



BFAR ADMINISTRATIVE)
CIRCULAR NO. 247)
Series of 2013

SUBJECT: Amending FAO 31 s. 1952 on the conservation of the *Ludong* in Northern Luzon

WHEREAS, Section 9 of Republic Act 8550 authorizes the Secretary of the Department of Agriculture to establish a closed season in municipal waters upon the concurrence of the concerned local government units;

WHEREAS, thirty five (35) of the thirty seven (37) municipalities straddling Cagayan River and its tributaries have promulgated their respective Resolutions concurring with the amendment of Fisheries Administrative Order No. 31, series of 1952, while four (4) municipalities of Ilocos Sur and sixteen (16) municipalities of Abra have expressed their support through a series of consecutive meetings by the "Save the Abra River Committee";

WHEREAS, there is a need to update Fisheries Administrative Order No. 31, series of 1952, in order to maintain the deterrent effect of the penalties imposed and to ensure the conservation and protection of the species;

WHEREFORE, pursuant to the provisions of Sections 9, 16, 95, 98 and 99 of R.A. 8550, otherwise known as the Philippine Fisheries Code of 1998, the following rules and regulations are hereby promulgated for the information and guidance of all concerned.

Section 1. Definition – For the purpose of this Circular, the following terms shall mean:

- (a) **Closed Season** – the period during which the taking of specified fishery species is prohibited in a specified area in Philippine waters;
- (b) ***Ludong*** – a species of mullet known by its scientific name as *Cestraeusoxyrhynchus*, *Cestraeusgoldie* and *Cestraeusplicatilis*;
- (c) **Spawning *Ludong*** – shall mean sexually mature *Ludong* carrying ripe eggs and milt, and migrating seaward for the purpose of breeding in the salt water.

Section 2. Area – The area covered by the closed season shall include the entire stretch of the Cagayan River, in the provinces of Nueva Vizcaya, Isabela, Quirino, and Cagayan, including its tributaries, headwaters and watersheds in the Cagayan Valley, Abra River and its tributaries traversing Ilocos Sur (Santa River) and the Cordillera Region.

Section 3. Closed Season– There is hereby established a closed season beginning October to November 15 of every year during which the taking of *Ludong* of any size or by any fishing gear or method is prohibited in Cagayan river, its tributaries, headwaters and watersheds in the Cagayan Valley, and Abra River System of Ilocos Sur and Abra.

Section 4. Prohibition – It shall be unlawful for any person, association or corporation to catch or cause to be caught using any type of gear or fishing method, purchase, sell or expose for sale, transport, export, or have in possession, fish known as *Ludong*, its by-products or derivatives, during the closed season as defined, Provided, that a special permit to catch *Ludong* of any size may be granted for scientific, educational, or propagation purposes by the Secretary of Agriculture to any qualified person, association or corporation, Provided further, that the use of *Ludong* taken under such special permit for any purpose other than that specified in the permit

shall be sufficient ground for its cancellation and the filing of charges for violation of this Circular.

Section 5. Penalties – Violation of any provisions of this Circular, shall subject the offender to prosecution and upon conviction, he shall suffer the penalty of imprisonment of six (6) months and one (1) day to six (6) years and/or fine of six thousand pesos (P 6,000) and forfeiture of the catch and fishing paraphernalia used and cancellation of permit or license, Provided, however, that the penalty for the offense of catching spawning *Ludong* during Closed Season shall consist of imprisonment of six (6) months and one (1) day to eight (8) years and/or fine of eighty thousand pesos (P 80,000) and forfeiture of the catch and fishing equipment used and revocation of license or permit, Provided further, that the penalty for export of spawning *Ludong* is imprisonment of eight (8) years, confiscation of the same or a fine equivalent to double the value of the same, and revocation of the fishing license and export permit.

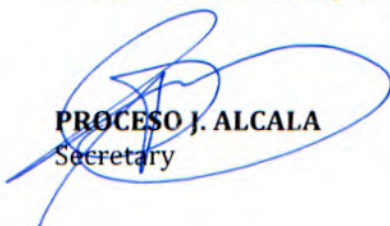
Section 6. Repealing Clause – Fisheries Administrative Order No. 31, series of 1952 is hereby repealed and all other administrative orders, regulations or parts thereof inconsistent with the provisions of this order are hereby repealed or modified accordingly.

Section 7. Separability Clause – If any section or provision of this Circular or part thereof is declared unconstitutional or invalid, the other sections or provisions thereof, which are not affected thereby shall continue to be in full force and effect.

Section 8. Effectivity – This Circular shall take effect fifteen (15) days after publication in a newspaper of general circulation and upon registration with the National Administrative Register.

Section 9. Certification – It is hereby certified that the establishment of this closed season in the specified area covering the municipal waters under the jurisdiction of thirty-seven (37) municipalities in Cagayan Valley, four (4) municipalities in Ilocos Sur and sixteen (16) municipalities in Abra has the concurrence of the majority of the local legislative councils.

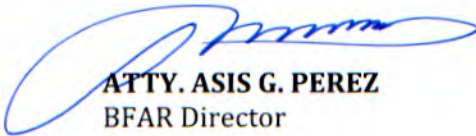
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PROCESO J. ALCALA
Secretary

DEPARTMENT OF AGRICULTURE

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