

**[ DAR ADMINISTRATIVE ORDER NO. 01, S. 2004,  
August 16, 2004 ]**

**2004 RULES AND REGULATIONS GOVERNING THE EXCLUSION  
OF AGRICULTURAL LANDS USED FOR CATTLE RAISING FROM  
THE COVERAGE OF THE COMPREHENSIVE AGRARIAN REFORM  
PROGRAM**

Prefatory Statement

In the case titled, "Luz Farms versus the Honorable Secretary of the Department of Agrarian Reform" (G.R. No.86889, 04 December 1990), the Supreme Court held that lands devoted to the raising of livestock, poultry and swine are excluded from the coverage of Republic Act (R.A.) No. 6657. Furthermore, Section 3 of R.A. No. 7881 amends Section 11 of R.A. No. 6657 by excluding, among others, commercial livestock, poultry and swine raising from the classification of commercial farms due for Comprehensive Agrarian Reform Program (CARP) coverage after the ten-year deferment period.

In order to prevent circumvention of the CARP and to protect the rights of the agrarian reform beneficiaries (ARBs), specifically against their possible unlawful ejectment due to the unauthorized change or conversion, fraudulent declaration of areas actually, directly, and exclusively used for cattle raising purposes, the following rules and regulations are hereby prescribed for the guidance of all concerned.

**Article I  
General Provisions**

*SECTION 1. Coverage.* This Administrative Order (A.O.) covers all applications for exclusion from CARP coverage of private agricultural lands or portions thereof actually, exclusively, and directly used for cattle raising as of 15 June 1988.

*SECTION 2. Definition of Terms.* For the purpose of these rules and regulations, the terms enumerated below are defined as follows:

General Terms:

2.1 *Agricultural Lands*, for the purpose of these rules, refer to lands that are actually, exclusively, and directly used for cattle raising based on ratios provided in Art. II, Sec. 4, Item 4.1 hereof.

2.2 *Farmworker* is a natural person who renders service for value as an employee or laborer in an agricultural enterprise or farm specifically devoted to cattle raising,

regardless of whether his or her compensation is paid on a weekly, monthly or "contract" basis. The term includes an individual whose work has ceased as a consequence of, or in connection with a pending agrarian dispute and who has not obtained a substantially equivalent and regular farm employment.

2.3 *Infrastructure* refers to buildings and structures such as poultry houses, breeding houses, feeding troughs, furrowing pens, calving houses, feed storage, corrals, dikes, embankments, gates, paved lot, electrical installations, and other physical facilities, equipment and improvements.

Terms for Land Requirement:

2.4 *Animal Unit (A.U.)* refers to the unit of animal demand or potential intake of dry matter (DM) on a daily basis. It is used to express on common basis the description of grazing by different animal species on the pasture relative to the physiological state and metabolic size of the animal (Scarnecchia [1985]) .

2.5 *Animal Unit Equivalent (AUE)* refers to the expression of the demand rate for forage for different classes of cattle as a fraction of one (1) animal unit (AU). Under Philippine conditions, the commonly used AUE in cattle are as follows:

Bulls	-	1.2
Cows	-	1.0
2-3 Year old cattle	-	0.75
1-2 year old cattle	-	0.5
Calves (<1 year old)	-	0.25

2.6 *Carrying Capacity (CC)* refers to the maximum stocking rate that will achieve a target level of animal performance, in a specified grazing method, that can be applied over a defined time period without deterioration of the ecosystem. It involves a long-term use of the resources and indicates measures on the productivity of pastures (Caltabiano [2001]).

2.7 *Stocking Rate (SR)* is a concept on the relationship between the number of animals and the grazing land. It indicates a management decision for a particular pasture community, made for a certain period of time with respect to current seasonal conditions (i.e., a particular grazing land can be grazed with high stocking rate for much shorter time period depending on the available forage or the same area can be grazed with constant number of animals on yearly basis depending on the herbage production of the area).

Terms for Land Topography:

2.8 *Terrain* refers to the natural physical features of a tract of land, usually showing its relative position or elevation or contour.

2.9 *Undulating* is a layman's description of terrain that is not level. Sometimes, the term used is "rolling".

2.10 *Steep* is also a layman's description of terrain which one negotiates by

"climbing".

2.11 *Slope* is the term used to measure the steepness of terrain. It is defined as the quotient of the rise of the terrain divided by the horizontal distance, times 100, expressed in percentage, or in equation form:

$$\text{Slope} = \frac{h}{d} \times 100$$

Where:

h = height of the terrain  
d = horizontal distance

Hereunder are the standards of slope category used for land surveys:

Category/Description %	Slope
Flat or level to nearly level	0-3%
Nearly flat or level to gently sloping	3%-8%
Gently sloping to undulating/rolling	8%-18%
Rolling to hilly	18% -30% (Agro-Forestry Areas)
Hilly	30%-50% (Forest Sanctuaries)
Very steep to mountainous	50% and above (Wildlife Areas)

Terms for Types of Animals for Cattle:

2.12 *Bull* refers to the male breeding cattle of any age.

2.13 *Calf* is a young cattle of either sex and below one (1) year of age.

2.14 *Cattle* a general term for any class of animals of bovine family, genus bos.

2.15 *Cow* is a mature female cattle that has given birth.

2.16 *Heifer* is a young female cattle usually below three years old that has not yet given birth.

2.17 *Herd* refers to any number of cattle, carabaos, horses, sheep, goats, swine and poultry under one management, maintained in one premise and allowed to associate or come in contact with one another.

2.18 *Steer* refers to a male cattle castrated before secondary sex characteristics have developed.

2.19 *Weanling or weaner* refers to a young animal after separation from its female parent usually six (6) to twelve (12) months old.

2.20 *Yearling* refers to a large animal of either sex, usually 12 to 20 months of age.

Terms for Cattle Raising Operations:

2.21 *Breeder Farm Operation* is a type of cow-calf operation, where calves are raised for breeding purposes. A breeder farm can be maintained in the ranch (extensive) or in complete confinement (intensive).

2.22 *Breeder Stock* are animals intended for breeding purposes.

2.23 *Cow-Calf Breeding or Operation* is a type of cattle raising where cows and bulls are raised to produce calves. The calves are then raised until they have weaned at seven (7) to eight (8) months of age. After weaning, the calves are either sold as weaners or yearlings, or raised until 24 to 36 months of age as replacement stocks in the case of females, or sold as feeder stocks for both sexes.

2.24 *Feeder Stock* are cattle which are fattened before slaughtering.

2.25 *Feedlot* is an area with physical facilities used for cattle fattening.

2.26 *Feedlot Operation (Intensive System)* is a type of cattle raising where the animals are confined and are fed on a cut-and-carry basis or zero grazing. A good pasture is developed and maintained to ensure the regular supply of feeds. The feedlot operation mostly involves animals at their finishing stage two to three (2-3) years of age.

2.27 *Growing-Fattening Operation* involves the raising of newly weaned calves or culled mature heifers until they are ready for sale as feeder stock or for slaughter. This could be done either extensively (grazing) or intensively (cut-and-carry feeding).

2.28 *Ranching Operation (Extensive System)* is a system of cattle raising where animals are maintained in a vast tract of open land and animals are allowed to graze freely.

Terms for Grazing Management:

2.29 *Open Grazing* refers to a system of grazing where the stocks remain in the pasture area for a prolonged period. Open grazing is usually employed on native or range pastures and stocking rate is low under this type.

2.30 *Grazing* is the method of feeding animals by allowing them in the field to eat grass.

2.31 *Grazing or Pasture Areas* refer to plains, fields or seas of grass that serve as grazing area for livestock. These contain forage and are viable for the grazing activity of cattle as determined by the actual number of animal units.

2.32 *Rotational Grazing* refers to moving animals methodically from one paddock to another on a rotational basis. In the process, the grazed paddock is allowed time to recover. Rotational grazing is practiced on improved pastures. Stocking rate is high on each paddock on a rotation grazing system, hence the pasture is more uniformly utilized.

2.33 *Soiling or Zero Grazing* is a system of grazing management wherein all forages are harvested and fed to animals that are confined in a yard or shed.

Terms for Forage and Pasture:

2.34 *Forage* refers to any feedstuff composed primarily of aerial plant materials, legumes, grasses and trees given to all ruminant animals.

2.35 *Herbage* refers to the grass and other herbaceous plants for animal feeding.

2.36 *Improved Pastures* are highly developed and well maintained pastures or grazing areas planted to forage crops composed of a mixture of sown grass and legumes intended as feed for ruminant animals.

2.37 *Native Pasture* refers to pasture lands which rely mostly on natural growth of weeds and grasses (mostly cogon) as feeds for livestock.

*SEC. 3. Statement of Policies* - The exclusion of private agricultural lands devoted to cattle raising shall be governed by the following policies:

3.1 Private agricultural lands or portions thereof actually, exclusively, and directly used for cattle raising as of 15 June 1988 shall be excluded from the coverage of CARP.

3.2 To prevent the circumvention of coverage under CARP, exclusion shall be granted only upon proof that the subject agricultural land or portions thereof are actually, exclusively, and directly used for cattle production (ranching or feedlot) prior to 15 June 1988 and continuously utilized or devoted for such purpose up to the time of application for exclusion.

3.3 Any act of a landowner (LO) to change or convert his agricultural land to cattle raising after 15 June 1988, with the intent to avoid the application of R.A. No. 6657 to his landholdings, shall be considered invalid and illegal and shall not affect the coverage of his landholding under CARP. Any diversification or change in the agricultural use of the landholding, or shift from crop production to cattle raising after the effectivity of this A.O., shall be subject to the existing DAR guidelines on land use conversion.