Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 5336

Introduced by
BAYAN MUNA Party-list Representatives EUFEMIA C. CULLAMAT,
CARLOS ISAGANI T. ZARATE and FERDINAND R. GAITE

AN ACT
RECOGNIZING THE PARTICIPATORY GUARANTEE SYSTEM (PGS) AS A
FORM FOR CERTIFICATION FOR LABELLING ORGANIC PRODUCTS
AMENDING FOR THE PURPOSE REPUBLIC ACT 10068, ALSO KNOWN
AS THE ORGANIC AGRICULTURE ACT OF 2010, AND FOR OTHER
PURPOSES

EXPLANATORY NOTE

The enactment of R.A. 10068, also known as the Organic Agriculture Act of 2010, is
considered a boost to the local organic market. While it is still in its initial stages of
implementation, there is a need to fine-tune the Act to further promote organic
agriculture and truly empower our local farmers.

However, criticism towards the seemingly exclusive rights given to private certifying
bodies inhibits the growth of organic agriculture as it deters small farmers from going
organic. The high cost to get certified, in order to carry the “organic” label discriminates
against our small farmers and indigenous peoples who have long traditions of raising and
producing organic goods. Denying them to label what is essentially an organic product as
such is also detrimental to their livelihood.

Local government units (LGU) should be given a bigger role in the promotion of organic
agriculture. Increasing number of LGUs recognize the health, economic and
environmental value of organic farming and have likewise issued ordinances in support
of organic agriculture. These local initiatives should be considered by national
government agencies before they allow crops or agricultural methods that may affect the
organic nature of farming in the localities where they intend to operate or test.

This bill recognizes the Participatory Guarantee System (PGS) in the certification and
labeling of organic products and encourages the appropriate agencies to develop and
strengthen such alternative certification mechanisms. It likewise ensures the protection of
indigenous organic resources against cross contamination of engineered crops.

For decades, the lack of sustainable alternatives and genuine support from the national
government have turned generations of Filipino farmers slaves to the land, instead of
stewards of it. This is due to the fact that landlords, big agro-corporations and
government policies have been used to tie farmers to usurious practices and products,
further pushing peasants to poverty. Sustainable agricultural methods, such as organic
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 3 of the Organic Agriculture Act of 2010 (R.A. 10068), is hereby
amended to read as follows:

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

x x x

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

SEC. 2. Section 15 on accreditation of organic certifying body in R.A. 10068 is hereby
amended as follows:

“The BAFPS is hereby designated and authorized to grant official accreditation
to organic certifying body or entity. The BAFPS is tasked to formulate the
necessary rules and procedures in the accreditation of organic certifying body:
Provided, That there shall be at least one (1) accredited organic certifying body
each in Luzon, Visayas and Mindanao or in case of only (1) organic certifying
body is accredited, it shall have at least one (1) satellite office or processing unit
each in Luzon, Visayas and Mindanao.
“PROVIDED, FURTHER, THAT IN ACCREDITING A CERTIFYING
BODY OR ENTITY, THE BAFPS SHALL RECOGNIZE PARTICIPATORY
GUARANTEE SYSTEMS AS VALID CERTIFICATION MECHANISMS
AND SHALL ESTABLISH PROGRAMS TO STRENGTHEN AND
DEVELOP THE SAME.”

SEC. 3. Section 16 of R.A. 10068 is hereby amended as follows:

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

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

SEC. 4. Section 17 of R.A. 10068 is hereby amended as follows:

“The label of organic produce shall contain the name, logo or seal of the organic
certifying body and the accreditation number issued by the BAFPS. [Only third-
party certification is allowed to be labeled as organically produced.] THE
ORGANIC LABEL SHALL ALSO INCLUDE THE TRADE NAME AND
THE ORIGIN ADDRESS OF THE PRODUCE.”

SEC. 5. Sections 24 through 32 of R.A. 10068 are hereby amended as follows

“SECTION 24. PROTECTION OF INDIGENOUS ORGANIC
RESOURCES AGAINST CROSS-CONTAMINATION. THE INTEGRITY
OF ORGANIC CROPS AND LIVESTOCK SHALL BE STRICTLY
ENSURED AND MONITORED. RISK OF CROSS-CONTAMINATION
FROM ENGINEERED CROPS AND LIVESTOCK SHALL BE
PREVENTED AT ALL TIMES. BAFPS SHALL MONITOR ALL
APPLICATIONS FOR FIELD-TESTINGS/ PRODUCTION OF
ENGINEERED CROPS AND LIVESTOCK, AND SHALL HAVE THE
POWER TO DENY ANY APPLICATION IF IT FINDS SUFFICIENT
CAUSE.

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

“IN THE EVENT OF CONTAMINATION BY GENETICALLY-
MODIFIED ORGANISM, PATENTED OR OTHERWISE, THE LGU,
BAFPS AND/OR ORGANIC INPUT PRODUCER MAY HOLD THE GMO
PATENT OWNER LIABLE FOR ECONOMIC AND ENVIRONMENTAL
DAMAGES.
"SECTION 25. RECOGNITION OF LOCAL ORDINANCES AND OTHER ISUANCES. CONSISTENT WITH ITS MANDATE UNDER SECTION 16 - GENERAL WELFARE OF R.A. 7160, LOCAL GOVERNMENT UNITS (LGUS) HAVE THE POWER TO ENACT ORDINANCES FOR THE GENERAL HEALTH AND WELFARE OF ITS CONSTITUENCY.

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

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

"SEC. [24] 26. Incentives. x x x

"SEC. [25] 26. Appropriations. x x x


"(a) obstructs the development of propagation of organic agriculture, or the manufacture, production, sale or use of organic agricultural inputs;

"(b) refuses without just cause to extend the support and assistance required under this Act;

"(c) mislabels or claims that the product is organic when it is not in accordance with the existing standards for Philippine organic agriculture or this Act [shall, upon conviction, be punished by]; or

"(D) VIOLATES ANY OTHER PROVISION OF THIS ACT SHALL, UPON CONVICTION, BE PUNISHED BY IMPRISONMENT OF NOT LESS THAN ONE (1) MONTH NOR MORE THAN SIX (6) MONTHS, OR A FINE OF NOT LESS THAN FIFTY THOUSAND PESOS (P50, 000.00), OR BOTH, AT THE DISCRETION OF THE COURT, PROVIDED THAT THE PUNISHMENT OF IMPRISONMENT FOR VIOLATING THE PROVISIONS ON CROSS-CONTAMINATION AND/OR CONTAMINATION BY GENETICALLY-MODIFIED ORGANISMS SHALL BE IMPRISONMENT OF NOT LESS THAN SIX (6) MONTHS AND ONE (1) DAY NOR MORE THAN SIX (6) YEARS, OR A FINE OF NOT LESS THAN ONE HUNDRED THOUSAND PESOS (P100, 000.00), OR BOTH, AT THE DISCRETION OF THE COURT. IF THE OFFENDER IS A CORPORATION OR A JURIDICAL ENTITY, THE OFFICIAL WHO
ORDERED OR ALLOWED THE COMMISSION OF THE OFFENSE
SHALL BE PUNISHED WITH THE SAME PENALTY. IF THE
OFFENDER IS IN THE GOVERNMENT SERVICE, HE OR SHE SHALL
IN ADDITION, BE DISMISSED FROM THE OFFICE.

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

"SEC. [28] 30. Annual Report. x x x

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

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

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

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

SEC. 6. Effectivity Clause. This Act shall take effect immediately after its complete
publication either in the Official Gazette or in a newspaper of general circulation in the
Philippines.

Approved,
farming, are a welcome alternative to the import-based and toxic farming methods which
are destroying our natural resources.

This Bill was first filed by Bayan Muna Representative Teddy Casiño in 2012 during the
15th Congress. It was also refiled during the 16th and 17th Congress as HB 1779 and HB
1043.

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

Approved,

REP. EUFEMIA C. CULLAMAT
Bayan Muna Party-list

REP. CARLOS ISAGAN T. ZARATE
Bayan Muna Party-list

REP. FERDINAND R. GAITE
Bayan Muna Party-list