

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 9265



Introduced by REP. JOEY SARTE SALCEDA

AN ACT
AMENDING ACT NO. 3639; EXPANDING THE MANDATE OF THE
BUREAU OF ANIMAL INDUSTRY; CREATING THE NATIONAL BIOSAFETY
FACILITY; MAKING APPROPRIATIONS FOR ITS ORGANIZATION
AND OPERATION; AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Biosafety has become one of the most serious threats to food security in the world. The Philippines, having a significant agriculture sector, is exposed to such threats. The most serious food security threat the Philippines is facing is the African Swine Fever (ASF), which has a case fatality rate of up to 100%.

The damage caused by ASF has been extensive. Since the Department of Agriculture (DA) confirmed the first ASF outbreak started on July 2019, ASF outbreaks have been reported in Luzon, Mindanao, Leyte and Samar.

On 29 March, ASF was confirmed for the first time in Samar Island, on backyard farms in Lope de Vega, Northern Samar Province, with a visitor having been suspected as the route of introduction into the farm. In March, DA reported that ASF spread to 12 regions, 40 provinces, 466 cities and municipalities, and 2,425 communities in the Philippines to date, causing a loss of over 3 million pigs.

The ASF situation is a drain on many small farms and farming households, as nearly 70% of swine heads produced in the country annually is from backyard farming.

Even as the Department of Agriculture is taking aggressive steps to fight ASF, the current contagion and future biosafety risks will continue to threaten Philippine food security, especially as natural habitats carrying thus far undiscovered diseases become more exposed to interaction with farming communities.

While the DA has primarily undertaken culling and containment measures, the country has not yet sufficiently invested in biosafety measures, either at the point of importation of animal products from abroad, or in farms and animal industry facilities.

The Committee on Ways and Means, in its hearings presided by this representation, also found that our ability to discover and prevent diseases, and develop vaccines and therapeutics for such diseases, is also limited, and we rely primarily on the research and due diligence of other countries.

This representation also fears that repopulation programs are in danger of becoming failures by being exposed to the same biosafety threats that culled populations were afflicted with. Institutional measures to make the animal industry more biosecure are necessary.

This bill addresses our lack of institutional capacity to fight biosafety threats to the country's animal industry, and the wider agricultural sector, through the following:

1. Expanding the mandate of the Bureau of Animal Industry to include countering biosafety threats to the animal industry and working with other jurisdictions to control and eradicate transboundary animal diseases;
2. Creating the Biosafety Program and the National Biosafety Facility as a research and information unit of the BAI for the prevention and eradication of biosafety risks such as the ASF;
3. Mandating the Secretary of Agriculture to equip animal industry facilities with biosafety features; and
4. Directing that at least 10% of tariff revenues from imported meat (pork, beef, and chicken) be used to fund the country's agricultural biosafety program for the first year of effectivity of the bill.

In view of the foregoing, the approval of this bill is urgently sought.



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

SECTION 1. *Short Title.* – This Act may be referred to as the “Protecting Philippine Animal Industry from Biological Threats Act.”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to promote industrialization and full employment based on sound agricultural development. Furthermore, it shall be the policy of the State to protect domestic agriculture from biological threats.

Towards these ends, the State shall ensure that there are adequate measures to prepare the domestic agricultural industry for, and protect it from, the threat of biological agents, contagious diseases, and other biosafety risks.

SEC. 3. Section 3 of Act No. 3639 is hereby amended to read as follows:

SEC. 3. Functions of the Bureau of Animal Industry. – The Bureau of Animal Industry shall investigate, study and report upon the condition of the domestic animals in the **PHILIPPINES** [Philippine Islands], their improved methods of reproduction and care, inquire into and report the causes of dangerous communicable diseases among them, and the means for the prevention and cure of the same; and in general, to promote the development of the livestock industry of the country, as follows:

1. By the introduction of improved or purebred domestic animals for breeding purposes, and the improvement of the quality of the breeds or types of domestic animals now found in the **PHILIPPINES** [Islands];
2. By **DIRECTING RESEARCH AND TAKING MEASURES FOR** the control and eradication of dangerous communicable diseases of domestic animals, **AND BY COOPERATING WITH OTHER JURISDICTIONS**

TO CONTROL AND ERADICATE TRANSBOUNDARY ANIMAL DISEASES;

3. By conducting a system of demonstration and extension work and encouraging fairs and exhibitions to promote the livestock industry;
4. By the collection and compilation of statistics on domestic animals;
5. By the dissemination of useful information on all essential matters regarding domestic animals through the publication and distribution of bulletins, circulars, and other printed matter, and through such other means or agencies as may be deemed effective; and
6. By taking such steps, adopting such measures and promulgating such rules and regulations, not inconsistent with the provisions of this Act and subject to the approval of the Secretary of Agriculture [and Natural Resources], as may be deemed necessary to promote the livestock industry.

SEC. 4. Section 4 of Act No. 3639 is hereby amended to read as follows:

SEC. 4. Terms defined. –

“Domestic animals,” as herein terms defined. used, includes horses, mules, asses, cattles, carabaos, hogs, sheep, goats, dogs, deer, fowls, and circus animals or those intended to be used for show purposes.

“Dangerous communicable diseases,” as herein used, includes glanders or farcy, surra, anthrax, rinderpest, hemorrhagic septicemia, hog cholera, foot-and-mouth disease, contagious pleuro-pneumonia, hydrophobia, European fowl pest, fowl cholera, fowl typhoid, **AFRICAN SWINE FEVER**, or any other acute communicable disease which may cause a mortality of over five per centum in the period of one month, **OR AS MAY BE DETERMINED BY THE SECRETARY OF AGRICULTURE AS BEING OF HIGH-CONSEQUENCE.**

“BIOSAFETY” AS HEREIN USED, REFERS TO THE APPLICATION OF KNOWLEDGE, TECHNIQUES AND EQUIPMENT TO PREVENT PERSONAL, LABORATORY AND ENVIRONMENTAL EXPOSURE TO POTENTIALLY INFECTIOUS AGENTS, DISEASES, OR BIOLOGICAL HAZARDS

“TRANSBOUNDARY ANIMAL DISEASE” OR “TRANSBOUNDARY DISEASE” AS HEREIN USED, REFERS TO AN EPIDEMIC DISEASE WHICH IS HIGHLY CONTAGIOUS OR TRANSMISSIBLE AND HAS THE POTENTIAL FOR VERY RAPID SPREAD, IRRESPECTIVE OF NATIONAL BORDERS, CAUSING SERIOUS SOCIO-ECONOMIC AND POSSIBLY PUBLIC HEALTH CONSEQUENCES.

SEC. 5. Section 5 of Act No. 3639 is hereby amended to read as follows:

SEC. 5. Animal quarantine, inspection and importation, rinderpest vaccine, **BIOLOGICAL AND AGRO-SAFETY PROGRAM**, powers and duties of the Director of Animal Industry. –

A. **TRANSFER OF POWERS.** – The powers, functions, and duties vested in the Bureau of Agriculture by virtue of sections seventeen hundred and sixty-two, "Bringing of animals imported from foreign countries into the Philippine Islands"; seventeen hundred and sixty-three, "Removal of diseased animal from province to province prohibited"; seventeen hundred and sixty-four, "Regulation concerning removal of diseased animals from infected localities"; seventeen hundred and sixty-five, "Powers of Director of Agriculture relative to animal quarantine, inspection, and sanitation"; seventeen hundred and sixty-six, "Delivery of diseased animal to place of quarantine"; seventeen hundred and sixty-seven, "Disposition of body of animal dying of rinderpest"; seventeen hundred and sixty-eight, "Unlawful disposition of parts of animal dying of rinderpest"; seventeen hundred and sixty-nine, "Marking of cattle afflicted with surra"; seventeen hundred and seventy, "Prohibition against bringing of animals from infected foreign countries," of the Revised Administrative Code of nineteen hundred and seventeen; by virtue of Acts Numbered Thirty-one hundred and one, entitled "An Act authorizing the Director of Agriculture, subject to the approval of the Secretary of Agriculture and Natural Resources, to promulgate regulations for the preparation, sale, traffic in, shipment, and importation of viruses, serums, toxins, or analogous products used for the treatment of domestic animals," and Thirty-one hundred and sixty-six, entitled "An Act providing for the use of rinderpest vaccine in the control of rinderpest and other contagious and infectious cattle diseases, appropriates the sum of one hundred thousand pesos, and for other purposes," and of such other acts or parts of acts wherein the intervention of the Bureau of Agriculture is required expressly, or impliedly, in matters concerning domestic animals or their diseases, are hereby transferred to and vested in the Bureau of Animal Industry.

B. **BIOLOGICAL AND AGROSAFETY PROGRAM. THERE SHALL BE ESTABLISHED UNDER THE BUREAU OF ANIMAL INDUSTRY A NATIONAL BIOSAFETY FACILITY, WHICH SHALL BE A NATIONAL SECURITY LABORATORY ASSET TO PROVIDE INTEGRATED RESEARCH, DEVELOPMENT, TEST AND EVALUATION INFRASTRUCTURE, AND RESPONSE CAPABILITIES FOR PROTECTING THE PHILIPPINES FROM BIOLOGICAL THREATS TO AGRICULTURE (AND POSSIBLY PUBLIC HEALTH, IN THE CASE OF ZONOTIC DISEASES), BY**

- a. **INTEGRATING AGRICULTURAL, ZONOTIC DISEASE, AND OTHER APPROPRIATE RESEARCH;**
- b. **ADDRESSING THREATS FROM HIGH-CONSEQUENCE ZONOTIC DISEASE AGENTS, EMERGING FOREIGN ANIMAL DISEASES, AND ANIMAL TRANSBOUNDARY DISEASES;**
- c. **ADDRESSING BIOLOGICAL INCIDENCE THREATS;**

- d. **PROVIDING APPROPRIATE EDUCATION AND TRAINING TO ADDRESS BIO- AND AGRO-DEFENSE THREATS AND RESPONSES;**
 - e. **SHARING DATA AND RELATED INFORMATION WITH APPROPRIATE GOVERNMENT AGENCIES AND INSTRUMENTALITIES, AS REQUESTED BY THE HEADS OF THOSE DEPARTMENTS OR AGENCIES, OR AS NECESSARY, AND WITH OTHER JURISDICTIONS, TO SUPPORT THE PRODUCTION OF BIOLOGICAL MATERIAL THREAT ASSESSMENTS; AND**
 - f. **COORDINATING, PARTNERING, AND SHARING DATA AND RELATED INFORMATION TO ENHANCE THE CARRYING OUT OF THE DUTIES OF THE NATIONAL BIOSAFETY FACILITY FOR THE DEVELOPMENT OF PRIORITY ZOO NOTIC ANIMAL DISEASE DIAGNOSTICS, VACCINES, DRUGS, AND OTHER COUNTERMEASURES.**
- C. RESEARCH AND DEVELOPMENT ON BIOSAFETY THREATS. THE SECRETARY OF AGRICULTURE, WITH THE SUPPORT OF THE DIRECTOR OF ANIMAL INDUSTRY, AND THE HEADS OF OTHER APPROPRIATE GOVERNMENT AGENCIES AND INSTRUMENTALITIES SHALL CONTINUALLY ESTABLISH SHARED PRIORITIES FOR THE RESEARCH TO BE CONDUCTED IN THE NATIONAL BIOSAFETY FACILITY TO DEVELOP VETERINARY COUNTERMEASURES FOR EMERGING FOREIGN ANIMAL DISEASES AND ANIMAL TRANSBOUNDARY DISEASES; TO PROVIDE ADVANCED TEST, DIAGNOSTIC, AND EVALUATION CAPABILITY FOR THREAT DETECTION, VULNERABILITY ASSESSMENT, AND VETERINARY COUNTERMEASURE ASSESSMENT FOR ANIMAL AND ZOO NOTIC DISEASES; TO ASSIST, AS APPROPRIATE, WITH THE DEVELOPMENT, AND ADDRESS VULNERABILITY ASSESSMENTS, OF THE AGRICULTURE AND FOOD SECTORS; AND FOR SUCH OTHER PURPOSES AS THE SECRETARY OF AGRICULTURE DETERMINES TO BE APPROPRIATE.**

SEC. 6. Section 6 of Act No. 3639 is hereby amended to read as follows:

SEC. 6. Stock farms, slaughterhouses, and breeding stations. – In such places in the **PHILIPPINES** [Philippine Islands] as may be considered suitable for the purpose, the Director of Animal Industry, with the approval of the Secretary of Agriculture [and Natural Resources], shall as funds become available therefor, establish, equip, maintain, and operate stock farms, slaughterhouses and breeding stations to produce and develop superior types of domestic animals adapted to local conditions and needs. **THE SECRETARY OF AGRICULTURE, WITH THE SUPPORT OF THE DIRECTOR OF ANIMAL INDUSTRY, SHALL FORMULATE PROGRAMS TO**

**ENSURE THAT THE FACILITIES REFERRED TO IN THIS SECTION
ARE EQUIPPED WITH THE NECESSARY BIOSAFETY FEATURES.**

SEC. 7. *Appropriations.* – The amount necessary to implement the expanded mandate of the Bureau of Animal Industry and the creation of the National Biosafety Facility under this Act shall be sourced from the following:

- (a) At least ten percent (10%) of tariff revenues from the importation of swine meat, meat of bovine animals, and chicken meat collected from the date of effectivity of this Act;
- (b) Existing funding of the Bureau of Animal Industry (BAI); and
- (c) Other sources of funding that the Secretary of Agriculture may determine to be appropriate, notwithstanding any law to the contrary.

On the full fiscal year immediately succeeding the effectivity of this Act and thereafter, this Act shall be funded through the General Appropriations Act (GAA), and the earmarking of tariff revenues under paragraph (a) shall be deemed repealed.

SEC. 8. *Separability Clause.* – If any provision or part hereof is held unconstitutional or invalid, the remainder of the law, or the provisions not otherwise affected shall remain valid and subsisting.

SEC. 9. *Repealing Clause.* – Any provisions of Presidential Decree No. 1467, as amended, and all other laws, inconsistent herewith is hereby repealed or modified accordingly.

SEC. 10. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspaper of general circulation.

Approved,