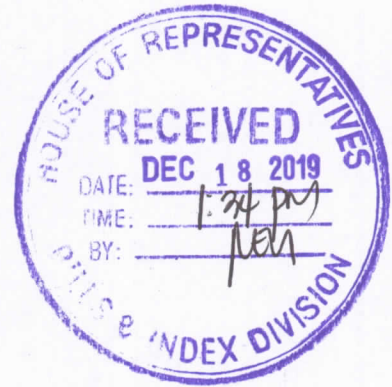


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills
Quezon City

EIGHTEENTH CONGRESS
First Regular Session
House Bill No. **5864**



Introduced by: Rep. Josephine Y. Ramirez-Sato

EXPLANATORY NOTE

This proposed bill aims to amend and include the following areas to further intensify the implementation of National Organic Agriculture Program: 1) Recognition of Participatory Guarantee System (PGS) as a certification scheme for organic agriculture; 2) Institutionalization of Offices relevant to Organic Agriculture and transfer of functions; and 3) Registration of organic products and licensing of operators, and transfer of functions.

Globally, PGS is widely recognized as an organic guarantee system for domestic products. This type of system has been recognized by the International Federation of Organic Agriculture Movement (IFOAM) as an alternative guarantee system for organic agriculture. Brazil and India are some of the countries that has established mechanisms for the recognition of various PGS groups, which are also recognized by IFOAM.

Even with the various government support to boost the local organic agriculture industry, stakeholders have been lobbying to recognize an alternative scheme for third-party certification. These stakeholders have been pushing for Participatory Guarantee System (PGS) which exists currently and shares the same goal with third party certification systems in providing guarantee for consumers buying organic produce.

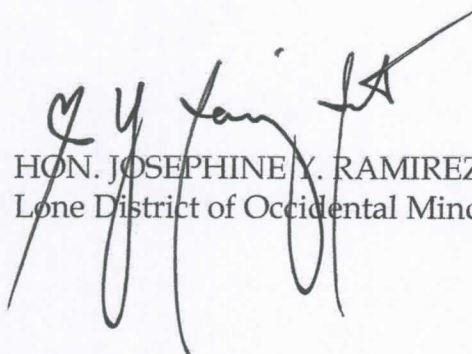
The initiatives on other guarantee systems in the country started through the Magsasaka at Siyentipiko para sa Pag-unlad ng Agrikultura (MASIPAG), a network of farmer scientists recognized by IFOAM as a credible PGS. Similarly, a network of PGS practitioners called PGS Pilipinas was established to bridge the gap between farmers and local consumers, and to further develop the domestic market of organic market through inexpensive organic guarantee. These stakeholders have been pushing for the amendment of RA 10068 to recognize PGS as another scheme for organic agriculture.

The first-hand experience in organic agriculture of these stakeholder groups, it is deemed necessary to amend RA 10068 and recognize PGS as another organic certification scheme. The scheme will be regulated to provide consumers the assurance that the

products claimed/labeled as organic are produced, processed, and handled in accordance to the law, rules and regulations, and guidelines set by the government. Through the recognition of PGS, the goal of increasing the total share of total agricultural area devoted to organic agriculture as well as the volume of production of organic produce intended for the local and international market can be attained.

With the possible recognition of PGS Groups, this bill also proposes to amend the law to indicate BAFS as the designating-authority to recognize legal entities such as organic certifying bodies or guarantee system providers that shall provide guarantee on the integrity of the organic production system. Given the proposed amendments and in order to be effective, this bill also puts forward measures on registration of organic products, licensing of operators and transfer of functions of select agencies.

In view of the foregoing, the approval of this bill is urgently requested.



HON. JOSEPHINE X. RAMIREZ-SATO
Lone District of Occidental Mindoro

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. **5864**

Introduced by: Rep. Josephine Y. Ramirez-Sato

AN ACT STRENGTHENING THE IMPLEMENTATION OF NATIONAL ORGANIC AGRICULTURE PROGRAM AND AMENDING CERTAIN SECTIONS OF RA 10068 OR THE ORGANIC AGRICULTURE ACT OF 2010.

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Short Title. – This Act shall be known as the “Enhanced Organic Agriculture Act”.

SEC. 2. Section on Declaration of Policy is hereby amended as follows:

It is hereby the policy of the State to promote, propagate, develop further and implement the practice of ORGANIC FARMING AND OTHER SUSTAINABLE AGRICULTURE PRACTICES in the Philippines that will cumulatively condition and enrich the fertility of the soil, increase farm productivity AND FARMERS’ INCOME, reduce pollution and destruction of the environment, prevent the depletion of natural resources, further protect the health of farmers, consumers, and the general public, save on imported farm inputs AND PROMOTE FOOD SELF SUFFICIENCY. Towards this end, a comprehensive program for the promotion of community-based organic agriculture systems, which include, among others, [~~pesticides~~] BIO-PESTICIDES, BIOLOGICAL CONTROL and other farm inputs, together with a nationwide educational and promotional campaign for their use and processing.

A NATIONWIDE EDUCATIONAL AND AWARENESS CAMPAIGN AMONG CONSUMERS ON THE BENEFITS OF CONSUMING ORGANIC PRODUCTS TO BOOST LOCAL PRODUCTION OF ORGANIC FOODS AND NON-FOOD PRODUCTS, as well as adoption of organic agriculture system as a viable alternative shall be undertaken.

The State recognizes and supports the central roles of the farmers, indigenous people and other stakeholders at the grassroots in this program.

SEC. 3. Section 5 of RA 10068 is hereby amended to read as follows:

Section 5. National Organic [~~Agricultural~~] AGRICULTURE Program

There is hereby established a comprehensive [~~organic-agricultural program~~] NATIONAL ORGANIC AGRICULTURE PROGRAM through the promotion and commercialization of organic farming practices, cultivation and adoption of production and processing methods which have already been developed, or to be developed, continuing research and upgrading thereof, the capacity building of farmers and the education of consumers thereon, the extension of assistance to local government units (LGU's), peoples' organizations (POs), nongovernment organizations (NGOs) and other stakeholders including individuals and groups who are practicing and promoting these methods as well as those who are willing to do other pertinent activities, and documentation and evaluation of the program.

SEC. 4. Section 10 and 11 of RA 10068 is hereby amended to read as follows:

Section 10. FUNCTIONS, DUTIES, AND RESPONSIBILITIES of the Bureau of Agriculture and Fisheries Standards (BAFS) of the DA.

The BAFS of the DA shall strengthen and empower the established functional division for organic agriculture to perform as the designating-authority for the recognition of organic certifying bodies (OCB), and participatory guarantee system (PGS) groups.

The BAFS shall also be tasked to formulate regulations, guidelines, and corresponding rules entity based on national and international standards and guidelines in the recognition of OCB and PGS groups.

Section 11. FUNCTIONS, DUTIES AND RESPONSIBILITIES OF THE NATIONAL ORGANIC AGRICULTURE PROGRAM - NATIONAL PROGRAM COORDINATING OFFICE (NOAP-NPCO)

To manage the effective implementation of the National Organic Agriculture Program, the field operation service of the da shall be strengthened and empowered in terms of establishing a functional division to serve as the National Program Coordinating office of the National Organic Agriculture Program and the Technical and Administrative Secretariat of the National Organic Agriculture Board.

SEC. 5. Section 12 of RA 10068 is hereby amended to read as follows:

Section 12. Work Plan.

The NOAP shall submit to the Board for approval the following:

- (a) A plan of bringing the program down to the grassroots, utilizing available personnel and facilities on the local level and those of LGUs;
- (b) A pattern of cooperation and mutual assistance with LGUs, POs and NGOs, which will maximize people empowerment and participatory approaches to program formulation, implementation and monitoring; and
- (c) A schedule of short-term, medium-term and long-term targets on research and development, marketing, trade promotion/initiatives, capacity building, among others.

SEC. 6. Section 13 of RA 10068 is hereby amended to read as follows:

Section 13. Organic Agriculture and Protection of the Environment.

The NOAB shall constantly devise and implement ways and means not only of producing organic fertilizers and other farm inputs and needs on and off the farm but also of helping to alleviate the problems of industrial waste and community garbage through disposal through appropriate methods of sorting, collecting and composting. The NOAP shall conduct continuing studies, with consultations among the people and officials involved as well as POs and NGOs, in order to advise local governments, from the barangay to the provincial level, on the collection and disposal of garbage and waste in such a way as to provide raw materials for the production of organic fertilizers and other farm inputs.

SEC. 7. Section 14 of RA 10068 is hereby amended to read as follows:

Section 14. Local Executive Committees.

Every provincial governor shall, insofar as practicable, form a provincial technical committee, and which shall, in coordination with and assistance of the NOAP/DA - REGIONAL FIELD OFFICES (RFOs) implement activities in line with the National Organic Agricultural Program within each province.

Every municipal mayor shall likewise, insofar as practicable, form a municipal technical committee for purposes of implementing activities in line with the National Organic Agricultural Program within each municipality.

A local government unit that intends to shift its area of responsibility to organic agriculture must ensure that local industries have been adequate

informed and consulted and that a viable plan to ensure supply for vulnerable industries is in place.

The governors shall monitor implementation of and compliance with this Act within their respective jurisdictions.

SEC. 8. Section 15 of RA 10068 is hereby amended to read as follows:

Section 15. RECOGNITION of Organic Certifying Body and PARTICIPATORY GUARANTEE SYSTEM GROUP.

The Bureau of Agriculture and Fisheries Standards (BAFS) is hereby designated and authorized to GRANT RECOGNITION to organic certifying body or PARTICIPATORY GUARANTEE SYSTEM GROUP. The BAFS is tasked to formulate the necessary rules and procedures in the RECOGNITION of organic certifying body and PGS GROUPS.

SEC. 9. Section 16 of RA 10068 is hereby amended to read as follows:

Section 16. Registration of Organic Products and Licensing of Organic Operators and Establishments.

THE FERTILIZER AND PESTICIDE AUTHORITY (FPA) OF THE DA SHALL BE RESPONSIBLE FOR THE REGISTRATION OF ORGANIC SOIL AMENDMENTS AND ORGANIC BIO-CONTROL AGENTS. ON THE OTHER HAND, THE BUREAU OF ANIMAL INDUSTRY (BAI) OF THE DA SHALL BE RESPONSIBLE FOR THE REGISTRATION OF ORGANIC FEEDS FOR LIVESTOCK AND POULTRY, AND ORGANIC AQUACULTURE FEEDS.

THE FOOD AND DRUG ADMINISTRATION (FDA) OF THE DOH SHALL BE RESPONSIBLE FOR THE REGISTRATION OF PROCESSED AND PRE-PACKED ORGANIC FOOD AND NON-FOOD PRODUCTS AND LICENSING OF OPERATORS AND ESTABLISHMENTS.

THE NOAP SHALL ESTABLISH A DATABASE TO MONITOR THE STATUS OF THE REGISTERED ORGANIC PRODUCTS AND LICENSED ORGANIC OPERATORS.

SEC. 10. Section 17 of RA 10068 is hereby amended to read as follows:

Section 17. Labeling of Organic Produce.

The label of organic produce shall contain the name, logo or seal of the organic certifying body and the RECOGNITION number issued by the BAFPS. The organic label shall also include the trade name and origin address of the produce.

Products which are certified and guaranteed by third-party organic production systems, including those with certification from the PGS, shall be allowed to be labelled and sold as organic.

All other products, non-certified products and first-party certified products, shall be prohibited from being labelled as organic.

SEC. 11. Appropriations. – The DA shall allocate at least 10% of its annual budget in the General Appropriations Act (GAA) for the implementation, monitoring and evaluation of the NOAP and the operation of NOAB. In relation to this, the NOAB member agencies, concerned DA agencies, and other DA agencies and other departments, Government-Owned and Controlled Corporations (GOCC), Government Financial Institutions (GFIs), and LGUs are encouraged to allocate a separate and distinct fund from their annual budget for organic agriculture.

The DA through the NOAP-NPCO is hereby authorized to solicit and accept assistance or facilities in the form of grants from international donors and partners to implement projects and activities, and to utilize these funds and resources for purposes of this Act, subject to the usual budget, accounting, and auditing rules and regulations.

SEC. 12. Implementing Rules and Regulations. – Within three (3) months from the passage of this Act, the DA shall promulgate the necessary rules and regulations for its effective implementation.

SEC. 13. Separability Clause. – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

SEC. 14. Repealing Clause. – All laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby amended or modified accordingly.

SEC. 15. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.