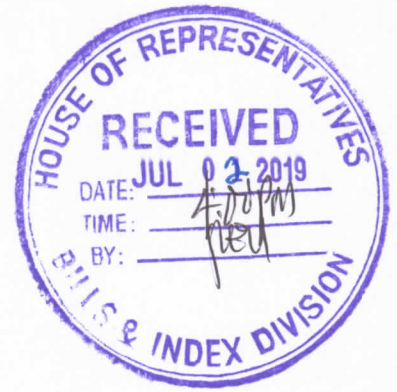


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 1088



Introduced by Representatives
HORACIO P. SUANSING, JR. and ESTRELLITA B. SUANSING

AN ACT
TO PROTECT WORKERS AND THEIR FAMILIES FROM THE HAZARDS OF
WORKING IN AGRICULTURAL SITES

EXPLANATORY NOTE

Article II, Section 16 of the 1987 Constitution expressly states:

“The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.”

A report from the Philippine Statistics Authority released in June 2018 reinforces the salience of agriculture as a pillar of the national economy. As of early 2018, around 10.9 million Filipinos (or 26 percent of the national labor force) are employed in the agricultural sector and work in vegetable, rice and maize farms across the country.¹ Given the large number of Filipinos who work in agricultural sites, the Philippine Government, through the Department of Agriculture, has sought to funnel funds into various programs for farmers and farm workers (*kabesilyas*), such as providing for farm equipment, skills development and loan programs, along with supporting local crop development research through agencies such as the Philippine Rice Research Institute (PhilRice).

However, despite these beneficial programs, the protection for agricultural workers in the country remains insufficient in certain aspects, particularly with regards to working conditions in farms that use pesticides. In recent years, pesticide poisoning has become a more prevalent international public health issue, with an estimated 200,000 people dying each year worldwide because of intentional, accidental and occupational exposure to pesticides.² This number still does not include those who suffer the deleterious effects of exposure to pesticides, such as neurological damage, birth defects, sterility, and possibly cancer, Alzheimer’s and Parkinson’s disease.³

Moreover, a study from the Journal of Rural Medicine found that in the Philippines, where the number of young children aged six to nine years old either exposed or working in agricultural sites has been increasing, there have been numerous reports of symptoms of

¹ Teves, C. (2018, June 16). *Agriculture's share in PH employment increases in January* (Rep.). Retrieved June 14, 2019, from Philippine News Agency website: <https://www.pna.gov.ph/articles/1038439>

² Rifai, R. (2017, March 8). UN: 200,000 die each year from pesticide poisoning. Retrieved June 14, 2019, from <https://www.aljazeera.com/news/2017/03/200000-die-year-pesticide-poisoning-170308140641105.html>

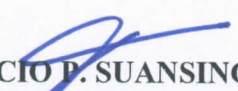
³ Ibid.

pesticide poisoning (such as headaches, skin irritation and abdominal pain) among children after being exposed to pesticide chemicals.⁴ Another study by the United States Government's Global Hunger and Food Security Initiative reveals the extensive risk of pesticide poisoning among vegetable farmers in the Philippines given the nature of the chemical used in planting vegetable crops and the largely-manual techniques used.⁵


This bill seeks to create measures ought to be taken by farm owners and operators to ensure the safety of their workers and their respective families. Specifically, it aims to address the health hazards presented to agricultural workers by the presence of organophosphate pesticides, which produce both short-term (acute poisoning) and long-term (chronic) effects that affect various organs in addition to its potential to cause abnormalities in the genes and reproductive system upon exposure.

Providing for this measure would duly address the need to prevent further adverse effects on the safety and health of our farmers, farm workers, their families and the environment.

Therefore, in view of the foregoing, the immediate passage of this bill is earnestly sought.⁶



HORACIO P. SUANSING, JR
2nd District of Sultan Kudarat



ESTRELLITA B. SUANSING
1st District of Nueva Ecija

⁴ Lu, J. et al. (2010). Trends of Pesticide Exposure and Related Cases in the Philippines. *Journal of Rural Medicine*, 5, 2, 153-164.

⁵ Ibid.

⁶ This bill was originally filed by Senator Miriam Defensor Santiago during the 14th Congress and the 16th Congress.

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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 “Farm Workers’ Protection Act.”

SECTION 2. *Requirements.* – The following requirements shall be met at any agricultural site to which pesticides have been or will be applied. Farm owners or operators shall:

- A. Conduct or cause to have conducted mandatory testing for the presence of organophosphate pesticides for all handlers of pesticides, including applicators and mixers of pesticides. This testing shall be conducted within one week of the arrival of such workers at the agricultural site and within one week of the departure of such workers from the site;
- B. Provide personal protection equipment which has been fit-tested to all individuals who are required to wear such equipment in the course of their work, and which is readily available to any worker needing to wear or use such equipment;
- C. Provide education and information to farm workers and their families about the hazards of exposure to pesticides, how to avoid such exposures among children, personal clothing and possessions, and what to do if pesticide exposure or contamination occurs;
- D. Report to the Department of Agriculture every incident of pesticide exposure among farm workers or their families, whether by direct exposure to pesticide applications or from drift of pesticides from the application site. Such reporting shall occur within 24 hours of such pesticide exposure and shall include the day and time of day the exposure occurred and the pesticides to which the individuals were exposed;
- E. Provide on-site washing machines for workers to clean pesticide-contaminated clothing, which are separate from clothes washing facilities used by families. The farm owner or operator shall be responsible for providing instruction on the proper care of clothing contaminated with or exposed to pesticides;

- F. Provide one shower facility for every five workers, with separate facilities for males and females, for the removal of pesticide residues and other contaminants;
- G. Provide one or more public telephones for workers to report medical emergencies, including pesticide exposures or contamination; and
- H. Ensure that all new housing for farm workers are located at least fifty feet from any field or site, except for enclosed facilities such as greenhouses, which may be treated with pesticides. Existing housing which does not comply with this paragraph shall be replaced within five years or cease to be used after that time.

SECTION 3. *Penalty.* – The Department of Agriculture is hereby empowered to establish and assess penalties or fines against the farm owners and operators for violations of this Act. In no circumstance will any penalty or fine exceed One Hundred Thousand Pesos (P100,00.00).

SECTION 4. *Annual Report.* – The Department of Agriculture shall issue an annual report of all farm inspections done in the previous calendar year to the legislature on or before the 1st of March, including compliance with the requirements contained in this Act, enforcement action, fines and penalties for non-compliance resulting from such inspections, and pesticide exposure or contamination reports submitted to the Department of Agriculture.

SECTION 5. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 6. *Separability Clause.* – If, for any reason, any provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,