

**[ BFAR ADMINISTRATIVE CIRCULAR NO. 238-1, S. 2013, October 10, 2013 ]**

**AMENDING SEVERAL PROVISIONS OF FISHERIES ADMINISTRATIVE ORDER NO. 238, SERIES OF 2012**

Pursuant to Section 107 of Republic Act 8550 or the Philippine Fisheries Code of 1998, FAO 238 on the Rules and Regulations Governing the Implementation of Council Regulation (EC) No. 1005/2008 on the Catch Certification Scheme is hereby amended as follows:

**Section 1. Objectives.** - Section 1 is hereby amended to further clarify item 2 and to include the following objectives:

"2. Ensure **full** traceability of fishery products derived from legal, reported and regulated fishing activities in the Philippines, at all stages from harvesting and processing to marketing;"

**5. Update and revise as necessary, procedures on the catch documentation scheme to conform to developments in international markets;**

**6. Ensure continued global market access of Philippine fish and fishery products;"**

**Section 2. Application.** - Section 3 of FAO 238 is hereby amended to clarify the scope of application of this regulation, as follows:

***"This Order shall apply to all foreign or Philippine flagged fishing vessels that supply raw materials to canneries, processors or exporters for processing prior to the export of the processed fishery products to EU-member countries, and to Philippine flagged fishing vessels directly exporting raw materials to EU-member countries. This Order shall also apply to canneries, processors, and exporters which are exporting fishery products to EU- member countries."***

**Section 3. Declaration of Catch Landing and Transshipment.** - Section 4 item (a) of FAO 238 is hereby revised as follows:

***"a.) Landing of catches shall be verified and certified by authorized BFAR personnel in a Catch Origin Landing Declaration (COLD) described in Section 13 and Annex 6 of this Administrative Order;"***

**Section 4. Regular Catch Certificate.** - Section 8 on the classification of regular catch certificate and Section 12 on Consignment Catch Certificate of FAO 238 are hereby deleted. For purpose of catch documentation scheme, the mother catch

certificate and consignment catch certificate will no longer be issued. Only regular catch certificate will be issued.

**Section 5. Requirements.** - Section 9 items (2) and (4) of FAO 238 on the requirements for the issuance of a Regular Catch Certificate is hereby modified as follows:

*"2. Copy of the Commercial Fishing Vessel/Gear License (CFVGL), and Certificate of Ownership (CO) and Certificate of **Philippine** Registry (CPR),*

*4. **Catch Origin Landing Declaration (COLD)** submitted by the Captain or master of the fishing vessel or his representative and verified by the concerned BFAR Regional Office"*

**Section 6. The Catch Origin Landing Declaration (COLD).** - Section 13 of FAO 238 is revised, renaming the Catch Validation Certificate (CVC) to Catch Origin Landing Declaration (COLD), which is described as follows:

*"The Catch Origin Landing Declaration is a document submitted to BFAR by the Captain or Master of a fishing vessel or his representative upon arrival. It shall contain at least the following information:*

- a. the name of the catcher and/or carrier vessel/s, flag, registration number and fishing license number;***
- b. the FAO alpha-3 code of each species;***
- c. catch description, whether fresh/chilled or frozen;***
- d. the port and date landed;***
- e. the quantities of each species in metric tons or, where appropriate, the number of individuals.***

BFAR shall validate/verify the species and weight of fish landed by a fishing vessel in a particular fish port in the Philippines. Since most catches are unloaded by carrier vessels that consolidate catch from one or more catcher vessels, the COLD shall also indicate the species and volume of fish per catcher vessel. For this purpose, the carrier vessel must provide to BFAR a Transshipment Certificate and Stowage Plan **certified by the captain/master**. The species and weight indicated in the COLD shall be the basis of the weight that will be indicated under the box "Verified weight landed (kg) where appropriate". Annex 1 of this Order contains the format of the COLD.

**Section 7. Procedures in Securing the RCC.** - Section 14 of FAO 238 is hereby revised as follows:

- "1. The fishing company shall properly accomplish the RCC in triplicate, in one page only (A4 size; back-to-back), in accordance with the aforementioned instructions and shall submit these to BFAR together with the documentary requirements.*
- 2. The BFAR shall evaluate and verify the documents and the information contained therein and if satisfied of the completeness, truthfulness and correctness of the data and the RCC's exhaustiveness and accuracy, as well as*