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REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

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SENATE

P.S. RES. NO. 580

RECEIVED BY

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Introduced by Senator Francis "Tol" N. Tolentino

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**RESOLUTION**

**CALLING FOR THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE AVIAN INFLUENZA, WITH THE INTENT OF DETERMINING THE APPROPRIATE GOVERNMENT INTERVENTION TO PREVENT AND CONTROL THE OUTBREAK OF TRANSBOUNDARY ANIMAL DISEASES IN THE COUNTRY CONTINGENT ON THE UNABATED IMPORTATION OF POULTRY PRODUCTS THAT WILL ULTIMATELY LEAD TO ADVERSE PUBLIC HEALTH EFFECTS AND DEMISE OF LOCAL POULTRY INDUSTRY**

**WHEREAS**, beginning May of 2022, avian influenza A H5 outbreaks in wild birds and poultry has been reported to spread in 16 countries in Latin America and the Caribbean, United States and Canada with the first human infection recorded in Ecuador in January 2023 and consequently, deaths of hundreds of sea lions and pelicans in Peru<sup>1</sup>;

**WHEREAS**, the report of the U.S. Centers for Disease Control and Prevention in May 2023, noted that the introduction of avian flu poses a threat to the region, requiring both animal and human health sectors to be involved in surveillance and response preparations;

**WHEREAS**, Avian influenza (AI)<sup>2</sup> is a highly contagious viral disease that affects both domestic and wild birds. AI viruses have also been isolated, although less frequently, from mammalian species, including humans. This complex disease is caused by viruses divided into multiple subtypes (i.e. H5N1, H5N3, H5N8 etc.) whose genetic characteristics rapidly evolve. The disease occurs worldwide but different

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<sup>1</sup> Centers for Disease Control and Prevention (14 March 2023), "Human and Animal Health Experts Meet in South America to Prepare for Bird Flu," <https://www.cdc.gov/flu/avianflu/spotlights/2022-2023/experts-prepare-avian-flu.htm> accessed on 25 April 2023

<sup>2</sup> World Organisation for Animal Health, Avian Influenza, <https://www.woah.org/en/disease/avian-influenza/>

subtypes are more prevalent in certain regions than others. The many strains of avian influenza viruses can generally be classified into two categories according to the severity of the disease in poultry:

- low pathogenicity avian influenza (LPAI) that typically causes little or no clinical signs;
- high pathogenicity avian influenza (HPAI) that can cause severe clinical signs and possible high mortality rates.

**WHEREAS**, On August 11, 2017, the Philippines have officially declared the first occurrence of Highly Pathogenic Avian Influenza (HPAI) in the country, with outbreaks declared in San Luis, Pampanga and subsequently, in the municipalities of Jaen, San Isidro, and Cabiao in the Province Nueva Ecija, all of which were reported to World Organisation for Animal Health (OIE). The Bureau of Animal Industry-Department of Agriculture (DA) had released its outbreak resolution on June 27, 2018<sup>3</sup>;

**WHEREAS**, on June 29, July 12, and July 15, 2022, Rizal Province recorded confirmed cases of Highly Pathogenic Avian Influenza (HPAI) Subtype H5N1 in the Municipality of Rodriguez and in response to prevent the entry of HPAI virus and protect the local poultry industry, the DA also issued memorandum orders on December 29, 2022 to temporarily ban the importation of domestic and wild birds and poultry products from countries with confirmed AI virus outbreak, particularly Poland, Ireland, Denmark, Czech Republic, Chinese Taipei, Ecuador, Moldova, and Peru until the order is revoked. Rizal Province only regained its Avian Influenza-Free status in January 4, 2023;

**WHEREAS**, as of February 9, 2023, nine (9) regions remain affected by the Avian Influenza (AI) virus as per the Bureau of Animal Industry while more than 300 thousand poultry mortalities have been recorded since the outbreak of AI in the country in 2022 according to its report to the National Banner Program Committee on Poultry and Livestock (NBPC on PL) on February 14, 2023;

**WHEREAS**, according to the World Health Organization (WHO) for avian influenza viruses, the primary risk factor for human infection appears to be direct or indirect exposure to infected live or dead poultry or contaminated environments, such as live bird markets. Slaughtering, defeathering, handling carcasses of infected poultry, and preparing poultry for consumption, especially in household settings, are also likely to be risk factors;

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<sup>3</sup> Silvano, F. (Presentation), Department of Agriculture-Bureau of Animal's Philippine Avian Influenza Updates,"[https://rr-asia.woah.org/wp-content/uploads/2020/03/4-4-d-\\_philippines\\_ai\\_update\\_presentation.pdf](https://rr-asia.woah.org/wp-content/uploads/2020/03/4-4-d-_philippines_ai_update_presentation.pdf)

**WHEREAS**, the World Organisation for Animal Health warned that the presence of avian flu may restrict international trade in poultry meat that can heavily impact economies;

**WHEREAS**, our local poultry sector still remains hugely dependent on importation despite its capability of meeting local demand and generating surplus;

**WHEREAS**, data from the DA-National Meat Inspection Service (NMIS) in January 2023 shows that 77% of the 46,176.36 metric tons of our dressed chicken inventory are imported. The said inventory level also marks a four-year high with current inventory comparably 66% higher than the record in January 2020; 105% higher than January 2021; and, 63% higher than the inventory in January 2022;

**WHEREAS**, in a letter to then Department of Agriculture Secretary William Dar dated 05 March 2021, the group, Poultry Integrators of the Philippines comprising major producers and suppliers of poultry in the country, appealed to recalibrate the importation of finished chicken products and to stay within the minimum limit of 23,000,000 kilograms per year in order to save the poultry industry;

**WHEREAS**, the industry data provided by the Poultry Integrators in the Philippines shows that the local poultry production compensates the local demand despite the restrictions of the COVID-19 pandemic. It also underscores the fact that local poultry production had evidently produced in excess of the local demand in the past five (5) years prior to the pandemic;

**WHEREAS**, it was reported that chicken importation has been on an upward trend especially after the passage of Executive Order 23, Series of 2017 which extended the effectivity of the most-favored-nation rates of duty on certain agricultural products under Republic Act No. 10863, otherwise known as the Customs Modernization and Tariff Act that effectively reduces Mechanically Deboned Meat (MDM) tariffs from 40% to 5%;

**WHEREAS**, market research in December 2022 across various commercial public wet markets in Metro Manila, particularly in Pasig, Mandaluyong, Makati, Las Piñas, Quezon City, Manila (Quiapo, Blumentritt, Balintawak, Divisoria, Sta. Mesa), and San Juan, has revealed inventories of imported chicken (a) those that can be identified are from Brazil, USA, Netherlands and Canada with expiration dates ranging from 1 to 2 years from the date of production, (b) with no labels pertaining to production and distribution; and (c) without NMIS sticker.

**WHEREAS**, the sale of the said imported poultry meat brazenly violates the provisions of the law under Republic Act No. 7394, or the "Consumer Act of the Philippines", to wit:

**Article 76. Prohibited Acts on Labeling and Packaging.** – It shall be unlawful for any person, either as principal or agent, engaged in the labeling or packaging of any consumer product, to display or distribute or to cause to be displayed or distributed in commerce any consumer product whose package or label does not conform to the provisions of this Chapter.

The prohibition in this Chapter shall not apply to persons engaged in the business of wholesale or retail distributors of consumer products except to the extent that such persons:

- a) are engaged in the packaging or labeling of such products;
- b) prescribe or specify by any means the manner in which such products are packaged or labeled; or
- c) having knowledge, refuse to disclose the source of the mislabeled or mispackaged products.

Similarly, it fails to qualify with the Philippine National Standards on the Code of Hygienic Practice for the Sale of Fresh Agriculture and Fishery Products in Markets and Authorized Outlets, that states, “b) All fresh meat should be properly stamped or branded and issued with a Meat Inspection Certificate. All imported frozen meat from cold storages should be accompanied by Certificate of Meat Inspection (CoMI).”

**WHEREAS**, the high inventory of imported poultry products amid the unabated importation of finished goods poses a significant threat to the immediate and long-term prospects of the local poultry sector in the country and evidently, puts consumers at risk to the potential adverse effect of transboundary diseases;

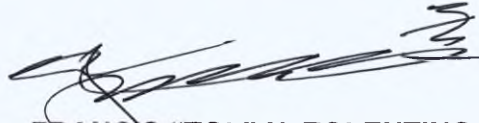
**WHEREAS**, it was even alleged that the contraction in local demand with the increasing levels of chicken importation and technical smuggling, have already caused 30% of the local poultry industry to close their businesses;

**WHEREAS**, these practices in the market if remained unaddressed will entail potential public health risk and economic losses of our local poultry industries to the detriment of the people;

**WHEREAS**, it is high time for the Senate to ensure that risk-based planning, strict prevention protocol, and proactive legislative action are in place to minimize public health risk and fundamentally, to accord our local poultry sector with the support and opportunity as active partners in development and nation building. **NOW, THEREFORE, BE IT RESOLVED**,

**AS IT IS HEREBY RESOLVED**, calls for appropriate Senate Committee to conduct an inquiry, in aid of legislation, on the Avian Influenza, with the intent of determining the appropriate government intervention to prevent and control the outbreak of transboundary animal diseases in the country contingent on the unabated importation of poultry products that will ultimately lead to adverse public health effects and demise of our local poultry industry;

***Adopted,***



**FRANCIS "TOL" N. TOLENTINO**

*Senator*