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Republic of the Philippines
DEPARTMENT OF AGRICULTURE
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DEPARTMENT OF AGRICULTURE
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Department of Agriculture
Administrative Order No. **25**
Series of 2007

Subject: RULES AND REGULATIONS IN THE IMPLEMENTATION OF SECTION 6 (1) OF R.A. 8485 REGARDING THE USE OF ANIMALS DURING RITUALS OF AN ESTABLISHED RELIGION OR SECT OR BY TRIBAL OR ETHNIC CUSTOMS OF INDIGENOUS CULTURAL COMMUNITIES.

Section 1. DECLARATION OF POLICY

It is the policy of the state to promote animal welfare in accordance with RA 8485, The Animal Welfare Act of 1998 and implement its provisions with due recognition, respect and protection of the rights of the indigenous cultural communities to practice their religious ritual or a ritual required by their tribal or ethnic custom in accordance with RA 8371 or The Indigenous Peoples Rights Act (IPRA).

Section 2. OBJECTIVES AND SCOPE

- 2.1. To promote positive integration of animal welfare and humane practices in the use of animals such as but not limited to dogs, chicken, pigs and carabaos, used as sacrifice or offering during various religious rituals of an established religion or sect or rituals required by a tribal or ethnic custom of indigenous cultural communities.
- 2.2. To provide a database system in order to obtain accurate data of various religious practices and rituals;
- 2.3. To control the indiscriminate slaughter of non food animals such as dogs in the guise of spiritual, religious, tribal or ethnic custom of indigenous cultural communities limiting the consumption of the meat of said animals to those that have participated in the ceremony or ritual only.

Section 3. COVERAGE

These rules and regulations shall apply to all persons whether or not they are members of a particular sect, religious or cultural tribe or group. It shall likewise apply to officers of corporations or partnerships, cooperatives or any organization, agencies or instrumentalities whether private or government.

Section 4. DEFINITION OF TERMS

As used in this administrative order:

- 4.1 **Animals** - refers to any living being that has feelings and the power of voluntary motion.
- 4.2 **Customary law** - refers to a body of written or unwritten rules, usages, customs and practices traditionally observed, accepted and recognized by the respective Indigenous Cultural Community/ Indigenous People (ICC/IP's).
- 4.3 **Indigenous cultural communities/ indigenous peoples** - (ICCs/IPs) as defined in the Indigenous Peoples Rights Act (RA8371).

- 4.4 **Person** - refers to both natural or juridical persons and shall likewise include responsible officers of corporations, partnerships, cooperatives or organizations, agencies or instrumentalities whether private or government and whether or not member of any established religion or sect. or tribe of indigenous cultural community. The term person includes indigenous peoples.
- 4.5 **Ritual** - refers to an established procedure for a religious and other rites in the observance of a set of prescribed worship and ethnic customs.
- 4.6 **Sacrifice** - refers to the act of killing or slaughter of animals used as an offering in the conduct of religious rituals or any ritual as contemplated under these rules.
- 4.7 **Tribal Leader** - refers to a person conferred by the tribal members as the recognized authority.

Section 5. - USE OF ANIMALS FOR RELIGIOUS RITUAL OR RITUAL REQUIRED BY TRIBAL OR ETHNIC CUSTOM OF INDIGENOUS CULTURAL COMMUNITIES

- 5.1. The killing of animals other than cattle, pigs, goats, sheep, poultry, rabbits, carabao, horses, deer and crocodiles is hereby declared unlawful except when it is done as part of the religious rituals of an established religion or sect or a ritual required by a tribal or ethnic custom of indigenous cultural communities.
- 5.2. All animals used as part of a religious ritual or ritual required by a tribal custom shall be sacrificed only by using humane procedures or methods. The animal should not be exposed to unnecessary pain or distress before or during the ritual.
- 5.3. The tribal leaders as well as the Punong Barangay with the assistance of the tribal and "purok" leader shall keep records of the rituals and use of animals in accordance with Section 6 (1) of RA 8485, The Animal Welfare Act of 1998.
- 5.4. Humane procedures mean the use of most scientific method available as may be determined and approved by the Committee on Animal Welfare. However, for purposes of the conduct of the religious ritual or rituals required by tribal or ethnic custom of Indigenous Cultural Communities, use of other means that would ensure death of the animal at the shortest possible time is acceptable.

SECTION 6. RESPONSIBILITIES

6.1 PRIOR TO THE USE AND SACRIFICE OF THE ANIMAL IN THE OBSERVANCE OF THE RITUAL

- 6.1.1 Any person or persons participating in the conduct of the sacrifice of the animal shall ensure that they are provided with adequate care and sustenance, kept in a clean holding area with sufficient space for movement and play, free from any unnecessary and excessive restraint, free from factors

likely to cause additional distress and fear to the animal, such as but not limited to throwing, dropping, lifting or dragging of the animal by the tail, ears, extremities or neck.

- 6.1.2 In the case where tying of animal is necessary for the purposes of restraint, a rope no less than one-half (1/2) inch in diameter shall be used and the binding to be as loose as possible. No wires shall be used in binding the animal. In the case of chickens, they shall be handled properly or placed in a coop.
- 6.1.3 The person who will initiate the ritual shall ensure that those who will actually participate in the ritual shall handle the animal humanely.

6.2 DURING THE SACRIFICE

- 6.2.1 During the celebration of the religious ritual or ritual required by tribal or ethnic custom, the tribal leader or any person/s who shall perform the sacrifice of the animal/s, shall ensure that only humane means or method shall be applied to sacrifice the animal used as offering. For dogs, cutting through the carotid arteries with one swift stroke with a sharp knife is the only acceptable method. With respect to carabaos, puntilla shall have to be used prior to hacking. With pigs, puncturing of the heart using a pointed object is allowable.
- 6.2.2 Painful procedures such as burning while alive, whipping, tail twisting, breaking of shoulder bones, using wires or cans for muzzles, poking on eyes, ears or external genitalia should not be used in any way to control the animal or as means to kill the same;
- 6.2.3 Throwing, dropping, lifting or dragging of the animal by the tail, ears, extremities or neck shall not be allowed.

6.3 AFTER THE SACRIFICE

- 6.3.1. The meat, carcass or any parts of the animal herein shall not be sold.
- 6.3.2. The tribal leader/s, or head of religious sect, and/or Punong Barangay shall thereafter, submit a report to the /Municipal/City or Provincial Veterinarian of the completion and observance of the tribe of the humane procedures as required under RA 8485 as well as with this rules. The /Municipal/City/Provincial Veterinarian or Veterinary Officer shall thereafter submit a quarterly report to the Regional Animal Welfare Officer who shall keep records of all rituals conducted in the region where animals were used as sacrifice.

- 6.3.3. The Regional Animal Welfare Officers shall be responsible in the implementation and dissemination of all information relating to animal welfare practices, issues and concerns. They shall be responsible in developing and creating an animal welfare program and monitoring system in their area of jurisdiction to ensure compliance with the law and its rules and regulations.
- 6.3.4. In the absence of the offices aforementioned, it shall be coursed directly to the 1). Bureau of Animal Industry (BAI), Regional Animal Welfare Officer of the DA regional Field Units, 2) Municipal Veterinarian or Agriculturist, City or Provincial Veterinarian, who shall in turn endorse the report to the Bureau of Animal Industry, Animal Welfare Officer Division.

Section 7. PROHIBITED ACTS

No person, firm or corporation either by himself or during the conduct of any religious ritual or ritual required by tribal or ethnic custom shall:

- 7.1 Kill animals other than cattle, pigs, goat, sheep, poultry, rabbits, carabaos, horses, deer and crocodiles as the same is likewise unlawful and prohibited except when done under the condition mentioned under this rule;
- 7.2 Subject the animal to inhumane acts and procedures or expose the same to any inhumane condition before the conduct of the ritual such as but not limited to the use of can or metal and wire as muzzles, use of unnecessary restraint, exposure of the animal to extreme weather condition, exposing the animal to unnecessary fear and distress such as but not limited to letting other animals watch or see his companions being sacrificed, application of unnecessary substances such as salt or vinegar in the body of the animal thereby causing undue and unnecessary pain; torture of the animal;
- 7.3 Use of painful procedures like burning while alive, whipping, beating, tail twisting, breaking of shoulder or neck bones, putting pressure on eyes, ears or external genitalia to control the animal or as means to kill the same;
- 7.4 Throw, drop, lift or drag of the animal by the tail, ears, extremities or neck as means to handle or make the animal move or direct him to move and the like;
- 7.5 Use of painful or slow procedures in the sacrifice of the animals and procedures not allowed or accepted by the Committee on Animal Welfare.
- 7.6 Sell, trade, offer for sale to any person or any place of trade or business such as restaurants either in small or large quantities of meat from sacrificed animals for human consumption.
- 7.7 Fail to comply with the reportorial requirement provided under this Rule.
- 7.8 Perform other acts analogous to the foregoing;

Section 8. PENALTY

Any person who commits any of the prohibited acts shall, in accordance with RA 8485, upon conviction by final judgment, be punished by imprisonment of not less than six (6) months nor more than two (2) years or a fine of not less than One Thousand Pesos (P1,000.00) nor more than Five Thousand Pesos (P5,000.00) or both at the discretion of the Court. If the violation is committed by a juridical person, the officer responsible therefore shall serve the imprisonment when imposed. If the violation is committed by an alien, he or she shall be immediately deported after service of sentence without any further proceedings.

Section 9. SEPARABILITY CLAUSE

In case any provision of these rules and regulations is declared unconstitutional, other provisions which are not affected thereby shall continue to be in force and effect.

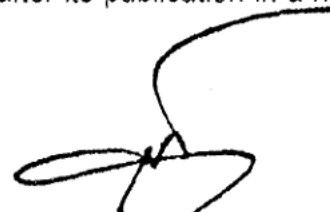
Section 10. REPEALING CLAUSE

All Administrative Orders, Rules and Regulations and other administrative issuances or parts thereof, inconsistent with the provisions of this Administrative Order are hereby repealed or modified accordingly.

Section 11. EFFECTIVITY

This regulation shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

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