

DENR Administrative Order
No. 07
February 17, 1994

SUBJECT : Revised Guidelines Governing the Issuance of Certificate of Origin for Logs, Timber, Lumber and Non-timber Forest Products.

Pursuant to P.D. No. 705, as amended, and in line with the sustainable resource development thrust of the Government whereby the effective monitoring of the movement of timber and other forest products is one of the major components thereof, the following guidelines are hereby issued for the information and guidance of all concerned.

Sec. 1 Policy and Objectives. It is the policy of the Government to ensure the sustainable development of the timber and other forest resources to support the needs of industries dependent thereon, as well as the maintenance of a desirable ecosystems balance. Towards this end and in line with the unrelenting drive of the agency to curb the unauthorized gathering and transport of forest products the urgent need to reinforce existing strategies is imperative.

Sec. 2 Adoption of New Certificate of Origin Forms. There is hereby adopted a new set of Certificate of Origin Forms (COFs) corresponding to logs/timber, lumber and no-timber forest products which shall replace the forms which have hitherto been utilized for the purpose.

All new COFs issued pursuant to this Order shall be accountable forms of the DENR. For this purpose, any official or employee receiving such COFs shall account for their use or non-use as herein provided.

Sec. 3 COF Features and Distribution. The printed and color-coded COFs are assigned computer-based serial numbers, provided with properly assigned perforated sections at the bottom portion to be detached by the DENR official concerned, and bordered sections at the left hand side for describing the route and perforating the validity date of the shipment to be covered by it. Said forms shall be distributed as follows:

- Original Copy (Red) - For use by the purchaser/ consignee and to accompany the specific shipment.
- Duplicate Copy (Yellow) - For file of the PENRO.
- Triplicate Copy (Green) - For file of the licence/ supplier.
- Quadruplicate Copy (Pink) - For file of the CENRO.
- Quintuplicate Copy (Orange) - For file of the RED.
- Sextuplicate Copy (White) - For file of the USEC, Field Operations.

Sec. 4 Types of COFs to Accompany Transport/Shipment of Forest Products. The transport/shipment of forest products shall be accompanied or covered by the following forms:

- 4.1 For logs/timber - The original (color-code: RED) Certificate of Timber Origin (CTO), together with the tally sheet corresponding thereto;
- 4.2 For lumber - The original (Color-code: RED) Certificate of Lumber Origin (CLO), together with the sales invoice, in case of lumber sales, and the tally sheet; and
- 4.3 For non-timber forest products - The original (color-code: RED) Certificate of Non-timber Forest Products Origin (CNFPO), together with the delivery receipt.

Any of the aforementioned forest products being transported or shipped from the effectivity of this Order without the said corresponding COF fully and properly accomplished as herein required shall be presumed as coming from illegal sources and as such, shall be subject to confiscation and disposition in accordance with Executive Order No. 277 and other applicable laws and implementing regulations.

Sec. 5 Invalidation and Surrender of Previously Issued but unused COFs. Immediately upon the effectivity of this Order, all old printed COFs previously issued to the Regional Offices and which remain unused are hereby deemed cancelled/invalidated and within 15 days thereafter shall be surrendered by the RED concerned to the Undersecretary for Field Operations, through the Director of the Forest Management Bureau, for further disposition conformably with extant rules and regulations governing the matter. The surrendered forms shall be accompanied by a consolidated Inventory Report, indicating the category and serial numbers, duly signed by the RED concerned.

However, any old Certificate of Origin accompanying a shipment of forest product issued prior to the effectivity of this Order shall be considered valid up to its expiry date specified therein, or upon delivery of the forest product to its final destination/consignee, whichever comes first.

Sec. 6 Issuing Officer: Condition of Issue. In the case of the transport or shipment of logs or timber, only Timber Management Officer (TMO) who has jurisdiction over the area of such source and in case of the transport or shipment of lumber and minor forest products, only the Scaler or the Community Development Officer in charge of ISP projects who has jurisdiction over the area of such source shall issue and sign the corresponding Certificate of Origin, duly attested to by the CENRO or his duly authorized representative.

For purpose hereof, elected Local Government Officials of the locality where the oath is being administered are authorized to subscribe the Certificate of Origin Form, aside from those who are already authorized by law to perform such functions.

No Certificate of Origin shall be issued by the Office concerned unless the forest product specifically covered thereby has been verified as coming from legitimate sources, the forest product has been properly measured or scaled and marked in accordance with DMC No. 13, S. 1990, the Certificate Fee, and the forest charges due thereon have been duly paid pursuant to R.A. No. 7161, and the written request for the transport/shipment of such forest product has been filed with the CENRO concerned at least one (1) week before the scheduled shipment in case by watercraft or at least twenty-four (24) hours in case by trucks or land conveyances.

Sec. 7 Issuance and Validity. The Certificate of Origin shall be issued on a per shipment/transport basis and shall be valid for a period not exceeding fifteen (15) days (including Saturdays, Sundays or Holidays) from the date of issuance, or after unloading or delivery of the shipment at the point of destination, whichever comes first. In case of its expiration extension thereof shall be secured from the nearest CENR field office where the shipment may have been held and the officer concerned shall enter and sign such extension in the accompanying Certificate of Origin.

Monitoring Officers are directed to record in their log books all presentation of Certificates of Origin by their unique random numbers including the time of presentation, identification of conveyances, etc. and shall examine shipments in transit for compliance with the conditions and specifications in the Certificate of Origin. If a shipment and accompanying documents are in order, the Monitoring Officer (s) concerned shall stamp the accompanying Certificate of Origin with the corresponding DENR seal before allowing the conveyance of the shipment to proceed in its transit. In no case shall a Monitoring Officer(s) hold for more than an hour a shipment that is in order.

To indicate that the Certificate of Origin accompanying the shipment has been used already, and therefore, no longer valid, the CENRO at the point of destination of the shipment shall fill up and then detach the portion appertaining to him of the accompanying original Certificate of Origin. All such portions or stubs shall be submitted by the CENRO concerned every end of the month to the USEC for Field Operations, through the PENRO and the RED concerned and the Director of FMB for records and validation purposes.

Sec. 8 Information Contained in Certificate of Origin. The applicant for a Certificate of Origin shall furnish the CENRO concerned with the following information which shall be placed in the Certificate of Origin:

- 8.1 Number of pieces/volume and species of forest products under shipment
- 8.2 Date of loading/transport
- 8.3 Point of loading

- 8.4 Type and plate/registration number of conveyance
- 8.5 Name and address of consignee
- 8.6 Point of destination; and
- 8.7 Expected duration of shipment

Sec. 9 Application/Certificate Fee. For every application for the issuance of a Certificate of Origin, a fee shall be collected based on the following schedule:

- 9.1 Certificate of Timber/Lumber Origin - P 50.00
- 9.2 Certificate of Non-timber Forest products origin - 30.00
- 9.3 Certificate of Verification/transshipment - 20.00
- 9.4 Oath fee - 50.00
(to be paid for the services of the person administering the oath other than DENR Officials)

The official receipt covering such payments shall be attached to the application.

Sec. 10 Exemptions. No Certificate of Origin shall be required in the following instances:

- 10.1 Logs/timber being transported from the licensee's/permittee's cutting area to its wood processing plant or main log storage area, provided that such facilities are located within the Province of source; provided further, that in cases where the wood processing plant is located outside the province, the transport/shipment thereof may be allowed, subject to prior approval by the RED(s) concerned. Such approval shall be in the form of a special

authority issued by the RED for a period not exceeding one (1) year, subject to the following conditions:

- 10.1.1 The conveyance(s) is/are company-owned;
 - 10.1.2 The delivery route is the normal route in the delivery of logs to the log pond or log yard of the firm's wood processing plant; and
 - 10.1.3 Listing of the type and serial/plate number of the vehicle(s) authorized for the purpose.
- 10.2 Transport/shipment of finished, semi-finished, or knocked-down forest products, provided that these are accompanied by a delivery receipt or sales invoice, together with the tally sheets;
 - 10.3 Lumber and lumber products transported from source to buyer/end-user within the confines of the Province or within the Greater Manila area, provided, that the same are covered by the corresponding sales invoice and/or delivery receipt;
 - 10.4 Forest products transhipped from the point of initial unloading to its final point of destination, provided accompanied by a Certificate of Transshipment (COT) issued by the CENRO concerned indicating therein the kind, number, volume, and consignee of the shipment as well as the serial number of the Certificate of Origin accompanying the shipment; and
 - 10.5 Transport of logs/timber/lumber/other forest products derived from planted trees or non-wood forest products inside private lands, provided accompanied by a Certificate of verification issued by a DENR local official at the CENRO level.

Sec. 11 Certificate of Origin, a Public Document. The Certificate of Origin is a public document, it having been executed with the intervention of a public official and forms part of the official records. Hence, no printing, reproduction or copying by any and all means shall be made by any unauthorized person.

Sec. 12 Forest Products Shipment without CO. Forest products being shipped/transported without the accompanying original Certificate of Origin or the special authority to transport duly issued by a DENR Officer concerned shall be presumed as coming from illegal sources and as such, the forest products as coming from illegal sources and as such, the forest products including the conveyance used shall be subject to confiscation and disposition and the offender shall be prosecuted in accordance with P.D. 705, as amended, and other applicable laws and regulations.

Sec. 13 Proper Accomplishment of COF. All blanks in a COF shall be properly and accurately filled up and signed by the issuing Officer. Likewise, the proper spaces therein shall be duly signed by the persons concerned. A COF improperly, inaccurately or incompletely accomplished is not a valid Certificate of Origin document and as such any forest product covered thereby shall be temporarily held pending verification. When proven that such Certificate of Origin was prepared not in conformity herewith or the information contained therein do not correspond to the shipment at hand, both the shipper and the DENR officer concerned shall be subject to administrative and/or criminal liability.

Sec. 14 Monthly Reporting. Field officials of the DENR who were issued these accountable forms shall make and submit a monthly report of the used and unused COFs to the USEC for Field Operations, through the Directors of the Forest Management Bureau.

Sec. 15 Penalty Clause. Any log timber, lumber and non-timber forest products covered by these regulations which are transported without the prescribed documents shall be considered illegal and therefore, subject to confiscation in favor of the government and shall be disposed in accordance with laws, rules, and regulations governing the matter.

DENR Officers found issuing defective certificate of origin required in this Order shall be subject to suspension without prejudice to the imposition of other penalties as may be warranted by extant Civil Service laws, rules and regulations.

Sec. 16 Additional Guidelines. The Undersecretary for Field Operations is hereby authorized to issue additional guidelines and/or instructions for the effective implementation of this Order.

Sec. 17 Definition of Terms. As used in this Order, the following terms shall be construed to mean as hereby defined.

- 17.1 **CERTIFICATE OF LUMBER ORIGIN (CLO)** - Refers to the document issued by DENR local official (CENRO) to accompany the shipment/transport of lumber showing the number of pieces, species, volume, place of loading, conveyance and date of transport, its source and consignee.
- 17.2 **CERTIFICATE OF NON-TIMBER FOREST PRODUCTS ORIGIN (CNFPO)** - Refers to the document issued by the DENR Local Official at the CENRO level to accompany the transport of non-timber forest product, place and loading, conveyance used, date of transport, source and destination consignee of the products to be transported.
- 17.3 **CERTIFICATE OF TIMBER ORIGIN (CTO)** - Refers to the document issued by DENR local official at the CENRO level to accompany the transport of logs/timber/ flitches, showing the number of pieces, species, volume in cu.m. source and destination/consignee.
- 17.4 **CERTIFICATE OF VERIFICATION (CV)** - Refers to the document issued by DENR local official at the CENRO level to show that the logs/timber, lumber, or any wood or non-wood forest products come from private lands indicating therein the quantity, volume, type of forest products and destination/consignee of the commodities.
- 17.5 **CERTIFICATE OF TRANSPORT AGREEMENT (CTA)** - Refers to the joint declaration made by the shipper and the owner of the conveyance used in the transport, shipment, or movement of forest products that both parties are aware of the documents required by forestry laws and regulations, and that the conveyance used in the transport/shipment/movement of forest products may be subject to confiscation/forfeiture if the forest products sought to be transported/shipped/moved are not covered by the required/requisite documents.
- 17.6 **CERTIFICATE OF TRANSHIPMENT (COT)** - Refers to the document issued by the DENR local official at CENRO level to accompany logs/ timber, lumber and other wood or non-wood forest products being transhipped from initial port/ point of entry to their final destination, showing the quantity /volume,

type, conveyance used date of transshipment, serial number of mother CO, and destination/consignee.

- 17.7 **DEFECTIVE CERTIFICATE OF ORIGIN** - Means any document with erasure or tampering, or where the information contained therein do not tally with the actual shipment, or the use of facsimile of the official forms issued by the DENR.
- 17.8 **GREATER MANILA AREA** - Refers to the cities and municipalities covered by the National Capital Region (NCR) which includes the City of Manila, Caloocan City, Pasay City, Quezon City, Las Pinas, Makati, Malabon, Mandaluyong, Marikina, Muntinlupa, Navotas, Paranaque, Pasig, Pateros, San Juan, Taguig, Valenzuela; the Municipalities of Meycauayan, Marilao, Bocaue, Balagtas and Guiguinto, Province of Bulacan; the Municipalities of San Pedro, Binan, Sta. Rosa, Cabuyao, Calamba, Los Banos, Calauan, and City of San Pablo, Province of Laguna; the Municipalities of Antipolo, Cainta, Taytay, San Mateo and Montalban, Province of Rizal; the Municipalities of Sto. Tomas, Tanauan; and City of Lipa, Province of Batangas, and the entire Province of Cavite.
- 17.9 **FOREST PRODUCTS** - Refers to all biomass derived from the forest resource including but not limited to timber, lumber, pulpwood, woodbased fuel, bark, resin, gum, woodoil, honey, beeswax, palms, wildlife and other as well as services derived from forest resources.
- 17.10 **LUMBER** - Solid wood not further manufactured other than sawing, resawing, kiln-drying and passing lengthwise through a standard planing machine, including boules of unedged lumber.
- 17.11 **LUMBER PRODUCTS, WOOD MANUFACTURES AND OTHER WOOD FINISHED PRODUCTS** - Articles further manufactured from lumber or wood with moisture content not exceeding 15%, including but not limited to wooden furniture and toys, packing cases, parquet floors, doors, door components, doorslides, other building woodworks, window components, mouldings, drawersides, cabinet and furniture components, knock-down furniture components, picture frames, tool handles, decorative articles, wooden shoes, toothpicks and chopsticks.

- 17.12 **FINISHED PRODUCT** - Whole end-product ready for use without need of further manufacture.
- 17.13 **KNOCKED-DOWN** - Finished or unfinished wood product whose components or parts are taken apart for ease in packing, handling and transporting to the market or end-users.
- 17.14 **SEMI-FINISHED PRODUCT** - Whole end-product requiring final stages of manufacture and/or assembly.

Sec. 18 Repealing Clause - This supersedes DAO No. 34, Series of 1988, DAO No. 96, series of 1989, DAO No. 59, series of 1993, as amended, BFD Circular Nos. 8, 9, and 10, series of 1983, and provisions of Orders, Circulars, and Instructions inconsistent herewith.

Sec. 19 Effectivity. This Order shall take effect upon acknowledgement by the UP Law Center and fifteen days after its publication in a newspaper of national circulation.

ANGEL C. ALCALA
Secretary