



Republic of the Philippines
Department of Agriculture
Office of the Secretary
Elliptical Road, Diliman
1101 Quezon City Philippines

14 January 2002

Administrative Order No. 5
Series of 2002

Subject: Revised Rules and Regulation on the Control and Eradication of Foot-and-Mouth Disease (FMD)

WHEREAS, reports gathered by the Department of Agriculture have shown that Foot and Mouth Disease (FMD) continue to occur in most provinces of Luzon;

WHEREAS, the whole island of Mindanao has been free of FMD for the past 20 years, and has been declared as FMD free zone locally on 29 March 1993 by virtue of Administrative Order No. 8 signed by Secretary Roberto S. Sebastian;

WHEREAS, Regions VI and VII were declared FMD free in 1996 by virtue of Memorandum Circular No. 5 issued by Secretary Salvador H. Escudero III on 16 June 1997;

WHEREAS, Luzon was declared an FMD calamity area last 15 June 1995 by virtue of Executive Order #251;

WHEREAS, there is a danger of spreading FMD by transporting from FMD affected provinces into non-affected provinces of the country any of the following: 1) FMD susceptible animals, their unprocessed semen and embryo/ova; 2) their fresh, frozen, or chilled meat sourced locally; uncooked meat products and by-products; unprocessed and semi-processed milk source locally; and semi processed meat products and by-products; 3) FMD vaccines; 4) dung of chicken, pig and other ruminants; and 5) animal effects or hay, straw, forage or similar materials used as feeds and bedding materials of FMD susceptible animals;

WHEREAS, FMD outbreaks in Iloilo last September 1999 proved that there is a threat spreading the disease to the rest of the Visayas and Mindanao;

WHEREAS, Mindanao was recognized as an FMD free zone without vaccination by OIE last 30 May 2001;

WHEREAS, there is a need to maintain the OIE recognition of Mindanao as an FMD free zone;

NOW THEREFORE, I, Leonardo Q. Montemayor, Secretary of Agriculture, pursuant to Section 3, Chapter 1, Title IV, Book IV of Executive Order No. 292, and the provisions of Administrative Order No. 9, Series of 1993 implementing RA 7394 otherwise known as **Consumer Act of the Philippines**; and the provisions of R.A. 8485 otherwise known as **The Animal Welfare Act of 1998** do hereby issue this order;

Section 1: Definition of Terms:

- a. **FMD Susceptible Animals** – refers to hogs, cattle, carabao, sheep and goat and other cloven footed animals
- b. **Meat** – all edible parts of an animal
- c. **Fresh Meat** – meat that has not been treated in any way other than by modified atmosphere packaging or vacuum packaging to ensure its preservation. This includes frozen meat, chilled meat, minced meat and mechanically recovered meat.
- d. **Meat Product** – meat that has been subjected to a treatment irreversibly modifying its organoleptic and physicochemical characteristics
- e. **Fully Processed Meat Products** – refer to meat products which have been subjected to such treatment that will ensure the destruction of the FMD virus according to the following procedures and that necessary precautions were taken after processing to avoid contact of the meat with any potential source of FMD virus
 - e.1. **Canning** - This involves heating the meat placed in a hermetically sealed container to an internal core temperature of at least seventy degrees Celsius (70°C) for a minimum of thirty (30) minutes, or any equivalent treatment, which has been demonstrated to inactivate the FMD virus.
 - e.2. **Thorough Cooking** - This involves heating deboned and defatted meat to an internal temperature of at least seventy (70) degrees Celsius (70°C) for a minimum of thirty (30) minutes.
 - e.3. **Drying after Salting** – This involves thorough soaking of deboned meat – when **rigor mortis** is complete – in brine or table salt (NaCl) solution, at a ration of 2.25 parts brine to one part meat, and then drying the salted meat at ambient temperature.
- f. **Semi-Processed Meat products** – are those that have not been subjected to any of the three treatments enumerated above.
- g. **Animal By-products** – refer to hides, horns, skin, bones, hooves and other parts or products of pig, cattle, carabao, goat and sheep that are unsuitable for human consumption.
- h. **Fully Processed Animal Products** are those that were subjected to any of the treatments enumerated in paragraph e.
- i. **Animal effects** refer to any hay, forage or similar materials used as blankets and the like for FMD susceptible animals.
- j. **FMD outbreak** refers to one or more reported clinical cases of FMD infection among animals that occurred in a specific date and location (backyard or commercial farm, slaughterhouse or auction market). FMD cases that were detected within two (2) weeks after the initial case are also considered part of the same reported outbreak.

- k. **Controlled Area** is a province where there has been no FMD outbreak for the past six (6) months and where vaccination may be continuing or has ceased.
- j. **Free Area** is a province where there has been no FMD outbreak for the past two (2) years and that no vaccination has been done for the last twelve (12) months.
- k. **Illegal/Unauthorized Shipments** refer to modes of transporting animal and meat products prohibited under this Order and those not covered by any written authority or permit from the Bureau of Animal Industry (BAI) or its duly authorized representative.

Section 2. Declaration of Existence of Foot and Mouth Disease

Foot and Mouth Disease (FMD), is prevalent in mainland Luzon.

The BAI Director, upon the recommendation of concerned animal health authorities of said office, shall declare an area or province "FMD affected" and remain as such until the BAI declares it as a "controlled or free area." The declaration of any area as either FMD affected, controlled or free area shall be subject to the guidelines set by concerned BAI animal health authorities.

Section 3. General Requirements for Movement of FMD Susceptible Animals, Their Meat, Meat Products, and By-Products

All shipments from one province to another of any of the following possible sources of FMD virus or contamination shall require a written authority or permit from the BAI Director or his duly authorized representative:

- 1) FMD susceptible animals, their unprocessed semen and embryo/ova
- 2) Their fresh, frozen, or chilled meat sourced locally; uncooked meat products and by-products; unprocessed and semi-processed milk sourced locally; and semi-processed meat products and by-products;
- 3) FMD vaccines;
- 4) Dung of chicken, pig and ruminants; and
- 5) Animal effects or any hay, straw, forage or similar material used as feeds and bedding materials of FMD susceptible animals.

In case of meat and meat products, a Certificate of Inspection from the National Meat Inspection Commission (NMIC) is required before a written authority/permit can be issued by the Director of the Bureau of Animal Industry or his duly authorized representative.

Section 4. Shipment Prohibition from Luzon

Shipment of any of the possible sources of FMD virus and contamination as enumerated in Section 3 (nos. 1-5) is not allowed from Luzon to Masbate, Palawan, the Visayas and Mindanao.

Section 5. Shipment Restriction in Luzon

Shipment of any of the possible sources of FMD virus and contamination as enumerated in Section 3 (nos. 1 to 5) is allowed within Luzon, subject to a written authority or permit of the BAI Director or his duly authorized representative and the conditions contained therein.

Shipment of any of the two possible sources of FMD virus and contamination as enumerated in Section 3 (nos. 1 and 2) is allowed from Masbate and Palawan to the Visayas and Mindanao, subject to the provisions of Section 3. In addition, shipment of FMD susceptible animals to Mindanao will require a negative serum titer against FMD.

Shipment from any point in Luzon to Bicol (Region V) and Cagayan Valley (Region II) is limited to FMD susceptible breeder animals, FMD susceptible draft animals and cooked meat products only.

Shipment of the same from the other provinces in Luzon to the island province of Masbate and Palawan is not allowed.

Section 6. Shipment Restriction in Mindanao

Shipment of any of the possible sources of FMD virus and contamination as enumerated in Section 3 (nos. 1 to 5) is allowed within Mindanao.

Shipment of the same is allowed from Mindanao to the Visayas and Luzon.

Section 7. Shipment Restriction in the Visayas

Shipment of any of the two possible sources of FMD virus and contamination as enumerated in Section 3 (nos. 1 and 2) is allowed within the Visayas.

Shipment of the same is allowed from the Visayas to Luzon.

Shipment of the same is allowed from the Visayas to Mindanao. However, shipment of FMD susceptible animals will require a negative serum titer against FMD.

Section 8. Shipment of FMD Vaccines

Shipment of FMD vaccines to Visayas and Mindanao is not allowed unless it is covered by a special permit from the Bureau of Animal Industry.

Section 9. Reporting of Occurrence/Existence of FMD.

It shall be mandatory on the part of the owners/operators/managers/farm veterinarians/farm consultants of livestock farms/establishment to report immediately the occurrence/existence of FMD to any of the following offices, namely: the Provincial/Municipal/City Veterinarian or to the D.A. Regional Field Unit through the Veterinary Quarantine Service (VQS) or to the National FMD Task Force at BAI. All reports however, must be forwarded to the National FMD Task Force Office.

Section 10. Inspection of Livestock Farms and Establishments

The Director of the Bureau of Animal Industry or his duly authorized representative(s) can inspect the different livestock farms/establishments at any reasonable time of the day to monitor reported FMD occurrence. Farm owners, managers, or representatives are required to extend assistance to the FMD inspection team. They are also mandated to institute regular and sustained biosecurity measures to prevent FMD occurrence.

Provincial/Municipal/City Veterinarians may initiate the inspection of livestock farms and establishments in their area of jurisdiction and record the findings as reference in assisting the future visit of the BAI's FMD inspection team.

Section 11. Accreditation of Livestock Farms and Establishment

It is mandatory for commercial livestock farms or establishments to seek accreditation from the DA-RFU VQS and the Provincial, Municipal or City Veterinarian's Office before they are allowed to transport animals, meat and meat products.

Section 12. Loading/Unloading of FMD susceptible animals, meat, meat products and by products from/by shipping vessels, airline vessels and other common carriers as well as cargo forwarders

Shipping lines, airlines and other carriers as well as cargo forwarders, their owners, managers, employees or agents shall seek first a written authority or permit from the BAI Director or his duly authorized representative before they are allowed to load and transport any FMD susceptible animals, their meat, meat products and by-products.

Shipping lines originating from FMD affected areas and destined for the Visayas and Mindanao and other FMD free areas shall see to it that all livestock vans or crates are thoroughly cleaned and disinfected before loading. They shall also install footbaths at the foot of the stairs or gangplanks, and require all passengers to step on the footbaths as they board or disembark from the vessel.

Shipping lines docking at the ports of Visayas and Mindanao and other FMD free areas shall not source their food supply requirements – particularly meat and meat products from FMD affected areas – intended for the officers, crew and passengers. They shall also properly dispose of their garbage and swill in accordance with the recommendations of the DA- RFU VQS office in the port concerned.

All ships, airplanes, reefer vans and other transport carriers going to the Visayas, Mindanao and other FMD free areas shall be subjected to pre-departure and arrival inspections by the DA-BAI VQS officers.

In cases where the animal cargo is found positive for FMD, the vessel shall be properly disinfected under the supervision of the DA-BAI VQS. The expense for disinfection service shall be borne by the owner of the cargo. The infected animals shall be properly disposed of in accordance with Section 15.

Section 13. NMIC Certification

In addition to a shipping permit, meat and meat products bound for shipment to Mindanao and other FMD free areas must be accompanied by a Certificate of Inspection issued by the NMIC, in accordance with existing rules and regulations. The certificate must certify to the wholesomeness of the products and that these have not been exposed to or contaminated with the FMD virus.

Section 14. Transshipment of Imported Animals and Meat

Imported FMD susceptible animals destined for Visayas and Mindanao and other FMD free areas may be transshipped through Luzon or Visayas, provided they must stay only at the port during transshipment to prevent any possible spread of the FMD virus.

Imported meat and meat products destined for Mindanao may be transshipped to Visayas and kept temporarily in a storage facility duly accredited by the NMIC, and concerned DA-BAI VQS. The facility's accreditation is issued and renewed every six months.

While in storage, the imported meat should not be mixed with local meat products. If found guilty of mixing, the facility's accreditation will be subject to cancellation.

The storage facility shall be subject to inspection by the DA-BAI and/or NMIC officers at any reasonable time of the day.

Only imported meat, which passed inspection by the Veterinary Quarantine Service at the port of entry, may be shipped to Mindanao, the Visayas and other FMD free areas. Imported meat which needs further processing in Luzon before shipment to Mindanao, Visayas and other FMD free areas can only be processed in establishments duly accredited by a team from the BAI and the DA-RFU VQS of the recipient region in the Visayas or Mindanao. The firm's accreditation is renewable every six months.

Section 15. Disposition of Illegal Shipment

Illegal or unauthorized shipment of animals, meat, meat products and by products, FMD vaccines and other items shall be disposed off in accordance with the following guidelines:

- a) **Animals.** Those found infected with FMD shall be immediately condemned and disposed of by burning and/or burying in a deep pit. Those without signs of FMD but were found to have no shipment papers shall not be unloaded from the transport carrier and returned to their origin. If already unloaded, these shall be seized and returned immediately to their place of origin or source. If the owner or consignee refuses to do so, it shall be a ground for confiscation or detention of the animals at his expense.
- b) **Meat and Meat Products.** Unauthorized shipment of meat and meat products shall be seized and disposed of immediately at the point of entry as provided by NMIC rules and regulations.

- c) **FMD vaccines.** Unauthorized shipment of FMD vaccines shall be seized and turned over to the BAI for proper disposition.
- d) **Other Items** not enumerated above shall be seized and returned to their place of origin or source. If the owner or consignee refuses to do so, the seized items will be confiscated and disposed of by burning or burying in a deep pit.

Any cost or services incurred in the disposition of illegal shipments shall be paid/shouldered by the shipper/trader/person or corporations liable for such violation.

The seizure or confiscation of animals, meat, meat products and by-products and other items must be properly documented, witnessed and covered by appropriate custody or acknowledgment receipt prior to condemnation or release.

Section 16. Non-Liability Clause

All charges for storage, demurrage, cartage, labor incident to inspection, cost of disinfection and disposition or condemnation shall be paid by the shipper, trader, person or firm found liable violating any of the prohibitions of this Order.

The BAI Director or his duly authorized representative shall not be held liable for damages to the animals or products in the course of the implementation of the provisions of this order.

Section 17. Presumption of Guilt

Any person having in his possession, control or custody of FMD susceptible animals, their meat and meat products, including those regulated or prohibited under this Order, shall upon demand by competent authorities exhibit the documents prescribed in the preceding sections.

Failure to do so within the reasonable period of time shall serve as a **prima facie** evidence, and especially so if said animals, animal products and by-products in his possession are found to be affected with FMD as diagnosed by the Bureau of Animal Industry or his duly authorized representative.

Section 18. Penalty

Any violation of this Order by any person, firm, livestock trader, farm owner or master or officer of vessels, boat, airplane and other transport carriers shall upon conviction, be subject to a fine of not less than One Thousand Pesos (P1,000.00) but not more than Ten Thousand Pesos (P10,000.00) or imprisonment of not less than two(2) months but not more than one year, or both, upon the discretion of the court, pursuant to Art. 19 or RA 7934. Carrier of the illegal shipment may be impounded for a period of one (1) month at the discretion of the Court.

Any VQS officer /inspector, or officer and staff of the DA-RFU, BAI or NMIC found to be grossly negligent in the implementation of the provisions of this Order shall be held administratively liable in accordance with the Civil Service rules and regulations.

Section 19. Repealing Clause

Any provision or portion of any rules and regulations inconsistent herewith are hereby repealed or amended accordingly.

Section 20. Effectivity Clause

This Order shall take effect fifteen (15) days after publication of the same in two (2) newspapers of general circulation at least once a week for a period of not less than one (1) month, and its filing with the UP Law Center.

Approved this 12th day of February 2002 in Quezon City, Philippines.


Leonardo Q. Montemayor
Secretary

RECOMMENDING APPROVAL:


Jose Q. Molina, D.V.M., M.V.S.
Director, BAI