

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



'22 JUL 12 A11 :10

SENATE

RECEIVED BY

S. No. 353

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Introduced by Senator Cynthia A. Villar

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**AN ACT CRIMINALIZING THE MOVEMENT OF LIVE ANIMALS OR PLANTS THAT ARE INFECTED OR INFESTED WITH CONTAGIOUS DISEASE OR PEST, PRESCRIBING PENALTIES THEREFOR AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

The Philippines has suffered from the African Swine Flu (ASF) which affected 3,657 barangays in 678 cities and municipalities, in 51 provinces, recorded since 2019 according to the Department of Agriculture. Production declined by seventeen (17%) percent. It is projected that pork shortage would continue and recovery is to be expected not earlier than 2023. The country would have been able to contain the disease had the movement of pigs and its carcass been contained.

On the other hand, infestation of pests like *cocolisap* to Philippine coconuts spread to other provinces also because of the movement of infested coconuts.

This bill recognizes that it is the responsibility of each and every stakeholder in the agricultural community to monitor the health of its animals and plants, and if found to be infected with disease, halt its movement into a city, municipality or province in order to prevent contagion as there are other diseases and pests apart from ASF and the *cocolisap* that can cause severe damage to agriculture.

The responsibility is likewise expected of owners or possessors of animals or plants which may not be used as source of food. Animals cared for as pets, for draft power or other uses should also be cared for. And in the bigger scheme of things, with the mutation of viruses that can cross between genus and species, it is but proper that we take extra precaution. Entry of an infected animal or infested plants into a city, municipality or province have been known to spread such infection or infestation.

Most importantly, one of the biggest issues in agriculture today is food security. We cannot afford the spread of illness to our animals and plants and hence, must criminalize illegal movement of infected animals and plants.

In view of the foregoing, the approval and passage of this bill is earnestly sought.

  
**CYNTHIA A. VILLAR**

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

1 Section 1. *Short Title.* – This Act shall be known as the “Anti-Illegal  
2 Movement of Animals or Plants”

3 Sec. 2. *Declaration of Policies.* – It is the policy of the state to protect the  
4 safety of our people by ensuring that our major sources of food, animals and plants,  
5 are free from diseases and pests.

6 Towards this end, the state shall ensure that animals and plants that are  
7 infected or infested with contagious disease or pest are contained and cannot be  
8 transported to another city, municipality or province.

9 Sec. 3. *Illegal Movement of Infected and Infested Live Animals and Plants.*

10 The act of moving from one city, municipality or province to another, any live animal  
11 that may either be classified as mammals, birds, fish, reptiles, amphibians, or in  
12 accordance with their use either as livestock, poultry, dairy, draft, among others,  
13 and plants in whatever form or use, that are infected or infested with contagious  
14 disease or pest shall be considered as an offense. The offense is committed through  
15 any of the following acts:

- 1 (a) Transporting animals or plants that are infected or infested with  
2 contagious disease or pest;
- 3 (b) Using fake, fictitious or fraudulent documents to effect movement or  
4 shipment;
- 5 (c) Temporarily harboring or storing infected or infested animals or plants, in  
6 preparation for movement to another city, municipality, or province;
- 7 (d) Selling, lending, giving, dumping or other modes of disposition of such  
8 animals or plants; and
- 9 (e) Acting as broker or agent in the sale of such animals or plants.

10 Sec. 4. *Liability of possessor of animals.* - The possessor of animals or  
11 whoever may make use of the same is responsible for the damage which it may  
12 cause, although it may escape or be lost.

13 Sec. 5. *Presumption of knowledge of infection or infestation.* - If a person has  
14 in his possession livestock, poultry or dairy animals, and plants, used for food, which  
15 are infected or infested with contagious disease or pest, the presumption is that they  
16 have knowledge of such contagious disease or pest.

17 Sec. 6. *Penalties.* - The following shall be the penalties to be imposed:

- 18 (a) The penalty of imprisonment of not less than four years but not more than  
19 six years and a fine equal to the amount of damage shall be imposed on  
20 the owner or possessor of the animals or plants. The same penalty shall  
21 be imposed upon the broker or agent in the sale of the animals or plants;
- 22 (b) The penalty of imprisonment of not less than two years but not more than  
23 four years and a fine equal to the amount of damage shall be imposed on  
24 the registered owner and lessee of a warehouse or any property used to  
25 harbor or store infected or infested animals or plants. If the owner is a  
26 corporation, then the liability falls upon the corporate officers responsible  
27 for authorizing the acts committed; and
- 28 (c) The penalty of imprisonment of one year and a fine equal to the amount  
29 of damage shall be imposed on registered owner and lessee of the vehicle  
30 used to transport the animals or plants.

31 Sec. 7. *Implementing Rules and Regulations.* - The Department of  
32 Agriculture, in consultation with other relevant agencies shall promulgate the

1 implementing rules and regulations of this Act within ninety (90) days upon its  
2 effectivity.

3       Sec. 8. *Separability Clause.* – All laws, decrees, executive issuances, rules and  
4 regulations inconsistent with this Act are hereby repealed and/or modified  
5 accordingly.

6       Sec. 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
7 publication in the *Official Gazette* or in a newspaper of general circulation.

8       Approved,