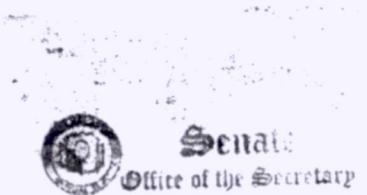


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE
S. No. 773

19 JUL 24 P5:15

Introduced by Senator Poe

RECEIVED BY: SF

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

Explanatory Note

According to the National Statistics Office, the Philippine population is expected to increase to about 142 million by 2045. This is equivalent to 42 million Filipinos being born in just a span of 30 years, given the current population of 100 million.

This projected increase in population presents a rather daunting task. According to the UN, population growth remains as the single most important driver of food demand. In other words: As the population increases, so does the demand for food. In the case of a developing country like the Philippines, the impact of a burgeoning population is more likely to be felt in the next few years to come. It is therefore imperative to look for more sustainable ways towards meeting the food needs of every Filipino, now and in the future. Now is the time to think in terms of food security.

In many parts of the world, organic farming is increasingly recognized as a viable alternative to conventional farming towards achieving food security. In a statistics yearbook on latest global data on organic farming produced by the Research Institute of Organic Agriculture (FiBL) and IFOAM – Organics International, organic agriculture has indeed been increasingly taking the centerstage. From 200,000 producers in 1999, the numbers of organic producers increased to 2.3 million in 2014. Around 40 percent of this comes from Asia, followed by Africa, and Latin America. A total of 172 countries are reportedly now engaged in organic activities.

As of 2014, the Philippines ranked 4th in the world in terms of the number of organic producers. In Asia, the Philippines is among the top ten (10) countries with the largest organic area at 110,084 hectares or about 0.9 percent in terms of share to total agricultural land.

In 2010, the Philippines institutionalized the promotion and development of organic agriculture with the passage of Republic Act No. 10068 otherwise known as the Organic Agriculture Act of 2010. While the law and its corresponding program is supportive of the propagation of organic farming practices in the country, the government runs short of the necessary support that would genuinely serve the needs especially of small organic farmers and other small Filipino farmers and farmworkers wanting to shift to organic farming. The overall tone of Republic Act No. 10068 focuses on producing organic products for exports in the same profit-oriented framework of chemical-dependent agriculture as opposed to addressing the country's food security and food self-sufficiency.

As an alternative approach, this representation humbly submits the following amendments to the measure:

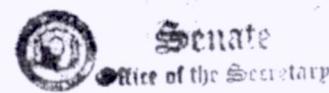
- Conduct of a nationwide educational and awareness campaign among consumers on the benefits of consuming organic products;
- Adoption of the participatory guarantee system (PGS) as a certification process other than the third party certification;
- Protection of organic resources against cross contamination by genetically engineered organisms including crops, livestock and poultry, and marine products, among others;
- Provision of marketing assistance to organic producers that would ensure decent returns thus making organic venture sustainable.

In view of the foregoing, speedy approval of this bill is eagerly sought.



Grace Poe
GRACE POE

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

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

3 It is hereby declared the policy of the State to promote,
4 propagate, develop further, and implement the practice of
5 ORGANIC FARMING AND OTHER SUSTAINABLE AGRICULTURE
6 PRACTICES in the Philippines that will cumulatively condition and
7 enrich the fertility of the soil, increase farm productivity, AND
8 FARMERS' INCOMES; reduce pollution and destruction of the
9 environment, prevent the depletion of natural resources, further
10 protect the health of farmers, consumers and the general public,
11 [and] save on imported inputs, AND PROMOTE FOOD SELF
12 SUFFICIENCY.

13 Towards this end, a comprehensive program for the
14 promotion of community-based organic agriculture systems which
15 include, among others, farmer produced purely organic fertilizers
16 such as compost, [pesticides] BIOPESTICIDES and other farm

1 inputs, together with a nationwide educational and promotional
2 campaign for their use and processing[.].

3 LIKEWISE, A NATIONWIDE EDUCATIONAL AND
4 AWARENESS CAMPAIGN AMONG CONSUMERS ON THE BENEFITS
5 OF CONSUMING ORGANIC PRODUCTS TO BOOST LOCAL
6 PRODUCTION OF ORGANIC FOOD AND NON-FOOD PRODUCTS, as
7 well as THE adoption of organic agricultural system AND OTHER
8 METHODS as viable ALTERNATIVES TO IMPORT-BASED TOXIC
9 FARMING METHODS shall be undertaken.

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

13
14 Sec 2 – Section 3 on definition of terms is hereby amended to read as follows:
15

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

22
23 **xxx**

24 c. ***Organic production system*** is a system designed
25 to:

26 (1) enhance biological diversity within the whole
27 system;

28
29 **xxx**

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

1 ***xxx***

2 g. */Commercialization| PROPAGATION* IS A
3 PROCESS OF INTRODUCING NEW AGRICULTURAL AND FISHERY
4 EITHER AS PRODUCT, PROCESS, OR SERVICE THAT HAS
5 UNDERGONE THE INTENSIVE INNOVATIVE ACTIVITIES OF
6 ASSESSMENT, PROMOTION, AND TRANSFER NOT NECESSARILY
7 FOR COMMERCIAL PROFIT BUT FOR THE PURPOSE OF
8 PROMOTING ORGANIC AGRICULTURAL PRACTICES AND
9 TECHNOLOGY ADAPTABLE TO THE LOCALITIES WHERE IT IS
10 BEING INTRODUCED.

11 ***xxx***

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

17

18 Sec 3. – Section 4 On Coverage is hereby amended to read as follows:

19

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

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

25

26 ***xxx***

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

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

5

6 Sec 4. – Section 5 on the National Organic Agricultural Program is hereby
7 amended to read as follows:

8 There is hereby established a comprehensive organic
9 agricultural program through the promotion and
10 [COMMERCIALIZATION] PROPAGATION of organic farming
11 practices, cultivation, and adoption of production and processing
12 methods which have already been developed, or to be developed,
13 continuing research and upgrading thereof, the capacity building of
14 farmers and the education of consumers thereon, the extension of
15 assistance to local government units (LGUs), peoples' organizations
16 (POs), nongovernment organizations (NGOs), and other
17 stakeholders including individuals and groups who are willing to do
18 other pertinent activities, and documentation and evaluation of the
19 program.

20

21 Sec 5. – Section 7 on the composition of the NOAB is hereby amended to
22 read as follows:

23 The NOAB shall consist of:

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

27 **xxx**

28 The representatives of small farmers and NGOs, and of agricultural
29 colleges and universities, shall be chosen by the Secretaries of
30 Agriculture and Science and Technology respectively, from among
31 nominees submitted to the agency concerned by their respective
32 national organizations. These representatives must REPRESENT

1 THE LARGEST MEMBERSHIP OF FARMERS' ORGANIZATIONS
2 NATIONWIDE, PROMOTING ORGANIC AND OTHER SUSTAINABLE
3 AGRICULTURE PRACTICES AND MEMBERSHIP ADAPTING ORGANIC
4 FARMING, be conversant in organic agriculture and committed to
5 the policies and programs provided under this Act.

6

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

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

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

20 **xxx**

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

25

26 Sec 7. — Section 17 on the Labeling of Organic produce is hereby amended to
27 read as follows:

28

29 The label of organic produce shall contain the name, logo or
30 seal of the organic certifying body and the accreditation number
31 issued by the BAFPS. [ONLY THIRD PARTY CERTIFICATION] THE

1 ORGANIC LABEL SHALL ALSO INCLUDE THE TRADE NAME AND
2 ORIGIN ADDRESS OF THE PRODUCE.

3

4 **xxx**

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

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

12

13 Sec 9. – Section 20 on Research, Development and Extension is hereby
14 amended to read as follows:

15 The Bureau of Agricultural Research (BAR), as the lead
16 agency, shall coordinate with the other agencies of the DA, the
17 Department of Agrarian Reform (DAR), the Department of Science
18 and Technology (DOST), the Department of Education (DepED),
19 the Department of Interior and Local Government (DILG), the
20 strategic agricultural-based state universities and colleges (SUCs),
21 including private organizations, "AND NGOs and POs WITH
22 ESTABLISHED TRACK RECORD IN THE PRACTICE OF
23 SUSTAINABLE AGRICULTURAL METHODS OF PRODUCTION" to
24 develop, enhance, support and consolidate activities and related
25 technologies for the formulation and implementation of a unified
26 and integrated organic agriculture RDE plan and programs for the
27 national to the field level. The organic agriculture RDE plans and
28 programs shall include, but not limited to the following:

29

30 a. Research, development and [COMMERCIALIZATION]
31 "PROPAGATION" of appropriate, innovative and viable organic
32 agricultural technologies;

1 b. Nationwide promotion of developed and
2 [COMMERCIALLY] viable biodegradable farm wastes and by-
3 products through various extension strategies to accelerate the
4 production, use and distribution of organic fertilizers; and

5
6 Sec 10. – Sections 25 through 31 are hereby amended to read as follows:

7 SECTION 25. PROTECTION OF INDIGENOUS ORGANIC
8 RESOURCES AGAINST CROSS-CONTAMINATION. THE INTEGRITY
9 OF ORGANIC CROPS AND LIVESTOCK SHALL BE STRICTLY
10 ENSURED AND MONITORED. RISK OF CROSS-CONTAMINATION
11 FROM ENGINEERED CROPS AND LIVESTOCK SHALL BE
12 PREVENTED AT ALL TIMES. BAFPS SHALL MONITOR ALL
13 APPLICATIONS FOR FIELD-TESTINGS/PRODUCTION OF
14 ENGINEERED CROPS AND LIVESTOCK, AND SHALL HAVE THE
15 POWER TO DENY ANY APPLICATION IF IT FINDS SUFFICIENT
16 CAUSE, THEREFORE.

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

25 IN THE EVENT OF CONTAMINATION BY GENETICALY-
26 MODIFIED ORGANISMS, PATENTED OR OTHERWISE, THE LGU,
27 BAFPS AND/OR ORGANIC PRODUCER MAY HOLD THE GMO
28 PATENT OWNER LIABLE FOR ECONOMIC AND ENVIRONMENTAL
29 DAMAGES.

30 SECTION 26. RECOGNITION OF LOCAL ORDINANCES AND
31 OTHER ISSUANCES. CONSISTENT WITH ITS MANDATE UNDER
32 SECTION 16 – GENERAL WELFARE OF R.A. 7160, LOCAL

1 GOVERNMENT UNITS (LGUS) HAVE THE POWER TO ENACT
2 ORDINANCES FOR THE GENERAL HEALTH AND WELFARE OF ITS
3 CONSTITUENCY.

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

9 LGUS, IN COORDINATION WITH BAFPS SHALL STRICTLY
10 MONITOR THE CONDUCT OF AGRICULTURE IN ORDER TO
11 ENSURE THE QUALITY AND INTEGRITY OF ORGANIC PRODUCE.
12 TESTING OR FIELD TRIALS OF ANY TYPE OF AGRICULTURAL
13 PRODUCT OR METHOD SHALL REQUIRE LGU CLEARANCE APART
14 FROM THE REQUIREMENTS SET BY THE GOVERNMENT AGENCY
15 CONCERNED.

16 SEC. [25] 27. Appropriations. **xxx**

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

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

27
28 **xxx**

29 SEC. [27] 29. Implementing Rules and Regulations. **xxx**

30 SEC. [28] 30. Annual Report. **xxx**

31 SEC. [29] 31. Congressional Oversight Committee. **xxx**

32 SEC. [30] 32. Separability Clause. **xxx**

1 SEC. [31] 33. Repealing Clause. **xxx**

2 SEC. [32] 34. Effectivity. **xxx**

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

7 Sec 12. – *Separability Clause.* If any provision of this Act is subsequently
8 declared unconstitutional, the validity of the remaining provisions hereof shall remain
9 in full force and effect.

10 Sec 13. – *Effectivity Clause.* This Act shall take effect immediately after its
11 complete publication either in the official Gazette or in a newspaper of general
12 circulation in the Philippines.

13 *Approved,*