiting the movement of said types of cacao from Luzon to the Visayan Islands and Mindanao.

WHEREAS, there is known to exist in West Africa, Ceylon, Colombia, etc., certain diseases known as the Swollen Shoot Virus, Witches Broom (Marasmius perniciosus), virus diseases, etc. which attack the cacao plant;

WHEREAS, these diseases do not yet exist in this country; and

WHEREAS, if these diseases were introduced into this country, it would be a menace to our cacao growing industry.

NOW, THEREOFRE, under authority conferred upon me by Section 1757 of Act No. 2711, known as the Administrative Code and Sections 1, 7, 10 and 11 of Act No. 3027 of the Philippine Legislature, entitled "An Act to Protect the Agricultural Industries of the Philippine Islands from Injurious Pests and Diseases Existing in Foreign Countries, etc.", the following regulations are hereby promulgated to govern and regulate the importation, bringing or introduction of cacao plants and parts thereof, such as fresh cacao beans, pods, budsticks and other parts of the cacao plant capable of propagation or of carrying said disease into the Philippine Islands from the above-mentioned places and the movement in the Philippines of the Forastero and Trinitario types of cacao and their hybrids.

SECTION 1. The importation of Forastero and Trinitario types of cacao, including their hybrids for planting or propagation purposes from any foreign country is hereby prohibited, with the exception of those covered by a permit previously issued by the Director of Plant Industry.

SEC. 2. The importation of cacao plants or parts thereof such as fresh cacao beans, pods, seedlings, budsticks and other parts of the Criollo type of cacao plant capable of propagation and of carrying the said disease from West Africa, Ceylon, Colombia, etc. is hereby prohibited: Provided, however, That the importation through the Port of Manila of small quantities of cacao pods, fresh cacao beans, seedlings or budsticks of the Criollo type may be permitted in order to secure better varieties, new propagating stock, or specimens of experimental purposes,



in accordance with Section 2 of Administrative Order No. 2, revised, series of 1954, of this Bureau. Such importation must be made through the Director of Plant Industry subject to the provisions of said Administrative Order No. 2 and to the conditions that the imported stock must be held in quarantine in an isolation station until it is evident that no plant diseases or injurious insects are present on such plants or plant materials.

SEC. 3. The importation of dried cacao beans not capable of propagation for private or commercial purposes from West Africa, Ceylon, Colombia, etc. or any other foreign countries will be permitted provided the shipment is covered by a permit issued by the Director of Plant Industry and accompanied by a certificate of inspection issued by the proper authorities in the countries or places of origin to the effect that the shipments are free from injurious insects and/or plant diseases.

SEC. 4. Cacao plants, seedlings, cuttings or budsticks or pods or fresh seeds of said plant imported in contravention of the provisions of this Order shall be seized by the Director of Plant Industry or by his duly authorized representatives and shall be either immediately returned to the country or place of origin, or completely destroyed, or treated, according to the decision which the Director of Plant Industry may make in the premises; Provided, That the cost of the return, or the destruction or treatment of the said plant materials shall be borne by the importer.

SEC. 5. The movement of plant materials of the Forastero and Trinitario types of cacao including their hybrids from any part of the Philippines, particularly from the Luzon group where the cacao pod borer, black rot of cacao pods, etc. are present, to the Visayan Islands and Mindanao, is likewise hereby prohibited.

SEC. 6. Any unauthorized importation from abroad or shipment of Trinitario and Forastero types of cacao and their hybrids from any province in Luzon and other Islands belonging to the Luzon group to the Visayan Islands and Mindanao shall be seized by the Director of Plant Industry or his authorized representatives for destruction or returned to its sender at the expense of the parties concerned.

SEC. 7. Any person, firm, association or corporation, who shall violate or contravene any of the provisions of this Administrative Order shall be liable to prosecution, and upon conviction shall suffer the penalty provided in Section 13 of Act No. 3027, which is a fine not exceeding one thousand pesos (P1,000.00) or imprisonment not exceeding six months, or both, such fine and imprisonment, in the discretion of the court.

SEC. 8. This Administrative Order shall take effect upon the date of approval of the Secretary of Agriculture and Natural Resources.