



Republic of the Philippines
OFFICE OF THE SECRETARY
Elliptical Road, Diliman
Quezon City 1100
Philippines



FISHERIES ADMINISTRATIVE)

ORDER NO. 249 :

Series of 2014.....)

SUBJECT: Ban on the sale and distribution of raw/fresh and processed puffer fish (Family Tetraodontidae).

WHEREAS, many puffer fish species are toxic and they are known vectors of highly potent neurotoxin, tetrodotoxin (TTX);

WHEREAS, toxin strength varies with species, populations, individuals, and seasons;

WHEREAS, toxin is usually found in viscera; ovary and liver are most dangerous but other parts are also toxic in many species while some species have toxin even in skin, blood, and bones;

WHEREAS, puffers may obtain toxin through food chains but no prevailing information exist why puffers accumulate TTX;

WHEREAS, in the Philippines, although not a target species, mixed species of puffer fish may be obtained as by-catch during fishing operation;

WHEREAS, almost all species belonging to genus Tetraodontidae are toxic, however, many people are still consuming puffers;

WHEREAS, from 2007 alone, a total of 119 poisoning cases including 17 deaths have been recorded, not to mention those unreported poisoning incidences from remote areas nationwide;

WHEREAS, in some areas, species belonging to *Lagocephalus* or locally known as "tikong" are split, gutted and sundried and are sold while others are used as ingredients in making fish sauce (GMA 7-Imbestigador, August 5 and 26, 2012 episodes) while other puffers fish species are simply cooked and eaten;

WHEREAS, pursuant to Article 10 of RA No. 7394 or the 1992 Consumer Act of the Philippines which provides for the banning or prohibition of the sale or distribution in the market of any injurious, unsafe and dangerous products which include but not limited to fishery goods or commodities, and Section 67 of RA No. 8550 otherwise known as Philippine Fisheries Code of 1998 which provides for the monitoring and regulation of the movement or trade of fish and fishery/aquatic resources;

WHEREAS, these acts are designed to protect the interest of the consumers particularly against danger of possible poisoning and to establish and enforce safety and quality



standards on aquatic organisms and fishery product for domestic consumption and international trade;

WHEREFORE, in view of the premises and pursuant to Sec, 67 and 107 of RA 8550 and RA 7394, the Department of Agriculture (DA), through the Bureau of Fisheries and Aquatic Resources (BFAR) hereby promulgates the following regulations relative thereto.

Section 1. Definition of Terms. The following terms used herein shall be construed as follows:

- a. Puffer fish – bony fishes of the order Tetraodontiformes, having an unusual characteristics that when threatened, can inflate their body by swallowing water or air.
- b. Toxic puffer fish – species belonging to family, Tetraodontidae and Diodontidae which are contaminated with poison, TTX (Mosher and Fuhrman, 1984). All specimen belonging to Tetraodontidae collected in the Philippines was found to be toxic and the toxins occur principally in the skin, liver, viscera and muscle tissues (Sato *et al.*, 2001; BFAR-NFRDI).
- c. Tetraodontidae - small to medium-sized (up to 80 cm) family of puffers, characterized externally by large and blunt head, a modified jaws that form a beak of four heavy, powerful teeth (two above and two below), with high eyes on head, a simple slit for gill opening in front of pectoral fins, far posteriorly located dorsal and anal fins containing no spines, but seven to fifteen soft rays, truncate, rounded, or emarginate to somewhat lunate caudal fin; without pelvic fins, the lateral line (when present) but often indistinct, forming an interconnecting pattern on sides of head and body, but quite distinct in some genera, absence of typical scales, but many spinules often present on back and/or belly, sometimes on sides; most species mottled and variegated on back and side, sometimes with spots of various sizes and colors, whereas others uniformly colored (FAO, 2001).
- d. Tetrodotoxin - highly lethal neurotoxin present in numerous species of puffer fish, ingestion of which rapidly causes malaise, dizziness, and tingling about the mouth, which may be followed by ataxia, convulsions, respiratory paralysis, and death. The toxin is heat stable and water soluble. It acts as a sodium channel blocker in mammalian nerve cells.
- e. Raw/Fresh- newly catch from the sea or no preservatives added yet.
- f. Processed- undergone different preservation processes such as drying, filleting and processing into fish sauces and the likes.
- g. Consuming- the act of processing and serving as food.

Section 2. Prohibition. It shall be unlawful for any person, natural or juridical, to offer for sale or distribute puffer fish as food in any state or form, whether raw/fresh or processed.

Section 3. Product Testing. DA-BFAR, NFRDI or duly recognized laboratories shall be responsible in the analyses of TTX in raw/fresh or processed fish samples that are suspected to be toxic.

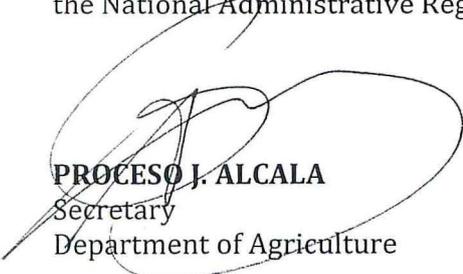
Section 4. Issuance of Permit to Conduct Research and/or Collect Specimens for Research/Scientific Purposes. The Secretary or his duly appointed representative, upon the recommendation of the Director of BFAR, may issue a Special Permit in favor of any government or private institution engaged purely in research work on puffer fishes, subject to such terms and conditions as the DA Secretary may deem wise to impose.

Section 5. Penalty. Violation of this Order shall subject the offender to imprisonment of not less than two (2) months but not more than one (1) year, or a fine of not less than ten thousand pesos (P10,000.00) but not more than one hundred thousand pesos (P100,000.00), or both.

Should the offense be committed by a juridical person, any director, officer or agent of a corporation who authorize, order or perform said act shall be penalized.

Section 6. Repealing Clause. All existing administrative orders, rules and regulations which are inconsistent with the provisions of this Order are hereby repealed.

Section 7. Effectivity. This Order shall take effect fifteen (15) days after its publication in the Official Gazette and/or in at least two (2) newspapers of general circulation and the National Administrative Registry, respectively.

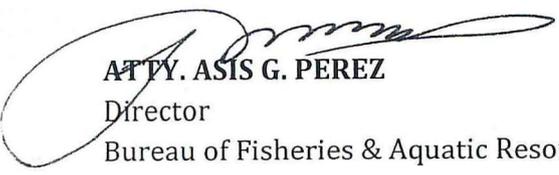


PROCESO J. ALCALA
Secretary
Department of Agriculture

DEPARTMENT OF AGRICULTURE

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Recommending Approval:



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3 March 2014

MEMORANDUM

FOR : PROCESO J. ALCALA
Secretary
Department of Agriculture

FROM : DRUSILA ESTHER E. BAYATE
Officer-in-Charge
Office of the Director

SUBJECT : Ban on the Sale and Distribution of Raw/Fresh and Processed Puffer Fish (Family Tetraodontidae)

Respectfully endorsing for your approval the attached proposed FAO on Ban on the Sale and Distribution of Raw/Fresh and Processed Puffer Fish (Family Tetraodontidae). This proposed FAO has been recommended for your approval by the National Fisheries and Aquatic Resources Management Council (NFARMC) during the NFARMC Conference on 12 February 2014 at Davao City.

Thank you.


DRUSILA ESTHER E. BAYATE
Officer-in-Charge

