



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



EIGHTEENTH CONGRESS

First Regular Session

3599

HOUSE BILL NO. _____

Introduced by Representative Sharon S. Garin

EXPLANATORY NOTE

Organic agriculture is a more ecologically sound approach to farming which refrains from using chemical fertilizers, pesticides and other pharmaceuticals in growing crops. When properly practiced, it provides benefits to farm productivity, environmental safety, biodiversity, and the health of farm workers, consumers, and the general public. It should be noted that agriculture has been practiced for thousands of years before the advent of artificial fertilizers. Organic farming simply adopts these tried-and-tested methods but at the same time utilizes new agricultural knowledge and advancements.

The passage of RA 10068 or the Organic Agriculture Act of 2010 is a step in the right direction when it comes to the promotion of organic agriculture in the Philippines. Said law provides for the establishment of the National Organic Agriculture Program (NOAP), which as of May 30, 2017, has been officially recognized as an international affiliate of the International Federation of Organic Agriculture Movements (IFOAM), which is a non-governmental organization and the worldwide umbrella organization for the organic agriculture movement, representing close to 800 affiliates in 117 countries.

The country has a strong commitment to organic agriculture. But at the same time, it is recognized that the initial Organic Agriculture Act has problems regarding its implementation. Some farmers point out that the process of getting your products certified as organic is needlessly complex. Others cite lack of technical skill and knowledge in meeting organic certification requirements.

This expanded bill seeks address these issues by strengthen the administration and procedural aspects of the original law. It provides more institutional support to manage the implementation of the program and to undertake regular progress monitoring and impact evaluation to ensure that interventions are responsive to the needs of the relevant stakeholders. In essence, giving farmers more support in switching to organic agriculture processes.

Overall, this bill seeks to devote more government resources, in the form of additional staffing and manpower developing and carrying out more strategic and effective plans. This expanded mandate should lead to better execution so that the benefits of organic agriculture will be felt not just by the agricultural sector, but the whole of Philippine society as well.

In view of the forgoing, passage of this bill is earnestly sought.

SHARON S. GARIN
AAMBIS-Owa Partylist



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Organic Agriculture Act
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AN ACT
STRENGTHENING THE IMPLEMENTATION OF THE NATIONAL ORGANIC AGRICULTURE PROGRAM BY ENHANCING REGULATORY CAPACITY, ESTABLISHING COORDINATING OFFICES, AUGMENTING HUMAN RESOURCE COMPLEMENT AND REPEALING REPUBLIC ACT NO. 10068, AND APPROPRIATING FUNDS THEREFOR.

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

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

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State to promote, propagate, develop further and implement the practice of organic agriculture in the Philippines that will cumulatively address sustainable development goals and the adverse impact of climate change by enhancing the condition and enriching the health of the soil, reduce pollution and destruction of the environment with respect to nature, prevent the depletion of natural and available resources, increase farm productivity by optimizing locally available farm inputs, and further protect the health of farmers, consumers, and the general public through implementation of an effective regulatory management system. Towards this end, a strengthened implementation of the National Organic Agriculture Program, enhanced

1 regulatory capacity, established institutional arrangement, and promotion of organic
2 agriculture production, post-production, and marketing systems including those that
3 are community-based together with a nationwide educational and promotional
4 campaign for their use and processing as well as adoption of organic agriculture
5 system as a viable alternative and means to ensure food security shall be
6 undertaken.

7 The State recognizes and supports the central role of the farmers, fisherfolks,
8 indigenous peoples, and other relevant stakeholders at the grassroots in this
9 program.

10 **SEC. 3. Definition of Terms.** – For purposes of this Act, the following terms
11 shall be defined as follows:

12 (a) **Certification** – procedure by which organic certifying bodies, or recognized
13 organic certifying bodies and other organic guarantee system providers
14 provide written or equivalent attestation that food, non-food, or inputs
15 including their control systems conform to the applicable Philippine National
16 Standards (PNS) relevant to organic agriculture and other regulatory
17 requirements. [Modified Definition: RA 10068 and PNS/BAFS 07:2016]

18 (b) **Civil Society Organizations (CSOs)** - non-market and non-state
19 organizations outside of the family in which people organize themselves to
20 pursue shared interests in the public domain. Examples include community-
21 based organizations and village associations, environmental groups,
22 Women's rights groups, farmers associations, faith-based organizations,
23 labour unions, co-operatives, professional associations, chambers of
24 commerce, independent research institutes and the not-for-profit media
25 [Organisation for Economic Co-operation and Development (OECD)]

(c) **Commercialization** – process of introducing a new agricultural and fishery technology either as product, process or Service that has undergone the intensive innovative activities of assessment, promotion and transfer for economic benefit [RA 10068]

(d) Designating authority – agency within the Department of Agriculture (DA) to provide recognition to organic certifying body, accredited certifying body, and other organic guarantee system provider, suspension or withdrawal of recognition, or removal of their suspension [Modified Definition: ISO 17000:2004]

(e) **Formal education** - systematic and deliberate process of hierarchically-structured and sequential learning corresponding to the general concept of elementary, secondary and tertiary levels of schooling including education for those with special needs [RA 10068]

(f) **Geographical scope** – market reach of other organic guaranteed products, wherein producer may directly link with consumers or indirectly through an intermediary, that are found within national borders [PGS Guidelines]

(g) **Licensing** – process by which authority approve an application, of a person, corporation, cooperative, agriculture or fishery establishment, or other juridical persons, for authority to operate an establishment or to engage in any activity, for the purposes of producing organic food, non-food, and input products, in the primary production and postharvest stages of the food supply chain to produce safe primary and postharvest animal and plant food and inputs. It includes facilities involved in activities related to agrochemicals and other inputs in the primary and postharvest stages of production. The approval will require proving capability to operate a facility or establishment or to engage in

1 activities in the primary production and postharvest stages of the food supply
2 chain and covered by the license. [Food Safety Act 2011]

3 (h) **Market matching** – activities to match market requirements with product
4 attributes [B.F. Campbell. PRODUCTIMARKET MATCHING SYSTEM. A
5 computer-assisted approach to tourism planning]

6 (i) **Non-formal education** – any organized systematic educational activity
7 carried outside the framework of the formal system to provide selected types
8 of learning to a segment of the population [RA 10068]

9 (j) **Official organic certifying body** – an entity administered by a government
10 agency having jurisdiction empowered, and recognized to certify organic
11 production system against applicable PNS relevant to organic agriculture and
12 other regulatory requirements [Modified Definition: Codex CAC/GL 34-1999

13 (k) **Officially recognized organic certifying body** – an entity which have been
14 formally approved or recognized by the designating authority. [Modified
15 Definition: Codex CAC/GL 32]

16 (l) **Organic Operator** – an individual or a business enterprise that is responsible
17 for ensuring that production, processing, manufacturing, distribution,
18 wholesale, retail, trade, importation and/or exportation of organic agriculture
19 products meets, and continues to meet, applicable PNS relevant to organic
20 agriculture and other regulatory requirements [Department Circular No. 6
21 Series of 2015 or Revised Guidelines for the Official Accreditation of Organic
22 Certifying Bodies]

23 (m) **Organic** – a labeling claim with Written or equivalent attestation that a product
24 has been produced, prepared, processed, and handled in accordance to the

1 applicable PNS relevant to organic agriculture and other regulatory
2 requirements [RA 10068 and PNS/BAFS 07:2016]

- 3 (n) **Organic Agriculture (OA)** – a production system that sustains the health of
4 soils, ecosystems and people. It relies on ecological processes, biodiversity
5 and cycles adapted to local conditions, rather than the use of inputs with
6 adverse effects [IFOAM]
- 7 (o) **Organic certifying body (OCB)** – a conformity assessment body that
8 conforms with the principles of ISO/IEC 17065 or accredited by the
9 Department of Trade and Industry-Philippine Accreditation Bureau (DTI-PAB),
10 and recognized to certify organic production system against applicable PNS
11 relevant to organic agriculture and other regulatory requirements.
- 12 (p) **Organic guarantee system provider** – a group, association, cooperative, or
13 federation that assembles farmers and fisherfolks who sell their products
14 directly, and has an organized process to guarantee organic production
15 systems and the credibility of the interaction of people or organizations, based
16 on participation, compromise, transparency and trust, and is designated by
17 the government [Modified Definition of Social Control Organization: Brazilian
18 Law]
- 19 (q) **Organic input** – organic materials allowed for organic agriculture production
20 and processing such as seeds, plant propagation materials, plant protection
21 and pest management agents (e.g. biocontrol agents), organic soil
22 amendments (e.g. organic fertilizers, compost/soil conditioners, microbial
23 inoculants, plant supplements.) feeds, processing aids, which are used to
24 comply with the requirements of applicable PNS relevant to organic
25 agriculture and other regulatory requirements [RA 10068]

- 1 (r) **Organic integrity** – adherence to the principles, objectives and standards for
2 organic production [PNS/BAFS 07:2016]
- 3 (s) **Recognition** – governmental authorization of an organic certifying body to
4 perform certification activities, and other organic guarantee system providers
5 to provide guarantee on Organic production systems in order to assure
6 conformance of operators to the applicable PNS relevant to organic
7 agriculture and other regulatory requirements [Modified Definition: ISO
8 17000:2004]
- 9 (t) **Registration** – process by which DA enter information about agriculture and
10 fishery operators engaged in the primary production and postharvest stages
11 of the food supply chain including facilities involved in activities related to
12 agrochemicals and other inputs in the primary and postharvest stages of
13 production, in an official list or official system for entering names and
14 information of the DA. [IRR of RA 10611/Food Safety Act]
- 15 (u) **Small farmers** – natural persons dependent on Small-scale subsistence
16 farming as their primary source of income and whose sale, barter or exchange
17 of agricultural products do not exceed a gross value of One hundred eighty
18 thousand pesos (P180,000) per annum based on 1992 constant prices. An
19 inter-agency committee composed of the Department of Agrarian Reform
20 (DAR), the Department of Trade and Industry (DTI), the Department of
21 Finance (DOF) and the National Economic and Development Authority
22 (NEDA) and headed by the DA may conduct periodic review and adjustments
23 of the income level to take into account the effects of changes in inflation,
24 devaluation and consumer price index IRA 10068 and Magna Carta for Small
25 Farmers

1 (v) **Small fisherfolks** – persons directly or personally and physically engaged in
2 taking and/or culturing and processing fishery and/or aquatic resources as
3 their primary source of income and are using fishing boats of 3 gross tons or
4 less. They are also known as municipal fisherfolk [Modified Definition of
5 Municipal Fisherfolks: RA 8550 or The Philippine Fisheries Code]

6 (w) **Surveillance** – activities conducted to verify the integrity and continued
7 conformance of organic food, non-food and inputs in the market to applicable
8 PNS relevant to organic agriculture and other regulatory requirements.
9 [Department Circular No. 6 Series of 2015 or Revised Guidelines for the
10 Official Accreditation of Organic Certifying Bodies]

11 (x) **Verification** – activities conducted to verify continued conformance of
12 registered organic operators to applicable PNS relevant to organic agriculture
13 and other regulatory requirements [Modified Definition: ISO 9000]

14 **SEC. 4. Coverage.** – The provisions of this Act shall apply to the

15 development and promotion of, and adoption of relevant and appropriate organic
16 agriculture technologies and interventions, and implementation of effective regulatory
17 management system supporting organic agriculture and shall include, but not limited
18 to, the following:

- 19 a. Policy formulation and development, enforcement, review and revision of
20 regulations which include, licensing and registration, recognition, certification
21 and labeling of organic food, non-food and input products to ensure consumer
22 protection and facilitate market access;
- 23 b. Strategic direction formulation for effective implementation of the NOAP;

- 1 c. Research, development, and extension through development of technology
2 transfer mechanism which include commercialization of relevant and
3 appropriate organic agriculture technologies;
- 4 d. Promotion and encouragement of establishment of facilities, equipment and
5 processing plants that would accelerate the production and commercialization
6 of organic food, non-food and input products;
- 7 e. Implementation of NOAP, and its corresponding projects and activities,
8 including the provision and delivery of production and post-production support
9 services, and irrigation network services with focus on the farmers, fisherfolks
10 and other stakeholders promoting gender and development; and
- 11 f. Market development and trade facilitation.

12 **SEC. 5. National Organic Agriculture Program.** – There is hereby a
13 strengthened, expanded and comprehensive National Organic Agriculture Program
14 (NOAP), herein referred to as Program, through the implementation of effective
15 regulatory management system, promotion, commercialization of relevant and
16 appropriate organic agriculture technologies, cultivation and adoption of production
17 and post-production technologies which have already been developed, or are to be
18 developed, continuing research and upgrading thereof, development of technology
19 transfer mechanism, capacity building of farmers and the education of consumers
20 thereon, the extension of assistance to local government units (LGUs), civil Society
21 organizations (CSOs) and other stakeholders including individuals and groups who
22 are practicing and promoting these technologies, as well as those who are willing to
23 undertake other pertinent activities, and documentation, monitoring and evaluation of
24 the program leading to consumer protection and facilitation of market access.

1 The DA shall designate the National Organic Agriculture Program-National
2 Program Coordinating Office (NOAP-NPCO) under the Field Operations Service
3 (FOS) to manage the implementation of the Program and undertake regular progress
4 monitoring and impact evaluation to ensure that interventions are responsive to the
5 needs of the stakeholders.

6 **SEC. 6. National Organic Agriculture Board (NOAB).** – The National
7 Organic Agriculture Board, hereinafter referred to as "NOAB" or "Board", shall
8 continue its duties and functions as the policy-making body that provides general
9 strategic direction and guidelines for the implementation of the Program. The NOAB
10 shall be attached to the DA. The NOAB shall ensure the full participation of CSOs
11 and the general public through coordination and stakeholders consultation strategies
12 such as, but not limited to, sectoral or area-wide public consultative meetings.

13 **SEC. 7. Composition of the NOAB.** – The NOAB shall consist of:

- 14 a. The Secretary of Agriculture, or the duly authorized permanent representative,
15 with a rank of Undersecretary, as Chairperson;
- 16 b. The Secretary of the Interior and Local Government, or the duly authorized
17 permanent representative, as Vice Chair;
- 18 c. The Secretary of Science and Technology, or the duly authorized permanent
19 representative;
- 20 d. The Secretary of Environment and Natural Resources, or the duly authorized
21 permanent representative;
- 22 e. The Secretary of Education, or the duly authorized permanent representative;
- 23 f. The Secretary of Agrarian Reform, or the duly authorized permanent
24 representative;

g. The Secretary of Trade and Industry, or the duly authorized permanent representative;

h. The Secretary of Health, or the duly authorized permanent representative;

i. Small farmer/fisherfolk representatives for the Luzon, Visayas and Mindanao practicing organic agriculture/aquaculture for at least three (3) years;

j. CSO representative involved in organic agriculture/aquaculture for at least three (3) years;

k. Representative from private sector or agribusiness firms involved in organic agriculture/aquaculture for at least three (3) years; and

l. Representative from agricultural colleges and universities, or the duly authorized alternate representative, as members.

The designated aforementioned representatives of the various departments shall be occupying positions not lower than a director level and shall be on a coterminous basis.

The representatives of small farmers, CSOs, and private sector or agribusiness firms, and academe shall be designated/appointed by the Secretary of Agriculture from among nominees submitted by the respective national organizations or academic institutions. These representatives must be involved or practicing organic agriculture, supportive, and committed to the implementation of policies and Program provided under this Act.

The existing NOAB created pursuant to Republic Act No. 10068 shall continue to function until the new NOAB created herein has been constituted pursuant to Section 8 hereof.

1 **SEC. 8. *Organization of the NOAB.*** – The DA shall issue guidelines for the
2 selection of the non-government representatives (i.e. small farmers, CSO, private
3 sector or agribusiness firms, and academe).

4 The Chairperson shall call the members of the NOAB, or a majority thereof if
5 following not all have been designated, to a meeting to organize themselves and prescribe its
6 rules and procedure for the attainment of the objectives of this Act. A majority of all
7 the members of the NOAB shall constitute a quorum.

8 Funds shall be provided to ensure the operationalization of the NOAB and
9 execution of its duties and functions. The NOAB shall also determine its budget,
10 including, but not limited to, travel expenses, allowances and per diems of its non-
11 government members when attending official NOAB meetings or attending to
12 matters assigned to them subject to accounting and auditing rules and regulations.

13 **SEC.9. *Duties and Functions of the NOAB.*** – The NOAB shall have the
14 following duties and functions:

- 15 a. Provide general strategic direction for the Program;
- 16 b. Formulate and review existing policies and endorse appropriate revisions
17 thereof to further strengthen the organic agriculture sector;
- 18 c. Oversee the development, implementation, review and progress monitoring of
19 the Program, including its annual plans, to ensure consistency with defined
20 goals and objectives;
- 21 d. Provide recommendations and policy directives on organic agriculture
22 regulations towards implementation of an effective regulatory management
23 system;

1 e. Collaborate with appropriate government agency to carry out and implement
2 identified projects and activities;

3 f. Collaborate and work towards active partnership with private sectors (e.g.
4 CSOs or agribusiness firms) and the academe towards building of
5 competency and development of technology transfer mechanism, and perform
6 such functions as may be necessary for its effective operations and for the
7 continued enhancement, growth and development of organic agriculture.

8 **SEC. 10. *The Bureau of Agriculture and Fisheries Product Standards***

9 **(BAFPS) of the DA and Its Powers, Duties, and Responsibilities.** – The BAFPS
10 of the DA shall be strengthened and empowered in terms of establishing functional
11 divisions and incremental staffing to serve as the national technical and
12 administrative secretariat of the NOAB with the member agencies providing
13 additional staff support as the need arises.

14 The BAFPS, in addition to its existing functions and responsibilities shall
15 perform the following functions, duties and responsibilities for purposes of this Act:

- 16 a. Implement organic agriculture programs and projects approved by the NOAB;
- 17 b. Update the NOAB on the status of the programs, projects and activities
18 undertaken for the development and promotion of organic agriculture;
- 19 c. Create effective networking with the various stakeholders involved in organic
20 production; and
- 21 d. Perform such other functions, duties and responsibilities as may be necessary
22 to implement this Act and as directed by the NOAB.

23 **SEC. 11. *The Bureau of Agriculture and Fisheries Standards (BAFS).* –**

24 The BAFS of the DA shall strengthen and empower the established functional

1 division for organic agriculture through incremental staffing to perform as the
2 National Technical and Administrative Secretariat of the NOAB, and a Regulatory
3 Agency for Organic Agriculture.

4 The BAES, as the national technical and administrative secretariat of the
5 NOAB, shall have the following duties and functions:

- 6 a. Provide technical and administrative support to the NOAB and its Technical
7 Committees to ensure effective and efficient performance of its functions,
- 8 b. Coordinate and collaborate with the NOAP-NPCO and other relevant
9 government agencies in ensuring that approved NOAB policies, projects and
10 activities are implemented in accordance with results of relevant assessments
11 and reviews, and
- 12 c. In collaboration with NOAP-NPCO, provide regular update to the NOAB on
13 the status of the Program implementation and other activities undertaken to
14 address policy needs.

15 Likewise, the BAES shall perform the following duties and functions relative to
16 organic agriculture:

- 17 a. Designating authority for the recognition of organic certifying bodies (OCBs),
18 accredited organic certifying bodies and other organic guarantee system
19 providers;
- 20 b. Regulatory body for the registration and licensing of organic input operators;
- 21 c. Verification body for the purposes of registration and licensing of organic input
22 operators;
- 23 d. Surveillance body for organic food and non-food products, and inputs in
24 collaboration with relevant regulatory agencies and/or DARFOs; and

1 e. Networking arm tasked to create effective and strengthened linkages with
2 domestic stakeholders towards increased adoption of organic standards, and
3 international collaborators to harmonize and update national standards and
4 relevant regulatory mechanisms with international best practices.

5 **SEC. 12. National Program Coordinating Office (NOAP-NPCO).** – To
6 manage the effective implementation of the Program, the DA-FOS shall be further
7 strengthened and empowered in terms of establishing a functional division and
8 incremental staffing, to serve as the NPCO, and shall perform the following duties
9 and functions:

- 10 a. Develop roadmap and its corresponding annual work and financial plan in
11 coordination with the DA implementing agencies and DA-RFOs in consultation
12 with the concerned Stakeholders to implement projects and activities pursuant
13 to the NOAP and those identified by the NOAB;
- 14 b. Conduct systematic assessment to evaluate the performance of the Program;
- 15 c. Conduct periodic progress monitoring and impact evaluation to ensure that
16 interventions are responsive to the needs of the stakeholders;
- 17 d. Create effective networking with international donors and partners to
18 implement projects and activities;
- 19 e. Update the NOAB on the status of the Program, and relevant projects and
20 activities undertaken for the development and promotion of organic agriculture
21 including submission of policy recommendations;
- 22 f. Develop and manage effective strategies for technology transfer mechanism
23 in order to build competency, which may include activities related to advocacy
24 and promotion of relevant and appropriate organic agriculture technologies

1 and activities including nationwide conferences, in partnership with ATI and
2 relevant stakeholders, and

3 g. Perform such other functions, duties and responsibilities as may be necessary
4 to implement this Act and as directed by the NOAB.

5 In a likewise manner, a NOAP-Regional Program Coordinating Office (NOAP-
6 RPCO) with incremental staffing and with other Divisions providing additional staff as
7 the need arises, shall be established in the DA-RFOs to serve as regional program
8 coordinating office.

9 **Water Resources**

10 The DA, through the NOAP-NPCO and upon approval of the NOAB, shall
11 render an annual report to both Houses of Congress on the accomplishment of the
12 program. A review on the viability of the program shall be made by the concerned
13 agencies after three (3) years of its implementation.

14 **SEC. 13. *Organic Agriculture and the Protection of the Environment.* –**

15 The NOAB, in collaboration with relevant government agencies, shall constantly
16 devise and implement ways and means towards promoting conservation and
17 protection of the environment through identification and protection of organic
18 agriculture overlay zones, utilization, management and conservation of soil and
19 water resources, biodiversity conservation and cumulatively addressing adverse
impacts of climate change.

20 The NOAB, in partnership with relevant government agencies, CSOs, private

21 sector and academe, shall explore a range of options and measures, identify,
22 assess, prioritize and implement actions, including development of policy measures,
23 demonstration and scaling up of activities, especially relevant to sustainable
24 environmental protection and climate change adaptation and mitigation interventions

1 to combat desertification and restore degraded land and soil, with a view of
2 improving resilient agricultural systems while harnessing co-benefits and ensuring
3 food security.

4 **SEC. 14. *The Responsibilities of Local Government Units.*** – Every
5 provincial governor shall establish and/or strengthen existing provincial technical
6 committee in coordination with and assistance from the DA-RFO to implement
7 activities in line with the NOAP within each province.

8 Every municipal mayor shall likewise establish and/or strengthen existing
9 municipal technical committee in coordination with and assistance from the DA-RFO
10 to implement activities in line with the NOAP within each municipality.

11 The designated OA Focal Person for the Province and/or the City/Municipality
12 shall serve as the technical and administrative secretariat of the LTC.

13 The LTC shall have the following duties and functions:

- 14 a. Develop a roadmap for the implementation of projects and activities related to
15 organic agriculture in the locality based from the NOAP and those identified
16 by the NOAB;
- 17 b. Formulate ordinance and policies supportive of organic agriculture;
- 18 c. Translate the NOAP for local adaptation as a strategy in ensuring food
19 security, addressing adverse impacts of climate change towards enhancing
20 building of resilience of agricultural systems while contributing to eradication
21 of poverty and health and Wellness of consumers;
- 22 d. Appropriate at least 5% of the local development fund for organic agriculture
23 interventions;

- e. Designate Focal Persons and Agricultural Extension Worker (AEW) specific for organic agriculture;
- f. Provide incentives to OA focal persons, AEWs, technicians, farmers, and fisherfolks;
- g. In collaboration with relevant government agencies (e.g. Department of Environment and Natural Resources (DENR), Department of Interior and Local Government (DILG), etc.) identify and include organic agriculture overlay zones in the Comprehensive Development Plan (CDP), Comprehensive Land Use Plan (CLUP) and Provincial Development and Physical Framework Plan (PDPFP);
- h. Collaborate and contribute to the regular monitoring activities and impact evaluation conducted by the NOAP-NPCO to evaluate the implementation of the NOAP;
- i. To provide developmental support towards the establishment of other organic guarantee system providers in the locality; and
- j. Create effective networking with local and international donors and partners to implement projects and activities.

SEC. 15. *Organic Certification.* – The integrity of organic food and non-food products shall be guaranteed by OCBs, recognized OCBs, and other organic guarantee system providers. The DA shall establish government OCBs compliant to relevant international standards for conformity assessment.

SEC. 16. *Recognition of Organic Certifying Bodies (OCBs) and Other*

Organic Guarantee System Providers. – The BAFS shall provide recognition to legal entities to provide guarantee on the integrity of the organic production system.

1 Recognition shall be given to OCBs, accredited OCBs and other organic guarantee
2 system providers. The BAES shall also be tasked to formulate the separate
3 regulations, guidelines and corresponding rules and procedures, based on national
4 and international standards and guidelines, in the recognition of OCBs and other
5 guarantee system providers.

6 As the agency mandated to handle the accreditation of certification bodies,
7 inspection bodies, and testing and calibration laboratories, the Philippine
8 Accreditation Bureau (PAB) of the DTI shall: (a) formulate accreditation policies and
9 guidelines which shall govern the accreditation of OCBs [to ISO 17065]; and (b)
10 grant or deny accreditation of OCBs and suspend or withdraw such accreditation in
11 accordance with established policies and guidelines. [RA No. 10817]

12 **SEC. 17. Registration and Licensing of Organic Food, Non-food, and**
13 ***Input Operators.*** – The DA shall be responsible for the registration and licensing
14 primary and post-harvest organic food, non-food, and input operators. Likewise, the
15 DOH-FDA shall be responsible for the registration and licensing processed and pre-
16 packed organic food and non-food operators.

17 The BAES, in collaboration with the relevant regulatory agencies of the DA,
18 and the Food and Drugs Administration (FDA) of the DOH, shall establish guidelines
19 and procedures for the registration and licensing of organic food and non-food
20 operators including accreditation of Organic researchers.

21 All operators of organic inputs, except for seeds, plant propagation materials,
22 and stocks, shall be duly licensed and registered with BAES in order to engage in the
23 business of exporting, importing, manufacturing, formulating, distributing, Supplying,
24 repacking, storing, commercially applying, selling, or marketing, of any organic
25 inputs. Likewise, all certified integrated organic farms shall be registered with BAES.

1 The BAFS, in collaboration with the relevant regulatory agencies, shall also
2 maintain and manage a database of registered and licensed organic food and non-
3 food operators. The database shall be established and shall be used to monitor the
4 registration and license status of these operators.

5 **SEC. 18. Verification and Surveillance of Registered Organic Food, Non-**

6 ~~for the conduct of verification activities of registered~~
7 ~~and licensed primary and post-harvest organic food, non-food, and input operators.~~
8 The DOH-FDA shall be responsible for the conduct of verification activities of
9 registered and licensed processed and pre-packaged organic food operators.
10 Likewise, BAFS shall conduct post-market surveillance of organic food, non-food and
11 input products in the market in collaboration with the DARFOs.

12 The BAFS, with the relevant regulatory agencies and DOH-FDA, shall
13 develop guidelines and procedures for the conduct of verification and surveillance
14 activities in consultation with relevant stakeholders, and establish a verification team
15 for the purpose thereof.

16 **SEC. 19. Importing and Exporting Organic Products.** – The BAFS, in

17 coordination with the DOH-FDA and other relevant regulatory agencies, shall
18 develop guidelines for the regulation of imported organic food, non-food and input
19 products, and develop guidelines in collaboration with the DTI-PAB for the
20 recognition of international OCBs and their issued certificates thereof. In order to be
21 traded within the country, any imported organic food, nonfood and input products
22 must conform with these relevant regulations and guidelines. The DA shall be
23 responsible for the regulation of imported primary and post-harvest food, nonfood

1 and input products. The DOH-FDA shall be responsible for the regulation of imported
2 processed and pre-packed organic food products.

3 Any imported products subjected to quarantine treatment not compatible with
4 this Act and relevant regulations shall not be allowed to be labeled nor sold as
5 organic products.

6 Organic food, non-food and input products intended for export market shall
7 conform with the importing country requirements.

8 **SEC. 20. Labelling and Movement of Organic Products.** – Products from
9 third-party certified and guaranteed organic production systems shall be allowed to
10 be labeled and sold as organic. Third-party certified products shall be allowed
11 movement in the domestic and international markets. Guaranteed products shall be
12 allowed movement within the approved geographical scope. The label of organic
13 produce shall contain the name, logo or seal of designated OCB or other organic
14 guarantee system provider, and the respective Official Organic Mark.

15 First- and second-party certified products shall be prohibited from being
16 labeled as organic.

17 **SEC. 21. Enforcement, and Consumer Protection and Advocacy.** – The
18 BAFS shall organize an inter-agency task force to be composed of relevant DA
19 regulatory agencies and formulate guidelines for the enforcement of Section 20
20 (Labelling and Movement of Organic Products). The inter-agency task force shall
21 collaborate and coordinate with the Fair Trade Enforcement Bureau (FTEB) of DTI,
22 Bureau of Local Government Supervision (BLGS) of DILG, and the DOH-FDA with
23 regard to the development and enforcement of organic labeling regulations relevant
24 to their mandates.

1 **SEC. 22. Handling and Retailing of Organic Products.** – Organic food,
2 non-food and input products shall be protected at all times from being mixed with
3 non-organic products and from coming into contact with materials and substances
4 unauthorized for use in organic production.

5 Organic food, non-food and input products retailed in the domestic market
6 shall comply with the provisions herewith as well as applicable PNS for organic
7 retailing and relevant guidelines.

8 The BAFS shall formulate rules and guidelines for certification of handlers and
9 retailers, including restaurateurs and prepared food suppliers, of organic food, non-
10 food and input products.

11 **SEC. 23. Market Development and Trade Promotion.** – The Agribusiness
12 and Marketing Assistance Service (AMAS) of the DA, in collaboration with DTI and
13 other relevant agencies, shall develop and implement market development and trade
14 promotion programs for organic agriculture, including but not limited to the following:

- 15 a. Develop marketing agenda for organic agriculture;
- 16 b. Establishment, Sustainability and monitoring of organic trading posts, and
17 stall/outlets;
- 18 c. Development of market information system;
- 19 d. Promotion of organic food, non-food and input products; and
- 20 e. Facilitation of market matching activities.

21 **SEC. 24. Research, Development and Extension.** – The Bureau of
22 Agricultural Research (BAR), as the lead agency, shall coordinate with the other
23 agencies of the DA, the Department of Agrarian Reform (DAR), the Department of
24 Science and Technology (DOST), the Department of Education (DepED),

1 Commission on Higher Education (CHED), the Department of Interior and Local
2 Government (DILG), the Department of Environment and Natural Resources
3 (DENR), the strategic agricultural-based state universities and colleges (SUCs),
4 including private organizations, to formulate and implement a unified and integrated
5 organic agriculture RD&E agenda plan for the national to the ground level. The
6 organic agriculture RD&E agenda plan shall include, but not limited to the following:

- 7 a. Research, development, and extension, and commercialization of relevant
8 and appropriate organic agriculture technologies; and
9 b. Conduct research to support market development and policy formulation.

10 DRAFT OF THE NATIONAL ORGANIC AGRICULTURE POLICY

11 The BAR shall, likewise, operationalize an organic agriculture RD&E network,
12 composed of the DA agencies, DTI, DILG, research and educational institutions,
13 LGUs, CSOs and the recognized association of organic food, non-food, and input
14 operators, agricultural engineers, Veterinarians, agriculturists, chemists, fish
15 technologists, soil technologists, food technologists, and organic farmers and
16 fisherfolks group and/or associations. The RD&E network shall assist in addressing
17 the needs and gaps of the industry with policy guidance of the NOAB.

18 National and regional organic RD&E centers shall be organized, established
19 and integrated as a major component of the existing RD&E centers of DA, the
20 DOST, the DENR, SUCs and the LGUs). These will be strengthened and enhanced
21 to spearhead the integrated program to develop and promote organic agriculture
22 throughout the country.

23 **SEC. 25. *Organic Agriculture in the Formal and Non-formal Education.* –**

24 The DA through ATI, DepED, DOST, CHED and Technical Education and Skills
Development Authority (TESDA), in coordination with other concerned government

1 agencies, CSOs and private institutions, shall strengthen the integration of organic
2 agriculture in School curricula at all levels, and other learning platforms.

3 **SEC. 26. *Incentives*.** – The government shall extend incentives for the
4 production and propagation of organic food, non-food and input products. Incentive
5 shall also be provided to farmers whose farms have been certified and/or guaranteed
6 as conformant to the PNS. Further, the DA may give cash reward and project grants
7 in recognition of the Outstanding organic farm/s in the country. The DA, the DAR, the
8 DOST, the DILG, the DTI, the DepED, the Department of Finance (DOF), the Land
9 Bank of the Philippines (LBP), and other government lending and non-lending
10 institutions, shall also assist organic operators and through the provision of adequate
11 assistance in the form of technical, financial, marketing and other services. These
12 include, but shall not be limited to, the following:

- 13 a. Exemption from the payment of duties on the importation of agricultural
14 equipment, machinery and implements as provided under Republic Act No.
15 9281, which amends Republic Act No. 8435 or the Agriculture and Fisheries
16 Modernization Act (AFMA),
- 17 b. Identification by LGUs of local taxes that may be offered as incentives to
18 organic production,
- 19 c. Provision of preferential rates and special window to organic operators by the
20 LBP, Agricultural Credit Policy Council (ACPC), Philippine Crop Insurance
21 Corporation (PCIC) and other government and non-government lending
22 institutions,
- 23 d. Provision of technical and financial support services relevant to access
24 organic certification and registration;

- 1 e. Zero-rated value-added tax (VAT) on transactions involving the sale/purchase
2 of organic food, non-food and input products, and
3 f. Income tax holiday and exemption for seven (7) years, starting from the date
4 of registration of organic operators on all income taxes levied by the National
5 Government.

6 The tax incentives shall be given to organic operators either certified or
7 guaranteed by recognized OCBs and other organic guarantee system providers,
8 respectively. The BAFS shall, likewise, provide the official list to the DOF. Provided
9 that the said incentives shall be available only to micro, Small and medium
10 enterprises as defined under Section 3 of Republic Act No. 9501 or the Magna Carta
11 for Micro, Small and Medium Enterprises.

12 **SEC. 27. Appropriations.** – The DA shall allocate at least 10% of its annual
13 budget in the General Appropriations Act (GAA) for the implementation, monitoring
14 and evaluation of the NOAP and the operation of the NOAB. In relation to this, the
15 NOAB member agencies, concerned DA agencies and other DA agencies and other
16 departments, Government-Owned and Controlled Corporations (GOCC),
17 Government Financial Institutions (GFIs), and LGUs are encouraged to allocate a
18 separate and distinct fund from their annual budget for organic agriculture.

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

1 **SEC. 28. Penal Provisions.** - The DA in collaboration with the DILG, DTI,
2 DOH, and Department of Justice (DOJ) shall develop and implement guidelines,
3 rules and regulations for policing of organic food, non-food and input products. Any
4 person who willfully and deliberately violate any provision of Sections 17, 19 and 20,
5 shall upon conviction, be punished a fine of not less than fifty thousand pesos
6 (P50,000.00) but not more than one hundred thousand pesos (P100,000.00) and
7 suspension of appropriate authorization for one (1) month. If the offender is a
8 corporation or a juridical entity, the official who ordered or allowed the commission of
9 the offense shall be punished with the same penalty. If the offender is in the
10 government service, he shall in addition, be dismissed from the office.

11 The DA regulatory agencies shall ensure the inclusion of the penal provisions
12 in their respective regulations. The DA, through its regulatory agencies and in
13 collaboration with DILG, DTL, and DOH, shall organize an enforcement team
14 authorized to issue after proper notice and hearing which shall be summary in nature
15 except in instances when the continued operation a "Cease and Desist Order" to any
16 person, firm, or corporation engaged, in the business of production, processing,
17 packaging, storing, labeling or retailing of any mislabeled organic food, non-food and
18 input products found to be in violation of any of the provisions of this Act. Products
19 will be confiscated and disposed of as provided in the Implementing Rules and
20 Regulations at the expense of the operator if the product is found to be in Violation
21 thereof.

22 **SEC. 29. Implementing Rules and Regulations.** – The NOAB shall adopt
23 rules and regulation to implement the provisions of this Act within ninety (90) days
24 from the effectivity of this Act and submit the same to the Committee on Agriculture

1 and Food for review and approval. In the drafting of the implementing rules and
2 regulations.

3 **SEC. 30. *Congressional Oversight Committee*.** – The Committee on
4 Agriculture and Food shall be the congressional oversight committee for purposes of
5 this Act. The Committee shall review and approve the implementing rules and
6 regulations of this Act and also perform the following functions:

- 7 a. Monitor and ensure the proper implementation of this Act;
8 b. Review the proper implementation of the programs on organic agriculture and
9 the use of its funds;
10 c. Review the performance of the NOAB; and
11 d. Such other functions it deems necessary.

12 **SEC. 31. *Separability Clause*.** – If any provisions of this Act is declared
13 invalid or unconstitutional, the other provisions not affected thereby shall remain in
14 full force and effect.

15 **SEC. 32. *Repealing Clause*.** – All laws, presidential decrees, executive
16 orders, presidential proclamations, rules and regulations or parts thereof contrary to
17 or inconsistent with this Act are hereby repealed or modified accordingly.

18 **SEC. 33. *Effectivity*.** – This Act shall take effect fifteen (15) days following its
19 publication in a newspaper of general circulation and in the Official Gazette,
20 whichever comes first.

21 Approved,