SIZE REGULATION FOR SEA CUCUMBER COLLECTION AND TRADE

Read online (full-text search, related cases, audio case brief): https://batas.org/library/a7e1dbf9a049/

WHEREAS, the Philippines has been in the forefront of the multi-million dollar international trade in processed meat of sea cucumber species valued at USD 2 million to 6.8 million and the world's third largest producer and exporter of processed tropical sea cucumber meat products known by the international trade names beche-de-mer and trepang;

WHEREAS, from 1970 to 1989 Philippine sea cucumber production volume showed steady increase reaching 4000 tons in 1984 valued at almost USD 7 million, which started to decline in the 1990s, bringing the country from second down to third among the top sea cucumber exporting tropical countries, barely maintaining a 1000 metric ton production level consisting mostly of low value and undersized individuals and very few high value species;

WHEREAS, the alarming rate of sea cucumber exploitation for the meat trade, the recent discovery of their potential medical and pharmaceutical applications and the recognition of their ecological importance became worldwide concern and came to the attention of international bodies, such as, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Food and Agriculture Organization and the ASEAN Southeast Asian Fisheries Development Council (SEAFDEC), which organized separate fora to discuss the varied and country-specific issues on sea cucumber fisheries and trade, the outcome of which underscored the overarching need for the producing and exporting countries to enact appropriate management measures for sea cucumbers;

WHEREAS, the Philippines being on top of the trade, is one of only two countries without national legislation for sea cucumbers, despite the fact that the fishery-dependent and independent surveys carried out by the three-year National Sea Cucumber Research Project (NSCRP), a comprehensive taxonomic and fishery investigation of the commercial species of sea cucumber, carried out by the National Fisheries Research and Development Institute (NFRDI) in 15 sites in the 14 regions of the country confirmed the critical state of sea cucumber resource in the historically rich fishing grounds, with only 47 of more than 100 commercial species known to occur in Philippine waters being encountered during the surveys, most of which are low value species in low densities;

WHEREAS, the UPMSI research program with support from DA-BFAR, ACIAR and DOST-PCAMRD conducted resource and fishery assessment surveys and pioneered the research in developing hatchery and grow-out technology for one of the high value species, Holothuria scabra, commonly known as sandfish or "putian" in local dialect in collaboration with other institutions and BFAR National Integrated Fisheries Technology Development Center (NIFTDC) for stock enhancement and livelihood support for coastal communities and UPMSI also piloted sandfish communal sea ranching and various trainings on sea cucumber culture, resource assessment and species identification;

WHEREAS, ACIAR also funded WorldFish to conduct value chain analysis of sea cucumber industry in the Philippines, which confirmed that over-exploitation of sea cucumber resource is market-induced due to the continuously high market demand and price and that in order to sustain the resource and improve product value, it is imperative to regulate the size at which individual sea cucumber can be taken or caught; WHEREAS, the IUCN

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

2013 Red List of threatened species lists five high value, shallow water sea cucumber species with the Philippines as one of the range countries, as endangered with extinction, namely: Holothuria lessoni (golden sandfish), H. nobilis (black teatfish), H. scabra (golden sandfish), H. whitmae (black teatfish) and Thelenota ananas (prickly redfish); and five high to medium value species as vulnerable to extinction, namely: Actinopyga echinites (deep water redfish), A, mauritiana (surf redfish), A. miliaris (hairy redfish), Holothuria fuscogilva (teatfish) and Stichopus herrmanni (curryfish); such list is being used by many range countries as basis in enacting national wildlife laws;

WHEREAS, with the latest IUCN red listing, the outcome of researches carried out by various local institutions on the different aspects of sea cucumber fisheries, utilization and trade and applying the “Precautionary Principle” of the 1983 Rio Declaration on environment and development which states that, “where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation,” a national policy for this commercially and economically valuable resource that integrates conservation and sustainable livelihood should now be promulgated;

WHEREFORE, in view of these premises and pursuant to Section 11 of Republic Act No. 8550 and Sections 22 and 25 of Fisheries Administrative Order (FAO) No. 233 implementing RA. No. 9147, the following rules and regulations for the conservation of sea cucumber species belonging to the orders Aspidochirotida and Dendrochirotida in Philippine waters are hereby promulgated for the information, guidance and compliance of all concerned.

Section 1. Definition. - The terms used for purposes of this Order shall be construed as follows:

- Sea cucumber species - any echinoderm of the Class Holothuroidea generally having soft, elongated, cucumber-shaped body and bearing clusters of tentacles at the oral end commonly known by various names in local dialects such as, “balat”, “balatan”, “ba-at” and “bat”.

- Order Aspidochirotida - taxonomic grouping of commercially important sea cucumber species inhabiting intertidal zone, mangrove forest, seagrass meadows, coral reef and adjacent soft bottom (sandy/muddy) areas.

- Order Dendrochirotida - taxonomic grouping of commercially important sea cucumber species inhabiting deeper waters.

- Processed meat - meat of sea cucumbers in different forms of preparation, i.e. fresh, frozen, gutted, boiled, salted, smoked, dried, etc. known by the trade names “beche-de-mer” or “trepang”

- Dried form - the final processed product of sea cucumber meat in which the moisture content is reduced using appropriate drying methods, which may include sun-drying, smoke-drying or drying under controlled condition, to the required level.

- Holothuriidae and Stichopodidae - commercially valuable families of shallowwater sea cucumber species belonging to order Aspidochirotida that include the following genera: Actinopyga, Bohadschia, Holothuria, Pearsonothuria, Stichopus and Thelenota.

Section 2. AWCP and LTP. - Only registered fisherfolk issued with an Aquatic Wildlife Collector’s Permit (AWCP) by the BFAR Provincial Fishery Office (PFO) may gather or collect sea cucumbers for commercial trade. Sea cucumbers may not be transported without a Local Transport Permit (LTP) issued by PFO or Fisheries Quarantine Officer.

Section 2. Prohibition. - It shall be unlawful for any person, association or corporation to gather, collect, catch,

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

take, cause to be taken or caught sea cucumber species for commercial trade without an AWCP or to transport without LTP. It shall also be unlawful for any person, association or corporation to possess, transport, sell, trade or export sea cucumber species in any state or form except in dried form with minimum size of 2 inches or 5 centimeters in length.

Section 3. Exception. - The Secretary of Agriculture, pursuant to Sections 22 and 25 of FAO 233 and upon the recommendation of the Director of the Bureau of Fisheries and Aquatic Resources (BFAR), may grant special permit to legitimate research or academic institutions to gather, collect, catch, possess or transport sea cucumber species for scientific and/or educational purposes, subject to such terms and conditions as the Secretary may deem wise to impose.

Section 4. Penalties. - (a) Trading, selling or buying undersized sea cucumbers is punishable by imprisonment of ten (10) days to one (1) month and/or fine of two hundred (P200) to twenty thousand pesos (P20,000);

(b) Transporting of undersized sea cucumbers or transporting of sea cucumbers without LTP shall be punishable by imprisonment of five (5) days to ten (10) days and a fine of two hundred (P200) to one thousand pesos (P1,000);

(c) Collecting, taking, gathering sea cucumbers without AWCP shall be punishable by imprisonment of ten (10) days to one (1) month and a fine of one thousand (P1,000) to five thousand pesos (P5,000); and,

(d) Exporting undersized sea cucumbers shall be punishable by eight (8) years imprisonment and a fine of eighty thousand pesos (P80,000).

In addition to the above penalties, the administrative penalties of confiscation, forfeiture of collected sea cucumber species, its by-products or derivatives and all paraphernalia, tools and conveyances used in the commission of the above-prohibited acts shall also be imposed.

The fines herein prescribed shall be increased by at least ten percent (10%) every three years to compensate for inflation and to maintain the deterrent function of such fines pursuant to Section 28 of RA 9147.

Section 5. Disposition. - Confiscated sea cucumber species in violation of this Order shall, if applicable, be returned to its natural habitat, buried or donated to museums or educational institutions or through other means as determined by the BFAR.

Section 6. Repealing Clause. - All orders, rules and regulations or parts thereof inconsistent with the provisions of this Order are hereby repealed.

Section 7. Effectivity. - This Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation and upon acknowledgement by the Office of the National Administrative Register (ONAR).

Issued this 25th day of November 2013 at Quezon City, Philippines.

(SGD) PROCESO J. ALCALA
Secretary

Recommended by:

(SGD) ATTY. ASIS G. PEREZ
Director, BFAR

Study hands-free: podcast-style lessons with read-along highlighting - batas.org

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at https://batas.org

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.