NATIONAL ADMINISTRATIVE REGISTER · AUGUST 25, 1995

DEPUTATION ORDER TO ENFORCE REPUBLIC ACT NO. 7581 (PRICE ACT)

DA DEPARTMENT ORDER NO. 1, S. 1995, August 25, 1995

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Pursuant to Sec. 10 (14) of RA 7581, otherwise referred to as the Price Act, the Office of the Mayor of the Cities and Municipalities enumerated below and/or his duly authorized representative, in the interest of the service, and in order to effectively protect the public and apply swift and effective solution to the problem of overpriced basic necessities during periods of calamity, emergency, widespread illegal price manipulations and other similar situations, are hereby deputized as the implementing arm of the Department of Agriculture. This is to ensure that prices of basic necessities are automatically frozen at their prevailing prices, whenever the President, under Section 6 of the Price Act (RA 7581), declares their respective City or Municipality under a state of Calamity, and upon the declaration of a mandated price control of basic necessities under Section 7 of the Price Act, and whenever there is prevalence of illegal acts of price manipulation, Section 5 of the Price Act is enforced.

1. Kalookan City 10. Municipality of Parañaque
2. Municipality of Las Piñas 11. Pasay City
3. Makati City 12. Pasig City
4. Municipality of Malabon 13. Municipality of Pateros
5. Mandaluyong City 14. Quezon City
6. City of Manila 15. Municipality of San Juan
7. Municipality of Marikina 16. Municipality of Taguig
8. Municipality of Muntinlupa 17. Municipality of Valenzuela
9. Municipality of Navotas

The following are the list of basic necessities covered by this Deputation Order:

1. rice 6. fresh eggs
2. corn 7. fresh milk
3. cooking oil 8. fresh vegetables
4. fresh, dried fish and other marine products 9. root crops
5. fresh pork, beef and poultry meat 10. sugar

Extent of Authority and Responsibility of the Deputized Officials

1. The deputized officials may conduct investigations of any violations of this Act, after due notice and hearing, impose administrative fines in such amount as he may deem reasonable which shall in no case be less than One Thousand Pesos (P1,000.00) nor more than One Million Pesos (P1,000,000.00). In the imposition of

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administrative fines, the following factors shall be taken into consideration:

a. Whether the subject of violation is a basic necessity or a prime commodity; violations involving basic necessities shall be deemed more serious;

b. Whether the subject of the violation is under price control under Section 6 and 7 of this Act; violations involving basic necessities and prime commodities under price control shall be deemed more serious;

c. The number of violations committed; respondents who had previously been found to have violated any of the provisions of this Act shall be imposed a higher fine; and

d. Such other considerations as may be deemed necessary to carry out the intents, purposes and provisions of this Act.

2. The deputized official may require the attendance and testimony of witnesses or the production of goods, objects, books, papers, documents, contracts, records, financial statements, accounts, agreements and such other evidences material in the determination of any violation of this Act;

3. Without prejudice to the power to issue temporary closure or temporary restraining order for a period which shall not be more than ten (10) days, he may, after due notice and hearing, issue cease and desist orders; reprimand; censure; suspend, revoke or cancel any permit, license, authority or registration issued by his office; or order the permanent closure of any establishment violating the provision of this Act;

4. The deputized official may initiate summary proceedings to cause the seizure by the government of basic necessities and prime commodities subject of a violation of this Act and order their sale to the public at reasonable prices whenever the nature of or the demand for such goods so requires: Provided, that, pending litigation, the proceeds of the sale shall be held in trust or escrow by the implementing agency: Provided, further, that, should the owner of the basic necessity or prime commodity seized and sold be found not liable for the violation which was the basis of the seizure, the proceeds from their sale shall be paid to him, otherwise, they shall accrue to the general fund of the government and: Provided, finally, that, the head of the implementing agency shall cause the broadcast in radio or television and the publication in at least two (2) newspapers of general circulation of the fact of sale or disposition of such seized goods at least three (3) days before the date of sale or disposition.

This authority shall be published in two (2) newspapers of general circulation and shall take effect immediately after publication and shall remain effective until revoked.

Adopted: 25 Aug. 1995

(SGD.) ROBERTO S. SEBASTIAN
Secretary

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