

**[BFAR FISHERIES ADMINISTRATIVE ORDER NO.
206 s. 2001, May 17, 2001]**

**DISPOSAL OF CONFISCATED FISH AND OTHER ITEMS IN
FISHING THROUGH EXPLOSIVES AND NOXIOUS OR POISONOUS
SUBSTANCES**

Pursuant to Section 88 of R.A. 8550, this order on the disposal of fish and other items impounded in the case of blast fishing and fishing by means of noxious substances is hereby issued for the information and guidance of all concerned.

SECTION 1. On blast fishing cases

- a) Whenever the Director of Fisheries and Aquatic Resources, fish warden deputized by the Department of Agriculture/Bureau of Fisheries and Aquatic Resources (BFAR) or a BFAR Law Enforcement Officer seizes without warrant fish suspected to have been caught by means of explosives in a fishing boat, marketplace or elsewhere, he shall take adequate samples thereof, which shall immediately be examined for determination whether or not the same have been caught by means of explosives. Pending the results of the examination, the fish shall not be allowed to be unloaded from the boat or sold if in the marketplace.
- b) Samples taken for examination shall at least be 100 grams in weight. The ideal number of fish samples is three to five (3-5) pieces for big-sized fish or ten to twenty (10-20) pieces for small fish or fingerlings. These should be frozen or packed in ice then submitted to the nearest Fish Examiner specially trained to examine fish caught by explosives or to any municipal health offices or crime/hospital laboratory for examination.
- c) If the examination shows that the fish sample is positive for blast fishing, the same shall be preserved for evidence. The samples shall be preserved in formalin solution using 37% concentration of commercial formalin. The solution shall be prepared by mixing 3% of said formalin with 7% water. A higher formalin concentration will change the above ratio to come up with a 10% preservative solution. The preserved samples shall be properly labeled and the species identified in its scientific, English and local names, whenever and whichever applicable. The captain or incharge of the boat, or vendor or possessor of the fish if in the marketplace or elsewhere shall be required to countersign the labeled evidence. In case of refusal, an affidavit to this effect shall be prepared by the apprehending officer, attested by two witnesses.

SECTION 2. On fish caught by means of noxious substances

- a) Fish caught by means of noxious substances like sodium cyanide exhibit no outward manifestation to that effect visible to the naked eye. Upon