



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

October 01, 2019

DEPARTMENT ORDER

NO. 10

SERIES OF 2019

TO : All Officers and Employees of the Department of Agriculture, Bureaus, Regional Offices and Attached Agencies

SUBJECT: ESTABLISHING THE COMPLIANCE AND REGULATORY ENFORCEMENT FOR SECURITY AND TRADE OFFICE (CREST-O) IN THE OFFICE OF THE SECRETARY, DEPARTMENT OF AGRICULTURE, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS, SUPPLIES, AND OTHER LOGISTICAL PROVISIONS THEREFOR, AND FOR OTHER PURPOSES

PURSUANT TO THE rule-making powers of the Secretary of Agriculture under Executive Order (EO) No. 292, s. 1987, otherwise known as the Administrative Code of 1987, in relation to Republic Act No. 8435, otherwise known as the Agriculture and Fisheries Modernization Act (AFMA) of 1977, and Republic Act No. 10611, otherwise known as the Food Safety Act (FSA) of 2013, in line with EO No. 388, s. 2001, restructuring the Department of Agriculture (DA), as well as in keeping with the “new thinking” of agriculture conceptual shift of the current DA leadership, the following order is hereby promulgated:

1.0. RATIONALE:

- 1.1. WHEREAS, a “new thinking” of agriculture envisions “A food secure Philippines with prosperous farmers and fisherfolk.” Thus, the need “to collectively empower farmers and fisherfolk and the private sector to increase agricultural productivity and profitability, taking into account sustainability and resilience”;
- 1.2. WHEREAS, the AFMA of 1997 and other legislative enactments, as well as executive issuances require a modernized Philippine agriculture;
- 1.3. WHEREAS, the Philippine Development Plan (PDP) 2017-2022 espouses the adoption of technology in the country’s pursuit of modernized agriculture;
- 1.4. WHEREAS, the country’s commitment to globalization and regional economic integration, vis-à-vis the imperatives of national security and the protection of local farmers’ and fisherfolk’s productivity requires a regulatory architecture

where the Department will be empowered and capacitated to respond proactively;

- 1.5. WHEREAS, the current organizational make-up of the DA reveals a serious gap between policy direction and its organizational capacities, including those of its various offices, bureaus and attached agencies, especially in the area of regulatory enforcement, trade intelligence, compliance audit, and national security;
- 1.6. WHEREAS, among the most noticeable gaps in the DA's regulatory and enforcement operation is the absence of a unified, coordinated, and integrated regulatory enforcement that shall address concerns of illicit trafficking of agriculture and fisheries products;
- 1.7. WHEREAS, National Security Policy (NSP) 2017-2022 and National Security Strategy (NSS) 2018 define National Security as "a state or condition wherein the people's welfare, well-being, ways of life; government and its institutions; territorial integrity; sovereignty; and core values are enhanced and protected";
- 1.8. WHEREAS, Administrative Order No. 12 and Executive Order No. 16 (s. 2017) both direct all government departments and agencies to adopt and implement the NSP 2017-2022 and NSS 2018, with the aim of attaining a more secure, peaceful and prosperous Filipino nation;
- 1.9. WHEREAS, the need for a Port-Based Anti-Smuggling Support Group (PBASSG) directly reporting to the DA Secretary (DASEC) and coordinating with the different bureaus, offices, attached agencies and corporations of the DA; and other instrumentalities, for a unified, orchestrated, and ICT-aided anti-smuggling support services;
- 1.10. WHEREAS, the need also for an Internal Security Group (ISG), which will serve as the Office of Primary Responsibility (OPR) for the implementation of an Internal Security Plan (ISP) aimed at ensuring the safety and security of the DA, particularly the DASEC, other senior officials of the DA and its bureaus and offices, as well as data and vital installations, among others;
- 1.11. Thus, the imperative to integrate and consolidate the aforementioned Groups into one dedicated office tasked to focus on *(a) combatting smuggling of A/F products aimed at local productivity/prosperity; (b) compliance monitoring and audit of the Department's regulatory and enforcement functions amidst globalized trade; and (c) ensuring departmental and national security*, to support an intelligence and information-based decision making, policy statements and issuances.



2.0. CREATION AND ESTABLISHMENT

- 2.1. There is hereby created and established in the Office of the Secretary (OSEC), DA, a unified, orchestrated, and ICT-aided office which will focus on compliance monitoring and audit of the functions of the DA's regulatory and enforcement offices in support to its anti-smuggling efforts; and to ensure the DA's internal security, to be known as **COMPLIANCE AND REGULATORY ENFORCEMENT FOR SECURITY AND TRADE OFFICE (CREST-O)**, with two Groups under it, the PBASSG and the ISG.
- 2.2. In regard PBASSG, it shall draw its manpower complement from various regulatory and enforcement units of the different bureaus—staff and line, attached agencies, and attached corporations, particularly from the Food Safety Regulatory Agencies (FSRA) of the DA as defined under FSA of 2013, and/or contracted/appointed personnel; while the ISG will be manned DA organic personnel whose functions are germane to the security protocols stipulated in the DA Security Plan performing in concurrent capacities or additional duties, and/or personnel contracted/appointed for the purpose, which for purposes of actual performance of their duties shall directly report to the Head of the CREST-O, who shall design and build the **DA TACTICAL HUB FOR REGULATORY ENFORCEMENT VERSUS AGRICULTURAL TRAFFICKING, AND SECURITY (DA THREATS)**.

3.0. CREST-O POWERS, DUTIES, AND FUNCTIONS

- 3.1 To craft a comprehensive communication plan that shall define, limit, and integrate DA THREATS Plan which shall serve as the main document to guide all port-based activities of the Department;
- 3.2 To coordinate, consolidate, unify and orchestrate the different regulatory enforcement powers and functions of the Department, including its regional and field offices as well as those of its bureaus, offices, attached agencies, and other instrumentalities under one command and control post.
- 3.3 To incorporate the imperatives of a "crime-free, graft-free, and terror-free" economy into the various processes of the CREST-O and its sub-systems;
- 3.4 To recommend the acceleration of the implementation of, and adequately capacitate the various regulatory outfits that are identified in the DA Trade Enabling Risk Management System (DA TERMS) Project by rebooting, retrofitting, and retooling existing systems and processes as well as personnel involved in the Project;
- 3.5 To coordinate, orchestrate, and consolidate the implementation schedule of the Implementing Rules and Regulations (IRR) of Republic Act No. 10611, otherwise



known as the Food Safety Act of 2013, in so far as port-based regulatory enforcement activities are concerned;

- 3.6 To recommend the prioritization of the rebooting, retrofitting, and retooling of existing DA border control, quarantine, and inspection units aimed at integrating DA's commitments to inter-agency linkages (i.e., Department of Health [Food and Drug Administration], Department of Finance [Bureau of Customs], etc.), for purposes of data-mining, local productivity enhancement and protection, as well as trade security and facilitation;
- 3.7 To provide internal security services by way of crafting and implementing Internal Security Plan (ISP) aimed at ensuring the safety and security of the DA, particularly the DASEC, other senior officials and its bureaus and offices, as well as vital installations, data, communication and ICT, among others.
- 3.8 To perform such other powers, duties, and functions, as may be assigned by the DASEC from time to time.

4.0. ADMINISTRATIVE PROVISIONS

- 4.1. In so far as **PBASSG** is concerned, for the purpose of conferring authority upon the CREST-O, the personnel and staff of the following bureaus, attached agencies, attached corporations functioning as FSRAs shall be placed on Detail Service (DS) and under the direct supervision of the CREST-O in so far as their enforcement and regulatory functions are concerned, namely:

- 4.1.1. The Bureau of Fisheries and Aquatic Resources (BFAR), in so far as its Fisheries Inspection and Quarantine Services' (FIQS) under Section 67 of Republic Act No. 8550, otherwise known as "The Philippine Fisheries Code of 1998," and such other port-based functions that the Director of BFAR may deem necessary to deputize or delegate;

Further, the BFAR shall allow the CREST-O access into its registry of accredited importers of fishery products, records of import permits issued, and such other databases for purposes of regulatory enforcement and trade intelligence datamining;

Furthermore, should the need become necessary the BFAR shall extend technical assistance to the CREST-O in so far as the latter's port-based regulatory enforcement and inspection is concerned;

- 4.1.2. The Bureau of Animal Industry (BAI), in relation to its port-based operations involving the following:

- 4.1.2.1. National Veterinary Quarantine Services Division (NVQSD) in exercising direct control, supervision and administration of



veterinary quarantine activities at the national and regional borders in keeping with the protocols of trade facilitation, as well as its mandated functions under Section 26 (i) and (j) of EO 338;

Further, it shall allow the CREST-O access into its import risk analysis studies, as well as engage the latter in the formulation and review of policies on veterinary quarantine operations;

Furthermore, it shall allow the CREST-O access to its list of accredited importers and exporters of animals and animal products/by-products, as well as into its list of import permits received vis-à-vis the Veterinary Quarantine Clearance (VQC) issued;

- 4.1.2.2. Animal Feeds, Veterinary Drugs, and Biologics Control Division (AFVDBCD), in exercising regulatory enforcement and monitoring of imported feeds, specifically in the confiscation of unregistered, smuggled, expired, tampered and/or mislabeled/unlabeled animal feeds and veterinary drugs/biologics that are trafficked through the ports and airports;

Further, it shall allow the CREST-O access to its master list of registered and licensed importer, distributors, traders, manufacturers, feed dealers and feedstuff importers aimed at effective regulatory enforcement and secured border control and management;

- 4.1.3. The Bureau of Plant Industry (BPI), in so far as its port-based operations are concerned aimed at plant pest surveillance and early warning information and detection that would ensure effective crop management for the protection of the Philippine crop industry;

Further, it shall provide technical assistance to the CREST-O where technical issues are involved in connection with the latter's regulatory enforcement and anti-smuggling support services are concerned;

Furthermore, it shall allow the CREST-O access into BPI's database of Sanitary Phyto-sanitary (SPS) Permits issued for purposes of compliance audit and trade intelligence datamining;

- 4.1.4. National Meat Inspection Service (NMIS), in so far as its port-based regulatory and enforcement powers are concerned, including but not limited to the functions of its Meat Import and Export Assistance and Inspection;



Further, it shall allow the CREST-O access to its record of accredited importers and exporters of meat and meat products; as well as its database of permits issued for purposes of trade intelligence and datamining;

Furthermore, the NMIS shall extend technical assistance to CREST-O whenever safety and quality inspection by competent technical personnel of NMIS is required, including but not limited to the taking and collecting of samples are concerned for purposes of laboratory analysis aimed at determining the presence of diseases, harmful substances, contaminants, toxins and microbes in conformity with the standards and requirements of the Philippines;

Finally, the NMIS shall allow the CREST-O access into its registry of accredited foreign sources of meat and meat products;

- 4.1.5. The Philippine Coconut Authority (PCA), in so far as its port-based regulatory enforcement operations are concerned, including but not limited to illegal trafficking of coconut lumber through our domestic ports;

Further, the PCA shall allow the CREST-O access to its database of quota in the marketing and exportation of coconut products and by-products, which may become necessary for the latter's pursuit of its trade intelligence and datamining functions;

Furthermore, the PCA shall extend technical assistance to the CREST-O in connection with the latter's port-based inspection of all copra and its by-products for export aimed at determining compliance with prescribed standards; as well as in the conduct of Inspection and survey of export shipments through an independent international superintendent or surveyor;

- 4.1.6. Other attached agencies, attached corporations or units that have business processes at the ports and airports may, upon written directives from the DASEC, be included in the operational coverage of the CREST-O.

- 4.2. In regard **ISG**, offices at the different levels of the DA which functions and duties are germane to the security provisions of the DA ISP shall perform additional functions and duties, directly supervised by the CREST-O, towards the attainment and accomplishment of the mission stipulated in the DA ISP.

- 4.3. The DA shall re-allocate logistical or budgetary provisions from its existing offices/bureaus/attached agencies for the remaining period of the current year, in so far as they relate to the regulatory enforcement and anti-smuggling support services that may now assumed by the CREST-O;



- 4.4. The Department shall allocate specific budget every year for the operation and purchase of office equipment and other logistical requirements of the CREST-O to ensure the continuous operation of the latter;
- 4.5. The CREST-O shall, like the other organizational units of the DA, prepare its annual operational and budgetary requirements for submission to the DASEC as key budgetary inclusions in the succeeding budget years;
- 4.6. The CREST-O shall, in coordination with the Information Technology Center for Agriculture and Fisheries (ITCAF), design, build, and procure the necessary ICT-related systems — including the trainings and other retooling support systems thereto — that may become necessary or essential in the pursuit of its mission. Towards this end, the ITCAF is hereby directed to extend technical assistance to the CREST-O.

5.0. OPERATIONAL PROVISIONS

The CREST-O shall have the following levels of operation, to wit:

5.1. *PBASSG*

- 5.1.1. Direct Supervision. – Acting for the DASEC, the CREST-O shall have direct supervision of the regulatory and enforcement powers and functions of the DA FSRAs defined under FSA of 2013 in keeping with EO 338, s. 2001;
- 5.1.2. Coordinative and integrative. – In line with the mandate of the DA, the CREST-O shall exercise coordinative, consultative, and integrative supervision of the regulatory and enforcement functions and activities of the different regulatory units, bureaus, attached agencies and instrumentalities of the DA, for purposes of data-mining, compliance monitoring, and real-time reporting to the DASEC;
- 5.1.3. Delegated and/or deputized authority. – The CREST-O shall provisionally and immediately assume control and supervision over the composite teams of the DA that are currently, or in the future, may be operating in the different ports and airports whenever the interest of national security, and trade intelligence require the preventive interdiction of imported A/F commodities; or, whenever a unified and concerted action of the DA and its composite units becomes immediately necessary, without prejudice to the invocation of jurisdiction by concerned agency heads, which should be communicated by these DA bureaus and attached agencies direct to the head of the CREST-O, or through their port-based agency representatives.



5.2. ISG

There shall be a 3-tiered security architecture to carry out and accomplish the internal security mission of the DA, namely:

- 5.2.1. Department Level. – This covers all the internal security-related activities undertaken by the different offices, staff bureaus, and component units at the DA Central Office (DACENTO), including but not limited to the personal safety of the DASEC and other key officials of the DA.

This shall be under the total *control and supervision* of the CREST-O.

- 5.2.2. Bureau Level. – This covers the entire security web spanning over all line bureaus, attached agencies, and attached corporations, that have been defined by their respective security architectures and under their respective security officials.

This, however, shall be *coordinated with, consolidated by, integrated* for the effective pursuit of the internal security objective by the CREST-O, in close collaboration with the respective security officials.

Provided, that, nothing shall prevent the CREST-O – acting for the DASEC – from temporarily assuming command and control of the internal security operations under this level, should exigencies require, especially when there is temporary breakdown in the existing security architecture of any and all bureaus under this level; Provided, further, that immediately after the exigency shall have ceased to exist, the original security arrangement and protocol shall forthwith be restored;

- 5.2.3. Regional Level. – This the covers the regional security operations which are grouped into: (a) DA Regional Offices, and Staff Bureaus Field Offices; and (b) Regional and Field Offices of Line Bureaus and Attached Agencies and Corporations. Those under (a) are under the supervision and control of the DA Regional Security Officer; while those under (b) are directly under their respective security officials who are beyond the administrative supervision and control of the DA Regional Officials.

Under the Regional Level set-up, existing security protocols shall be under the control and supervision of their respective offices, but *shall be reported to the CREST-O for risk management review*, identifying thereat distinct vulnerabilities that are unique in their locality.



6.0. BUDGETARY AND RESOURCE PROVISIONS

The CREST-O shall, for the current year, be funded by the office of the DASEC, especially those that correspond to the realigned functions, and supplemented by corresponding allocations of the attached agencies and offices whose regulatory enforcement functions shall now be coordinated, consolidated, integrated, or otherwise affected by this Order.

The Chief of Staff (COS) shall see to it that the CREST-O is appropriately provided office spaces, equipment, ICT-connectivity, manpower, and other support essentials.

For the ensuing budget year, the requirements of CREST-O shall become part of the key budgetary inclusions of the DASEC.

7.0. IMPLEMENTING RULES AND REGULATIONS

Subject to the approval of the DASEC, the designated Head of the CREST-O shall, from time to time, issue the necessary implementing rules and regulations (IRRs) to further the objectives of this Order.

8.0. MISCELLANEOUS PROVISIONS

The CREST-O may also tap, enlist, solicit, or require the assistance of other national government agencies (NGAs), local government units (LGUs), non-government organizations (NGOs), people's organizations (POs), civic organizations, professionals, academe, state universities and colleges (SUCs), the private sector, as well as local or international domestic partners, under a whole-of-nation approach aimed at attaining the "new thinking" for agriculture under the new DA leadership, in relation to the Duterte Imperatives (drug-free, graft-free, crime-free), and the A/F modernization and food security goals of the AFMA, subject to the pertinent provisions of applicable laws, rules and regulations.

9.0. REPEALING AND SEPARABILITY CLAUSES

All orders, special orders, memoranda, circulars, or other issuances emanating from this Department and its bureaus, offices, and attached agencies that are in conflict with this Order are hereby amended, repealed, or modified accordingly.


Should any part or portion of this Order be rendered invalid or ineffective by competent authorities, the remaining parts hereof that are capable of implementation shall remain valid and in effect.

10.0. EFFECTIVITY CLAUSE

This Order shall take effect immediately.



Let copies of this Order be filed with the Office of the National Administrative Register,
UP Law Complex, Diliman, Quezon City.


WILLIAM D. DAR, PhD
Secretary of Agriculture



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For Signature: S-10-19-0015

Received : 10/01/2019 11:51 AM