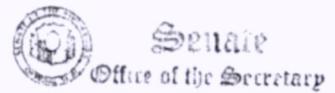


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



SENATE  
Senate Bill No. 34

19 JUL -1 A11:07

RECEIVED IN SENATE

Introduced by Senator FRANCIS N. PANGILINAN

AN ACT  
AMENDING REPUBLIC ACT NO. 10068 OR THE ORGANIC AGRICULTURE ACT  
OF 2010

EXPLANATORY NOTE

Organic Agriculture, as defined by the Food and Agriculture Organization (FAO) of the United Nations, is a “holistic production management system which promotes and enhances the agro-ecosystem health, including biodiversity, biological cycles, and soil biological activity.”<sup>1</sup> Various studies and the experience of other countries recognize the positive effects of organic farming and products on the general health of farmers and consumers; its role in environmental protection, particularly soil fertility, reduction in the risk of groundwater and air pollution, and enhanced biodiversity; and organic farming as a viable and sustainable alternative to achieve food security and food self-sufficiency.

Republic Act No. 10068, otherwise known as the Organic Agriculture Act of 2010, institutionalized the development and promotion of organic agriculture in the Philippines. Following its passage into law, the corresponding program, spearheaded by the National Organic Agriculture Board (NOAB) under the Department of Agriculture, envisioned that at least 5% of the country’s agricultural land be devoted to the practice of organic farming by 2016.<sup>2</sup> This has not been achieved to date owing to insufficient support from government and the problem of inclusivity, among others. To boost the sector, it is necessary to ensure that the needs of smallholder farmers and farmworkers who practice organic farming, and those who are planning to shift to organic farming, are met.

To address these, this representation respectfully submits amendments to the Organic Agriculture Law.

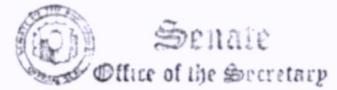
In view of the foregoing, the passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read "FRANCIS N. PANGILINAN".

<sup>1</sup> FAO, Organic Agriculture, Available at <http://www.fao.org/organicag/oa-faq/oa-faq6/en/>, Accessed on 22 June 2019.

<sup>2</sup> Department of Agriculture, National Organic Agriculture Program, Available at <http://organic.da.gov.ph/index.php/2016-12-02-07-54-56/about-national-organic-agriculture-program>, Accessed on 22 June 2019.

EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



S E N A T E  
Senate Bill No. 34

'19 JUL -1 A11:07

RECEIVED JULY 19 2019

A handwritten signature in black ink, appearing to read "Francis N. Pangilinan".

Introduced by Senator FRANCIS N. PANGILINAN

AN ACT  
AMENDING REPUBLIC ACT NO. 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:*

1        **SECTION 1.** Section 2 of Republic Act No. 10068, otherwise known as "An Act  
2        Providing for the Development and Promotion of Organic Agriculture in the Philippines  
3        and for other Purposes," is hereby amended, to read as follows:

4            "**SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the  
5        State to promote, propagate, develop further, and implement the practice  
6        or organic **FARMING AND OTHER SUSTAINABLE** agriculture  
7        **PRACTICES** in the Philippines that will cumulatively condition and enrich  
8        the fertility of the soil, increase farm productivity **AND FARMERS'**  
9        **INCOMES**, reduce pollution and destruction of the environment, prevent  
10      the depletion of natural resources, further protect the health of farmers,  
11      consumers, and the general public, [and] save on imported farm inputs,  
12      **AND PROMOTE FOOD SELF-SUFFICIENCY.** Towards this end, a  
13      comprehensive program for the promotion of community-based organic  
14      agriculture systems, which include, among others, farmer-produced purely  
15      organic fertilizers such as compost, [pesticides] **BIO-PESTICIDES**, and  
16      other farm inputs, together with a nationwide educational and promotional  
17      campaign for their use and processing[,] **SHALL BE ESTABLISHED.**

1           **LIKEWISE, A NATIONWIDE EDUCATIONAL AWARENESS**  
2       **CAMPAIGN AMONG CONSUMERS ON THE BENEFITS OF**  
3       **CONSUMING ORGANIC PRODUCTS TO BOOST LOCAL**  
4       **PRODUCTION OF ORGANIC FOOD AND NON-FOOD PRODUCERS,**  
5       as well as adoption of organic agricultural system as a viable alternative  
6       shall be undertaken.

7           XXX"

8       **SEC. 2.** Section 3 of Republic Act No. 10068 is hereby amended, to read as follows:

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

11           XXX

12           **(O) BIO-HERBICIDE** REFERS TO A SUBSTANCE USED IN THE  
13       CONTROL OF WEEDS WITHOUT ENVIRONMENTAL HAZARDS  
14       POSED BY OTHER SYNTHETIC COUNTERPARS. IT IS MADE UP OF  
15       MICROORGANISMS (E.G., BACTERIA, VIRUSES, FUNGI) AND  
16       OTHER MICROBES THAT POSSESS INVASIVE GENES THAT CAN  
17       ATTACK THE DEFENSE GENES OF SPECIFIC WEEDS THEREBY  
18       KILLING THEM.

19           **(P) BIO-PESTICIDE** REFERS TO A CERTAIN TYPE OF PESTICIDE  
20       DERIVED FROM SUCH NATURAL MATERIALS AS ANIMALS,  
21       PLANTS, BACTERIA, AND CERTAIN MINERALS. IT INCLUDES  
22       NATURALLY OCCURRING SUBSTANCES THAT CONTROL PESTS  
23       BY NON-TOXIC MECHANISM THAT INTERFERE WITH MATING,  
24       AS WELL AS VARIOUS SCENTS OF PLANTS THAT ATTRACT INSECT  
25       PESTS TO TRAPS. IT CAN ALSO INCLUDE MICROORGANISMS  
26       SUCH AS BACTERIUM, FUNGUS, VIRUS, OR PROTOOAL AS AN  
27       ACTIVE INGREDIENT.

1                   (Q) **PARTICIPATORY GUARANTEE SYSTEM (PGS)** REFERS TO  
2                   LOCALLY FOCUSED QUALITY ASSURANCE SYSTEMS DEVELOPED  
3                   AND PRACTICED BY PEOPLE WHO ARE ACTUALLY ENGAGED IN  
4                   ORGANIC AGRICULTURE. IT IS USED TO CERTIFY PRODUCERS  
5                   AND FARMERS AS ACTUAL AND ACTIVE PRACTITIONERS OF  
6                   ORGANIC AGRICULTURE, AND IS BUILT ON A FOUNDATION OF  
7                   TRUST, SOCIAL NETWORK, AND KNOWLEDGE EXCHANGE.

8                   IT SHALL ALSO REFER TO AN ORGANIZATION OR  
9                   ASSOCIATION THAT ADOPTS THIS KIND OF SYSTEM.

10                  (R) **PARTICIPATORY ORGANIC CERTIFICATION** REFERS TO A  
11                  DOCUMENTARY PROOF THAT A PERSON/ENTITY IS COMPLIANT  
12                  WITH THE REQUIREMENTS, STANDARDS, AND NORM OF  
13                  ORGANIC FARMING/AGRICULTURE.

14                  (S) **RECOGNITION** REFERS TO AN AUTHORIZATION  
15                  PROVIDED BY THE GOVERNMENT TO AN ORGANIC CERTIFYING  
16                  BODY OR A PARTICIPATORY GUARANTEE SYSTEM GROUP TO  
17                  PERFORM CERTIFICATION AND INSPECTION ACTIVITIES.

18                  (T) **SMALL FARMERS** REFER TO THOSE CULTIVATING NOT  
19                  MORE THAN (5) HECTARES OF LAND AND/OR THOSE ENGAGED  
20                  AS POULTRY/LIVESTOCK RAISERS WITH NOT MORE THAN THE  
21                  FOLLOWING:

- 22                  •      POULTRY - 1,000 POULTRY LAYERS OR 5,000  
23                    BROILERS
- 24                  •      SWINE - 10 SOW LEVEL OR 20 FATTENERS
- 25                  •      NATIVE PIGS - 30 HEADS
- 26                  •      CATTLE - 10 FATTENERS OR 5 BREEDERS
- 27                  •      DAIRY - 10 MILKING COWS

1                   •     GOAT - 50 HEADS

2                   (U) AGRIBUSINESS REFERS TO AGRICULTURE-RELATED  
3                   ACTIVITIES THAT PUT FARMERS, PROCESSORS, DISTRIBUTORS,  
4                   AND CONSUMERS WITHIN A SYSTEM THAT PRODUCES,  
5                   PROCESSES, TRANSPORTS, MARKETS, AND DISTRIBUTES  
6                   AGRICULTURAL PRODUCTS."

7                   SEC. 3. Section 4 of Republic Act No. 10068 is hereby amended, to read as follows:

8                   "SEC. 4. *Coverage.* – The provisions of this Act shall apply to the  
9                   development and promotion of agriculture and shall include, but not  
10                  limited to, the following:

11                  XXX

12                  (c) Promotion and encouragement of the establishment of facilities,  
13                  equipment, and processing plants that would accelerate the production and  
14                  commercialization of organic fertilizers, [pesticides] **BIO-PESTICIDES**,  
15                  [herbicides] **BIO-HERBICIDES** and other appropriate farm inputs; and

16                  (d) Implementation of organic agricultural programs, projects, and  
17                  activities, including the provision and delivery of support services with  
18                  focus on the farmers, **PRIORITIZING SMALL FARMERS AND THEIR**  
19                  **ORGANIZATIONS** and other stakeholders."

20                  SEC. 4. Section 7 is hereby amended, to read as follows:

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

22                  XXX

23                  (j) A representative each from the NGOs involved in sustainable  
24                  agriculture for at least three (3) years; agricultural colleges and universities;  
25                  and private sector or agribusiness firms **INVOLVED OR PRACTICING IN**  
26                  **ORGANIC AGRICULTURE FOR THE LAST THREE YEARS;** as  
27                  members.

1                   (k) TWO REPRESENTATIVES FROM THE NATIONAL PGS, TO  
2 BE CHOSEN FROM AMONG AND BY THEMSELVES.

3                   (I) TWO REPRESENTATIVES FROM THE LEAGUE OF ORGANIC  
4 AGRICULTURE MUNICIPALITIES AND CITIES OF THE  
5 PHILIPPINES (LOAMC-PH)

6                   X X X

7                   The representatives of small farmers and NGOs, and of agricultural  
8 colleges and universities, shall be chosen by the Secretaries of Agriculture  
9 and Science and Technology, respectively, from among nominees  
10 submitted to the agency concerned by their respective national  
11 organizations. These representatives must **REPRESENT FARMERS'**  
12 **ORGANIZATIONS AT LEAST FROM THE PROVINCIAL LEVEL,**  
13 **ACTUALLY AND ACTIVELY PRACTICING, PROMOTING ORGANIC**  
14 **AND OTHER SUSTAINABLE AGRICULTURE PRACTICES,** be  
15 conversant in organic agriculture and committed to the policies and  
16 programs provided under this Act. **THE THREE SEATS GIVEN TO**  
17 **SMALL FARMERS SHALL BE CHOSEN FROM LIVESTOCK AND**  
18 **CROP SECTORS, WHICH WILL HAVE ONE (1) AND TWO (2) SEATS,**  
19 **RESPECTIVELY.**

20                   X X X"

21 SEC. 5. Section 8 is hereby amended, to read as follows:

22 "SEC. 8. *Organization of the NOAB.* -

23                   X X X

24                   The Chairperson shall call the members of the NOAB, or a majority  
25 thereof if not all have been designated, to a meeting to organize themselves  
26 and prescribe its rules and procedures for the attainment of the objectives  
27 of this Act. A majority of all the members of the NOAB shall constitute a

1 quorum. THE MEMBERS OF THE NOAB SHALL MEET AT LEAST  
2 ONCE EVERY QUARTER AFTER ITS CONSTITUTION.

3 X X X."

4 SEC. 6. Section 10 is hereby repealed, and a new Section 10 is hereby inserted, to  
5 read as follows:

6 "SEC. 10. *THE BUREAU OF AGRICULTURE AND FISHERIES*  
7 *STANDARDS (BAFS) OF THE DA.* - THE BAFS OF THE DA SHALL BE  
8 STRENGTHENED AND EMPOWERED IN TERMS OF  
9 ESTABLISHING FUNCTIONAL DIVISIONS AND INCREMENTAL  
10 STAFFING TO SERVE AS THE NATIONAL TECHNICAL AND  
11 ADMINISTRATIVE SECRETARIAT OF THE NOAB WITH THE  
12 MEMBER AGENCIES PROVIDING ADDITIONAL STAFF SUPPORT  
13 AS THE NEED ARISES. THE BAFS, ACTING AS THE SECRETARIAT  
14 OF THE NOAB, SHALL COORDINATE AND ADMINISTER THE  
15 IMPLEMENTATION OF THE NATIONAL ORGANIC AGRICULTURE  
16 PROGRAM PROMULGATED BY THE NOAB. IT SHALL BE  
17 RESPONSIBLE FOR THE MAINTENANCE OF A DATABASE ON THE  
18 ORGANIC FARMING/AGRICULTURE MOVEMENT IN THE  
19 COUNTRY AND SHOWROOM OF ALL AVAILABLE ORGANIC  
20 PRODUCTS AND TECHNOLOGIES IN THE MARKET, WHICH  
21 SHALL BE READILY ACCESSIBLE TO THE PUBLIC.

22 THE BAFS SHALL ALSO BE TASKED TO FORMULATE  
23 GUIDELINES IN THE RECOGNITION OF ORGANIC CERTIFYING  
24 BODIES (OCB) AND PGS GROUPS, AND RULES AND  
25 REGULATIONS IN ACCORDANCE WITH THIS ACT AND  
26 NATIONAL AND INTERNATIONAL STANDARDS.

1           TOWARDS THIS END, THE ALREADY ESTABLISHED  
2           FUNCTIONAL DIVISON FOR ORGANIC AGRICULTURE WITHIN  
3           BAFPS SHALL BE FURTHER STRENGTHENED AND EMPOWERED  
4           TO PERFORM AS THE DESIGNATING AUTHORITY FOR THE  
5           RECOGNITION OF OCBS AND PGS GROUPS: PROVIDED, THAT  
6           THE REGIONAL FIELD OFFICES OF THE DA SHALL IMPLEMENT  
7           THE ORGANIC AGRICULTURE PROGRAMIN THE REGIONS  
8           PURSUANT TO THE NATIONAL ORGANIC  
9           FARMING/AGRICULTURE PROGRAM COORDINATED AND  
10          ADMINISTERED BY THE BAFS."

11          SEC. 7. A new provision is hereby inserted after Section 10, to read as follows:

12          **"SEC. 11. PARTICIPATORY GUARANTEE SYSTEMS (PGS). -**

13          A. FEATURES AND CHARACTERISTICS. THE  
14          PARTICIPATORY ORGANIC CERTIFICATION FROM  
15          ASSOCIATIONS OR GROUPS, ACTUALLY PRACTICING  
16          ORGANIC AGRICULTURE, AND ORGANIZED IN  
17          ACCORDANCE WITH THIS ACT, SHALL BE PROMOTED  
18          AND ACCEPTED. THE PRODUCTS CERTIFIED BY THESE  
19          GROUPS SHALL BE TRADED ONLY IN THE DOMESTIC  
20          MARKET.

21          AN ASSOCIATION OR GROUP UNDER THE PGS SHALL  
22          ADHERE TO THE PHILIPPINE NATIONAL STANDARDS  
23          (PNS) FOR ORGANIC AGRICULTURE ISSUED BY THE  
24          BUREAU OF AGRICULTURE AND FISHERIES  
25          STANDARDS, DEPARTMENT OF AGRICULTURE (BAFS-  
26          DA) AND TO THE FOLLOWING BASIC ELEMENTS SET

1 FORTH BY THE INTERNATIONAL FEDERATION OF  
2 ORGANIC AGRICULTURE MOVEMENT (IFOAM):

- 3 1. SHARED VISION
- 4 2. PARTICIPATORY
- 5 3. TRANSPARENCY
- 6 4. TRUST - INTEGRITY BASED APPROACH
- 7 5. LEARNING PROCESS
- 8 6. HORIZONTALITY

9 FURTHER, ASSOCIATIONS OR GROUPS UNDER THE  
10 PGS SHALL ADOPT THE FOLLOWING FEATURES AND  
11 CHARACTERISTICS:

12 i. EXISTENCE OF NORMS CONCEIVED BY THE  
13 STAKEHOLDERS THROUGH DEMOCRATIC AND  
14 PARTICIPATORY PROCESSES, WHICH SHALL  
15 ALWAYS BE IN ACCORDANCE WITH THE  
16 COMMONLY UNDERSTOOD SENSE OF WHAT  
17 CONSTITUTES AN ORGANIC PRODUCT. THE  
18 NORMS SHOULD STIMULATE, RATHER THAN  
19 INHIBIT, CREATIVITY, WHICH IS A  
20 CHARACTERISTIC OF ORGANIC FARMERS.

21 ii. GRASROOTS ORGANIZATION: THE  
22 PARTICIPATORY CERTIFICATION SHOULD BE  
23 PERCEIVED AS A RESULT OF A SOCIAL  
24 DYNAMIC, BASED ON THE ACTIVE  
25 PARTICIPATION OF ALL STAKEHOLDERS.

26 iii. EXISTENCE OF NORMS THAT ARE APPROPRIATE  
27 TO SMALLHOLDER AGRICULTURE, BECAUSE

1                   THE     PARTICIPATORY     NATURE     AND  
2                   HORIZONTAL STRUCTURE OF THE PROGRAMS  
3                   ALLOW FOR MORE APPROPRIATE AND LESS  
4                   COSTLY MECHANISMS OF CERTIFICATION, AND  
5                   ACTUALLY HIGHLIGHT AND CELEBRATE AND  
6                   ENCOURAGE CONSUMERS TO SEEK OUT  
7                   SMALLHOLDERS.

8                  iv. EXISTENCE OF PRINCIPLES AND VALUE THAT  
9                   ENHANCE THE LIVELIHOODS AND WELL BEING  
10                  OF FARMING FAMILIES AND PROMOTE  
11                  ORGANIC AGRICULTURE.

12                v. DOCUMENTED MANAGEMENT SYSTEMS AND  
13                  PROCEDURES - THERE MAY BE MINIMAL  
14                  PAPERWORK REQUIRED OF FARMERS BUT  
15                  THERE SHALL BE WAYS IN WHICH THEY ARE  
16                  EXPECTED TO DEMONSTRATE THEIR ORGANIC  
17                  COMMITMENTS AND INTEGRITY. THESE WAYS  
18                  SHALL BE DOCUMENTED BY THE PGS.

19                vi. PROVISION OF MECHANISMS TO VERIFY  
20                  FARMERS' COMPLIANCE WITH ESTABLISHED  
21                  NORMS, WHICH SHALL BE ABLE TO STIMULATE  
22                  PARTICIPATION, ORGANIZATION, AND ALLOW  
23                  A LEARNING PROCESS FOR ALL  
24                  STAKEHOLDERS.

25                vii. PROVISION OF MECHANISMS FOR SUPPORTING  
26                  FARMERS TO PRODUCE ORGANIC PRODUCTS  
27                  AND BE CERTIFIED AS ORGANIC FARMERS,

1 WHICH SHALL INCLUDE FIELD ADVISORS,  
2 NEWSLETTERS, FARM VISITS, ETC.

3 viii. EXISTENCE OF A BOTTOMLINE DOCUMENT,  
4 SUCH AS A FARMER'S PLEDGE, THAT SHALL  
5 STATE HIS/HER AGREEMENT TO THE  
6 ESTABLISHED NORMS.

7 ix. INTRODUCTION OR USE OF SEALS OR LABELS  
8 PROVIDING EVIDENCE OF ORGANIC STATUS.

9 x. EXISTENCE OF A CLEAR AND PREVIOUSLY  
10 DEFINED SET OF CONSEQUENCES FOR FARMERS  
11 WHO DO NOT COMPLY WITH STANDARDS,  
12 WHOSE ACTIONS SHALL BE RECORDED IN A  
13 DATABASE OR MADE PUBLIC IN A CERTAIN  
14 MANNER.

15 B. REGISTRATION. A PGS SHALL BE REGISTERED WITH  
16 THE BAFS ONLY IF IT HAS AT LEAST FIVE (5) MEMBERS,  
17 COMING FROM DIFFERENT FARMS IN THE LOCALITY  
18 AND WHO ARE ACTUALLY PRACTICING ORGANIC  
19 AGRICULTURE. THE BAFS SHALL PROVIDE THE  
20 GUIDELINES FOR SUCH REGISTRATION.

21 THE BAFS SHALL ISSUE ITS DECISION ON THE  
22 APPLICATION FOR REGISTRATION BY A PGS WITHIN  
23 FIFTEEN (15) DAYS FROM THE SUBMISSION OF THE  
24 COMPLETE REQUIREMENTS FOR APPLICATION FOR  
25 REGISTRATION, AND FAILURE TO RENDER DECISION  
26 WITHIN SUCH PERIOD SHALL BE UNDERSTOOD AS AN  
27 APPROVAL OF THE APPLICATION FOR REGISTRATION

1 OF THE PGS. THE BAFS SHALL NOT CHARGE ANY  
2 REGISTRATION OR APPLICATION FEES.

3 UPON APPROVAL OF ITS APPLICATION FOR  
4 REGISTRATION WITH THE BAFS, A PGS MAY BEGIN TO  
5 OPERATE ONCE IT IS RECOGNIZED BY THE  
6 SANGGUNIAN PANGBAYAN OR PANGLUNGSOD.

7 C. ORGANIZATIONAL LEVELS.

8 1. *THE CORE PGS.* EVERY PGS SHOULD HAVE AT LEAST  
9 FIVE (5) MEMBERS, COMPOSED OF FARMERS FROM  
10 EITHER THE CROPS OR LIVESTOCK SECTORS OR A  
11 COMBINATION OF BOTH SECTORS, AND WHO ALL  
12 LIVE IN THE SAME MUNICIPALITY OR CITY AND  
13 REGULARLY INTERACT WITH EACH OTHER. EACH  
14 CORE PGS WILL HAVE THE FOLLOWING DUTIES  
15 AND RESPONSIBILITIES:

- 16 i. DEVELOP AN UNDERSTANDING OF THE  
17 ORGANIC STANDARDS;  
18 ii. MAKE SURE FARM PRACTICES ARE  
19 COMPLIANT;  
20 iii. MAKE A PLEDGE THAT THEY UNDERSTAND  
21 AND ADHERE TO THE ORGANIC STANDARDS;  
22 iv. PARTICIPATE IN APPRAISALS/INSPECTIONS OF  
23 MEMBER FARMS AT LEAST A MAJORITY OF THE  
24 MEMBERS OF THE CORE GROUP SHOULD BE  
25 PRESENT TO SIGN ON THE TRUTHFULNESS OF  
26 THE FINDINGS OF THE  
27 APPRAISAL/INSPECTION;

- 1                         v. INITIATE KEY FIELD TRAININGS FOR FARMER-  
2                         MEMBERS AND RESIDENTS IN THEIR  
3                         LOCALITY TO PROMOTE ORGANIC  
4                         AGRICULTURE;
- 5                         vi. ATTEND MUNICIPAL/PROVINCIAL PGS  
6                         MEETINGS AND SHARE INFORMATION;
- 7                         vii. RECOMMEND WHICH FARMS WILL BE  
8                         CERTIFIED;
- 9                         viii. TAKE ACTIONS ON DEFAULTS/NON-  
10                         COMPLIANCE AS PER SANCTION GUIDELINES  
11                         TO BE PROVIDED BY BAFPS AND  
12                         MUNICIPAL/CITY PGS; AND
- 13                         ix. ASSIST DEFAULTING AND NON-COMPLIANT  
14                         MEMBERS TO REGAIN CERTIFICATION  
15                         STATUS.

16                         2. MUNICIPAL/CITY PGS. THE MUNICIPAL/CITY PGS  
17                         SHALL BE COMPOSED OF THE FOLLOWING: 1) MUNICIPAL/CITY AGRICULTURAL OFFICER; 2) ONE  
18                         (1) REPRESENTATIVE FROM LOCAL STATE  
19                         UNIVERSITY OR COLLEGE (SUC) OR LOCAL  
20                         PRIVATE AGRICULTURAL EDUCATIONAL  
21                         INSTITUTION; 3) ONE (1) BARANGAY CAPTAIN  
22                         FROM THE MUNICIPAL/CITY, DESIGNATED BY THE  
23                         MAYOR, REPRESENTING THE CONSUMERS; AND 4)  
24                         ONE (1) REPRESENTATIVE FOR EACH CORE PGS IN  
25                         THE MUNICIPALITY/CITY.

1                   THE MUNICIPAL/CITY PGS SHALL CONDUCT  
2                   ITS BUSINESS AND AFFAIRS BASED ON MAJORITY  
3                   DECISION OF MEMBERS PRESENT, AFTER HAVING  
4                   SECURED A QUORUM.

5                   THE MUNICIPAL/CITY PGS SHALL HAVE TH  
6                   EFOLLOWING      POWERS,      DUTIES,      AND  
7                   RESPONSIBILITIES:

- 8                   i.         DEVELOP OR UPDATE AND IMPLEMENT THE  
9                   GUARANTEE PROGRAM IN ACCORDANCE  
10                  WITH THE PGS ORGANIC GUARANTEE  
11                  SCHEME;
- 12                  ii.        ENSURE THAT GUARANTEED FARMER  
13                  MEMBERS COMPLY WITH ALL  
14                  REQUIREMENTS OF THE APPLICABLE  
15                  PHILIPPINE NATIONAL STANDARDS (PNS) ON  
16                  ORGANIC AGRICULTURE AND RELEVANT  
17                  REGULATORY REQUIREMENTS;
- 18                  iii.       CONDUCT PEER REVIEWS AND EVALUATION  
19                  ACTIVITIES (E.G., ANNUAL ON-SITE  
20                  INSPECTIONS) OF APPROVED SCOPE/S BASED  
21                  ON THE PGS ORGANIC GUARANTEE SCHEME;
- 22                  iv.        HEAR AND ADDRESS APPEALS OF THE  
23                  FARMER MEMBERS;
- 24                  v.         SUBMIT THEIR ORGANIZATION TO  
25                  INSPECTION AND MONITORING ACTIVITIES  
26                  OF THE BAFPS (INCLUDING OBSERVER/S), THE  
27                  COMPLAINTS AND APPEALS COMMITTEE,

1 AND THE AUTHORIZED PERSONNEL OF THE  
2 DA REGIONAL FIELD OFFICES. THIS SHALL  
3 INCLUDE THE ANNUAL SURVEILLANCE  
4 THROUGH WITNESS AUDITS OF THE BAFPS;  
5 vi. MAINTAIN A REGISTRY OF CORE PGS  
6 OPERATING WITHIN ITS AREA OF  
7 JURISDICTION, WHICH SHALL BE  
8 FORWARDED TO THE BAFPS FOR THE  
9 LATTER'S NATIONAL DATA BASE;  
10 vii. ISSUE PARTICIPATORYORGANIC  
11 CERTIFICATION AND THE "PGS GUARANTEED  
12 ORGANIC" LBEL/MARK TO COMPLIANT CORE  
13 PGS, AFTER BEING BESTOWED ITSELF WITH  
14 THE RECOGNITION BY THE BAES.

15 3. PROVINCIAL AND NATIONAL PGS. IT SHALL BE THE  
16 OPTION OF THE PGS TO FORM THEIR  
17 AGGRUPATION AT THE PROVINCIAL AND  
18 NATIONAL LEVELS. THEY SHALL RECEIVE THE  
19 ASSISTANCE, SUPPORT, AND GUIDANCE OF THE  
20 BAFPS-DA IN THIS REGARD.

21 D. PROMOTION. THE BAES SHALL ACTIVELY PROMOTE  
22 AND SEARCH FOR ASSOCIATION OR GROUPS THAT  
23 HAVE BEEN PRACTICING ORGANIC AGRICULTURE FOR  
24 REGISTRATION AS PGS IN ACCORDANCE WITH THIS  
25 ACT. THE BAES SHALL ENSURE THAT EACH PROVINCE  
26 IN THE COUNTRY HAS A PGS. EVERY PGS SHALL  
27 CONDUCT TRAININGS AND PROMOTE ORGANIC

AGRICULTURE IN THEIR SPECIFIC LOCALITIES TO STRENGTHEN AND BOOST THE NUMBER OF ORGANIC FARMS BY AT LEAST 1% ANNUALLY PER PROVINCE, MEASURED BY AREA CULTIVATED.

E. *TRAINING AND INSPECTION.* THE BAFPS SHALL TRAIN AND CONDUCT RANDOM INSPECTIONS OF PGS TO ENSURE THAT THEY ARE ALL COMPLIANT WITH THE PHILIPPINE NATIONAL STANDARDS ON ORGANIC AGRICULTURE. IT SHALL KEEP A RECORD OF COMPLIANT PGS IN THE COUNTRY AND SHALL PUBLISH A LIST OF SUCH COMPLIANCE AT LEAST ONCE A YEAR.

F. INCENTIVES. ANY ORGANIC AGRICULTURE ENTITY/FARMER OR ORGANIC INPUT PRODUCER, CERTIFIED BY A REGISTERED PGS TO BE COMPLIANT FOR A PERIOD OF FIVE (5) YEARS, WITHOUT ANY OFFENSE OR INFRACTION, SHALL BE ELIGIBLE FOR A FULL GOVERNMENT SUBSIDY OF THE COST FOR AN INTERNATIONAL CERTIFICATION.

**SEC. 8.** Sections 11 to 15 are hereby renumbered accordingly.

SEC. 9. Section 16 is hereby renumbered and amended, to read as follows:

## **"SEC. [16] 17. 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

1       the director by guidance may determine to be appropriate. Such registration  
2       shall contain the following information:

3           XXX

4           (f) For organic input producers, a list of materials used in the  
5       production of each particular input.

6           **PROVIDED, THAT IN CASE OF DIRECT SELLING TO**  
7       **CONSUMERS MADE BY SMALL OR FAMILY FARMERS, WHO WERE**  
8       **ALREADY EARLIER REGISTERED WITH BAFPS OR WITH THE LGU,**  
9       **COMPLIANCE WITH THIS SECTION SHALL BE OPTIONAL."**

10      SEC. 10. Section 17 is hereby renumbered and amended, to read as follows:

11      “SEC. [17] 18. *Labeling of Organic Produce.* – The label of organic  
12       produce shall contain the name, logo, or seal of the organic certifying body  
13       and the accreditation number issued by the BAFPS. [Only third-party  
14       certification is allowed to be labeled as organically produced.] THE  
15       ORGANIC LABEL/MARK SHALL ALSO INCLUDE THE TRADE  
16       NAME AND ORIGIN ADDRESS OF THE PRODUCE.

17           PRODUCTS WHICH ARE CERTIFIED AND GUARANTEED BY  
18       THIRD-PARTY ORGANIC PRODUCTION SYSTEMS, INCLUDING  
19       THOSE WITH CERTIFICATION FROM THE PGS, SHALL BE  
20       ALLOWED TO BE LABELLED AND SOLD AS ORGANIC.

21           ALL OTHER PRODUCTS, NON-CERTIFIED PRODUCTS AND  
22       FIRST-PARTY CERTIFIED PRODUCTS, SHALL BE PROHIBITED  
23       FROM BEING LABELLED AS ORGANIC.”

24      SEC. 11. Section 18 is hereby renumbered accordingly.

25      SEC. 12. Section 19 is hereby renumbered and amended, to read as follows:

26      “SEC. [19] 20. *Availability of Trading Post for Organic Inputs.* – Local  
27       chief executives shall establish, as far as practicable, at least one (1) trading

1 post for organic inputs for every LGU in the area of jurisdiction. THE  
2 TRADING POST SHALL BE STRATEGICALLY LOCATED IN AN  
3 AREA SUCH AS IN THE PUBLIC MARKET AND IN OTHER CENTERS  
4 OF TRADING AND LOCAL BUSINESS ACTIVITIES."

5 SEC. 13. Sections 20 to 25 are hereby renumbered accordingly.

6 SEC. 14. Section 26 is hereby renumbered and amended, to read as follows:

7 "SEC. [26] 27. Penal Provisions AND OTHER PENALTIES. - Any  
8 person who willfully and deliberately:

9 XXX

10 (c) mislabels or claims that the product is organic when it is not in  
11 accordance with the existing standards for Philippine organic agriculture or  
12 this Act shall, upon conviction, be punished by imprisonment of not less  
13 than one (1) month nor more than six (6) months, or a fine of not more than  
14 fifty thousand pesos (P50,000.00), or both, at the discretion of the court. If  
15 the offender is a corporation or a juridical entity, the official who ordered  
16 or allowed the commission of the offense shall be punished with the same  
17 penalty. If the offender is in the government service, he shall, in addition,  
18 be dismissed from office: *PROVIDED, THAT ANY PGS FOUND TO*  
19 *HAVE ISSUED A CERTIFICATION TO A FARM OR PRODUCER*  
20 *ESTABLISHED TO BE NOT IN COMPLIANT TO A FARM OR*  
21 *PRODUCER ESTABLISHED TO BE NOT IN COMPLIANT WITH ANY*  
22 *OF THE PHILIPPINE NATIONAL STANDARDS ON ORGANIC*  
23 *AGRICULTURE, SHALL BE PENALIZED AS FOLLOWS:*

24 1. FIRST OFFENSE: WRITTEN WARNING

25 2. SECOND OFFENSE: SUSPENSION OF  
26 RECOGNITION"

27 SEC. 15. Sections 27 to 32 are hereby renumbered accordingly.

1       **SEC. 16. Implementing Rules and Regulations.** – The NOAB shall adopt rules and  
2 regulations to implement the provisions of this Act within ninety (90) days from the  
3 effectivity of this Act and submit the same to the Congressional Oversight Committee on  
4 Agriculture and Fisheries Modernization (COCAFM) for review and approval.

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

8       **SEC. 18. Effectivity.** – This Act shall take effect fifteen (15) days following its  
9 publication in at least two (2) newspapers of general circulation or in the Official Gazette.

*Approved,*