



MAY 21 2008

SUBJECT : 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 self-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 Department 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 of individuals, establishments, or institutions including community-based organizations 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 its 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 the 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/indigenous wild flora and CITES-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 as 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 stages, 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 general criteria and standards provided in this Order;
- b. Accept and evaluate applications for accreditation and recommend to the concerned DENR Regional Executive Director (RED) the accreditation of those that satisfactorily meet the requirements and standards prescribed under this Order;
- c. Identify/validate the plant species for accreditation and determine whether the 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 inventory/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.

For plant establishments with several branches, only one (1) representation in the PWC shall be allowed.

Upon the recommendation of the NWMC, the DENR Secretary shall appoint the members of the PWC through the issuance of Certificates of Appointment. The members of the PWC shall serve for a term of three (3) years and may be re-appointed for the same term. For plant establishments with several branches, only one (1) representation in the PWC shall be allowed.

During their term, the PWC members shall be entitled to claim from the DENR per diems and other incidental expenses incurred in the performance of their functions that were not otherwise borne by the applicant pursuant to Section 7(d) hereof.

5.4 Grounds for Suspension and Removal of PWC Members. After due investigation and evaluation, the NWMC may recommend to the DENR Secretary the suspension or removal of any PWC member found to have committed any of the acts below, without prejudice to the imposition of such other penalties and sanctions that the delinquent PWC member may be liable for under applicable laws, rules and regulations.

The PWC member shall be suspended for a period of six (6) months upon commission of any of the following:

- a. Deliberate disregard of duties and responsibilities;

- b. Misconduct including gross discourtesy, dishonesty in the performance of duty or abuse of authority;
- c. Unfair discrimination due to affiliation or preference; and
- d. Commission of acts prejudicial to the PWC, the NWMC and the DENR.

The PWC member shall be expelled from the PWC upon commission of any of the following:

- a. Upon the commission for the third time of any of the aforementioned grounds for suspension above;
- b. Commission of any of the illegal acts under Section 27 of R.A. 9147 or the Wildlife Resources Conservation and Protection Act.

Section 6. Qualifications, Criteria and Standards for Accreditation. The PWC shall evaluate applications for accreditation based on the following general criteria and standards:

A. Qualifications of Applicants for Accreditation

1. For the Propagation and Trade of Endemic/Indigenous Plants;

- a. must be a Filipino citizen of legal age and with capacity to contract; or
- b. corporation, partnership, association, or cooperative including community-based organization authorized or organized for the purpose of engaging in the artificial propagation and trade of endemic/indigenous wild flora included in the national list of threatened plant species and duly registered in accordance with law, at least sixty per cent (60%) of the capital of which is owned by Filipino citizens.

2. For the Propagation and Trade of Exotic CITES-listed species:

The applicant may be any individual, establishment or institution including community-based organization that would satisfactorily meet the criteria and standards provided herein including those that may be prescribed by the PWC.

- 3. Individuals, establishments or institutions including community-based organizations engaged in the artificial propagation and trade of non-threatened plants may also apply for accreditation on a voluntary basis.
- 4. Botanical gardens established for plant propagation and trade may be accredited provided they comply with the criteria and standards set forth herein.

B. General Criteria and Standards for Accreditation

- 1. Provision of adequate space and necessary facilities for the farming or artificial propagation of plant stocks.
- 2. Keeping and maintaining an inventory of the wild and propagated plant stock.
- 3. Adoption of labeling/tagging system for plant stock included in the inventory for species and/or taxon identification, and monitoring purposes.

4. Adoption of sustainable practices on plant production and utilization using appropriate methods of plant propagation.

Section 7. Procedures for Accreditation. The following procedures shall be adopted for the accreditation of qualified individuals, establishments or institutions:

- a. Applications for Accreditation (*Annex A*) shall be submitted to the PWC or the DENR field office with jurisdiction over the place of business. The following documents shall support the application:
 1. Inventory/List of Plant Stock (*Annex 1*);
 2. Location Map of Farm/Nursery or Laboratory/Propagation Facility (*Annex 2*);
and
 3. Wild Flora Propagation Plan (*Annex 3*).

Only applications with complete supporting documents shall be accepted.

- b. All applications received by the DENR field offices with complete requirements shall be forwarded within three (3) days from receipt thereof to the PWC for evaluation.
- c. The PWC shall conduct preliminary evaluation and assessment of applications which should be finished within one (1) month from receipt of said applications in accordance with the provisions of this Order and other policies that may be issued by the PWC.

For applications filed by a PWC member on his/her own behalf or for the establishment or institution to which he/she is affiliated, said PWC member should inhibit himself or herself from undertaking the requisite evaluation and assessment of said applications.

- d. Within fifteen (15) days from the completion of the preliminary evaluation and assessment, the PWC concerned, together with a representative of DENR field office concerned, shall inspect the farm/nursery and/or laboratory/propagation facility.

Applicants with two hundred (200) or more plant specimens shall shoulder the cost of local transportation of the inspection team.

- e. Within fifteen (15) days from completion of the Inspection Report, the PWC concerned shall decide on the application by a majority vote and shall submit thereafter its recommendation to the respective RED indicating the individuals, establishments or institutions that would qualify for accreditation.

A majority vote is deemed obtained upon the concurrence of at least four (4) PWC members, provided that, either representative from the academe or NGO shall at all times comprise such majority.

Consequently, the RED concerned shall review the recommendation as submitted by the respective PWC. Should he/she find the same technically and legally in order, he/she shall accordingly issue the Certificate of Accreditation (*Annex B*) within fifteen (15) days from the submission of said recommendation. Provided that, no Certificate of Accreditation shall be issued without the favorable recommendation of the PWC.

The Certificate of Accreditation shall be valid initially for a period of three (3) years, renewable every year thereafter unless such Certificate of Accreditation is

otherwise suspended or sooner cancelled for causes as provided for under Sections 10 and 11 of this Order.

- f. Should an applicant fail to qualify for accreditation, a Notice of Disapproval specifying the corresponding bases thereon shall be sent immediately by the RED concerned to the respective applicants.
- g. The REDs shall furnish the PAWB on a quarterly basis the list of accredited floriculturists for monitoring and record purposes. The PAWB, in turn, shall submit annually the consolidated list to the DENR Secretary.

A flow chart illustrating the above-described procedures is attached as *Annex C*.

Section 8. Responsibilities of Holders of Certificates of Accreditation. The following are the responsibilities of accredited individuals, establishments or institutions:

- a. Strictly comply with the terms and conditions of the Certificate of Accreditation;
- b. Pay to the DENR Regional Office with jurisdiction over the place of business, the amount of One Thousand Five Hundred Pesos (P1,500.00) as Accreditation Fee for the initial accreditation which shall be effective for three (3) years unless such Certificate of Accreditation is otherwise suspended or sooner cancelled on grounds as provided for under Sections 10 and 11 of this Order. Renewal fee on yearly basis is Five Hundred Pesos (Php 500.00). The accreditation fee shall be regularly reviewed and adjusted accordingly by the DENR, as may be necessary.
- c. Undertake artificial propagation of their plant stock and maintain adequate space and facilities necessary for said propagation, as well as for the maintenance and care of the plants.
- d. Maintain a labeling/tagging system. The plants should carry proper identification/name tags/labels in the farm or nursery, and during transport and trade.
- e. Issue receipts for the sale or transfer of plants included in the inventory/list submitted to the PWC and the DENR. All receipts to be issued should have been duly stamped as accounted for/verified by authorized officer/s of the concerned DENR Regional/Field Offices. Such accounted for/verified receipts shall be honored as Local Transport Permits. In case receipts are not accounted for/verified, the requisite Local Transport Permit shall be secured from the nearest DENR Office for local transport of the plants.
- f. In case of exportation or importation, secure the necessary CITES permits from the DENR Regional Offices in areas where international airports/seaports are located and inform accordingly their respective buyers/recipients of this requirement. The PAWB, as the CITES Management Authority, shall recognize these Offices as Issuing Offices for CITES Permits for plants regulated under this Order. For this purpose, the PAWB shall regularly provide said DENR Offices with CITES Permit forms with serial numbers duly accounted for. As the Issuing Office, the DENR Regional Office concerned shall be accountable to the PAWB for the use of said forms
- g. Keep a record of all transactions pertaining to the plant stock included in the inventory/list to be submitted to the PWC and the PAWB-DENR.
- h. Notify the DENR through the PWC of any change in their operations.

- i. Ensure the survival of plants in the packing and during transport.
- j. Secure Domestic Movement Permits for local transport of plants, and Phytosanitary Certificates from the Bureau of Plant Industry in case of export or import, in accordance with the plant quarantine policies. They shall also advise their respective buyers or other recipients to secure said permits/certificates for their plants before local transport or exportation/importation.
- k. Submit to the PWC concerned a Semi-annual Report to update their respective plant stock, copy furnished the Community Environment and Natural Resources Office (CENRO) concerned, DENR Regional Office and the PAWB. In case there are additional stocks to be reported, the corresponding report thereon shall also be submitted to the PWC concerned, copy furnished likewise the aforementioned Offices.
- l. Submit to the DENR Regional Office through the nearest DENR Field Office a Monthly Report of all receipts issued pursuant to this Order.

Section 9. Privileges and Incentives for Holders of Certificates of Accreditation. Holders of Certificates of Accreditation shall be entitled to the following privileges and incentives:

- a. Official receipts issued by the holders of Certificates of Accreditation duly accounted for/verified by the DENR Office concerned shall be honored as Local Transport Permits.
- b. To facilitate exportation and importation, the holders of Certificate of Accreditation and/or buyers/clients of said holders may secure CITES permits from the DENR Regional Offices in areas where international airports/seaports are located.
- c. Holders of Certificates of Accreditation shall be allowed to engage in the local trade and export of plants included in the inventory/list supporting the Certificate of Accreditation and/or the plant stock report as required under Section 8 (k) hereof.
- d. Exemption from the CITES Permit of the following: spores, seeds and pollens, seedlings and tissue cultures obtained *in vitro* in solid or liquid media, transported in sterile containers, and cut flowers, leaves, roots, or stems of artificially propagated plants included in the inventory/list submitted to the PWC and the DENR.
- e. Promotion and recognition by the local and international communities/market by way of the DENR's regular submission to the CITES Secretariat in Geneva, Switzerland as well as dissemination to other interested clients of the list of accredited establishments/individuals.

Section 10. Suspension of the Certificate of Accreditation. The RED concerned, after due investigation and/or verification and upon recommendation by a Team headed by the Regional Technical Director (RTD) for Protected Areas, Wildlife and Coastal Zone Management Sector of the DENR Regional Office concerned, may suspend for at least one (1) year, the Certificate of Accreditation of individuals, establishments or institutions for violation of any of the terms and conditions thereof other than those enumerated in Section 11 hereof.

Section 11. Grounds for Cancellation of the Certificate of Accreditation. The RED concerned, after due investigation and/or verification and upon recommendation by a team headed by the Regional Technical Director (RTD) for Protected Areas, Wildlife and Coastal Zone Management Sector of the DENR Regional Office concerned, may cancel the Certificate of Accreditation of individuals, establishments or institutions based on the following grounds without prejudice to the application/imposition of other appropriate measures/sanctions under existing laws, rules and regulations:

1. Misrepresentation/misdeclaration, misuse, or unlawful or unauthorized issuance of CITES Permits or Local Transport Permits including those in the form of receipts;
2. Falsification or tampering of CITES Permits or Local Transport Permits including those in the form of receipts;
3. Unauthorized or illegal collection/acquisition of wild plants;
4. Buying/selling of illegally collected/acquired wild plants;
5. Serious or repeated violations of the terms and conditions of the Certificate of Accreditation as may be determined by the PWC;
6. Possession of wild plants not included in the inventory/list without the required permit; and
7. Commission of any of the illegal acts under R.A. No. 9147 or the Wildlife Resources Conservation and Protection Act and other relevant laws, rules and regulations.

Cancellation of Certificates of Accreditation for cause carries with it the penalty of perpetual disqualification from securing Wild Flora Collectors' Permit, Local Transport Permit or CITES Permit for flora from the DENR. In case of establishments, institutions, associations or organizations, the perpetual disqualification shall also attach to the officers thereof.

Section 12. Collection of Wild Plants from the Natural Forests or Natural Habitat.

Collection of wild plants from the natural forests or natural habitat shall be allowed only by the DENR upon proper evaluation from available information or scientific data that such collection is not detrimental to the survival of the species or subspecies and/or their habitat. Provided that, appropriate and acceptable collection methods with least or no detrimental effects to the existing wild plant population and their habitats shall be adopted. Provided further that, the collection of threatened wild plants, its by-products and derivatives shall be allowed only for conservation or propagation purposes, as the case may be. Provided finally that, only accredited individuals, establishments or institutions pursuant to this Order shall be allowed to collect for commercial propagation under a Wild Flora Collector's permit to be issued by the DENR pursuant to the rules and regulations under Section 5 of DENR Administrative Order No. 2004-55 entitled "DENR Streamlining/Procedural Guidelines pursuant to the Joint DENR-DA-PCSD Implementing Rules and Regulations of R.A. No. 9147 otherwise known as "Wildlife Resources Conservation and Protection Act".

For this purpose, the DENR Secretary, upon the recommendation of the Philippine Plant Conservation Committee (PPCC) shall promulgate the national list of threatened wild plants and prescribe guidelines for the sustainable utilization thereof. It shall also determine the list of economically important wild plants including the schedule, volume of allowable harvest, regional/geographical distribution and areas of collection.

In case of bioprospecting, collection of wild flora shall be governed by Joint DENR-DA-NCIP-PCSD Administrative Order No. 1, Series of 2005.

Section 13. Monitoring of Activities. The DENR, in collaboration with the PWC, shall regularly monitor the activities and operations of the accredited individuals, establishments or institutions including community-based organizations and conduct periodic inspection of their farms or nurseries, laboratories, or commercial outlets to ensure their compliance with the criteria and standards provided under this Order and those prescribed by the PWC. The DENR and the PWC may seek the assistance of partner organizations, institutions or agencies for the purpose.

The DENR, through PAWB, shall monitor the operations of the PWC. The PAWB, as CITES Management Authority shall monitor the implementation of the CITES by the DENR Regional Offices concerned. As Issuing Offices, the said DENR Regional Offices shall facilitate issuance of the CITES Permits for plants regulated herein and avoid unnecessary delay in the processing thereof. The Regional Executive Director concerned shall be accountable to the DENR Secretary through PAWB for the CITES permits issued pursuant to this Order and shall regularly submit to PAWB a report thereon.

The DENR, through the NWMC, shall oversee and ensure the effective implementation of this Order. It shall conduct review and assessment of the implementation of this Order to determine its effectiveness every three (3) years from approval hereof or as often as may be necessary.

Upon determination that the accreditation system has not been effectively implemented in accordance with existing laws, rules and regulations, the NWMC may recommend to the Secretary the suspension of the accreditation process.

Section 14. Capacity Building and Awareness Programs. The DENR through the Human Resources Management Services (HRMS), in collaboration with the PWC and its partner institutions and organizations, shall initiate capacity building and awareness programs to enhance monitoring and enforcement capacity of implementors as well as encourage the support of the floriculture industry to the sustainable management of Philippine wild flora.

14.1 Training for DENR Staff and Enforcers. The DENR staff and enforcers shall be provided the necessary training on plant identification and classification; CITES policies and procedures; relevant national laws, rules and regulations; preparation of reports, affidavits, sworn statements, seizure and turn-over receipts; surveillance; filing of complaint in court; smuggling techniques; methods of concealment; documentation of frauds and detection of falsified or invalid documents; prosecution of cases for violation of pertinent laws, rules and regulations; and other related concerns as may be necessary.

14.2 Training for the Floriculture Industry. Training for the floriculture industry shall consist of plant identification and classification, plant propagation techniques, appropriate collection methods, and other practices consistent with plant conservation and sustainable utilization.

14.3 Education and Awareness Program. Education and awareness program shall focus on laws, rules and regulations and other policies governing plant collection, propagation and trade, including the Philippine obligations and commitments under international conventions and agreements to enhance

appreciation and understanding by the public of the goals and objectives of plant conservation and sustainable utilization.

Section 15. Funding. Funds for the implementation of this Order shall be charged against the Wildlife Management Fund created pursuant to R.A. 9147. This shall also be included in the yearly budget proposal of the PAWB and the Protected Areas, Wildlife and Coastal Zone Management Sector of the DENR Regional Offices.

Section 16. Transitory Provision. Pending the creation of the PWC and issuance of Certificates of Accreditation, the DENR shall continue to issue the Local Transport Permits and CITES permits as required under existing laws, rules and regulations.

Section 17. Penalty Clause. Violations of any of the provisions of this Order shall be dealt with administratively and criminally in accordance with pertinent laws, rules and regulations on the matter.

Section 18. Separability Clause. Should any of the provisions of this Order be subsequently declared invalid or null and void, the validity of the other provisions not affected shall not be impaired and shall remain to be in full force and effect.

Section 19. Repealing Clause. All orders, circulars and other issuances inconsistent herewith are hereby repealed or amended accordingly.

Section 20. Effectivity. This Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation and fifteen (15) days after registration of a copy thereof with the Office of the National Administrative Registry (ONAR).


JOSE L. ATIENZA, JR.
Secretary



Publication: Malaya
June 14, 2008

Registration: ONAR, Up Law Center
June 17, 2008

ANNEX A

Republic of the Philippines
Department of Environment and Natural Resources
Region _____

**APPLICATION FOR ACCREDITATION
FOR THE PROPAGATION AND TRADE OF WILD FLORA**

(Date)

The DENR Regional Executive Director
DENR Region _____

Sir/Madam:

In accordance with R.A. No. 9147 otherwise known as the *Wildlife Resources Conservation and Protection Act* and DENR Administrative Order (DAO) No. _____ to which I am familiar with and strict compliance of same is hereby promised, I have the honor to apply for accreditation for the propagation and trade of wild flora listed in *Annex 1* hereof.

1. Name of Applicant : _____
2. Name of Establishment, if any : _____

3. Address : _____

4. Location/Address of Farm/Nursery or Laboratory/Propagation Facility : _____

Attached are the required supporting documents for my application, namely:

1. Inventory/List of Plant Stock (*Annex 1*);
2. Location Map of Farm/Nursery or Laboratory/Propagation Facility (*Annex 2*); and
3. Wild Flora Propagation Plan (*Annex 3*).

I understand that the information stated in this application are true and correct and any omission of pertinent facts as required herein shall cause the disapproval of this application.

(Signature of Applicant)

(Address)

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF _____)
CITY OF _____)

SUBSCRIBED AND SWORN to before me this _____ day of _____ 200_,
applicant exhibiting to me his/her Community Tax Certificate No. _____
issued at _____ on _____ 200_.

(Officer Authorized to Administer Oath)
PRINTED NAME AND SIGNATURE

(Official Designation)

ANNEX 1

**INVENTORY/LIST OF PLANT STOCK
AS OF _____
(Date)**

Name/Owner: _____

Name of Establishment, if any: _____

Address: _____

Name of Plants	Quantity	
	Mother Plants	Propagated Plants
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
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35.		

(Please attach additional sheets as may be necessary)

ANNEX 2

**LOCATION MAP OF FARM/NURSERY
OR LABORATORY/PROPAGATION FACILITY**

ANNEX 3

WILD FLORA PROPAGATION PLAN

- I. Origin of Wild Plant Stock (State specific sources or locality.)
- II. Propagation Methods/Techniques Adopted (Include brief description.)
- III. Description of Farm/Nursery or Laboratory/Propagation Facility
- IV. Staffing (Describe manpower resources.)
- V. Market (whether local or foreign)

ANNEX B

CERTIFICATE OF ACCREDITATION

No. _____

This is to certify that

(Name/Owner)

(Name of Establishment, if any)

(Address)

has satisfactorily complied with the criteria and standards for accreditation pursuant to DENR Administrative Order (DAO) No. _____ and is hereby recognized by the Department of Environment and Natural Resources (DENR), upon the recommendation of the Philippine Wild Flora Council (PWC), as an accredited individual/establishment/institution for plants enumerated in the attached Inventory/List. This Accreditation is subject to the Terms and Conditions provided in the attached sheets.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the DENR this _____ day of _____ in the year of our Lord, Two Thousand _____.

Regional Executive Director

DENR- _____

Valid until: _____

Date of Issue: _____

TERMS AND CONDITIONS

1. Only propagated forms of plants listed herein shall be allowed for local trade and export. Provided that, export of plants listed under CITES Appendix I shall conform to the registration requirements of CITES.
2. No further collection/acquisition of threatened plants shall be allowed unless acquired from the authorized plant stock of other accredited growers and traders or unless granted a permit for the purpose in accordance with existing laws, rules and regulations.
3. All additional propagated plants/individuals shall be reported to the PWC on individual basis and the DENR-CENRO subject to inspection and verification by the PWC and/or authorized DENR personnel.
4. A labeling/tagging system shall be adopted and plants should carry labels/tags during transport and trade for monitoring purposes.
5. Local Transport Permits (LTP) including those in the form of receipts duly accounted for/verified by the DENR shall be issued or used only for the authorized plant stock listed herein and additional propagated plants/individuals, if any, as reported pursuant to Item No. 3 hereof.
6. All transactions pertaining to the authorized plant stock shall be recorded and duly reported to the PWC and the DENR.
7. This Certificate may be suspended for at least one (1) year for violation of any of the terms and conditions of this Certificate other than those enumerated under Paragraph 8 hereof;.
8. This Certificate may be cancelled on any of the following grounds:
 - 8.1 Misrepresentation/misdeclaration, misuse or unlawful or unauthorized issuance of CITES Permits or Local Transport Permits including those in the form of receipts,;
 - 8.2 Falsification or tampering of CITES Permits or Local Transport Permits including those in the form of receipts,;
 - 8.3 Unauthorized or illegal collection/acquisition of wild plants;
 - 8.4 Buying/selling of illegally collected/acquired wild plants;
 - 8.5 Serious or repeated violations of the terms and conditions of the Certificate of Accreditation as may be determined by the PWC;

- 8.6 Possession of wild plants not included in the inventory/list without the required permit; and
- 8.7 Commission of any of the illegal acts under R.A. No. 9147 or the Wildlife Resources Conservation and Protection Act and other relevant laws, rules and regulations.
9. Any suspension or cancellation based on the above-cited grounds shall not preclude the DENR from applying/imposing other measures/sanctions provided under existing laws, rules and regulations including criminal prosecution.
10. This Certificate is issued on _____ and valid until _____ unless otherwise suspended or sooner cancelled for causes provided under DENR AO No. _____.

Accreditation Fee in the amount of P _____ has been paid under Official Receipt No. _____.

Inventory/List of Plant Stock
As of _____
(Date)

Name/Owner: _____
 Name of Establishment, if any: _____
 Address: _____
 Certificate of Accreditation No. _____

Name of Plants	Quantity	
	Mother Plants	Propagated Plants
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
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30.		

ANNEX C

FLOW CHART ON THE ACCREDITATION PROCESS

