

Republic of the Philippines
Ministry of Agriculture
BUREAU OF PLANT INDUSTRY
Manila

BPI QUARANTINE ADMINISTRATIVE ORDER)
NO. 1 :
SERIES OF 1981)

SUBJECT: *Rules and Regulations to Implement Presidential Decree No. 1433, Entitled "PROMULGATING THE PLANT QUARANTINE LAW OF 1978, THEREBY REVISING AND CONSOLIDATING EXISTING PLANT QUARANTINE LAWS TO FURTHER IMPROVE AND STRENGTHEN THE PLANT QUARANTINE SERVICE OF THE BUREAU OF PLANT INDUSTRY."*

Pursuant to the provisions of Section 17 of Presidential Decree No. 1433, dated June 10, 1978, the Director of Plant Industry hereby promulgates the following rules and regulations for the information and guidance of all concerned.

RULE 1*

DEFINITION OF TERMS

The following terms when used in this Administrative Order shall mean as follows:

- a. "Person" – any natural or juridical person such as corporations, partnerships, societies, associations, firms, companies and other legal entities.
- b. "Director" – The Director of Plant Industry.
- c. "Plant Quarantine Officer" – any person so appointed and/or designated by the Director of Plant Industry.

*(Section 2, P.D. 1433)

- d. "Country" – any independent political unit or sovereign nation, territory, colony, and political or territorial subdivision.
- e. "Carrier" – includes every sort of craft or other artificial contrivance used, or capable of being used as a means of transportation on land, water or air.
- f. "Plants" – shall comprise living plants and parts thereof, including seeds, cuttings, rhizomes, bulbs and corms, grafts, leaves, roots, scions and others that are capable of propagation.
- g. "Plant Products" – shall mean products derived from plants, either in their natural state or in manufactured or processed form and are capable of harboring plant pests.
- h. "Potential Animal Pest" – shall comprise certain species of animals that are liable to become agricultural crop pests such as insects, monkeys, rodents, bats, finches, rabbits, snails and other forms of animal life capable of causing injury to agricultural crops.
- i. "Packing Materials" – include leaves, straw, bark and other plant materials used as wrapping, packing, or covering and are capable of harboring plant pests.
- j. "Plant Pest" – any form of plant or animal life, or any pathogenic agent, injurious or potentially injurious to plants and/or plant products.
- k. "Quarantine Orders" – shall mean those Administrative Orders promulgated and issued by the Director of Plant Industry to implement the provisions of this Decree.
- l. "Commodity Treatment" – any form of treatment applied to plants, plant products and other materials capable of harboring plant pests, for the purpose of destroying or eliminating any infection/infestation caused by plant pests.
- m. "Port of Entry" – is a port open to both foreign and domestic trade. The term includes principal ports of entry and subports of entry.
- n. "Importation" – is the act of bringing into the country foreign commodities mentioned under Sections 3 and 4 of the Decree for

planting, consumption, manufacturing, domestication or for any other purpose.

- o. "Plants/Plant Products in Transit" – shall refer to plants/plant products brought into any port in the country but are not intended for landing at the said port.
- p. "Exportation" – is the act of transporting commodities mentioned under Sections 3, 4 and 6 hereof, from a local port to a foreign port.
- q. "Phytosanitary Certification" – shall mean plant health certification.

RULE II*

IMPORTATION OF PLANTS, PLANT PRODUCTS AND OTHER MATERIALS CAPABLE OF HARBORING PLANT PESTS

SECTION 1. The importation of plants, plant products and other materials capable of harboring plant pests or which may be a source of infection/infestation or a medium for the introduction of noxious weeds are subject to certain quarantine restrictions and shall not be removed or transferred from the place of landing unless authorized by the Plant Quarantine Officer assigned at the port of entry. Such consignments shall promptly be subjected to quarantine inspection or verification to determine their phytosanitary condition.

Importations that have been verified to be free from maladies of quarantine significance shall be released to the importer or to his authorized representative upon compliance with the requirements of the Plant Quarantine Service, Bureau of Customs and Philippine Ports Authority relative to such importations and/or shipment.

Imported plants, plant products and other materials found infected/infested with plant pests shall be subjected to a prescribed commodity treatment, or destroyed or returned to the country of origin at the expense of the importer.

The discharge from the carrier or even the use therein of certain classes or genera of plants and plant products is restricted, whether visibly infested/infected or not, when information has been received that dangerous plant

* (Section 3, P.D. 1433)

pests exists in the countries of origin (including not only where the materials were produced but also where they had been transhipped or gone through) and the presence of such plant pests cannot be readily and economically determined.

SEC. 2. *Plants, Plant Products and Other Materials which a "Permit to Import" is required.* – The following materials, as a condition of their entry, must be covered by a "Permit to Import" issued by the Director of Plant Industry.

- Living plants.
- Nursery stocks, including vegetative parts thereof used as propagating materials.
- Seeds and nuts for planting.
- Fresh fruits, vegetables and other plant products which have been declared as prohibited/restricted imports under Special Quarantine Orders by virtue of their being known hosts of certain plant pests, or because they originate from restricted areas.
- Pure cultures of fungi, bacteria, virus, nematode and other phyto-pathogenic materials.
- Mushroom cultures including spawn.
- Algae cultures, rhizobial cultures as legume inoculants.
- Soil and plant material for isolation of organism.
- Other plant cultures.

The importation of the abovementioned materials may be allowed under "permit" subject to such reasonable conditions that the Director of Plant Industry may impose in the national interest.

SEC. 3. *Application for "Permit to Import".* – Any person who desires to import the materials enumerated in Section 2 hereof, shall submit an "Application for Permit to Import" (BPI "Q" Form No. 1), to the Director of Plant Industry. Upon approval by the Director of such application, a "permit to import" (BPI "Q" Form No. 2) shall be issued in quadruplicate. The original shall be given to the Permittee for presentation to the Plant

Quarantine Officer at the Port of Entry; the duplicate shall be sent to the shipper in the country of origin by the Permittee for their guidance relative to the terms and conditions imposed in the "permit"; the triplicate shall be furnished to the Collector of Customs at the Port of Entry, and the fourth copy shall be filed with the application.

PROVIDED, however, that before the issuance of the "Permit to Import", the Director of Plant Industry may require the "permittee" to file a bond in the amount equal to estimated invoice cost of the materials to be imported, but in no case shall it be less than One Hundred Pesos (P100.00) to ensure compliance with the conditions in the "permit".

SEC. 4. *Notice of Arrival and Shipment to Final Destination by the Permittee.* – Upon arrival of the materials for which a "Permit to Import" is required, the Permittee or person bringing them into the country shall immediately notify the Plant Quarantine Officer at the Port of Entry (BPI "Q" Form No. 3) stating the serial number of the "permit", name of carrier, date of arrival, the country of origin, name of shipper, name and address of the importer, the kind, character and quantity of materials imported. After the materials have been inspected and before removing them from the place of landing, the importer shall also indicate in the said BPI Form the type and route of transport, the completed name and address of the ultimate consignee and the exact location of the final place of destination.

SEC. 5 *Revocation of Permit to Import.* – Permits may be revoked and further permits refused for the importation of materials mentioned in Section 2 hereof, from any country where:

- a. inspection and certification have been found and/or verified by the Bureau of Plant Industry to be merely superficial;
- b. failure of the "Permittee" to give the "notice" required in Section 4 hereof;
- c. false "notice" has been given;
- d. shipment has been misdeclared; and
- e. violation of the plant quarantine rules and regulations and conditions imposed in the permit.

SEC. 6. *Materials for which "Permit to Import" is not required.* – The following materials may be imported or brought into the country without the necessity of "permit" subject however to plant quarantine inspection/verification and/or to a prescribed commodity treatment before being released:

a. "Plant Products" such as fruits, vegetables and stored products intended for food or animal feed purposes, or those for processing or manufacturing and when not governed by any plant quarantine restriction/prohibition.

b. Properly dried or sterilized, or poisoned botanical specimens or herbaria when free from soil, sand or earth.

c. "Plants" in crew and/or passenger hand baggage or by mail, for ten (10) pieces and when not governed by any quarantine restrictions/prohibitions.

d. Fresh flowers, bouquets, etc. when free from soil, sand or earth.

SEC. 7. *Inspection/Verification of Plants, Plant Products and Other Materials Capable of Harboring Plant Pests.* — Any "person" who desires to import or bring into the country plants and plant products either in their natural state, or in manufactured or processed form but are still capable of harboring plant pests, shall submit to the BPI-Plant Quarantine Officer at the port of entry a duly accomplished "Application for Inspection" (BPI "Q" Form No. 4). Except as otherwise provided, such importations shall be subjected to 10% – 15% random inspection.

All plants, plant products and other materials found to be substantially free from plant pests and verified to be same materials applied for shall be released to the importer or his authorized representatives, upon payment of prescribed Plant Quarantine Fees and Charges.

Importations found infested or infected by plant pests shall either be subjected to a prescribed commodity treatment or returned to the country of origin or destroyed at the Port of Entry and all fees, charges and other expenses relative to such quarantine action shall be borne by the importer.

SEC. 8. *Submission of Phytosanitary or Plant Health Certificate by the Importer.* — Importation of plants, plant products and other materials capable of harboring plant pests must be accompanied by a Phytosanitary or Health Certificate issued by the Plant Quarantine Service or its equivalent technical entity in the country of origin stating among others that the materials are free from "plant pests".

In countries where the government does not maintain Plant Quarantine and/or Phytosanitary Certification Service, the Certificate of Inspection required in this Section must be accomplished by the exporter or shipper concerned in an affidavit form duly subscribed and sworn to by him before

a person legally authorized to administer oath in the country of origin. Such documents shall contain among others, a statement to the effect that the materials shipped to the Philippines did not originate from an area where "plant pests" are prevalent; that they have not been kept or stored in places infested by injurious insects or infected by disease pathogens; and that whatever commodity treatment and/or other pre-shipment conditions required by the BPI Plant Quarantine Service had been satisfied prior to the loading of the shipment.

The presentation of the "Phytosanitary Certificate" or sworn statement by the shipper mentioned in the preceding subsection shall not preclude quarantine inspection/verification or treatment of the imported plants, plant products and other materials capable of harboring "plant pests" as provided in Section 7 hereof.

SEC. 9. *Imported Plants, Plant Products and Other Materials Capable of Harboring "Plant Pests" Arriving without the Required "Phytosanitary Certificate" or its Equivalent Documents.* — Imported "Plants, "Plant Products" and other related materials in commercial quantity arriving without the required "phytosanitary certificate" or its equivalent document mentioned in Section 8 hereof, may be subjected to 100% inspection and if deemed necessary, to "Commodity Treatment", and/or held under "post-entry quarantine observation" and/or subjected to other quarantine safeguard measures.

Imported "plants", "plant products" and other materials in passenger baggage or mail in *limited quantity* arriving without the required Phytosanitary Certificate shall be subjected to 100% inspection and to such other plant quarantine action as may be deemed necessary; provided however, that the requirement of submitting an affidavit or sworn statement promising the surrender of the Phytosanitary Certificate may be waived.

SEC. 10. *Commodity Treatment.* — For the purpose of destroying or eliminating any infection or infestation caused by plant pests in or amongst such imported plants, plant products and such other related materials which are capable of harboring such plant pests, the Plant Quarantine Officer may, as a condition of its entry and release, subject said plants, plant products and other related materials to fumigation, disinfection or other forms of commodity treatment, as is necessary. Provided, that expenses incurred on account of such treatments shall be charged to the importer thereof.

SEC. 11. *Freedom of Imported Plants, Plant Products and Other Related Materials from Soil, Sand or Earth.* — All imported plants, plant products

and other related materials, including their packing or containers must be free from soil, sand, earth and other similar materials which could harbor "plant pests". All plant roots, rhizomes, tubers, etc. must be washed thoroughly to free them from sand, soil, or earth, and must be so certified by the duly authorized officer of the country of origin. Provided, that sand, soil or earth, may be employed for the packing of bulbs, corms, etc. when they have been sterilized or rendered safe in accordance with the methods of treatment prescribed by the Bureau of Plant Industry and this fact is so certified by the authorities concerned from the country of origin.

Used vehicles, earth moving equipment as well as container vans brought into the country shall be subjected to plant quarantine inspection to determine that they are free from soils, sand or earth and those found contaminated with the abovementioned prohibited materials shall be required to be disinfected or washed and cleaned thoroughly. All expenses incurred in connection with the implementation of this requirement shall be borne by the importer or owner thereof.

SEC. 12. Approval of Packing Materials. — Packing materials employed in the importation of plants, plant products and such other restricted materials shall be inspected or verified by the Plant Quarantine Officer at the Port of Entry to ensure safety for such use. Packing materials used in any importation must not include rice straw, rice chaffs, coconut leaves, sugar cane leaves, bamboo leaves, wheat straw, grasses or weeds, and such other materials which may hereafter be declared prohibited under Special Quarantine Orders.

All prohibited packing materials associated in any importation shall be removed and destroyed under Plant Quarantine supervision and control and all incidental expenses to be incurred in such undertakings shall be borne by the importer.

For the destruction of prohibited packing materials, a fee of Ten Pesos (P10.00) for the first ten kilos or fraction thereof and twenty centavos (P0.20) for every kilo thereafter shall be imposed on the importer or owner of such importation.

SEC. 13. Post Entry Quarantine Requirements. — Imported "plants" and "plant products" may be placed under post entry quarantine observation during such period as may be determined by the Plant Quarantine Office in order to fully satisfy the requirements of being freed from exotic "plant pests" in or amongst the imported materials, which may not be detectable at the time of inspection. The Director of Plant Industry may

seek assistance, through formal agreements, from such other research institutions such as The Institute of Plant Breeding, University of the Philippines at Los Baños, International Rice Research Institute, etc. in order to fully ascertain or establish that such plants are free from exotic "plant pests".

SEC. 14. Plants, Plant Products and Other Materials Held Under Quarantine. — Any package, case, box or parcel containing plants, plant products and such other materials so marked by the Plant Quarantine Officer as being held subject to quarantine inspection and clearance (Held Under Quarantine), shall not be removed or transferred from the place of landing nor released to the importer without the written approval and the sanction of the Plant Quarantine Officer. Provided, that official covering document issued by the other Port Authorities allowing transfer of such cargoes to bonded warehouses, container yards and other places outside the Customs zone shall first be coursed to the Plant Quarantine Officer for notation and/or approval before actual transfer commences.

SEC. 15. Imported Plants, Plant Products and Other Materials Capable of Harboring "Plant Pests" Arriving through the Post Office. — The importation of plants, plant products and other related materials capable of harboring plant pests, through the mail services shall be inspected by the Plant Quarantine Officer upon notification of the presence of such materials by the Postal Service officials. Such materials shall be treated like those coming through the Customs' House. Plant Quarantine Inspection shall be made in the presence of the consignee, a Postal Official and/or Customs Officials.

RULE III*

IMPORTATION OF POTENTIAL ANIMAL PESTS

SECTION 1. The importation of certain species of animals such as insects, birds, monkeys, rodents, bats, finches, rabbits, snails and other forms of animal life that are capable of causing injury to agricultural crops or are liable to become agricultural crop pests, is hereby prohibited. Provided, however, the importation of such animal in limited quantity for a justifiable purpose may be allowed upon a written permit from the Director.

SEC. 2. Application for "Permit to Import" Potential Animal Pests. — Any person who desires to import or bring into the country live animals mentioned in Section 1 hereof must first file an application with the Director

* (Section 4, P.D. 1433)

of Plant Industry (BPI "Q" Form No. 5). Upon approval by the Director of Plant Industry, a "permit to import" (BPI "Q" Form No. 6) shall be issued in quadruplicates. The original copy shall be given to the permittee for presentation to the Plant Quarantine Officer at the designated port of entry; the duplicate shall be sent by the permittee to the shipper in the country of origin for their guidance relative to the conditions embodied in the permit; the third copy shall be sent to Collector of Customs at the port of entry by the Bureau of Plant Industry; the fourth copy shall be filed with the application; and fifth copy for the Philippine Ports Authority.

Before the issuance of the "permit to import" however, the Director, to ensure compliance with the conditions imposed therein, may require the Permittee to file a bond in the amount equal to the estimated invoice cost of the live animals proposed to be imported, but in no case shall such bond be less than One Hundred Pesos (P100.00).

SEC. 3. Notices of Arrival and Final Destination of the Imported Animals by the Importer-Permittee. — Immediately upon the arrival of the animals, the importer-permittee or the person bringing in the consignment shall formally notify the Plant Quarantine Officer at the Port of Entry upon BPI "Q" Form No. 7, indicating therein the Permit number and date of issue, the kind and quantity of the animals imported, the registered name of the carrier, the country of origin, the name and address of the consignee and the final destination.

SEC. 4. Revocation of "Permit to Import" — "Permit to Import" previously issued may be revoked and further permit refused for the importation of animals mentioned in Section 1 hereof when the permittee or the person bringing in the consignment has violated the terms and conditions embodied in the permit; or when the permittee had given false or incomplete information relative to the importation.

SEC. 5. Quarantine Inspection and/or Verification of Potential Animal Pests. — Any person who imports or brings into the country live animals shall submit a duly accomplished application for inspection of imported animals, upon BPI "Q" Form No. 8, on or before the arrival of the shipment to the Plant Quarantine Officer at the Port of Entry. All such imported animals shall be inspected/verified as to their kind and quantity and condition. Provided, further, that imported animals governed by this Rule must not be accompanied by feeds or animal effects that are infested/infected by plant pests or containing noxious weeds. In case such feeds are found to be infested/infected by "plant pests", the required quarantine action shall be administered.

SEC. 6. Potential Animal Pests Arriving Without "Permit". — The release from plant quarantine of animals falling within the purview of this Rule, arriving without "Permit" shall be withheld. For record purposes and for the imposition of certain requirements governing such importations, the importer or the person bringing in such animals shall be required to secure from the Director of Plant Industry the "permit to import" required in this Rule before the release of the "potential animal pests" from quarantine is effected. However, if the Plant Quarantine Officer believes that the entry and release of such animals might be detrimental to the best interest of Philippine agriculture, such shall be ordered destroyed or returned to the country of origin. In either case, the cost shall be borne by the importer.

It shall be unlawful for anyone in any manner or by any means to remove or carry away any imported "potential animal pests", including the animal effects and feeds from the place of landing before the same shall have been passed upon by the Plant Quarantine Service.

RULE IV*

COMMODITIES IN TRANSIT

SECTION 1. Direct Transit Cargo. — Cargoes of "plants, "plant products" and other related materials capable of harboring plant pests, as well as "potential animal pests" including the accompanying animal feedstuffs, on a *direct transit* scheme whereby the carrier laden with exports of a foreign country berths in any port of the Philippines without breaking bulk (without unloading), shall be subjected to quarantine inspection/verification for the purpose of evaluating the quarantine risk that may be associated with such in-transit cargo. If the inspection reveals positive signs of infection/infestation by "plant pests" of plant quarantine significance, proper safeguard measures shall be instituted to preclude the entry into the country of the plant pests that are present in the shipment.

SEC. 2. Indirect Transit Cargo. — In the case of cargoes of "plants, "plant products" and other related materials capable of harboring plant pests, as well as "potential animal pests", including the accompanying animal feedstuffs, on an *indirect transit* scheme, in which the goods are discharged from the carrier and which may be unpacked or repacked in the port and/or transferred to another carrier for reshipment to the country of destination or reconsigned elsewhere, the same shall be considered as an

* (Section 5, P.D. No. 1433)

importation into the Philippines and shall be subject to plant quarantine inspection and/or treatment as prescribed in Section 7 Rule II of this Administrative Order.

SEC. 3. *Issuance of Phytosanitary Certification for Re-export.* — Phytosanitary (Re-export) Certificate (BPI "Q" Form No. 9) shall be issued to cover the transit shipments mentioned in Sections 1 and 2 of Rule IV if the country of destination requires such certificate. The original phytosanitary certificate issued by the country of origin shall be used as a basis for the issuance of the said plant health certificate. The commodity treatment and other quarantine actions instituted on the transit cargo during its stay in the Philippines shall be written in the Phytosanitary (Re-export) Certificate.

SEC. 4. *Responsibility of the Owner Operator or Agent of Carriers Laden with In-Transit Cargo.* — It shall be the duty of the owner, operator or agent of carriers bringing in of laden with in-transit cargo that are subject to Plant Quarantine to notify promptly the Plant Quarantine Officer at the port of entry about the arrival and particulars of such in-transit cargo and all expenses relative to the quarantine inspection and clearance of such shipments shall be borne by the owner, operator and/or agent of the Carrier.

RULE V*

EXPORTATION OF PLANTS, PLANT PRODUCTS AND OTHER MATERIALS CAPABLE OF HARBORING PESTS

SECTION 1. The plant quarantine inspection and certification of plants, plant products and other material capable of harboring plant pests intended for exportation shall be conducted by the BPI Plant Quarantine Service whenever the Phytosanitary or Plant Health Certificate is required by the importing country or by an International Convention Agreement (Section 1, Rule III, Rules and Regulations, P.D. 930 and Section 6, P.D. 1433).

SEC. 2. *Filing of Application for Inspection.* — Exporters of plants, plant products and other materials for export shall submit a duly accomplished "Application for Inspection" upon BPI "Q" Form No. 10 to the Plant Quarantine Officer at the port of loading together with a certified true copy of the Official Export Declaration issued by the Authorized

* (Section 6, P.D. 1433).

Agent Bank, as well as other documents which the Plant Quarantine Officer may require at least forty-eight (48) hours prior to the time of loading in order to allocate ample time for the required inspection and/or the conduct of commodity treatment, as well as for the preparation of the Phytosanitary Certificate.

SEC. 3. *Inspection and Phytosanitary Certification.* — Export commodities, for which a Phytosanitary Certificate is required shall be subjected to random inspection in a place to be designated by the Plant Quarantine Officer, in order to determine their sanitary condition. Representative samples may be taken at random by the Plant Quarantine Officer for examination or for testing. Commodities that are found to be substantially free from plant pests shall be officially certified and issued the "Phytosanitary Certificate" (BPI "Q" Form No. 11). However, those manifesting the presence of plant pests shall either be subjected to a prescribed commodity treatment in order to eliminate the infection or infestation, as the case may be, or shall be returned to the exporter without certification. Under no circumstance shall a "Phytosanitary Certificate" be issued to shipments which have been found to harbor "plant pests" or which have been taken from or mixed with other materials that are diseased or infested with "plant pests." The issuance of phytosanitary certificate shall likewise be denied to exports intended to a country to which their entry is absolutely prohibited.

SEC. 4. *Approval of Packing or Filling Materials Employed in Exports.* — All packing or filling materials of plant origin or soil, and or earth employed in the exportation of plants, plant products and other related materials shall be verified by the Plant Quarantine Officer in order to evaluate their safety and acceptability for such use. The approval of the packing or filling materials associated with exports shall be based on the quarantine regulations of the importing country.

RULE VI*

AREAS DECLARED UNDER QUARANTINE

SECTION 1. *Declaration of Quarantine Area.* — The Director of Plant Industry, upon confirmation of the existence or suspected presence of dangerous "plant pest" in any place in the Philippines shall declare such localities, provinces, or island as a "quarantine area" through the promulgation of a Special Quarantine Order, containing among others, the geographical boundaries of the quarantined area, the "plant pest" under quarantine consideration, the host materials, and other pertinent information.

*(Section 8, P.D. 1433)

SEC. 2. *Notice of Declaration of Quarantine.* — Whenever a certain plant pest of quarantine significance has been verified to exist in a certain locality, the Director of Plant Industry shall send a formal notification through the Ministry of Agriculture, the Governor of the province and the Heads of other government and private agencies concerned, particularly the Regional Director of the Ministry of Agriculture in the Region declaring such locality under quarantine which notification shall include the probable hosts of the “plant pests” under quarantine consideration. Upon receipt of the notification, the Provincial Governor and/or Heads of other agencies shall immediately inform their subordinate offices of the notification from the Director of Plant Industry. The Municipal Mayor and/or the Heads of subordinate agencies/office at the Municipal level shall then issue a general written notification to the inhabitants of the locality. Copies of the general notification shall be posted in conspicuous places in the Municipality and a certified copy of the said “Notice” shall be sent to the Director of Plant Industry. The Ministry of Public Information, upon request of the Director of Plant Industry, shall assist in the dissemination of information regarding this plant quarantine action.

SEC. 3. *Duties of the Regional Director (Ministry of Agriculture).* — The moment a Municipality or portion thereof, or an area has been declared officially as a “quarantine area”, it shall be the duty and responsibility of the Regional Director (Ministry of Agriculture) in the region concerned to formulate and carry out control containment and eradication measures as are necessary to prevent the spread of such quarantinable plant pests. In formulating and carrying out such crop protection measures within the area under quarantine, the Director of Plant Industry shall provide technical supervision to the Regional Director (Ministry of Agriculture).

SEC. 4. *Inspection and Issuance of Certificate on Internal Movements of Plants/Plant Products Coming from Areas under Quarantine.* — All plants, plant products, other probable host materials and other media for spreading of the plant pest under plant quarantine consideration, intended for shipment to places outside the area under quarantine shall be subjected to rigid inspection and/or commodity treatment. Such quarantine action conducted thereon shall be officially certified to have been complied with by the owner thereof in accordance with the requirements of the Special Quarantine Administrative Order governing the same and a “Permit to Transport” (BPI “Q” Form No. 12) shall be issued by the BPI Plant Quarantine Officer to accompany the shipment. Upon arrival of the shipment at the point of destination the owner shall submit the “Permit to Transport” to the BPI Plant Quarantine Officer assigned thereat who shall check or verify the shipment against the document submitted.

SEC. 5. In order to carry out the provisions of this Rule, the Director of Plant Industry shall, if deemed necessary, deputize/designate as Plant Quarantine Officers the Regional Director of the Ministry of Agriculture in the Region concerned and such other subordinate officials of the Ministry of Agriculture within the area under quarantine thereby vesting them the powers and duties of such Plant Quarantine Officer in accordance with the provisions of Section 10 of P.D. 1433 in the area concerned. Provided, that said deputization shall only be applicable within the area declared under quarantine and for as long as the same Special Quarantine Order is in effect.

SEC. 6. All transportation companies either land, water or air shall cooperate with the Director of Plant Industry or his duly authorized representatives in the strict enforcement of the provisions of this Rule by not allowing or accepting shipments of known host materials which are capable of spreading the “plant pest” to other places or areas where the pest is not yet known to exist.

SEC. 7. Any shipment of the known host materials of the “plant pest” under plant quarantine consideration made in contravention of the provisions of this Rule and other Special Quarantine Orders covering specific “plant pests” and their hosts, shall be seized by the Director of Plant Industry or by his authorized representatives and shall either be returned immediately to the place of origin or completely destroyed or treated, whichever is appropriate. Provided, that the cost of the return, or the destruction or treatment or other quarantine action that may be conducted thereon, shall be borne by the owner or consignee.

RULE VII*

ENTRANCE AND CLEARANCE OF CARRIERS

SECTION 1. *Inspection and Clearance of Vessels Engaged in the International Trade shall be governed by the following procedures:*

a. *Submission of “Notices of Arrival” of Vessels.* The owner, operator or agent of vessel plying the international trade routes, desiring to call at any Philippine Port of Entry shall serve “Notices of Arrival” their subject vessels to the Plant Quarantine Officer at the initial port of entry within the country thereafter that the vessel may desire to call, at least twenty four (24) hours before the estimated time of arrival of the vessels at the port.

* (Section 13, P.D. 1433)

b. *Quarantine Inspection/Verification of Vessels and Cargoes.* Vessels calling at Philippine Ports of Entry shall be boarded and inspected upon arrival thereat by the Plant Quarantine Officer for the purpose of determining the cargoes laden on board, including the ship's food provisions and plant furnishings. For this purpose, the ship's Agent or Master of the vessel shall furnish the Plant Quarantine Officer with a copy each of the Voyage Itinerary, Inward Cargo Manifest, Baggage Declarations of disembarking crew or passengers, Parcel List, Stores List, Plant and Animal List and such other ship's document and/or information that the Plant Quarantine Officer may require.

c. Vessels coming from or passing through plant quarantine restricted areas or "open ports" ("free ports") shall be subjected to more rigid plant quarantine action including guarding of the vessel and/or supervision on use and disposal of quarantinable food provisions on board the vessel, as well as prevent the unlawful landing of certain commodities or provisions the importation of which are controlled, prohibited or banned under this Order or under such other Orders that may hereafter be promulgated.

d. The storage chambers of vessels mentioned in sub-section hereof which contain fresh fruits, vegetables and other plant products *shall be sealed* if and when such provisions originate from plant quarantine restricted areas or territories. Provided, however, that when the vessel desires to utilize such restricted provision for the consumption of the crew members and passengers, the master or any responsible officer on board shall submit a formal request on the matter to the Plant Quarantine Officer. Upon submission and approval of such request said storage chamber shall be opened and disposal of said provisions or parts thereof shall be under the supervision of the Plant Quarantine Officer on board the vessel. Provided, further that after withdrawal of such provisions, the said storage chambers shall be sealed under similar supervision.

e. The utilization or consumption of fresh fruits, vegetables and other plant products originating from non-restricted areas shall be allowed on board the vessel without the imposition of any quarantine restriction, provided, they are verified upon inspection to be substantially free from "plant pests" of plant quarantine significance.

f. Passenger liners or tourist vessels shall be placed under appropriate quarantine supervision and control while berthed in any Philippine port to preclude the unauthorized landing or loading of quarantinable materials or commodities by the passengers, tourists and other parties.

g. Vessels with cargoes of wheat, corn, sorghum, soybean and other plant products shall likewise be subjected to quarantine supervision and control during the cargo discharging operations, and if deemed necessary, such bulk cargo shall first be subjected to fumigation or to other forms of commodity treatment on board the vessel or in the receiving barges as the case may be. Provided, however, that the cost and charges to be incurred in such quarantine inspection and/or treatment shall be borne by the owner of such cargo or by the operator or agent of the vessel it being incidental to the business in which they are engaged.

h. Plant Quarantine clearance on vessels calling at all Philippine Ports shall be required. Provided, however, that in case such vessels call at local Philippine Ports, where movements of plants and plant materials is restricted, such plant quarantine clearance shall be required of the vessels from such restricted ports. A copy each of the Outward Cargo Manifest and the list of plants and plant products brought on board by the members of the crew or passengers shall be furnished to the Plant Quarantine Officer. Upon receipt of the aforementioned ship's document, and after a satisfactory assessment of the vessel's compliance with the Plant Quarantine Laws and Rules, a "Plant Quarantine Clearance" (BPI "Q" Form No. 13) shall be issued as a prerequisite for the issuance of the Customs Clearance (Section 13, P.D. 1433).

SEC. 2. Inspection and Clearance of Aircrafts Plying the International Trade Routes shall be governed by the following procedures:

a. Airline companies or the authorized agents of private aircrafts coming from a foreign country and calling at any airport in the Philippines shall furnish the Plant Quarantine Officer with a copy of the aircraft's itinerary general declaration, passenger manifest, cargo manifest and other documents which the Plant Quarantine Officer may require.

b. All such aircrafts shall be inspected upon arrival in any airport in the Philippines by the Plant Quarantine Officer and all food provisions and other materials covered by quarantine prohibition or restriction shall be sealed. Provided, however, that should the aircraft desire to utilize such provisions, a formal request on the matter shall be submitted to the Plant Quarantine Officer who shall supervise the use and disposal thereof.

SEC. 3. Inspection and Clearance of Vessels Plying the Domestic Trade Routes shall be governed by the following procedures:

a. All vessels coming from or passing through declared quarantine area shall be inspected and cleared by the Plant Quarantine Officers at all

ports of call in the Philippines. It shall be the duty of the Owner, Agent or Master of such vessel to furnish the Plant Quarantine Officer with a copy each of the Domestic Cargo Manifest, Parcel List and other shipping document which the Plant Quarantine Officer may require.

b. All domestic vessels departing from a port within a quarantined area shall be required to secure a "Domestic Plant Quarantine Clearance" (BPI "Q" Form No. 14) which shall be submitted to the Plant Quarantine Officer in all ports.

SEC. 4. *Inspection and Clearance of Aircrafts Plying the Domestic Trade Route shall be governed by the following procedures:*

a. All aircrafts coming from an airport within a declared plant quarantine area shall be inspected and cleared by the Plant Quarantine Officers in every port of call. It shall be the duty of the airline company to furnish the Plant Quarantine Officers with a copy of the Domestic Cargo Manifest and other documents relevant to quarantine enforcements.

b. All aircrafts departing from a domestic airport within a quarantined area shall be required to secure a "Domestic Plant Quarantine Clearance" for submission to the Plant Quarantine Officer at the next airport of call.

SEC. 5. *Quarantine Control over Garbage Disposal by Carriers.* – The unauthorized disposal of kitchen waste and garbage by carriers within the territory or waters of the Philippines is prohibited. Garbage and kitchen wastes shall always be kept on board the carrier in covered containers or receptacles. Should any carrier desire to dispose off her garbage while within Philippine territory, a formal request to that effect shall be submitted to the Plant Quarantine Officer on duty thereat, who shall supervise the disposal thereof in such manner and at such place designated for the purpose.

RULE VIII*

PLANT QUARANTINE PRESCRIBED REGULATORY FEES AND CHARGES

SECTION 1. The following rules and regulations are hereby promulgated to govern the imposition and collection of nominal plant quarantine regulatory fees and charges for the inspection, certification, issuance of

* (Section 14, P.D. 1433)

permit to import, commodity treatment, etc. on imported/exported plants, plant products, other materials and commodities capable of harboring plant pests, potential animal pests, and others, and such collections shall constitute the Revolving Fund of the National Plant Quarantine Service.

a. *Fees for the Issuance of "Permit to Import"*

(a-1) *"Permit to Import Plants and Plant Products"*: For every "permit" issued for the importation of plants, plant products and other materials enumerated in Section 1 of Rule II of the Administrative Order, a fee of Five Pesos (P5.00) shall be collected.

(a-2) *"Permit to Import" Potential Animal Pests.* – For every "permit" issued for the importation of live animals which are considered as potential pests to agricultural crops, as enumerated in Section 1 of Rule III of this Administrative Order, a fee of Fifty Pesos (P50.00) shall be collected.

b. *Inspection and Certification Fees:*

(b-1) For the inspection of imported living plants, a minimum charge of Five Pesos (P5.00) for a shipment of ten (10) plants or less shall be imposed and every plant thereafter, an additional Fifty Centavos (P0.50) each shall be collected; Provided, that in the case of small living plants in community pots or similar packaging or container, a fee of Five Pesos (P5.00) on every community pot shall be levied.

(b-2) For the phytosanitary certification of living plants for export, a minimum charge of Two Pesos (P2.00) for a shipment of ten (10) plants or less shall be imposed, and for every plant thereafter, an additional Twenty Centavos (P0.20) each shall be collected. Provided that in the case of small living plants in community pots or similar packaging or container, a fee of Two Pesos (P2.00) on every community pot shall be levied.

(b-3) For the inspection of imported seeds, cuttings, rhizomes, bulbs, corms, grafts, scions and other materials capable of propagation, a fee of Two Pesos (P2.00) per metric ton or fraction of the net weight shall be collected.

- (b-4) For the inspection of imported "plant products" and other materials capable of harboring "plant pests" intended for consumption, for processing or manufacturing purposes, a fee of One Peso (P1.00) per metric ton or fraction of the net weight thereof shall be collected.
- (b-5) For the inspection and phytosanitary certification of "plant products" and other materials for export, a fee of One Peso (P1.00) per metric ton or fraction of the net weight thereof shall be collected.
- (b-6) For the inspection and clearance of imported "potential animal pests", an inspection fee of Ten Pesos (P10.00) shall be charged on the first one to ten animals, and for any additional head thereof, a fee of One Peso (P1.00) shall be imposed.

c. *Commodity Treatment Charges.* – For the fumigation, disinfection and other treatments, including cleansing, conducted on imported/exported/domestic plants, plant products and other materials or commodities, the charges shall be based on the prevailing cost of labor and materials consumed thereto and furnished by the Bureau of Plant Industry. Provided, that the imposition of treatment charges shall be waived if the fumigant, disinfectant and other materials are supplied by the party or parties concerned.

d. *Post Entry Quarantine Charges.* For the care and/or maintenance of imported materials (plants, plant products, potential animal pest, etc.) being held under post entry quarantine observation, the fees and charges shall be based on the prevailing cost of labor and materials furnished by the Bureau of Plant Industry.

e. *Fees for the Destruction of Prohibited or Contraband Materials.* For the destruction of confiscated contraband and/or prohibited imported materials, the importer shall be required to pay the Bureau of Plant Industry a minimum destruction fee of Twenty Pesos (P20.00) for the first twenty kilos or fraction thereafter. Provided, that in the case of small quantities of confiscated contrabands or prohibited materials, the imposition of destruction fee may be waived.

f. *Exemption from the Payment of Plant Quarantine Prescribed Fees and Charges.* The importation and exportations of all government agencies, government owned or controlled corporations, donations to and for the account of any duly registered Relief Organizations or any Charitable Institutions as certified to by the Ministry of Social Services and Develop-

ment, embassies of foreign governments, and those that may be declared by the President, upon the recommendation of the National Economic and Development Authority in the interest of economic development, shall be exempted from payments of Plant Quarantine prescribed fees and charges, excluding however the expenses incurred in commodity treatments and overtime services of Plant Quarantine personnel.

RULE IX*

OVERTIME SERVICES

SECTION 1. The following rules and regulations are hereby promulgated to govern the rate of payment of overtime services, transportation allowances and lodging of the BPI Plant Quarantine personnel in connection with the inspection treatment, certification, documentation and other prescribed quarantine actions on imported/exported/domestically moved plants, plant products and other materials or commodities capable of harboring "plant pests", potential animal pests; boarding and/or inspection or guarding of carriers plying the international and domestic trade routes, and others that may hereinafter require plant quarantine action, chargeable to the party or parties served, for the information and guidance of all concerned. (Section 15, P.D. 1433).

a. *Prescribed Overtime Hours:*

- (a-1) Overtime service shall commence at the end of the regular office hours; that is from 5:00 o'clock in the afternoon up to 8:00 o'clock in the morning of the following working day including the noon interval between 12:00 noon to 1:00 PM and 12:30 PM to 1:30 PM (Summer Session). During Saturdays, Sundays and Holidays, the overtime period shall begin from the termination of the regular office hours at 5:00 PM on Friday and to terminate not later than 8:00 AM of the following working day unless the service is terminated sooner.

(a-2) *Rate of Overtime Charges:*

Services of BPI Plant Quarantine Officers, Fumigators, laborers and helpers performed outside the official working hours shall be paid by the party or parties served at the rate

* (Section 15, P.D. 1433)

of Nine Pesos (P9.00) per hour for Plant Quarantine Officers and Fumigators, and Seven Pesos (P7.00) per hour for laborers and/or helpers.

(a-3) *Computation of Overtime Services:* The overtime rendered by the BPI Plant Quarantine Personnel shall be computed, commencing at two (2) hours before the arrival of the carrier or before the start of the inspection or commodity treatment to be conducted on plants, plant products, etc., and until the end of an hour after the work is finished. Provided, however, that the overtime services of Plant Quarantine Officers rendered outside their official stations, in outports, subports, or other places, shall commence at two (2) hours before the start of plant quarantine undertaking and until the end of an hour within which the work is finished, without prejudice to the payment of actual and necessary traveling expenses or lodging allowance incurred by the Plant Quarantine Officer.

In case of delay in the arrival of carriers or failure on the part of importers, exporters and other parties concerned to adhere with the scheduled time allotted for the inspection or commodity treatment of their commodities, the waiting time or standby hours of the Plant Quarantine personnel shall be included in the computation of overtime services rendered.

b. *Meal Allowance:* Plant Quarantine personnel rendering overtime services shall be entitled to claim meal allowances at the rate of Fourteen Pesos (P14.00) per meal, whenever such overtime work coincides with meal time. Provided, however, that when the party or parties served are willing to provide satisfactory meals during the overtime periods this privilege shall be waived.

The Meal periods are as follows:

Breakfast	6:00 A.M. — 8:00 A.M.
Lunch	12:00 Noon — 1:00 P.M.
Supper	6:00 P.M. — 8:00 P.M.

c. *Transportation Allowance:*

(c-1) For trips inside the Greater Manila area and other Metropolitan areas or cities, there shall be fixed rate of Fourteen

pesos (P14.00) per one way for transportation allowance.

(c-2) For trips in the provinces, the transportation allowance shall be paid in accordance with the prevailing rate in the locality or the rate being paid to the personnel of other government agencies rendering similar services.

(c-3) In case of extreme necessity or where the interest of the service demands, the Plant Quarantine Officer may be allowed to hire such conveyance as is necessary in the course of performing his functions or meeting the demands of the service. In such case, that parties served shall reimburse the Plant Quarantine Officer the cost of hiring such conveyance which cost shall be supported with the corresponding receipt.

d. *Lodging Allowances:* BPI Plant Quarantine Personnel assigned to accomplish a quarantine mission and/or function in a place outside their official stations, shall be allowed to claim lodging allowances, when such overnight stay is necessary, at the rates prevailing in the locality. Provided that, however, such shall not exceed Fifty Pesos (P50.00). (Provided further that the party or parties served shall have the option to request remuneration of the extra services of the Plant Quarantine personnel on flat rate or contractual basis.)

RULE X*

**POWERS AND DUTIES OF
THE PLANT QUARANTINE OFFICER**

SECTION 1. For purposes of this Administrative Order, BPI Plant Quarantine Officers shall have the following powers and duties:

- a. To inspect all carriers, crew/passenger baggages and incoming mails, in order to determine the presence of plants, plant products and other materials capable of harboring plant pests, as well as potential animal pests.
- b. To enter into and conduct inspection/verification of any and all areas where plants, plant products, and other materials capable of harboring plant pests are landed, stored and/or grown.

* (Section 10, P.D. 1433).

- c. To examine imported plants/plant products, and other materials capable of harboring plant pests as well as potential animal pests and to administer necessary measures to insure effective implementation of the provisions of this Administrative Order.
- d. To inspect, administer treatment if necessary and issue phytosanitary certification on plants, plant products and other related materials intended for export.
- e. To confiscate and destroy or refuse entry of plants, plant products and potential animal pests involved in prohibited importations as well as prohibited plant and plant products involved in domestic movement and to deny phytosanitary certification of plants and plant products which exportation is, likewise, prohibited.
- f. To perform such related duties which may be assigned to him, from time to time.
- g. As provided, in Section 10 of P.D. No. 1433, Plant Quarantine Officers, in the exercise of their powers and duties, are given police power and authority.

RULE XI*

COOPERATING AGENCIES

SECTION 1. In the implementation/enforcement of the provisions of this Administrative Order, the Director of Plant Industry and/or his authorized representative may request or call for the assistance of the following government offices/agencies (Section 16, P.D. No. 1433).

- a. The Bureau of Customs
- b. The Philippine Ports Authority
- c. The Bureau of Quarantine
- d. The Bureau of Posts
- e. The Bureau of Animal Industry
- f. The Philippine Constabulary
- g. The Philippine Airforce

(Section 16, P.D. 1433)

- h. The Philippine Coast Guard
- i. The Civil Aeronautics Administration (Bureau of Air Transportation)
- j. The Central Bank of the Philippines
- k. The Bureau of Immigration
- l. The Philippine Coconut Authority
- m. The Bureau of Forestry
- n. The Provincial Governors
- o. The Municipal Mayors
- p. The Local Police Agencies
- q. The Ministry of Trade
- r. The Philippine Export Council
- s. The National Economic and Development Authority
- t. Other government offices/agencies which could provide assistance in the implementation of the provisions of this Administrative Order.
- u. Nothing in this Order shall preclude compliance with applicable rules and regulations promulgated by other agencies of the government regarding the importation and exportation of plants and plant products.

RULE XII*

NON-LIABILITY CLAUSE

SECTION 1. All charges for storage, demurrage, cartage, labor and delays incidental to quarantine inspection, cost of commodity treatments and other post-entry requirements shall be the responsibility of the importer, exporter, owner, or the parties concerned. Provided, that the Bureau of Plant Industry and/or its authorized representatives shall not be held liable for damage to the commodity in the course of the implementation of the provisions of this Administrative Order.

RULE XIII*

PENALTY CLAUSE

Any person, company, or corporation who violates the provisions of this Administrative Order, or forges, counterfeits, alters, defaces and destroys any document issued by virtue of this Administrative Order shall be fined

* (Section 23, P.D. No. 1433)

not more than Twenty Thousand Pesos (P20,000.00) or by imprisonment from prison correctional to prison mayor, or both, at the discretion of the court.

RULE XIV*

SEPARABILITY CLAUSE

If any of the provisions of this Administrative Order shall be held invalid, the remainder shall be operative.

RULE XV**

REPEALING CLAUSE

All Administrative Orders, Rules and Regulations inconsistent with the provisions of this Administrative Order are hereby superseded and/or revoked accordingly.

RULE XVI***

E F F E C T I V I T Y

This Administrative Order shall take effect upon its approval and after appropriate publications.

(SGD.) MANUEL Q. LIM, JR.
Officer-in-Charge
Ministry of Agriculture

RECOMMENDING APPROVAL:

(SGD.) DOMINGO F. PANGANIBAN
Director of Plant Industry

* (Section 24, P.D. No. 1433)

** (Section 25, P.D. No. 1433)

*** (Section 26, P.D. No. 1433)