

[FISHERIES ADMINISTRATIVE ORDER NO. 192, S. 1997, February 18, 1997]

STRENGTHENING OF THE FISHERIES QUARANTINE SERVICE (FQS) IN THE BUREAU OF FISHERIES AND AQUATIC RESOURCES AND IN THE DEPARTMENT OF AGRICULTURE REGIONAL FIELD UNITS, AND PRESCRIBING RULES, REGULATIONS, AND PROCEDURES THEREOF

Pursuant to Sections 4, 7, and 18 of Presidential Decree No. 704 and Sec. 5 (c) of Executive Order No. 116, the Fisheries Quarantine Service at the Bureau of Fisheries and Aquatic Resources and at the DA Regional Field Units shall be strengthened and shall be governed by the following rules, regulations, and procedures:

SECTION 1. Definition of Terms . — As used in this Order, the following terms and phrases are defined as follows:

- a. Secretary** — refers to the Secretary of the Department of Agriculture
- b. Director** — refers to the Director of the Bureau of Fisheries and Aquatic Resources
- c. Regional Director** — refers to the Regional Director of the Department of Agriculture Regional Field Unit
- d. fish and fishery products** — fish includes all fishes and other aquatic species such as crustaceans (crabs, prawns, shrimps, and lobsters), mollusks (clams, mussels, scallops, oysters, snails and other shellfish); fishery products include all other products of aquatic living resources in any form, but not limited to seaweeds, fish meals, squalene, blubbers, etc.
- e. fish pests and diseases** — refers to all organisms capable of doing damage to, undermining the health of, or causing death, or any pathogenic agent injurious to fishes and other fishery products, and concomitantly, to human health
- f. quarantine** — refers to a place of isolation and/or the act of isolating in an effort to prevent the introduction into, the dissemination from one area to another within the Philippine territory of pests and diseases of fish and fishery products
- g. fisheries quarantine** — refers to the action/ procedures in an effort to prevent the introduction into, the dissemination from one area to another within the territory of the Philippines of pests and diseases of fish and fishery products
- h. port/port of passage** — refers to any airport and/or seaport open to both foreign and domestic movement/trade of aquatic animals and other fishery products. The term includes principal ports and sub-ports for such movement/trade
- i. Fisheries Quarantine Service** — refers to the unit established within any port of passage that will implement fisheries quarantine functions

j. Fisheries Quarantine Officer — refers to any person designated and/or appointed by the Secretary of Agriculture who will implement fisheries quarantine functions

k. exportation — refers to the act of transporting fish and fishery products from a Philippine port to a foreign port

l. importation — refers to the act of bringing into the Philippines of foreign fish and fishery products

m. in transit/transshipment — refers to those fish and fishery products brought into any port in the Philippines but are not intended for landing at the said port

n. inspection/boarding — refers to the control carried out by the Fisheries Quarantine Officer in implementing fisheries quarantine functions

o. carriers — refers to those aircraft, seacraft, and land-based transportations used for the movement/trade of fish and fishery/aquatic products

p. quarantine facilities — refers to permanent structures in importer's or exporter's premises approved by authorized personnel of the Director or Secretary of Agriculture set to accommodate fisheries quarantine measures and/or requirements

SECTION 2. Composition and Structure . — The Fisheries Quarantine Service (FQS), established by the Department of Agriculture, at any port of passage, shall be composed of the following, but not limited to:

1. Chief of the Fisheries Quarantine Service
2. Assistant Chief of the FQS
3. Two (2) Fisheries Quarantine Officers

SECTION 3. Appointment and Designation of Fisheries Quarantine Officers . — The Secretary of the Department of Agriculture, being the Chief Quarantine Officer, shall appoint and designate Fisheries Quarantine Officers upon recommendation of the concerned Regional Director of the Department of Agriculture, in consultation with the Director of the Bureau of Fisheries and Aquatic Resources.

The concerned Regional Field Unit of the Department of Agriculture shall provide the administrative supervision and control of the Fisheries Quarantine Service in their area, while the Bureau of Fisheries and Aquatic Resources shall provide the technical supervision of all Fisheries Quarantine Service units through the promulgation of Fisheries Quarantine Orders and Guidelines.

SECTION 4. Functions. — The Bureau of Fisheries and Aquatic Resources, through its Regulatory and Quarantine Division (RQD), shall have the following functions:

- a. Formulate and recommend policies, rules and regulations on fishery quarantine, evaluate and monitor their implementation;
- b. Develop guidelines and procedures on fishery quarantine operations, in consultation with the regional FQS units and appropriate technical divisions/ sections of the BFAR;

- c. Coordinate fishery quarantine and inspection activities in the regional FQS units;
- d. Formulate training programs and conduct trainings on fisheries quarantine
- e. Perform such other functions as may be directed by the Secretary of Agriculture and with the Director of BFAR

The Fisheries Quarantine Service of the DA Regional Field Units shall have the following functions:

- a. Implement quarantine laws, rules, and regulations;
- b. Assist in the formulation of guidelines and procedures related to quarantine operations;
- c. Conduct fisheries quarantine and inspection of all fish and fishery products, including the boarding and inspection of their carriers coming into and going out of the country, be air or water transport, in order to detect the presence of fish pests and diseases, and to enforce the provisions of the Fisheries Quarantine Orders and Guidelines, and other fishery rules, laws, and regulations;
- d. Implement the provisions of international fishery agreements for the movement/trade of fish and fishery products;
- e. Quarantine fish and fishery products determined or suspected to be carrier of pests and/or afflicted with diseases, and take the required measures in their disposition;
- f. Enforce the provisions of fishery laws prohibiting the importation/entry of certain fish and fishery products as provided by law;
- g. Coordinate fisheries quarantine and boardings/inspections within their ports and with other ports;
- h. Undertake or recommend, as the case may be, such necessary actions as would ensure the prevention of entry of fish and fishery products determined to be infected with pests and diseases;
- i. Collect necessary fees and charges prescribed by law in the performance of fisheries quarantine functions;
- j. Cause the disposal and condemnation of fish and fishery products pursuant to the provisions of pertinent quarantine rules and regulations; and,
- k. Perform such other functions as may be directed by the Director and/or the Secretary of Agriculture.

SECTION 5. Coverage. — This Order shall cover the following:

- a. Exportation of fish and fishery products. — The Fisheries Quarantine Officer (FQO) shall inspect, certify, and authorize the movement/trade of fish and fishery products in accordance with existing fishery regulations and/or international trade requirements.
- b. Importation of fish and fishery Products. — The FQO shall inspect all imported fish and fishery products and determine whether such importations are in