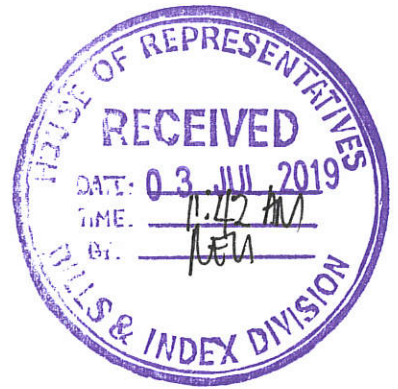


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1290



Introduced by HONORABLE LUIS RAYMUND F. VILLAFUERTE, JR.

EXPLANATORY NOTE

In 2014, the Philippines was the 13th most populated country in the world with a population of 107 million¹. During the same year, the Philippines' Global Hunger Index (GHI) was 13.1, significantly higher than the ideal score of less than five². This reflected a high incidence of undernourishment, child underweight and child mortality, as the index were gauged by the same.

Our growing population needs a sustainable solution to combat inaccessibility and unavailability of food in the country and achieve food security. In a survey conducted by the National Nutrition Survey (NNS) in 2011, 36% of Filipino adults and 23% of Filipino children claimed to be food insecure³. There is an apparent need for a more sustainable agriculture practice in the country in order to be self-sustaining in meeting the food needs of every Filipino.

One cause of starvation and malnutrition is unsustainable production methods and loss of bio-diversity on the farm⁴. Organic farming as a process sustains the health of soils and ecological balance of the environment⁵, guaranteeing a sustainable production for the long-term. This bill intends to strengthen sustainable agriculture by amending the Organic Agriculture Act of 2010 in order to keep up with the development in sustainable farming and fulfill the goal of providing food for every Filipino.

As President Duterte has mentioned previously in his campaign, his administration intends to prioritize tackling food insecurity through the development of the agricultural sector. This bill seeks to compliment this intent through the adoption of organic agricultural system as viable alternative to import-based toxic farming methods. By supporting our farmers, especially the organic and other small farmers,

¹ <https://focusweb.org/content/right-food-and-food-security-philippines-what-numbers-say>

² Ibid.

³ <http://www.rappler.com/move-ph/51726-food-security-philippines>

⁴ https://www.ifoam.bio/sites/default/files/organic_agriculture_and_food_security_printcopy.pdf

⁵ <http://www.fao.org/organicag/oa-faq/oa-faq7/en/>

6<http://newsinfo.inquirer.net/790812/inqbaek-president-rodrigo-duterte-agenda-2016-elections-campaign>
and helping them increase production and productivity, we are also lifting food production and access to food.

As it is becoming widely recognized as an alternative to conventional farming, this bill proposes to implement such practices more aggressively to promote food self-sufficiency as well as encourage farmers in order to increase production.

It is also emphasized that food insecurity is a battle that every citizen must counter. This bill, as a counterpart bill to Senator Poe's version in the Senate, proposes a nationwide education and awareness campaign among consumers on the benefits of consuming organic products. This bill also ensures decent returns to organic producers by providing marketing assistance. It must be noted that in 2014, the Philippines was 4th in the world in having the largest numbers of organic producers. This bill further ensures methods for proper registration and labeling of organic produce to avoid misleading the consuming public.

This measure would greatly support the propagation of organic farming practices in the country, meet the needs of small organic farmers and encourage other small Filipino farmworkers to shift to organic farming. In addressing the country's obstacle in achieving food security and food self-sufficiency, it is imperative that we support all sectors involved and aim for development through sustainable and innovative methods.

In light of the foregoing, the approval of this bill is earnestly sought.



LUIS RAYMUND F. VILLAFUERTE, JR.

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HOUSE BILL NO. 1290

Introduced by HONORABLE LUIS RAYMUND F. VILLAFUERTE, JR.

AN ACT
STRENGTHENING SUSTAINABLE AGRICULTURE AND ENHANCING
SUPPORT
FOR SMALL ORGANIC FARMERS, AMENDING FOR THE PURPOSE
CERTAIN
SECTIONS OF REPUBLIC ACT NO. 10068 OR THE ORGANIC
AGRICULTURE ACT OF 2010

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

SECTION 1. Section 2 of Republic Act No. 10068 or the Organic Agriculture Act of 2010 is hereby amended to read as follows:

It is hereby declared 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' INCOMES; reduce pollution and destruction of the environment, prevent the depletion of natural resources, further protect the health of farmers, consumers and the general public, [and] save on imported 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, farmer produced purely organic fertilizers such as compost, [pesticides] BIOPESTICIDES and other farm inputs, together with a nationwide educational and promotional campaign for their use and processing[.].

LIKEWISE, A NATIONWIDE EDUCATIONAL AND AWARENESS CAMPAIGN AMONG CONSUMERS ON THE BENEFITS OF CONSUMING ORGANIC PRODUCTS TO BOOST LOCAL PRODUCTION OF ORGANIC FOOD AND NON-FOOD PRODUCTS, as well as THE adoption of organic agricultural

system AND OTHER METHODS as viable ALTERNATIVES TO IMPORT-BASED TOXIC FARMING METHODS shall be undertaken.

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

SECTION 2. Section 3 on definition of terms is hereby amended to read as follows:

a. Organic refers to the particular farming and processing systems, described in the standards and not in the classical chemical sense. The term "organic" is synonymous in other languages to "biological" or "ecological." It is also a labelling term that denotes products considered organic based on the Philippine National Standards for organic agriculture;

xxx

c. Organic production system is a system designed to:

(l) enhance biological diversity within the whole system;

xxx

(7) develop and promote the use of biotechnology in agriculture
BASED ON THE PRECAUTIONARY PRINCIPLE UNDER THE
INTERNATIONAL CONVENTION ON BIODIVERSITY.

xxx

g. I Commercialization! PROPAGATION IS A PROCESS OF INTRODUCING NEW AGRICULTURAL AND FISHERY EITHER AS PRODUCT, PROCESS, OR SERVICE THAT HAS UNDERGONE THE INTENSIVE INNOVATIVE ACTIVITIES OF ASSESSMENT, PROMOTION, AND TRANSFER NOT NECESSARILY FOR COMMERCIAL PROFIT BUT FOR THE PURPOSE OF PROMOTING ORGANIC AGRICULTURAL PRACTICES AND TECHNOLOGY ADAPTABLE TO THE LOCALITIES WHERE IT IS BEING INTRODUCED.

o. PARTICIPATORY GUARANTEE SYSTEMS (PGS) ARE LOCALLY FOCUSED QUALITY ASSURANCE SYSTEMS. THEY CERTIFY PRODUCERS BASED ON ACTIVE PARTICIPATION OF STAKEHOLDERS AND ARE BUILT ON A FOUNDATION OF TRUST, SOCIAL NETWORKS, AND KNOWLEDGE EXCHANGE.

SECTION 3. Section 4 On Coverage is hereby amended to read as follows:

The provisions of this Act shall apply to the development and promotion of organic agriculture and shall include, but not be limited to, the following:

a. Policy formulation on regulation, registration, accreditation, certification, and labelling on organic agriculture;

c. Promotion and encouragement of the establishment of facilities, equipment, and processing plants that would accelerate the production and [COMMERCIALIZATION] PROPAGATION of the use of organic fertilizers, [PESTICIDES] BIO-PESTICIDES [HERBICIDES] BIO-HERBICIDES and other appropriate farm inputs; and

d. Implementation of organic agricultural programs, projects, and activities, including the provision and delivery of support services with focus on the farmers, PRIORITIZING SMALL FARMERS AND THEIR ORGANIZATIONS, and other stakeholders

SECTION 4. Section 5 on the National Organic Agricultural Program is hereby amended to read as follows:

There is hereby established a comprehensive organic agricultural program through the promotion and [COMMERCIALIZATION] PROPAGATION 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 (LGUs), peoples' organizations (POs), nongovernment organizations (NGOs), and other stakeholders including individuals and groups who are willing to do other pertinent activities, and documentation and evaluation of the program.

SECTION 5. Section 7 on the composition of the NOAB is hereby amended to read as follows:

The NOAB shall consist of:

a. The Secretary of Agriculture, or his duly authorized permanent representative, with a rank of Undersecretary, as Chairperson; xxx

The representatives of small farmers and NGOs, and of agricultural colleges and universities, shall be chosen by the Secretaries of Agriculture and Science and Technology respectively, from among nominees submitted to the agency concerned by their respective national organizations. These representatives must REPRESENT THE LARGEST MEMBERSHIP OF FARMERS' ORGANIZATIONS NATIONWIDE, PROMOTING ORGANIC AND OTHER SUSTAINABLE AGRICULTURE PRACTICES AND MEMBERSHIP ADAPTING ORGANIC FARMING, be conversant in organic agriculture and committed to the policies and programs provided under this Act.

SECTION 6. Section 16 on the registration of organic food and organic input producers is hereby amended to read as follows:

Registration of Organic Food and Organic Input Producers.
— All organic food and input establishments must register with the director, BAFPS, registration under this section shall begin within ninety (90) days of the enactment of this Act. Each such registration shall be submitted to the director through an electronic portal and shall contain such information as the director by guidance may determine to be appropriate. Such registration shall contain the following information:

a. The name, address and emergency contact information of each organic food or input establishment that the registrant owns or operates; xxx

g. CASE OF DIRECT SELLING TO CONSUMERS, DONE BY SMALL OR FAMILY FARMERS, PREVIOUSLY REGISTERED WITH BAFPS OR LGU COUNTERPART, CERTIFICATION IS OPTIONAL.

SECTION 7. Section 17 on the Labeling of Organic produce is hereby amended to read as follows:

The label of organic produce shall contain the name, logo or seal of the organic certifying body and the accreditation number issued by the BAFPS. [ONLY THIRD PARTY CERTIFICATION] THE ORGANIC LABEL SHALL ALSO INCLUDE THE TRADE NAME AND ORIGIN ADDRESS OF THE PRODUCE.

xxx

SECTION 8. Section 19 on Availability of Trading post for Organic Inputs is hereby amended to read as follows:

Local chief executives shall establish, as far as practicable, at least one (1) trading post for organic inputs for every LGU in the area of jurisdiction. "THE AREA SHOULD BE IN AN AREA STRATEGICALLY LOCATED I.E., AT THE PUBLIC MARKET AREA, CENTERS OF TRADING AND LOCAL BUSINESS ACTIVITIES.

SECTION 9. Section 20 on Research, Development and Extension is hereby amended to read as follows:

The Bureau of Agricultural Research (BAR), as the lead agency, shall coordinate with the other agencies of the DA, the Department of Agrarian Reform (DAR), the Department of Science and Technology (DOST), the Department of Education (DepED), the Department of Interior and Local Government (DILG), the strategic agricultural-based state universities and colleges (SUCs), including private organizations, "AND NGOs and POs WITH ESTABLISHED TRACK RECORD IN THE PRACTICE OF SUSTAINABLE AGRICULTURAL METHODS OF PRODUCTION" to develop, enhance, support and consolidate activities and related technologies for the formulation and implementation of a unified and integrated organic agriculture RDE plan and programs for the

national to the field level. The organic agriculture RDE plans and programs shall include, but not limited to the following:

a. Research, development and [COMMERCTALIZATION] "PROPAGATION" of appropriate, innovative and viable organic agricultural technologies;

b. Nationwide promotion of developed and [COMMERCIALY] viable biodegradable farm wastes and byproducts through various extension strategies to accelerate the production, use and distribution of organic fertilizers; and

SECTION 10. Sections 25 through 31 are hereby amended to read as follows:

SECTION 25. PROTECTION OF INDIGENOUS ORGANIC RESOURCES AGAINST CROSS-CONTAMINATION. THE INTEGRITY OF ORGANIC CROPS AND LIVESTOCK SHALL BE STRICTLY ENSURED AND MONITORED. RISK OF CROSSCONTAMINATION FROM ENGINEERED CROPS AND LIVESTOCK SHALL BE PREVENTED AT ALL TIMES. BAFPS SHALL MONITOR ALL APPLICATIONS FOR FIELDTESTINGS/PRODUCTION OF ENGINEERED CROPS AND LIVESTOCK, AND SHALL HAVE THE POWER TO DENY ANY APPLICATION IF IT FINDS SUFFICIENT CAUSE, THEREFOR.

ALL FIELD TESTING, PLANTING, OR RAISING OF GENETICALLY MODIFIED ORGANISMS SHOULD NOT BE ALLOWED IN THE VICINITY WHERE ORGANIC FARMING IS BEING CONDUCTED. BAFOSM IN COORDINATION WITH NOAB, SHALL IMPLEMENT AN ORGANIC ZONE TO ESTABLISH THE RADIUS WHERE THE ORGANIC PRODUCE IS NOT IN DIRECT OR IMMEDIATE CONTACT OR INFLUENCE OF ENGINEERED ORGANISMS.

IN THE EVENT OF CONTAMINATION BY GENETICALLYMODIFIED ORGANISM, PATENTED OR OTHERWISE, THE LGU, BAFPS AND/OR ORGANIC PRODUCER MAY HOLD THE GMO PATENT OWNER LIABLE FOR ECONOMIC AND ENVIRONMENTAL DAMAGES.

SECTION 26. RECOGNITION OF LOCAL ORDINANCES AND OTHER ISSUANCES. CONSISTENT WITH ITS MANDATE UNDER SECTION 16 - GENERAL WELFARE OF R.A. 7160, LOCAL GOVERNMENT UNITS (LGUS) HAVE THE POWER TO ENACT ORDINANCES FOR THE GENERAL HEALTH AND WELFARE OF ITS CONSTITUENCY.

PURSUANT TO THIS, LOCAL ORDINANCES, POLICIES AND/OR ISSUANCES ON AGRICULTURE, INCLUDING BUT NOT LIMITED TO ORGANIC AGRICULTURE AND PROHIBITION OF GENETICALLY MODIFIED ORGANISMS, SHALL BE RECOGNIZED BY ALL GOVERNMENT AGENCIES.

LGUS, IN COORDINATION WITH BAFPS SHALL STRICTLY MONITOR THE CONDUCT OF AGRICULTURE IN

ORDER TO ENSURE THE QUALITY AND INTEGRITY OF ORGANIC PRODUCE. TESTING OR FIELD TRIALS OF ANY TYPE OF AGRICULTURAL PRODUCT OR METHOD SHALL REQUIRE LGU CLEARANCE APART FROM THE REQUIREMENTS SET BY THE GOVERNMENT AGENCY CONCERNED.

SEC. [25]27. Appropriations. xxx

SEC. [26] 28 on Penal Provision. - Any person who wilfully and deliberately:

a.obstructs the development of propagation of organic agriculture, or the manufacture, production, sale or use of organic agricultural inputs. THIS MAY INCLUDE, BUT NOT LIMITED TO, ANY FORM OF HARASSMENT OR PERSECUTION OF GROUPS OR INDIVIDUALS PURSUING THE RIGHTS AND INTERESTS OF FARMERS IN FURTHERANCE OF THIS ACT, BY GROUPS OR INDIVIDUALS, CORPORATIONS OR JURIDICAL ENTITIES, INCLUDING GOVERNMENT OFFICIALS;

xxx

SEC. [27] 29. Implementing Rules and Regulations. x x x

SEC. [28] 30. Annual Report. xxx

SEC. [29] 31 . Congressional Oversight Committee. x x x

SEC. [30] 32. Separability Clause. x x x

SEC. [31] 33. Repealing Clause. x x x

SEC. [32] 34. Effectivity. x x x

SECTION 11. Repealing Clause. All other laws, acts, decrees, executive orders, issuances, and rules and regulations or parts thereof which are contrary to and inconsistent with any provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 12. Separability Clause. If any provision of this Act is subsequently declared unconstitutional, the validity of the remaining provisions hereof shall remain in full force and effect.

SECTION 13. Effectivity Clause. This Act shall take effect immediately after its complete publication either in the official Gazette or in a newspaper of general circulation in the Philippines.

Approved,