

**[DENR ADMINISTRATIVE ORDER NO. 2008-08,
May 21, 2008]**

**GUIDELINES ON SELF-REGULATION OF THE FLORICULTURE
INDUSTRY FOR THE SUSTAINABLE MANAGEMENT OF
PHILIPPINE WILD FLORA**

Pursuant to Republic Act No. 9147, otherwise known as the "Wildlife Resources Conservation and Protection Act", its implementing rules and regulations, the Philippine Plant Conservation Strategy and Action Plan, and the Philippine commitments under the Convention on Biological Diversity (CBD) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), this Order is hereby promulgated to encourage and support the floriculture industry to adopt self-regulation for the conservation and sustainable utilization of the Philippine wild flora.

SECTION 1. Policy. It is the policy of the State to promote sustainable development through the conservation and sustainable utilization of the country's biological diversity. In pursuit of this policy, it shall strengthen measures to prevent loss of the Philippine plant diversity by encouraging the sustainable production and utilization of plant resources and promote self-regulation of the floriculture industry.

SECTION 2. Objectives. This Order aims to empower the floriculture industry through monitoring and compliance with sustainable practices on the production and utilization of endemic/indigenous wild flora and CITES-listed species. The specific objectives are:

- a. To establish an accreditation system for individuals, establishments or institutions, including community-based organizations engaged in the artificial propagation and trade of endemic/indigenous economically important wild flora and the CITES-listed Plants to ensure that sustainable practices are adopted in the trade of said plants, as well as facilitate monitoring of the plant trade activities;
- b. To establish and strengthen mutual cooperation and support between the Departments of Environment and Natural Resources (DENR) and the floriculture industry, and to improve regulation and promote good governance in plant conservation and management.
- c. To support the development of livelihood activities anchored on the sustainable use of endemic/indigenous wild flora.
- d. To provide incentives to the floriculture industry and generate support for the sustainable management of Philippine wild flora.

SECTION 3. Scope and Coverage. This Order shall cover the self-regulation individuals, establishments, or institutions including community-based organization engaged in the artificial propagation and trade of endemic/indigenous and economically important wild flora, and CITES-listed plants. Botanical gardens established for the propagation and trade of wild flora shall likewise be covered by this Order.

SECTION 4. Definition of Terms. As used in this Order, the following terms shall mean as follows:

- a. *Accreditation* - the process by which the DENR gives formal recognition through the issuance of a Certificate to an individual, establishment, or institution including community-based organizations that carry out sustainable practices on the propagation and trade of endemic/indigenous flora and the CITES-listed plants, upon the recommendation of the Philippine Wild Flora Council (PWC) created pursuant to Section 5 hereof.
- b. *Artificial Propagation* - the production or growing of live plants from seeds, cuttings, divisions, callus tissues or other plant tissues, spores or other propagules under controlled conditions.
- c. *Bioprospecting* - the research, collection, and utilization of biological and genetic resources for purposes of applying the knowledge derived therefrom solely for commercial purposes.
- d. *Botanical Garden* - an establishment where a collection of wild flora is maintained for recreational, educational, research, and conservation or scientific purposes.
- e. *Convention on Biological Diversity (CBD)* - a treaty aimed at the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources.
- f. *Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)* - a treaty regulating the international trade of fauna and flora listed in Appendices.
- g. *CITES Management Authority* - refers to the Protected Areas and Wildlife Bureau (PAWB) as the Philippine agency responsible for the interpretation and enforcement of the provisions of CITES, issuance of permits and certificates, and monitoring of terrestrial wildlife from and into the country.
- h. *CITES Permit* - a permit authorizing the export, import, re-export of flora listed under Appendices of CITES after complying with the conditions and requirements of the Convention.
- i. *conservation* - the preservation and sustainable utilization of wildlife, and/or maintenance, restoration and enhancement of the habitat.
- j. *Endemic Species* - species or subspecies which is naturally occurring and found only within specific areas in the country.

- k. *Exotic Species* - species or subspecies which do not naturally occur in the country.
- l. *Floriculture* - the cultivation and trade of flowers and ornamental plants.
- m. *Floriculture industry* - individuals, establishments, or institutions including community-based organizations engaged in the growing/cultivation and trade of wild flora used for ornamental purposes. Operators of botanical gardens that are engaged in trade shall be embraced within the term.
- n. *Indigenous Plants* - species or subspecies of wild flora naturally occurring or has naturally established population in the country.
- o. *Local Transport Permit*-the permit authorizing an individual or entity to bring, carry, or ship regulated plants, by-products or derivatives acquired from legal sources from the point of origin to the final destination within the country.
- p. *National Wildlife Management Committee* - refers to the Committee created pursuant to Section 6 of the Joint DENR-DA-PCSD Administrative Order No. 01 tasked to provide technical and scientific advice to the DENR concerning applications for the collection or use of wildlife as may be allowed under RA 9147 or the Wildlife Resources Conservation and Protection Act and its implementing rules and regulations.
- q. *Philippine Plant Conservation Committee (PPCC)* - refers to the group of plant experts and policy makers organized by the DENR for the formulation of the Philippine Plant Conservation Strategy and Action Plan. It also provides scientific advice to the DENR in the field of taxonomy, ecology, conservation biology and sustainable utilization of Philippine plants.
- r. *Philippine Wild Flora Council (PWC)* - a core group consisting of technically qualified individuals from the floriculture industry, and representatives from the academe, and non-government organization who shall implement, in collaboration with the DENR, an accreditation system for individuals, establishments, or institutions including community-based organizations based on a set of criteria and standards approved by the DENR.
- s. *Self-Regulation* - a scheme whereby the floriculture industry, in collaboration with the DENR, oversees the activities of individuals, establishments, or institutions including community-based organizations engaged in the propagation and trade of endemic/ indigeneous wild flora and CtTES-listed plants through the implementation of an accreditation system based on established criteria and standards.
- t. *Sustainable Utilization/Use* - the use of components of biological diversity that does not lead to the long-term decline of biological diversity, thereby maintaining its potential biological component to meet the needs and aspirations of present and future generations.
- u. *Threatened Species* - a general term to denote species or subspecies considered critically endangered, endangered, vulnerable or other accepted

categories of wildlife whose population is at risk of extinction.

- v. *Wild Flora* - refers to wild forms and varieties of plants, in all developmental stanp such as but not limited to seeds or seedlings, including those which are being bred' cultivated or propagated.

SECTION 5. Creation of the Philippine Wild Flora Council (PWC) - In order to ensure the effective implementation of the self-regulation of the floriculture industry, the DENR Secretary, upon recommendation of the National Wildlife Management Committee (NWMC) which was created pursuant to DENR Administrative Order No. 2004-55, shall create the Philippine Wild Flora Council (PWC). The NWMC shall also evaluate applications for membership to the PWC and recommend the list of qualified applicants to the Council for the DENR Secretary's appointment.

The PWC shall be created initially at the national level. It shall be composed of seven (7) members: consisting of five (5) representatives from the floriculture industry, one (1) representative from a government academic institution, and one (1) representative from a national environmental NGO. They shall be selected in accordance with the qualification requirements under Sub-section 5.2 hereof. The PWC shall be chaired by a representative from the floriculture industry who shall be elected by the Council members. The PWC shall be supported by a PWC secretariat wherein PAWB representative/s shall be included as member/s. All activities and operations of the PWC shall be supervised by the DENR through the NWMC.

The PWC for Visayas and Mindanao shall be created upon the recommendation of the NWMC. In which case, the national PWC shall be converted to PWC for Luzon. All PWCs created shall be independent from each other.

5.1 Duties and Responsibilities of the PWC. To ensure credibility and accountability, the members of the PWC shall observe transparency and impartiality in the performance of the following duties and responsibilities:

- a. Formulate specific policies, procedures, and criteria for accreditation of individuals and entities engaged in plant propagation and trade, in accordance with the genera criteria and standards provided in this Order;
- b. Accept and evaluate applications for accreditation and recommend to concerned DENR Regional Executive Director (RED) the accreditation of those that satisfactorily meet the requirements and standards prescribed under Order;
- c. Identify/validate the plant species for accreditation and determine whether applicants are actually engaged in plant propagation.
- d. Maintain an inventory/list of the applicants' existing stock of indigenous/native orchids, ferns, pitcher plants and other wild flora, based on the national list of threatened wild flora and the CITES-listed species and periodically update the jpventory/list based on semi-annual reports respectively submitted by accredited individuals, establishments or institutions including community-based organizations pursuant to Section 8(k) of this Order;

- e. Seek the assistance of concerned agencies, institutions or organizations, or other members of the floriculture industry, as may be necessary, to facilitate the accreditation process;
- f. Report to the DENR through the NWMC, after due investigation and/or verification, non-compliance by accredited individuals, establishments or institutions including community-based organizations, of their duties and responsibilities, violation of policies, internal rules and standard operating procedures, and recommend sanctions as prescribed herein and other appropriate measures provided under other relevant laws, rules and regulations;
- g. Assist the DENR in monitoring the activities and operations of the accredited individuals, establishments or institutions including community-based organizations and in the periodic inspection of farms or nurseries, laboratories, or commercial outlets;
- h. Submit to the DENR through the NWMC a Semi-Annual Report on the implementation of its activities;
- i. Formulate internal rules of conduct and standard operating procedures.

5.2 Qualifications for Eligibility as Member of the PWC. To be eligible for membership to the PWC, the following qualifications shall be met:

- a. The representative of the academe must be connected with a government academic institution and must have background in botanical sciences;
- b. The NGO representative must be connected with a recognized national environmental NGO and has been involved in plant conservation programs and projects for at least six (6) months.
- c. For the Representatives of the Floriculture Industry:
 - c.1 Must have good track record in the field of plant conservation for at least three (3) years as may be verified by the DENR, .recognized plant conservationists, conservation organizations, and key people of the floriculture industry;
 - c.2 Must have adequate technical knowledge or experience on plants, plant conservation and management or other related discipline, as may be determined by the NWMC; and
- d. Must not have committed any criminal acts nor violated any environmental laws, rules and regulations.

5.3 Appointment and Term of Office of the PWC Members. Interested individuals from the floriculture industry may apply for membership to the PWC by submitting a letter of intent including resume to the NWMC. As for the representatives from the academe and the environmental NGO, the DENR shall invite a number of concerned Organizations to submit names of nominees, together with their resume and letter of recommendation.