

LD-04 6127

BY THE PRESIDENT OF THE PHILIPPINES

PRESIDENTIAL PROCLAMATION NO. 2063

**STRENGTHENING AND EXPANDING THE COVERAGE OF PRESIDENTIAL
PROCLAMATION 990 OF 1997 THUS GIVING SUBSTANCE TO THE
FEBRUARY 8, 2007 SUPREME COURT RULING**

WHEREAS, Department of Health (DOH) Circular No. 155 S-1975 informed that Malacañan Palace, through the Executive Secretary and the Department of Health decided to let MAPECON undertake pest control abatement for the Metropolitan Manila area and other urban areas under the supervision and control of the Department of Health;

WHEREAS, DOH Circular 155 S-1975 provided that after the pilot projects shall have been undertaken, other groups such as pest control companies, barangays interested to join may do so by signing a franchise agreement with MAPECON;

WHEREAS, the Fertilizer and Pesticide Authority (FPA) was created pursuant to Presidential Decree No. 1144 that took effect on May 30, 1977;

WHEREAS, upon the request of Pablo Turtal, Jr., Manager of Supreme Pesto Control, Vicente Lañohan, the FPA Dumaguete Provincial Coordinator, issued an undated certificate that MAPECON- Dumaguete City branch had no license to operate, and that its pesticide products were not registered with the FPA. Thus, it could not engage in pest control operation "until such time that this above-mentioned business entity can secure a license from the FPA";

WHEREAS, Presidential Proclamation 990 of 1997 was issued by former President Fidel V. Ramos to declare the fourth week of September of every year as "Urban Pest Control Week";

WHEREAS, a "whereas" clause of Presidential Proclamation 990 stated that the National Committee on Urban Pest Control was organized by the Office of the President of the Philippines with the task of implementing a program for Urban Pest Control through a sustainable franchise system to control disease-transmitting pests at no expense to the National Government, which system was formalized in Department of Health Circular No. 155 and the 1991 Memorandum of Agreement between the Earth Savers Movement, Inc., Metropolitan Manila Development Authority, Department of Science and Technology, Department of Social Welfare and Development, Department of Agriculture, the National Committee on Urban Pest Control, Office of the President of the Philippines, etc., to undertake, among others cellulosic wastes recycling and urban pest control;



WHEREAS, Presidential Proclamation 990 enjoined all government agencies and offices, as well as business, commercial, and industry sectors and non-government organizations to extend every possible support, assistance and cooperation in making the celebration of the "Urban Pest Control Week" under the aegis of the National Committee on Urban Pest Control a success;

WHEREAS, on February 8, 2007 the Supreme Court in G.R.No. 161594 it its recognized that "MAPECON is a franchised and licensed urban pest control operator, and duly accredited by the National Committee on Urban Pest Control." It further held that the FPA has jurisdiction only over agricultural pesticides and affirmed FPA did not have jurisdiction or regulatory powers over the acts and business operations of Manila Pest Control Company; however, the Supreme Court did not rule on whether only those pest control products registered and pest control applicators licensed by NCUPC may be purchased by private and government instrumentalities; likewise, the Supreme Court ruling did not specifically mandate the NCUPC to monitor, supervise, franchise and have jurisdiction or regulatory power over urban pest control;

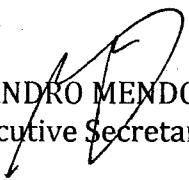
WHEREAS, one of the serious negative effects of global warming and climate change is the proliferation of disease-transmitting pests, particularly dengue mosquitos;

NOW, THEREFORE I, GLORIA M. ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

1. The franchise system provided for by Department of Health Circular No. 155 S-1975 is hereby affirmed;
2. Five percent (5%) of the franchise fee of all pest control products and pest control contracts shall be collected by the Department of Health for the primary purposed of administering and implementing anti-dengue projects together with the National Committee on Urban Pest Control;
3. The National Committee on Urban Pest Control shall continue its function as implied by the relevant "whereas" clause of Presidential Proclamation 990 and the relevant Supreme Court ruling;
4. In accordance with its jurisdiction over agricultural pesticides, the Fertilizer and Pesticide Authority shall adopt the organic, botanical, indigenous, safer and technical coordinated system of pest control in agriculture.

DONE in the City of Manila on this 19th day of May in the year of Our Lord, Two Thousand and Ten.

By the President:


LEANDRO MENDOZA
Executive Secretary

