NATIONAL ADMINISTRATIVE REGISTER · AUGUST 8, 2011

AMENDMENT OF SECTIONS 2 AND 5 OF THE BPI SPECIAL QUARANTINE ADMINISTRATIVE ORDER NO. 1, SERIES OF 2007 ENTITLED “DECLARING THE PROVINCE OF DAVAO DEL SUR AS AREA FREE FROM MANGO ...

BPI SPECIAL QUARANTINE ADMINISTRATIVE ORDER NO. NO. 01-A, S. 2011, August 08, 2011

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WHEREAS, BPI Special Quarantine Administrative Order No. 1, Series of 2007 declared the Province of Davao del Sur as Area Free from Mango Pulp Weevil (Sternochetus frigidus) and Mango Seed Weevil (Sternochetus mangiferae);

WHEREAS, the Section of the said BPI Special Quarantine Administrative Order No. 1, Series of 2007 provided that—

> "SECTION 2. The movement, transfer and carrying of mango planting materials, fruits or parts thereof into the Province of Davao Del Sur is hereby prohibited. Provided however, that the movement, transfer and carrying of the said mango planting materials, fruits or parts thereof may be allowed in limited quantity and for experimental purposes only, subject to the condition that a permit for such purpose is first secured from the Director of Bureau of Plant Industry or his/her duly authorized representative."

WHEREAS, while the aforesaid section mandates a prohibition it nevertheless provided therefrom certain quantities of transport thereby confusing, if not contradicting, the very tenor of said prohibition which could cause confusion and probable misunderstanding in its observance and implementation;

WHEREAS, mango trading in Davao del Sur cannot be totally limited/prohibited entry because there is no other way coming from North Cotabato, Saranggani and General Santos going to Davao del Norte to promote expansion of mango exports.

WHEREAS, Section 5 of the AO No. 1 provides a penal clause, in order that it be in accord with the provisions of PD 1433, there is also a need to restate said provision pursuant to the provisions of Section 23 in relation to the powers granted to the Director of the Bureau of Plant Industry under the said Decree;

WHEREAS, to avoid the aforesaid probable confusion that may be ascribed from the policy under the aforesaid BPI Special Quarantine Administrative Order No 1, Series of 2007 and to express more accurately its purposes for the exigency of the service pursuant 1433 there is a need to clarify and amend its provisions;

NOW THEREFORE, pursuant to the authority vested in me as the Director of the Bureau of Plant Industry under Section 17 of PD 1433 otherwise known as the Plant Quarantine Decree of 1978, this Special Order amending, Revising, and Clarifying Sections 2 and 5 of BPI Special Quarantine Administrative Order No. 1, Series of 2007 is hereby restated and promulgated now to read as follows:

> "SECTION 2. The movement, transfer and carrying of mango planting materials, fruits or parts thereof into the province of Davao del Sur is hereby regulated subject to the provisions of Memorandum Order No. 26, Series of 2011,"Guidelines for inspection of incoming and outgoing mango plants/planting materials and plant

products within Davao del Sur."

"SECTION 2-A. Vehicles passing through with mango plants, planting materials and plant products as well as those loading additional cargoes shall be allowed entry to Davao del Sur subject to the provisions of Memorandum Order No. 26, Series of 2011.

"SECTION 5. Any person who violates the provisions of this Order or forges, counterfeits, alters, defaces and destroys any document issued by virtue hereof : shall be prosecuted pursuant to the penalties imposed under Section 23 of PD1433 consisting, inter alia, of a fine of not more than PhP 20,000.00 or imprisonment from prision correcional to prision mayor, or both at the discretion of the Court."

NOW, FINALLY, this Amendatory Order supersedes and/or revokes prior orders or other issuances contrary to or inconsistent herewith and shall take effect immediately upon approval fifteen (15) days after its publication in a newspaper of general circulation as required bylaw.

Adopted: 08 August 2011

(SGD.) CLARITO M. BARRON, PHD.CESO IV
Director, Bureau of Plant Industry

Approved by:

(SGD.)PROCESO J. ALCALA
Secretary of Agriculture

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