PROHIBITING THE IMPORTATION AND CULTURE OF IMPORTED LIVE SHRIMP AND PRAWN OF ALL STAGES

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Pursuant to Sections 10, 61 (c and d), 67 and 100 of R.A. 8550, this prohibition on the importation and culture of live shrimp of all stages is hereby issued for the information and guidance of all concerned:

SECTION 1. Definition. — The terms as used in this order shall be construed as follows:

- Shrimp or prawn — Species of crustaceans with five pairs of walking legs and five pairs of abdominal swimming legs used for locomotion.

- Culture — The cultivation of imported live shrimp or prawn.

- Import risk analysis — The process of identifying and estimating the risk associated with the importation of live shrimp and prawn and evaluating the consequences of taking such risk.

- Import risk analysis panel — A group of competent persons designated by the Director to carry out the import risk analysis.

- CITES Appendices — refer to Appendix I, II and III of the Convention which are list of species of plants and animals endangered by trade.

SEC. 2. Prohibition. — It shall be unlawful for any person, natural or juridical, to import live shrimp and prawn of all stages and culture the same: Provided, however, That the Secretary of Agriculture, upon recommendation of the Director of Fisheries and Aquatic Resources, may grant a special permit, free of charge, to government and private organizations to import live shrimp or prawn of any stage otherwise prohibited in this Order only for scientific and/or educational purposes subject to such terms and conditions as the said Secretary may impose such as import risk assessment including submission of health certificate issued by a reputable shrimp health laboratory showing that the batch of shrimp or prawn is free from significant viral diseases: Provided, further, That the broodstock thereof shall be established in quarantine and only F1 generation of the same shall be introduced in fishponds if no problems are noted, pursuant to the Code of Practice of the International Council for the Exploration of the Sea and such other requirements as may be recommended by the Bureau's Import Risk Analysis Panel: Provided, finally, That the importation of live shrimp and prawn under a special permit herein allowed but used otherwise than from the prescribed scientific or educational purposes will render the offender liable as if no special permit has been granted at all.

Sec. 3. Penalty. — Violation of this Order shall hold the offender liable to imprisonment for eight (8) years, and a fine of eighty thousand pesos (P80,000.00) including the banning from being a member or stockholder in companies engaged in fisheries now existing or which may be created in the future and the destruction of the live imported shrimp and prawn or forfeiture of the non-live ones for proper disposition of the Director of Fisheries and Aquatic Resources.

Sec. 4. Repeal. — All orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Order are hereby repealed or modified accordingly.

Sec. 5. Effectivity. — This Order shall take effect fifteen (15) days after its publication in the Official Gazette and/or in two (2) newspapers of general circulation and fifteen (15) days after its registration with the Office of the National Administrative Register.

Adopted: 17 May 2001

(SGD.) LEONARDO Q. MONTEMAYOR
Secretary

Recommended by:

(SGD.) MALCOLM I. SARMIENTO, JR.

(SGD.) CESAR M. DRILON, JR.

Director, Bureau of Fisheries and
Aquatic Resources

Undersecretary for Fisheries and
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