



Republic of the Philippines
PROVINCE OF NEGROS OCCIDENTAL
Old Capitol Building, Bacolod City
Tel. No. 707-8075 (Admin) * 435-7698 (Board Member) * 709-0121 (Legislative Division)
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF NEGROS OCCIDENTAL HELD IN THE CITY OF BACOLOD, NEGROS OCCIDENTAL ON THE 11TH DAY OF JULY 2023.

Present:

Hon. Valentino Miguel J. Alonso	Temporary Presiding Officer
Hon. Rommel T. Debulgado	Member - 1 st District
Hon. Araceli T. Somosa	Member - 1 st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Juvy A. Pepello	Member – ABC
Hon. Julius Martin D. Asistio	Member - PCL
On Official Business:	
Hon. Jeffrey P. Ferrer	Vice Governor
Hon. Samson C. Mirhan	Member - 2 nd District
Hon. Manuel Frederick O. Ko	Member - 3 rd District
Hon. Pocholo C. Yuvienco	Member – SK

ORDINANCE NO. 2023-008
Series of 2023

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF ORDINANCE NO. 2019-024, SERIES OF 2019 OTHERWISE KNOWN AS “AFRICAN SWINE FEVER (ASF) PREVENTION ORDINANCE OF NEGROS OCCIDENTAL”

*Authored by: Hon. Andrew Gerard L. Montelibano,
Chairman, SP Committee on Agriculture*

WHEREAS, African Swine Fever (ASF) is a highly contagious disease of swine affecting all ages caused by any of the twenty-three (23) virus strains with up to 100% fatality rate, there being no known treatment and vaccine available;

WHEREAS, on November 19, 2019, the Sangguniang Panlalawigan of the Province of Negros Occidental passed Ordinance No. 2019-024, Series of 2019 otherwise known as the “African Swine Fever Prevention Ordinance of Negros Occidental” to protect the 6-billion-peso swine industry of the province, prohibiting the entry of sources of ASF infection such as live pigs, boar semen, pork and pork products from areas affected by ASF into Negros Occidental

WHEREAS, Section 16 of RA 7160, otherwise known as the Local Government Code of 1991, empowers local government units to exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare;

WHEREAS, Section 468 (4)(v) of the Code authorizes the Sangguniang Panlalawigan to approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases within its territorial jurisdiction;

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WHEREAS, there is a need to implement more stringent penalties in order to curb the smuggling of live pigs, boar semen, pork and pork products from areas affected by ASF into the Province of Negros Occidental;

NOW, THEREFORE, on motion of Hon. Andrew Gerard L. Montelibano, unanimously seconded by all of the members present,

BE IT ENACTED by the Sangguniang Panlalawigan of Negros Occidental in a Regular Session duly assembled that:

SECTION 1. Amendment to Section 2 of Ordinance No. 2019-024, Series of 2019. – Section 2 of Ordinance No. 2019-024, Series of 2019 is hereby amended to be read as follows:

SECTION 2. Scope. – This ordinance shall apply to all live pigs, boar semen, pork and processed pork products including food items containing pork, originating from, manufactured and/or processed in Luzon, Mindanao, Region 8, Islands of Panay and Guimaras, Province and city of Cebu and in countries affected with African Swine Fever and in areas as maybe declared by the Department of Agriculture and World Organization for Animal Health.

Processed pork products referred to above may not include canned goods, fully-cooked pork chicharon, pork-based seasonings and transshipped imported pork from ASF free areas.

All sea, land and air public conveyances and private transport vehicles such as cargo trucks, container vans, livestock transport carriers, livestock hauling trucks and other vehicles used to transport live hogs, other livestock, pork and pork products are likewise covered under this section.

SECTION 2. Amendment to Section 4 of Ordinance No. 2019-024, Series of 2019. – Section 4 of Ordinance No. 2019-024, Series of 2019 is hereby amended to be read as follows:

“SECTION 4. Prohibited Acts and Items. – *The carrying, transport, shipment, distribution, storing, trading, marketing through wholesale, retailing or online selling of live pigs, boar semen, pork and processed pork products including food items containing pork originating from, manufactured and/or processed in Luzon, Mindanao, Region 8, Panay and Guimaras Islands, Province of Negros Oriental, Province and City of Cebu and in countries affected with African Swine Fever and in areas as maybe declared by the Department of Agriculture and World Organization for Animal Health, are hereby prohibited in the Province of Negros Occidental under this Ordinance.*

Live pigs, boar semen, pork and processed pork products which have any of the following irregularities in their shipping and supporting documents are likewise prohibited entry into the Province of Negros Occidental, to wit:

- a. *Incomplete, spurious, or falsified shipping and supporting documents*
- b. *Expired shipping permit and/or other supporting documents*

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c. *Shipping and supporting documents are inconsistent with goods being shipped upon inspection*

d. *Shipping and supporting documents submitted indicate that the shipping origin is unknown and cannot be determined with reasonable certainty.*

The entry or passage to Negros Occidental of Transport Vehicles originating from the areas covered under Section 2 hereof is also prohibited. However, Transport Vehicles maybe allowed entry provided that the same must be accredited with the Provincial Government of Negros Occidental thru the Provincial Veterinary Office (PVO)."

SECTION 3. Amendment to Section 7 of Ordinance No. 2019-024, Series of 2019. –
Section 7 of Ordinance No. 2019-024, Series of 2019 is hereby amended to be read as follows:

SECTION 7. Responsibilities of the Provincial Veterinary Office (PVO)- *The Provincial Veterinary Office shall provide support in the enforcement and implementation of the provisions and intent of this ordinance in coordination with the Provincial African Swine Fever Task Force (ASF-TF), local government units and concerned government regulatory agencies and industry stakeholders.*

In Addition, it shall carry out the following:

- A. *Conduct ASF disease investigation, surveillance and monitoring within the territorial jurisdiction of the province, and for consideration by the Provincial ASF-TF, recommend measures or strategies in furtherance to attaining the objectives of this Ordinance;*
- B. *Require LGUs, private commercial and semi-commercial piggeries, private slaughterhouses/meat establishments and swine/pork traders to submit regularly blood, meat or any other samples, as the case may be, for analyses at the Provincial Animal Disease Diagnostic Laboratory as part of PVO's disease investigation and surveillance activities;*
- C. *Conduct spot inspection of farms, cold storages, wet markets, supermarkets, hotels, restaurants and the like, to check compliance of this Ordinance.*
- D. *Ensure that disinfection protocol in all ports of entry are properly and adequately provided and maintained;*
- E. *Gather ASF disease updates from other provinces and national agencies and recommend necessary actions or measures for implementation.*
- F. *Conduct information and education campaign to all concerned stakeholders on African Swine Fever awareness, prevention, preparedness and response;*



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- G. *Training, registration and deputation of Barangay Biosecurity Officer (BBO) and Veterinary Biosecurity Officer (VetBO). BBOs are Community/Village-Based Animal Technicians (CBAT), Para-veterinary workers and the like who performs animal extension services while VetBOs refers to trained veterinarians performing animal health extension services in the community.*

SECTION 4. Amendment to Section 8 of Ordinance No. 2019-024, Series of 2019. – Section 8 of Ordinance No. 2019-024, Series of 2019 is hereby amended to be read as follows:

SECTION 8. Responsibilities of LGUs. *At the local level, Local Chief Executives in the municipalities and component cities in the Province of Negros Occidental shall be the primary implementer of this ordinance. They are required to create their own City/Municipal ASF Task Force which shall implement all ASF prevention and control related measures and activities within its territorial jurisdiction.*

Further, LGUs with point/s of entry from other provinces shall establish and maintain veterinary quarantine inspection and disinfection stations/checkpoints. The concerned LGU shall provide adequate and competent personnel to man the said station/checkpoints in coordination with the Provincial ASF Task Force.

Furthermore, in order to ensure early detection of ASF disease, and as part of the regular disease surveillance and monitoring process, every LGU shall cause and facilitate the collection of blood or other samples from pigs within its locality especially those raised at backyard level, and submit the same to the Provincial Veterinary Office for laboratory analyses.

SECTION 5. Amendment to Section 11 of Ordinance No. 2019-024, Series of 2019. – Section 11 of Ordinance No. 2019-024, Series of 2019 is hereby amended to be read as follows:

SECTION 11. Penalties. -For the violation of Section 4 of this Ordinance, the following penalties shall be imposed:

- A. *FINE. a penalty of fine of Five Thousand Pesos (P5,000.00) or imprisonment of not less than six (6) months but not exceeding one (1) year, or both at the discretion of the court.*
- B. *SEIZURE AND CONFISCATION OF PROHIBITED ITEMS. In all acts committed under Section 4 of this Ordinance, the prohibited items involved shall be seized or confiscated and disposed of in accordance with Section 10 hereof.*
- C. *IMPOUNDING OF VEHICLES. All vehicles which are subject, involved or used in the commission of the violations mentioned under Section 4 of this Ordinance shall be impounded through the issuance of Impounding Receipt by the ASF Task Force subject to the payment of fines and penalties, towing fees, impounding/storage fees and the like as provided hereunder.*



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1. *Procedure for Impounding of Vehicles.*
 - i. *All vehicles subject of impounding as provided in Section 11(C) hereof shall first be immobilized upon apprehension of the driver and crew thereof, and shall not be subject to intercession by the owner of the vehicle to be rescued and removed.*
 - ii. *The ASF Task Force, with the assistance of the PNP and Bureau of Animal Industry, if necessary, shall issue a Technical Inspection Report indicating the name of the owner, the vehicle's plate number, prohibited goods transported, and a description of the vehicle's condition. In case the owner/driver is not in the premises of the vehicle, the notice shall be left/entrusted to any traffic officer on duty at the site, or to any responsible person who can give the notice to the owner. Should the vehicle owner refuse to accept the notice, then the notice shall be disregarded and the apprehending officer will place a notation in the notice that the owner refused to accept before the vehicle is towed.*
 - iii. *Towing, and Impounding Fees. – a standard towing and impounding fee shall be collected by the Provincial Government of Negros Occidental as follows:*

TOWING FEE:

PHP 5,000.00 for the First five (5) kilometers and PHP 1,000.00 for every kilometer thereafter from towing to the impounding yard. The impounding yard shall be the nearest barangay hall from the site of violation.

IMPOUNDING/STORAGE FEES:

PHP 500.00 per day from day of impounding until settlement of all fines and fees by the offender.

The Provincial Government of Negros Occidental, its municipalities and component cities, and other government agencies shall not be held liable for any damage caused to the impounded vehicle.

- D. *ILLEGAL DISPOSAL. The illegal disposal of swine products and waste materials, including infected or potentially infected carcasses, is strictly prohibited within the jurisdiction of Negros Occidental.*
 1. *The ASF Task Force shall develop and disseminate comprehensive guidelines for the proper disposal of swine products and waste materials in accordance with established biosecurity and environmental standards. These guidelines should include provisions for the safe handling, transport, treatment, and disposal of infected carcasses and other swine-related waste.*
 - i. *Strengthening Surveillance and Enforcement: The ASF Task Force shall collaborate with relevant government agencies, such as the Department of Agriculture, Department of Environment and Natural Resources, Department of Health, to strengthen surveillance and enforcement efforts to prevent and detect illegal disposal practices. This includes conducting regular inspections, monitoring swine farms, markets, and other relevant areas, and imposing penalties for violations.*

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- ii. *Collaboration with Local Government Units: The ASF Task Force shall work closely with local government units within Negros Occidental to ensure the effective implementation of this resolution. This includes providing technical assistance, capacity building, and sharing of best practices related to swine flu prevention and waste management.*
- iii. *Reporting and Investigation: Any suspected cases of illegal disposal related to swine flu prevention should be promptly reported to the appropriate authorities for investigation and necessary action.*

E. ESTABLISHMENT OF WHEEL BATHS. The Philippine Ports Authority of Negros Occidental is directed to establish and maintain wheel baths at all ports of entry within its jurisdiction. Wheel baths shall be designed to effectively disinfect vehicle wheels and footwear to prevent the introduction and spread of ASF.

1. The Philippine Ports Authority of Negros Occidental shall collaborate with relevant experts, agencies, and stakeholders to determine the appropriate design, specifications, and placement of the wheel baths. These should be in accordance with established biosecurity standards and should consider the volume and types of vehicles and footwear entering the port.
 - i. **Installation and Operation:** The Philippine Ports Authority of Negros Occidental shall ensure the timely installation and proper operation of the wheel baths. Adequate staff, equipment, and supplies, shall be allocated to maintain and regularly replenish disinfectants used in the wheel baths.
2. **Collaboration with Relevant Agencies:** The Philippine Ports Authority of Negros Occidental shall collaborate with the Department of Agriculture, Department of Health, and other concerned agencies to ensure that the establishment and operation of wheel baths align with national guidelines and protocols for ASF prevention.
3. **Monitoring and Enforcement.** The Philippine Ports Authority of Negros Occidental shall implement monitoring and enforcement mechanisms to ensure compliance with the use of wheel baths. Violations should be reported to the appropriate authorities for appropriate action.

SECTION 6. Separability Clause.- Should any provision, section or part/s of this Ordinance is declared illegal or unconstitutional by any court of competent jurisdiction, such judgment shall not affect or impair the remaining provisions, section or part/s thereof, which shall continue to be in full force and effect.

SECTION 7. Repealing Clause. – Any ordinance or provision/s thereof inconsistent herewith is hereby deemed modified, amended or repealed.

SECTION 8. Effectivity.- This ordinance shall take effect after ten (10) days from the date a copy thereof is posted in a bulletin board at the entrance of the Provincial Capitol and in at least two (2) other conspicuous places or the last day of its publication in a newspaper of general circulation, whichever comes later.

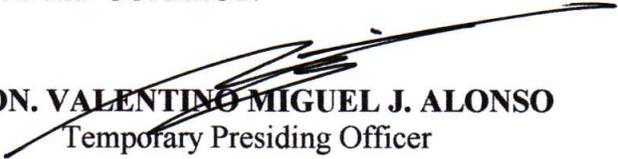


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ADOPTED UNANIMOUSLY, July 11, 2023.

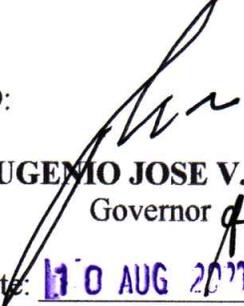
CERTIFIED CORRECT:


HON. VALENTINO MIGUEL J. ALONSO
Temporary Presiding Officer

ATTESTED:


ATTY. MAKLANGEL O. ASCALON
Provincial Secretary


APPROVED:


HON. EUGENIO JOSE V. LACSON
Governor

Date: 10 AUG 2023