

SENATE

Senate Bill No. 34

'19 JUL -1 A11 :08

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."¹ 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 2016.² 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.

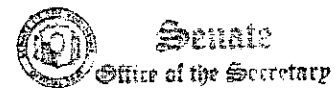
To address these, this representation respectfully submits amendments to the Organic Agriculture Law.

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


FRANCIS N. PANGILINAN

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

² 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.



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AN ACT
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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 COUNTERPARTS. 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 (l) 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 XXX."

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 DIVISION 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 PROGRAM IN 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 HAE 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;

- v. INITIATE KEY FIELD TRAININGS FOR FARMER-MEMBERS AND RESIDENTS IN THEIR LOCALITY TO PROMOTE ORGANIC AGRICULTURE;
- vi. ATTEND MUNICIPAL/PROVINCIAL PGS MEETINGS AND SHARE INFORMATION;
- vii. RECOMMEND WHICH FARMS WILL BE CERTIFIED;
- viii. TAKE ACTIONS ON DEFAULTS/NON-COMPLIANCE AS PER SANCTION GUIDELINES TO BE PROVIDED BY BAFPS AND MUNICIPAL/CITY PGS; AND
- ix. ASSIST DEFAULTING AND NON-COMPLIANT MEMBERS TO REGAIN CERTIFICATION STATUS.

2. MUNICIPAL/CITY PGS. THE MUNICIPAL/CITY PGS SHALL BE COMPOSED OF THE FOLLOWING: 1) MUNICIPAL/CITY AGRICULTURAL OFFICER; 2) ONE (1) REPRESENTATIVE FROM LOCAL STATE UNIVERSITY OR COLLEGE (SUC) OR LOCAL PRIVATE AGRICULTURAL EDUCATIONAL INSTITUTION; 3) ONE (1) BARANGAY CAPTAIN FROM THE MUNICIPAL/CITY, DESIGNATED BY THE MAYOR, REPRESENTING THE CONSUMERS; AND 4) ONE (1) REPRESENTATIVE FOR EACH CORE PGS IN 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 PARTICIPATORY ORGANIC
11 CERTIFICATION AND THE "PGS GUARANTEED
12 ORGANIC" LABEL/MARK TO COMPLIANT CORE
13 PGS, AFTER BEING BESTOWED ITSELF WITH
14 THE RECOGNITION BY THE BAFS.

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 BAFS 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 BAFS SHALL ENSURE THAT EACH PROVINCE
26 IN THE COUNTRY HAS A PGS. EVERY PGS SHALL
27 CONDUCT TRAININGS AND PROMOTE ORGANIC

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

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

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

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

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

22 "SEC. [16] 17. *Registration of Organic Food and Organic Input Producers.*

23 - All organic food and input establishments must register with the director,
24 BAFPS, registration under this section shall begin within ninety (90) days
25 of the enactment of this Act. Each such registration shall be submitted to the
26 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 (COCAFAM) 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,