



Republic of the Philippines
PROVINCE OF PANGASINAN
Lingayen
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on August 15, 2022 at Lingayen, Pangasinan, the following provincial ordinance was approved:

Authored by SP Member Shiela Marie F. Baniqued

PROVINCIAL ORDINANCE NO. 282-2022

AN ORDINANCE ON AVIAN INFLUENZA PREVENTION AND CONTROL PROGRAM IN THE PROVINCE OF PANGASINAN AND PROVIDING PENALTIES IN VIOLATION THEREOF

WHEREAS, Article II Section 15 of the 1987 Philippine Constitution provides that it is the obligation of the State to protect and promote the health of the people and instill health consciousness among them;

WHEREAS, Republic Act No. 7160 otherwise known as the Local Government Code of 1991 Section 16 mandates the local government units to promote health and safety of the people within their respective jurisdiction;

WHEREAS, Avian Influenza (AI) also known as avian flu or bird flu is a contagious disease of animals caused by viruses that normally infect birds;

WHEREAS, AI viruses usually do not infect people, however, there have been some rare cases of human infection with these viruses that have ranged in severity from no symptoms or mild illness to severe disease that resulted in death;

WHEREAS, new confirmed cases of bird flu, or highly pathogenic avian influenza, have been reported in some parts of Luzon and Mindanao, but most of these incidents are now under control;

WHEREAS, to implement the temporary total ban on the entry of all ducks and spent hen (culls) into the Province of Pangasinan, Executive Order No. 0103-2022, was issued by the Provincial Governor, Ramon V. Guico III, to ensure that the bird flu disease will not harm poultry raisers and to protect the general public from its ill effects;



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WHEREAS, the latest Memorandum Circular No. 27, S-2022 of the Department of Agriculture, dated June 30, 2022, provides the updated guidelines on the movement of live poultry and non-poultry and poultry products and by-products during the avian influenza outbreak;

WHEREAS, in pursuance to IATF-EID Resolution No. 60, dated July 30, 2020, there is also a need to reactivate the Avian Influenza Prevention and Control Task Force to manage the entry or outbreak of the disease through multi-agency coordination and collaboration efforts of agencies/offices and other stakeholders;

WHEREAS, RA No. 7160, otherwise known as the Local Government Code of 1991, has vested upon local government units, the authority to prescribe regulations aimed at the promotion and preservation of public health, order, safety and general welfare of its inhabitants;

NOW, THEREFORE, on motion of SP Member Shiela Marie F. Baniqued, duly seconded, it was-

Be it enacted by the Sangguniang Panlalawigan in session duly assembled that:

SECTION 1. This ordinance shall be known as the Avian Influenza Prevention and Control Ordinance in the Province of Pangasinan.

SECTION 2. DECLARATION OF POLICY.

The provincial government aims to institute preparedness and preventive measures through the enactment of this ordinance in order to protect the people of Pangasinan particularly poultry raisers and the livestock industry in general, in the event the Avian Influenza can pose a serious threat to the Province of Pangasinan.

SECTION 3. OBJECTIVES AND PURPOSES.

1. To prevent the entry/outbreak of Avian Influenza, thus ensuring public health and safety.
2. To protect the local livestock industry in Pangasinan.
3. To regulate the movement and local transport of poultry and by poultry products in and out of the province.
4. To promote and protect the health, safety and general welfare of Pangasinenses.

SECTION 4. SCOPE AND COVERAGE.

This ordinance shall be enforced within the territorial jurisdiction of the Province of Pangasinan.



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SECTION 5. DEFINITION OF TERMS.

For the purpose of this Ordinance, the following terms shall be defined as follows:

1. Avian Influenza – an infectious disease in chicken, ducks and other birds caused by different subtypes of the Influenza A virus.
2. Poultry/Fowl – includes marketable broilers, culls, day old chicks, pullets, game fowls, native chicken, ducks, hatching eggs, hobby birds or birds of any kind.
3. Exotic Birds – any bird species or sub-species which do not naturally occur in the Philippines.
4. Poultry Holding Facilities – including commercial farms, backyard units, hatcheries, processing plants, slaughterhouses, aviaries, feed mills, cockpits and public markets.
5. Migratory Birds – birds that migrate from one country to the other country.
6. Threat – means there is a suspected case of Avian Influenza. In commercial farms, 3% mortality rate incidence of the total population is noted daily. Sampling has been taken but yet to be confirmed in diagnostic laboratories.

SECTION 6. CREATION OF THE LOCAL AVIAN INFLUENZA PREVENTION AND CONTROL TASK FORCE.

The Local Avian Influenza Prevention and Control Task Force shall be formed and shall be the main authority to oversee the implementation of the provisions of this ordinance and other related activities as maybe provided by rules and regulations and guidelines promulgated by higher authorities or mandated by national laws. Hereby created in every province, municipality and city, it shall be composed, but not limited to the following:

- Chairman: - Governor/Mayor
Vice Chairman: - Provincial/City/Municipal Veterinarian
Members: - City/Municipal Agriculturist
- Livestock Inspectors and Meat Inspectors
- Provincial/City/Municipal Health Officer
- Provincial/City/Municipal PNP Commander
- President – Association of Barangay Captains
- Two (2) NGO Representatives
- Provincial/City/Municipal Action Officer of PDCC
- Provincial/City/Municipal Information Officer
- Poultry Raisers and Livestock Association
- Provincial/City/Municipal DILG Director/Representative
- Provincial/City/Municipal Sanggunian Chairman of the Committees on Health; and Agriculture.



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SECTION 7. CENSUS

The local government units (LGUs) shall conduct a census of all livestock and poultry holding facilities in their premises. The surveillance data shall include the type of poultry holding facility, poultry species, poultry population density, facility owner/operator, location, poultry disease profile, bio security practices, vaccination, and veterinarian in charge.

SECTION 8. PROHIBITION OF SALE

It shall be prohibited for any person to engage in trade or sale of any exotic species of poultry wildlife. It shall be accordingly penalized in Chapter IV (Illegal Acts) of RA 9147. This activity shall be enforced in coordination with the authorities of the DILG-LGU Bureau or the Local PNP Station.

SECTION 9. PROHIBITION OF POSSESSION

It shall be unlawful for any person to possess/own or keep unregistered exotic birds for whatever purposes or intent.

SECTION 10. OTHER PROHIBITIONS

Upon the official declaration of Avian Influenza outbreak, the LGU shall assist in the implementation of the following additional prohibitions to safeguard against Avian Influenza:

1. Prohibition on sale of live chicken in the market while there is a threat of bird flu.
2. Prohibition on placing chicken, ducks, and pigs together in the same area, cages, or pen.
3. Prohibition on chickens to roam freely.
4. Prohibition on the entry of all ducks and spent hen (culls) into the Province of Pangasinan, while Executive Order No. 0103-2022 is in place.

SECTION 11. NEGATIVE REPORTING

The Local Veterinarian/Livestock Coordinator shall regularly submit a Negative Monitoring Report to the Provincial Veterinarian on DA-RFU Livestock Division and to the Office of the Governor.



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SECTION 12. ASSIST IN SURVEILLANCE

The LGU shall assist the National/Regional surveillance group in the conduct of surveillance in their locality. They shall help in the identification of poultry holding facilities and encourage participation of the facility owners/operators in surveillance and reporting. Surveillance reports shall be recorded and submitted to the National AI Task Force Center at the BAI. Zero surveillance must be conducted twice a year in the backyard/commercial farms and other susceptible fowls.

The LGU likewise assist BAI in enforcing requirements covering the local transport of animals, including poultry and poultry by products, as covered by BAI Memorandum dated July 13, 2004. This activity shall be enforced in coordination with the Local PNP Station.

SECTION 13. INFORMATION DISSEMINATION

The City/Municipal Veterinarian/Municipal Livestock Coordinator shall conduct regular information campaigns. These campaigns shall include recommended biosecurity and other AI preventive measures.

SECTION 14. SUSPECTED CASES

REPORTING. The farm veterinarian or farm owner shall immediately report to the city/municipal/provincial veterinarian any occurrence off-day mortality of 3% (based on house population) in the case of commercial farm or any unexplained mortality of poultry in two or more households within a Barangay or "purok" in a span of 2 days in the case of backyard farms investigation/blood collection shall be conducted by the city/municipal/provincial veterinarian and the RADDL Technician within 24 hours.

MOVEMENT CONTROL. The Local PNP, upon notice from the Local Chief of Police shall enforce movement control. Farm personnel are not allowed to leave the suspected premises unless with approval from the head of AI Taskforce. Likewise, poultry products, and by-products, farm equipment and feeds shall not be allowed to leave the suspected premises.

VACCINATION. The Local Health Officers shall assist in immunizing veterinarians, laboratory staff, medical health workers, and poultry farm personnel. The local veterinarians, agricultural officers, livestock coordinators/technicians shall assist in the conduct of poultry vaccination in areas identified by the AI Task Force.



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SECTION 15. IN CASE OF AI OUTBREAK

If an outbreak of AI occurs, the whole province shall be put under State of Calamity where emergency measures shall be undertaken in coordination with the National and Regional AI Task Force. Likewise, LGU shall provide needed funds in mobilizing the speedy implementation of the immediate and emergency measures as prepared by the National Avian Influenza Task Force.

In addition, in case of outbreak, Department of Health and Department of Agriculture Joint Memorandum Order No.001 dated April 20, 2005 Adopting the Avian Influenza Protection Program Manual of Procedures shall be adopted.

SECTION 16. MOBILIZATION OF BARANGAY HEALTH EMERGENCY RESPONSE TEAMS (BHERTS)

To maximize efforts at the grass roots level, the organized BHERTS, pursuant to DILG Memorandum Circular No. 2003-95 dated May 7, 2003, shall be mobilized to provide assistance to LGU's in the implementation of the Local Avian Influenza Prevention Program.

SECTION 17. PENALTY FOR NON-COMPLIANCE

Any violation of this ordinance by any person, firm, poultry traders, farm owner shall be liable to prosecution and upon conviction, shall be subject to a fine of not less than One Thousand Pesos (PhP1,000.00) but not more than Five Thousand Pesos (PhP5,000.00) or imprisonment of not less than two (2) months but not more than one (1) year, or both, upon the discretion of the court, pursuant to Section 468 (a)(1)(iii) of Republic Act No. 7160.

In case of transport of carriers of prohibited poultry and poultry by-products, knowingly or unknowingly, aside from charging them with penalties, a suspension or cancellation of their licenses to transport and/or impoundment of their vehicles shall be made at the discretion of proper authorities.

SECTION 18. SEPARABILITY CLAUSE

If any of the provisions of this ordinance is found by a court of competent jurisdiction to be void or unenforceable, in whole or in part, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.



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SECTION 19. FUNDING

Counterpart funding to support the activities of the AI shall be allocated at the amount of PhP500,000.00 annually by the Office of the Governor for the purchase of laboratory sample collection materials, disinfectants, PPE, and other materials needed for the activities to control the spread of the said disease.


SECTION 20. EFFECTIVITY

This ordinance shall take effect after its publication in a newspaper of general circulation in the province once a week for three consecutive weeks.

CERTIFIED BY:


ESPERANCILLA B. ROMA
Assistant Secretary to the Sanggunian

ATTESTED:


MARK RONALD DG. LAMBINO
Vice Governor
(Presiding Officer)

APPROVED:


RAMON V. GUICO III
Governor