



Republic of the Philippines  
Province of Ilocos Norte  
**MUNICIPALITY OF SAN NICOLAS**

## **OFFICE OF THE SANGGUNIANG BAYAN**

EXCERPTS FROM THE MINUTES OF THE SPECIAL SESSION OF THE 11<sup>TH</sup>  
SANGGUNIANG BAYAN OF THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE HELD  
AT THE MUNICIPAL SESSION HALL ON THE 7<sup>TH</sup> DAY OF OCTOBER, 2021  
AT 2:00 IN THE AFTERNOON.

**PRESENT:**

Hon. Angel Miguel L. Hernando	Acting Vice-Mayor/Presiding Officer;
Hon. Moera Joy N. Galing-Luna	Member;
Hon. Joseph Lister B. Butay	Member;
Hon. Norberto D. Dadiz, Sr.	Member;
Hon. Erico R. Ruiz, Jr.	Member;
Hon. Luciano R. Caraang	Member;
Hon. Jessie Julito P. Pumaras, Sr.	Member;
Hon. Juanito P. Ulep, Jr.	Member/Liga ng mga Barangay President;
Hon. Inno Ma. Angelo Paulo O. Hernando	Member/PPSK President.

**ABSENT:**

None.

### **“MUNICIPAL ORDINANCE NO. 2021-25**

#### **AN ORDINANCE ADOPTING AND IMPLEMENTING THE “BANTAY ASF SA BARANGAY” OR THE “BABay ASF PROGRAM” PROVIDING POWERS THEREOF, AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 16 of the Local Government Code states that every local government unit shall 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 447 (5) (xii) of the Local Government Code authorizes the Sangguniang Bayan to approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases within its territorial jurisdiction;

**WHEREAS**, African Swine Fever (ASF), a high impact transboundary animal disease (TAD), continues to affect the swine production sector of the Philippines with no vaccine and no known cure to date; resulting in an industry estimate of 36% reduction of national swine inventory impacting both on livelihood and agriculture economy;

**WHEREAS**, the Department of Agriculture Administrative Circular No. 12 (s. 2019) or the “National Zoning and Movement Plan for the Prevention and Control of ASF” provides for the movement protocols through classification of the country into various zones in an effort to manage, contain and control the ASF virus;

**WHEREAS**, DA Administrative Order No. 6 (s. 2021) states the guidelines on the recovery, rehabilitation and repopulation program for ASF-affected and Non-ASF Affected Areas which will facilitate the recovery of the swine industry in the country;

**WHEREAS**, the Department of Agriculture, likewise, issued DA Administrative Order No. 7 (s. 2021) or the “Implementing Guidelines for the “Bantay ASF sa Barangay Program” to empower local government officials including those in the barangays on their roles in the disease control programs of the government at the grassroots level for timely detection, management, control and prevention of spread of any diseases, particularly the ASF;

**WHEREAS**, successful control effort lies on strong collaboration among the Department of Agriculture, with its concerned agencies, the Local Government Units (LGU), and other stakeholders taking ownership of such program, benefitting the farmers;

**WHEREAS**, Section 6 of DA Administrative Order No. 7 (Series of 2021) Implementing Guidelines for the “Bantay ASF sa Barangay Program” reiterates the strengthening and institutionalization of LGU Engagement in the implementation of the Bantay ASF Program;

**WHEREAS**, Proclamation No. 1143 has been issued by the Office of the President, declaring a State of Calamity throughout the Philippines due to the ASF outbreak, for a duration of one (1) year, which may be truncated or extended as deemed necessary. Through this proclamation, all government agencies and LGUs are enjoined to: render full assistance and cooperation with each other; mobilize necessary resources to undertake critical, urgent, and appropriate measures in a timely manner to curtail the further spread of ASF; address the supply deficit in pork products and reduce retail prices; and jumpstart the rehabilitation of the local hog industry.

**WHEREAS**, to ensure sustainability of the Bantay ASF sa Barangay “BABay ASF” program in the municipality, it is imperative that it be adopted and implemented through a local ordinance;

**NOW THEREFORE**, pursuant to the above cited provisions of the Local Government Code and several issuances of the Department of Agriculture and to prevent and control the spread of ASF, and thereby facilitate the recovery of the hog sector, be it ordained by the Sangguniang Bayan that:

**SECTION 1. Title.** This Ordinance shall be known as the “BABAY ASF ORDINANCE OF THE MUNICIPALITY OF SAN NICOLAS, PROVINCE OF ILOCOS NORTE.”

**SECTION 2. Objectives.**

- a. To strengthen and institutionalize LGU engagement for ASF prevention and control;
- b. To establish an effective ASF monitoring, surveillance and reporting system;
- c. To strengthen biosecurity measures at the farm level and border control;
- d. To intensify awareness campaigns and other capacity building activities;
- e. To assist in the recovery and repopulation of previously affected areas; and
- f. To generate and mobilize resources for an effective implementation of the program.

**SECTION 3. Definition of Terms.** For the purpose of implementing the provisions of these Ordinance, the following terms shall apply:

- 3.1 Agricultural and Fishery Councils (AFCs) are stakeholders, nurtured by the Philippine Council for Agriculture and Fisheries (PCAF), private-sector led and considered as the frontline mechanism for private sector participation in the agriculture and fisheries decision-making processes and enterprise development initiatives through the conduct of consultations for formulation of policy and program recommendations and participatory monitoring;
- 3.2 African Swine Fever (ASF) is a severe viral disease that affects all breeds of domestic and wild pigs in the country and has already caused grave production and economic losses in the entire country.
- 3.3 Barangay Biosecurity Officers (BBOs) are Community/Village Animal Technicians (CBAT), Barangay Animal Health Workers (BAHW), para-veterinary workers, Barangay Livestock Aide (BALA), volunteer veterinarians who are not resident or consulting veterinarian of any farm, Municipal Agricultural and Fishery Council (C/MAFC) Chairperson and Livestock Sectoral Chairperson or any

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person assigned by the municipality at the Barangay, designated and registered as the frontliners of the “BANTAY ASF SA BARANGAY PROGRAM” and shall have specific responsibilities indicated in this Ordinance.

- 3.4 Biosecurity Level 1 refers to the level of farm biosecurity in compliance to minimum standards set by the Philippine College of Swine Practitioners (PCSP).
- 3.5 The Bureau of Animal Industry (BAI) is the primary agency mandated to control animal diseases in the country.
- 3.6 Commercial Farm is a farm category for any farm with a swine population that exceeds the definition of a small-hold farm. In high density areas, commercial farms are further classified into:
  - 3.6.1 Semi-commercial Farm which refers to at least one of the following:
    - Between 10-50 sow level
    - Between 41 to 500 fatteners
  - 3.6.2 Commercial Farm which refers to at least one of the following:
    - 51 sow level and above
    - 501 fatteners and above
- 3.7 Community is hereby defined in this Ordinance as a barangay or clustered barangays.
- 3.8 Consulting Veterinarians refer to veterinarians employed in 300 sow-level farms and below as defined by the Implementing Rules and Regulations (IRR) of Republic Act 8485 or the Animal Welfare Act of 1998.
- 3.9 Contingency Plan outlines the needed plans and procedures in the event of an incursion of the disease
- 3.10 The Department of Agriculture (DA) is the Executive Branch of the Philippine Government mandated to improve, upgrade and regulate the agricultural sector.
- 3.11 The Department of Agriculture-National Livestock Program is the national program of DA mandated to drive and catalyze the accelerated and sustainable development of the livestock and poultry sub sectors through the formulation of a comprehensive policy, preparation of plans, and implementation of programs and projects.
- 3.12 The Department of Agriculture-Regional Field Office (DA-RFO) is the regional branch of the DA that facilitates and supervises the formulation and execution of policies, plans and programs of the Department in the respective regions.
- 3.13 Local Government Unit (LGU) is an administrative and political government unit subsidiary to the national government which could itself consist of sub-units as in the case of a province, a municipality or a city.
- 3.15 Paiwi/Paalaga pertains to the system of rearing animals in some areas in the Philippines whereby the care and management of few animals are delegated to individuals in a community.
- 3.15 Resident Veterinarians refer to veterinarians employed in more than 300 sow-level farms as defined in the IRR of Republic Act 8485 or the Animal Welfare Act of 1998.
- 3.16 Small-hold Farm (PNS/BAFS 267:2019: Code of Good Animal Husbandry Practice (GAHP) for Swine commonly known as backyard farm, which refers to at least one of the following:
  - Less than 21 heads of adult and zero head of young (1-20 heads adult and zero young and below)
  - Less than 41 heads of young animals (1-40 heads young and below)
  - Less than 10 heads of adult and 22 heads of young (1-9 heads adult and 1-21 heads young and below)
- 3.17 Veterinary Biosecurity Officers (VetBO) are Resident Veterinarians or Veterinary Consultants recognized as Biosecurity Officers or VetBO registered and deputized to act as such and perform the duties and responsibilities stated in this Ordinance.

**SECTION 4. Creation of Municipal ASF Task Force.** By virtue of DA AO No. 43 Series of 2020, an ASF Task Force is hereby created. It shall be the main authority to oversee the implementation of this Ordinance and other related activities as may be provided by rules and regulations and guidelines promulgated by higher authority or mandated by the national laws.

4.1 Composition of Municipal ASF Task Force. A Municipal/City ASF Task Force, shall be created and be composed of the following:

- |                |                         |
|----------------|-------------------------|
| Chairperson    | Municipal Mayor         |
| Co-Chairperson | Municipal Administrator |
| Members        | Representative from:    |
- Municipal Planning and Development Officer
  - Municipal Disaster Risk Reduction and Management Office (MDRRMO)
  - Municipal Agriculturist Office (P/M/CAO)
  - Municipal Environment and Natural Resources Officer (MENRO)
  - Municipal Health Office (MHO)
  - Philippine National Police (PNP)
  - Food and Drug Administration (FDA)
  - Provincial/Municipal/City Information Office (P/M/CIO)
  - Department of Education (DepEd)
  - President, Liga ng mga Barangay
  - President, Barangay Biosecurity Officers
  - Municipal Agricultural and Fishery Council (C/MAFC) Chairperson
  - Municipal Agricultural Fishery Council Livestock Sectoral Chairperson
  - NGO Representative

The Task Force may include other agencies or stakeholders not mentioned in this Ordinance but has an immense part in its implementation and who shall be named as the expanded members of the Task Force.

A Technical Working Group (TWG) headed by the Municipal Agriculturist and composed of government and private sector stakeholders can be created to serve as the advisory body of the Task Force for the efficient implementation of the BABay ASF Program.

4.2. Technical Support Teams

Rapid Action Team shall carry out the immediate diagnosis of suspect premises and the initiation and implementation of the stamping out procedures.

- Representative from:
- Municipal Agriculturist
  - Municipal Disaster Risk Reduction and Management Council (MDRRMC)
  - Philippine National Police (PNP)

Surveillance Team shall conduct regular surveillance and profiling of swine diseases in the identified priority areas.

- Representative from:
- Municipal Agriculturist
  - Municipal Environment and Natural Resources Officer (MENRO)
  - Municipal Health Officer (MENRO)
  - Regional Food and Drug Administration (FDA)

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Quarantine Team shall conduct periodic identification and consolidation of data on swine population, location, etc.

Representative from the:

- Office of the Municipal Agriculturist
- Philippine National Police

Census Team shall conduct periodic identification and consolidation of data on swine population, location, etc.

Representative from the:

- Office of the Municipal Agriculturist
- Private Sector (AFCs, NGOs, CSOs)

IEC Team shall ensure adequate awareness of the general public matters and updates to African Swine Fever.

Representative from the:

- Office of the Municipal Agriculturist
- Municipal Planning and Development Office (MPDO)
- Department of Education
- Private Sector Representatives (AFCs, CSOs, NGOs)

Capability Building Team shall conduct trainings and other similar activities to ensure that the stakeholders, including the BBO, are given ample knowledge on the roles and responsibilities they need to undertake.

Representatives from:

- Office of the Municipal Agriculturist
- Bureau of Animal Industry/NLP
- Agricultural Training Institute (ATI)
- DA-RFO

**SECTION 5. Function of the LGU ASF Task Force.** The main functions of the LGU ASF Task Force include but are not limited to the following:

- a. Main implementer of the "BABay ASF" Program;
- b. Formulate local issuances, ordinances and contingency plans for the ASF prevention and control measures in the Municipality
- c. Initiate and coordinate all ASF-related activities including quick response, disease investigation, surveillance, animal movement control, information and education and logistics to relevant agencies such as the National, Regional, and Municipal ASF Task Force;
- d. Conduct capacity building activities;
- e. Disseminate information, guidelines and memoranda to all stakeholders;
- f. Regularly submit reports to the Local Chief Executive on the status of its activities;
- g. Perform such other functions as may be necessary for the full and proper implementation of ASF prevention and control protocols within the Municipality.

5.1.1.1 Duties and Responsibilities of Biosecurity Officers

1. Barangay Sample Collection in their assigned areas or farm in coordination/supervision of the Municipal Agriculturist.
2. Biosecurity Evaluation and assignment of Biosecurity level in all the farms assigned to the Biosecurity Officers.
3. On-time Reporting and submission of Weekly ASF
4. Regular disease monitoring and biosecurity evaluation of commercial, semi-commercial, and small hold farms to their respective LGUs and the summary of which will be submitted to the Provincial





Veterinary Office or Municipality Agriculture Office.

- 5. Immediate reporting of any farms with animals showing clinical signs suggestive of ASF infection for corresponding actions such as surveillance and disease investigations.
- 6. To perform such other functions in accordance with the protocol set forth by the Department of Agriculture, Administrative Order No. 7, Series of 2021.

**SECTION 6. Designation of Barangay Biosecurity Officer to Punong Barangay and such other barangay folks.** In the absence of Barangay Biosecurity Officer as defined in Section 3.3, the Punong Barangay shall act as Barangay Biosecurity Officer in their respective barangay and other person as may be designated by the Municipal Mayor.

**SECTION 7. Authority Given to ASF Task Force**

- 6.1 Regulatory Authority. - The Municipal ASF Task Force shall have the authority to regulate movement of live pigs, pork, pork products, by-products and other products with pork ingredients in line with the national issuances and guidelines.
- 6.2 Visitorial Power - Upon presenting appropriate credentials or authority to the owner, manager, operator, agent or any person within the premises, the Municipal ASF Task Force shall have the power to enter and inspect swine farms and other related livestock establishments anytime, conduct disease investigation, surveillance, monitoring and collection of laboratory specimens and samples, impose preventive and control measures therein, in coordination with, and as may be necessary, subject to biosafety and biosecurity entry requirements of concerned farms and establishments.
- 6.3 Seizure and Confiscation - The Municipal ASF Task Force shall have the authority to seize and confiscate animals, animal carcasses, products, and by-products, feeds, feed ingredients, feed supplements and feed additives, veterinary biologics, drugs, products and devices, and such other materials or substances that are undocumented, or of unknown source and conditions, and are showing signs of ASF, or reasonably suspected to be infected with or carriers of ASF, contaminated with ASF or posing an imminent danger, threat and injury to the overall animal health situation in their respective jurisdictions.
- 6.4 Animal Condemnation and other Disease Control Measures - The Municipal ASF Task Force shall have the authority to institute condemnation and eradication measures on animals that are diseased or reasonably suspected to be infected with ASF, and are deemed a great risk to the swine population.

**SECTION 8. Declaration of ASF Free Status**

There are two levels of Declaration of ASF Free Status of an area previously infected with ASF.

The first level is the Municipality Level Local Declaration of ASF Free Status for municipalities with certain barangay/s which have been previously infected with ASF and will be declared ASF Free area by the Provincial ASF Task Force.

The second level is the National Declaration of ASF Free Status for the whole Province to be declared by the Bureau of Animal Industry. All infected barangays of the municipality must be locally declared ASF Free area prior to application to be declared ASF Free on a national level.

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Page 7, Municipal Ordinance No. 2021-25;

The guidelines for the Declaration of ASF Free Status is subject to adaptation as deemed necessary by the DA-BAI.

**SECTION 9. *Implementing Rules and Regulations.*** The provisions of the administrative orders issued by the Department of Agriculture, DA AO No. 6 s. 2021 and DA AO No. 7 s. 2021, shall be the implementing rules and regulations for this Ordinance and shall be implemented in the Municipality of San Nicolas.

**SECTION 10. *Funds and Resources.*** Budgetary requirements for the control and prevention of ASF will be provided by the municipality through allocation of appropriations for operating expenses and incentive and/or compensation allowance for the “BaBay ASF” members.

**SECTION 11. *Violations/Prohibited Acts.***

- 10.1 Any person or entity found to have committed any of the following instances/acts shall be deemed in violation of this Ordinance:
  - 10.1.1 Tampering and falsification of documents such as, but not limited to:
    - 5.1.1.1 Veterinary Health Certificate
    - 5.1.1.2 Municipal Agriculturist Certificate
    - 5.1.1.3 Certificate Free Status on ASF
    - 5.1.1.4 Laboratory Test Results for ASF
    - 5.1.1.5 Weekly Negative Disease Monitoring Report
    - 5.1.1.6 Biosecurity Evaluation Form
  - 10.1.2 Concealment of information
  - 10.1.3 Removal of diseased animals from quarantine area
  - 10.1.4 Movement of animals without necessary permits/ documents
  - 10.1.5 Non Reporting/Delay in reporting
  - 10.1.6 Interference/Disobedience to persons in authority
  - 10.1.7 Refusal to farm inspection and conduct of surveillance
  - 10.1.8 Data privacy issues

**SECTION 12. *Penalty Clause.*** Without prejudice to filing of criminal charges under the Regional Trial Court (RTC) and other penal laws, violation of this ordinance shall be penalized as follows:

- 1st Offense: A fine of P1,000.00;
- 2nd Offense: A fine of 1,500.00; and
- 3rd Offense: P2,500.00 fine.

**SECTION 13. *Separability Clause.*** If, for any reason or reasons, any section or part of this Ordinance shall be held unconstitutional or invalid, other sections or parts hereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 14. *Repealing Clause and Amending Clause.*** All orders, rules and regulations or parts thereto which are inconsistent with any of the provisions of this ordinance are hereby repealed or amended accordingly.

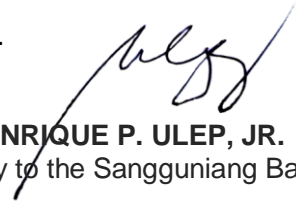
**SECTION 15. *Effectivity Clause.*** This Ordinance shall take effect immediately and shall remain in force until expressly revoked.

**UNANIMOUSLY APPROVED.”**

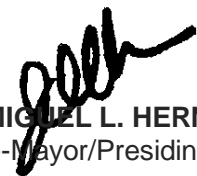
Voting on the foregoing ordinance was as follows:

- AYES : Members Galing-Luna, Butay, Dadiz, Sr., Ruiz, Jr., Caraang, Pumaras, Sr., and Ulep, Jr., Hernando, I.
- NAYS : None.
- ABSTAINED :


I hereby certify to the correctness of the foregoing ordinance.

  
**ENRIQUE P. ULEP, JR.**  
Secretary to the Sangguniang Bayan I

ATTESTED:

  
**ANGEL MIGUEL L. HERNANDO**  
Acting Vice-Mayor/Presiding Officer

APPROVED:

  
**ALFREDO P. VALDEZ, JR., M.D.**  
Municipal Mayor  
Approved on: October 25, 2021