COMMITTEE REPORT NO. 343

Submitted by the Committee on Agriculture and Food on MAY 3 1 2020
Re: House Bill No. 6878
Recommending its approval in substitution of House Bills Numbered 869, 1290, 2656, 3599, 4483, 5641, and 5864
Sponsors: Representatives Wilfrido Mark M. Enverga, Sharon S. Garin, and Conrado M. Estrella III

Mr. Speaker:

The Committee on Agriculture and Food to which were referred House Bill No. 869, introduced by Rep. Conrado M. Estrella III, entitled:

"AN ACT AMENDING CERTAIN SECTIONS OF RA 10068 OR THE ORGANIC AGRICULTURE ACT OF 2010";

House Bill No. 1290, introduced by Rep. Luis Raymund "LRay" F. Villafuerte, Jr., entitled:

"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";

House Bill No. 2656, introduced by Rep. Ian Paul L. Dy, entitled:

"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";

House Bill No. 3599, introduced by Rep. Sharon S. Garin, entitled:

"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";

House Bill No. 4483, introduced by Rep. Michael Odylon L. Romero, entitled:

"AN ACT AMENDING REPUBLIC ACT NO. 10068, "OTHERWISE KNOWN AS THE ORGANIC AGRICULTURE ACT OF 2010", APPROPRIATING FUNDS THEREFOR, PROVIDING STIFFER PENALTIES AND SANCTIONS AND FOR OTHER PURPOSES;"
House Bill No. 5641, introduced by Rep. Ruth Mariano-Hernandez, entitled:

“AN ACT AMENDING REPUBLIC ACT NO. 10068 OR ‘THE ORGANIC AGRICULTURE ACT OF 2010’”; and

House Bill No. 5864, introduced by Rep. Josephine Ramirez-Sato, entitled:

“AN ACT STRENGTHENING THE IMPLEMENTATION OF NATIONAL ORGANIC AGRICULTURE PROGRAM AND AMENDING CERTAIN SECTIONS OF RA 10068 OR THE ORGANIC AGRICULTURE ACT OF 2010”

has considered the same and recommends that the attached House Bill No. 6878 entitled:

“AN ACT
STRENGTHENING THE IMPLEMENTATION OF THE NATIONAL ORGANIC AGRICULTURE PROGRAM, AMENDING FOR THE PURPOSE REPUBLIC ACT 10068 OR THE ORGANIC AGRICULTURE ACT OF 2010”


Respectfully submitted,

[Signature]

REP. WILFRIDO MARK M. ENVERGA
Chairperson
Committee on Agriculture and Food

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY
Republic of the Philippines

HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6878


AN ACT
STRENGTHENING THE IMPLEMENTATION OF THE NATIONAL ORGANIC AGRICULTURE PROGRAM, AMENDING FOR THE PURPOSE REPUBLIC ACT 10068, OR THE ORGANIC AGRICULTURE ACT OF 2010

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

Section 1. Section 2 on Declaration of Policy is hereby amended to read as follows:

“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 FARMING AND OTHER SUSTAINABLE agriculture PRACTICES in the Philippines that will cumulatively condition and enrich the fertility of the soil, increase farm productivity AND FARMERS’ INCOMES, reduce pollution and destruction of the environment, prevent the depletion of natural resources, further protect the health of farmers, consumers, and the general public, [and] save on imported farm inputs AND PROMOTE FOOD SELF SUFFICIENCY.

Towards this end, a comprehensive program for the promotion of community-based organic agriculture systems, which include, among others, farmer-produced [purely organic fertilizers such as compost, pesticides] ORGANIC SOIL AMENDMENTS, BIO CONTROL AGENTS and other farm inputs, [together with a nationwide educational and promotional campaign for their use and processing, as well as adoption of organic agriculture system as a
viable alternative] shall be undertaken.

LIKewise, A NATIONWIDE EDUCATIONAL AND AWARENESS CAMPAIGN FOR CONSUMERS ON THE BENEFITS OF CONSUMING ORGANIC PRODUCTS AS WELL AS ON THE VIABILITY OF ORGANIC AGRICULTURE SYSTEM AS AN ALTERNATIVE SHALL BE UNDERTAKEN TO BOOST LOCAL PRODUCTION OF ORGANIC FOOD AND NON-FOOD PRODUCTS.

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

Section 2. Section 3 on Definition of Terms is hereby amended to read as follows:

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

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(b) Certification is the procedure by which [official certification bodies or officially recognized certification bodies] A GOVERNMENT AGENCY OR AN OFFICIALLY ACCREDITED ORGANIC CERTIFYING BODY (OCB) provides written or equivalent assurance that [foods or food control systems] OPERATORS AND CORE PARTICIPATORY GUARANTEE SYSTEM (PGS) GROUPS conform to [requirements] ORGANIC AGRICULTURE STANDARDS AS PROVIDED IN THIS ACT;

(i) OFFICIAL Accreditation is the procedure by which a government agency having jurisdiction formally recognizes the competence of an [inspection and/or certification] ORGANIC CERTIFYING body to provide inspection and certification services;

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(O) INSPECTION IS THE EXAMINATION OF THE PRODUCTION, POSTHARVEST, PROCESSING, HANDLING, STORAGE AND PACKAGING UNITS TO VERIFY THAT THESE CONFORM TO THE ORGANIC AGRICULTURE STANDARDS;

(P) ORGANIC BIO-CONTROL AGENTS ARE ORGANISMS AND THEIR ASSOCIATED METABOLITES AS WELL AS NATURALLY OCCURRING SUBSTANCES THAT CONTROL PESTS AND DISEASES;
(Q) ORGANIC CERTIFYING BODY (OCB) IS A LEGAL ENTITY
OFFICIALLY ACCREDITED BY A GOVERNMENT AGENCY TO
PERFORM INSPECTION AND CERTIFICATION ACTIVITIES;

A CORE PGS GROUP, SEEKING TO BECOME AN ORGANIC
CERTIFYING BODY, SHALL FIRST BE EVALUATED BY THE
BUREAU OF AGRICULTURE AND FISHERIES STANDARDS (BAFS)
AS COMPLIANT WITH ORGANIC AGRICULTURE STANDARDS
AND WITHOUT ANY INFRACTION FOR THE PAST THREE (3)
YEARS. THIS SHALL ALSO SERVE AS BASIS FOR ITS OFFICIAL
ACCREDITATION AS AN ORGANIC CERTIFYING BODY.

A NATIONAL ORGANIZATION OF LOCAL GOVERNMENT
UNITS (LGUS), ACTUALLY ENGAGED IN AND EVALUATED TO
BE COMPLIANT WITH ORGANIC AGRICULTURE FOR THE PAST
(3) THREE YEARS, MAY APPLY WITH THE BAFS TO BECOME AN
ORGANIC CERTIFYING BODY.

ANY PRIVATE GROUP OR ORGANIZATION ACTUALLY
ENGAGED IN ORGANIC AGRICULTURE, FOR THE PAST FIVE (5)
YEARS, AS A DIRECT ORGANIC FARM PRODUCER, AS A
PROMOTER/ADVOCATE OF THE WAYS, METHODS AND
PRINCIPLES OF ORGANIC AGRICULTURE, OR AS A MARKETER
OF ORGANIC AGRICULTURE PRODUCE, MAY ALSO APPLY TO
BECOME AN ORGANIC CERTIFYING BODY;

(R) ORGANIC SOIL AMENDMENTS ARE PRODUCTS WITHIN THE
SCOPE OF THE PHILIPPINE NATIONAL STANDARD THAT ARE
ADDED TO THE SOIL TO IMPROVE ITS PHYSICAL PROPERTIES.

(S) PARTICIPATORY GUARANTEE SYSTEMS (PGS) ARE LOCALLY
FOCUSED QUALITY ASSURANCE SYSTEMS THAT CERTIFY TO
THE PRACTICE OF ORGANIC AGRICULTURE. THE
CERTIFICATION IS BASED ON THE ACTIVE PARTICIPATION OF
PRODUCERS AND FARMERS IN THE PRACTICE OF ORGANIC AGRICULTURE, BUILT ON A FOUNDATION OF TRUST, SOCIAL NETWORKS AND KNOWLEDGE EXCHANGE.

(T) PGS GROUP IS A LEGAL ASSOCIATION OR COOPERATIVE OF REGISTERED FARMER MEMBERS AND OTHER STAKEHOLDERS IN A PARTICIPATORY GUARANTEE SYSTEM.

(U) PARTICIPATORY ORGANIC CERTIFICATE IS A DOCUMENTARY PROOF THAT A CORE PGS GROUP IS COMPLIANT WITH THE REQUIREMENTS, STANDARDS AND NORMS OF ORGANIC AGRICULTURE. IT SHALL BE ISSUED BY A GOVERNMENT AGENCY OR BY AN AUTHORIZED ORGANIC CERTIFYING BODY, AFTER THE CONDUCT OF AN INVESTIGATION AND CERTIFICATION ACTIVITY ON THE APPLICATION FOR CERTIFICATION BY THE CORE PGS GROUP. IT SHALL CONTAIN A PERIOD FOR ITS VALIDITY, AS SET BY THE BAES.

(V) SMALL FARMERS REFER TO THOSE CULTIVATING NOT MORE THAN FIVE (5) HECTARES OF LAND AND/OR ARE ENGAGED AS SMALL POULTRY/LIVESTOCK/SHEEP AND OTHER SMALL RUMINANTS RAISERS WHO ARE DEFINED AS THOSE RAISING NOT MORE THAN THE FOLLOWING:

- POULTRY – 1,000 POULTRY LAYERS OR 5,000 BROILERS
- SWINE – 10 SOW LEVEL OR 20 FATTENERS
- NATIVE PIGS – 30 HEADS
- CATTLE – 10 FATTENERS OR 5 BREEDERS
- DAIRY – 10 MILKING COWS
- GOAT – 50 HEADS
- SHEEP AND OTHER SMALL RUMINANTS
- AND OTHERS THAT THE NATIONAL ORGANIC
BOARD DEEMS AS SMALL FARMER

(W) SMALL FISHERS ARE ANY OF THE FOLLOWING:

- THOSE OPERATING FISHING VESSELS OF NOT MORE THAN THREE (3) TONS IN CAPACITY;
- THOSE OPERATING FISHPONDS OF LESS THAN FIVE HECTARES OR CAGES OF LESS THAN 400 SQUARE METERS;
- FISH WORKERS IN FISHING BOATS, FISHPONDS, OR FISH PROCESSING ESTABLISHMENTS; AND
- ANY OTHER INDIVIDUALS WHO ARE ENGAGED IN PROCESSING, AND DISTRIBUTION.

(X) ORGANIC VALUE CHAIN OR AGRIBUSINESS ARE AGRICULTURE-RELATED ACTIVITIES THAT PUT FARMERS, PROCESSORS, DISTRIBUTORS AND CONSUMERS WITHIN A SYSTEM THAT PRODUCES, PROCESSES, TRANSPORTS, MARKETS AND DISTRIBUTES ORGANIC AGRICULTURAL PRODUCTS."

Section 3. Section 4 on Coverage is hereby amended to read as follows:

"SEC. 4. Coverage. - The provisions of this Act shall apply to the development and promotion of organic agriculture and shall include [, but not limited to,] the following:

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(c) Promotion and encouragement of the establishment of facilities, equipment and processing plants that would accelerate the production and commercialization of organic fertilizers, [pesticides, herbicides] BIO-CONTROL AGENTS, ORGANIC SOIL AMENDMENTS and other appropriate farm inputs THAT THE NOAB DEEMS APPROPRIATE; and
(d) Implementation of organic agricultural programs, projects and activities,
including the provision and delivery of support services with focus on the
farmers, PRIORITIZING SMALL FARMERS/FISHERFOLK AND
THEIR ORGANIZATIONS and other stakeholders.”

Section 4. Section 7 on the Composition of the NOAB is hereby amended to
read as follows:

“SEC. 7. Composition of the NOAB. The NOAB shall consist of:

(a) The Secretary of Agriculture, or his duly authorized permanent
representative, with a rank of Undersecretary, as Chairperson;

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(e) [The Secretary of Education] DIRECTOR GENERAL OF THE
TECHNICAL EDUCATION AND SKILLS DEVELOPMENT
AUTHORITY (TESDA), or [his] A duly authorized permanent
representative;

XXX

(j) A representative [each] from the NGOs involved in sustainable
ORGANIC agriculture [for at least three (3) years; agricultural colleges
and universities; and private sector or agribusiness firms as members];

(K) A REPRESENTATIVE FROM AGRICULTURAL COLLEGES
AND UNIVERSITIES INVOLVED IN SUSTAINABLE ORGANIC
AGRICULTURE;

(L) A REPRESENTATIVE FROM THE PRIVATE SECTOR OR
AGROBUSINESS FIRMS INVOLVED IN SUSTAINABLE
ORGANIC AGRICULTURE;

(M) TWO (2) REPRESENTATIVES OF THE NATIONAL PGS
FORMED TO BE CHOSEN AMONG AND BY THEMSELVES;

AND

(N) ONE (1) REPRESENTATIVE FROM A NATIONAL
ORGANIZATION OF LOCAL GOVERNMENT UNIT (LGUs)
ACTUALLY ENGAGED IN ORGANIC AGRICULTURE.

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The representatives of small farmers and NGOs and of agricultural colleges
and universities shall be chosen by the Secretaries of Agriculture and Science
and Technology, respectively, from among nominees submitted by their
respective national organizations. These representatives must [be]
REPRESENT FARMERS’ ORGANIZATIONS NATIONWIDE,
ACTUALLY AND ACTIVELY PRACTICING, PROMOTING
ORGANIC AND OTHER SUSTAINABLE AGRICULTURE
PRACTICES, conversant in organic agriculture and committed to the policies
and programs provided under this Act. THE THREE SEATS GIVEN TO
SMALL FARMERS SHALL BE CHOSEN FROM THE LIVESTOCK
AND CROP SECTORS, WHICH WILL HAVE ONE (1) AND TWO (2)
SEATS RESPECTIVELY.”

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Section 5. Section 8 on Organization of the NOAB is hereby amended to read
as follows:

“SEC. 8. Organization of the NOAB.—

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The Chairperson shall call the members of the NOAB, or a majority thereof if
not all have been designated, to a meeting to organize themselves and
prescribe its rules and procedures for the attainment of the objectives of this
Act. A majority of all the members of the NOAB shall constitute a quorum.
THE MEMBERS OF THE NOAB SHALL MEET AT LEAST ONE
EVERY QUARTER AFTER ITS CONSTITUTION.

XXX”

Section 6. Section 10 on “The Bureau of Agriculture and Fisheries Product
Standards (BAFPS) of the DA” is hereby amended to read as follows:

“SEC. 10. [The] BUREAU OF AGRICULTURE AND FISHERIES
[PRODUCT] STANDARDS [BAFPS of the DA] (BAFS). The [BAFPS]
BAFS of the DA shall be strengthened and [empowered] SHALL
EMPOWER [in terms of establishing] THE ESTABLISHED functional
divisions] DIVISION FOR ORGANIC AGRICULTURE WHICH SHALL
PERFORM AS THE [and incremental staffing to serve as the national]
technical and administrative secretariat of the NOAB [with the member
agencies providing additional staff support as the need arises]. THE BAFS,
IN ADDITION TO ITS EXISTING FUNCTIONS AND RESPONSIBILITIES, SHALL PERFORM THE FOLLOWING FUNCTIONS, DUTIES AND RESPONSIBILITIES FOR PURPOSES OF THIS ACT:

1. UPDATE THE NOAB ON THE STATUS OF THE PROGRAMS, PROJECTS AND ACTIVITIES UNDERTAKEN FOR THE DEVELOPMENT AND PROMOTION OF ORGANIC AGRICULTURE;
2. FORMULATE AND UPDATE STANDARDS RELEVANT TO ORGANIC AGRICULTURE;
3. ACCREDIT ORGANIC CERTIFYING BODIES (OCBS) AND CORE PGS GROUPS;
4. ISSUE REGISTRATION OF ORGANIC AGRICULTURAL, FISHERY AND INPUTS;
5. RULE ON THE APPEAL OF FARMOWNERS AND CORE PGS GROUPS ON DECISIONS MADE BY MUNICIPAL OR CITY PGS GROUPS ON CERTIFICATION ISSUES; AND
6. PERFORM SUCH OTHER FUNCTIONS, DUTIES AND RESPONSIBILITIES AS MAY BE NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS ACT, SUBJECT TO THE APPROVAL OF THE NOAB.”

Section 7. A new provision on Participatory Guarantee Systems is hereby inserted after Section 10 [The Bureau of Agriculture and Fisheries Product Standards (BAFPS) of the DA] to read as follows:

“SECTION 11. PARTICIPATORY GUARANTEE SYSTEMS (PGS).

A. BASIC PRINCIPLES. THE PGS SHALL BE THE MECHANISM BY WHICH SMALL FARMERS, FISHERFOLK, THEIR FARMS, ASSOCIATIONS, COOPERATIVES SHALL BE CERTIFIED AS ENGAGED IN ORGANIC AGRICULTURE AND AS PRODUCERS OF ORGANIC AGRICULTURE PRODUCTS.
THE PARTICIPATORY ORGANIC CERTIFICATION FROM ORGANIC CERTIFYING BODIES, ORGANIZED IN ACCORDANCE WITH THIS ACT, SHALL BE PROMOTED AND ACCEPTED.

THE PRODUCTS CERTIFIED BY THESE GROUPS SHALL BE TRADED ONLY IN THE DOMESTIC MARKET.

AN ASSOCIATION OR GROUP UNDER THE PGS SHALL ADHERE TO THE PHILIPPINE NATIONAL STANDARDS (PNS) FOR ORGANIC AGRICULTURE.

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

i. EXISTENCE OF ORGANIC AGRICULTURE NORMS CONCEIVED BY THE ORGANIC AGRICULTURE STAKEHOLDERS; THAT ARE APPROPRIATE TO SMALLHOLDER AGRICULTURE;

ii. GRASSROOTS ORGANIZATION WITH ITS PARTICIPATORY CERTIFICATION A RESULT OF A SOCIAL DYNAMIC, AND BASED ON THE ACTIVE PARTICIPATION OF ALL STAKEHOLDERS;

iii. EXISTENCE OF PRINCIPLES AND VALUES THAT ENHANCE THE LIVELIHOODS AND WELL-BEING OF FARMING FAMILIES AND PROMOTE ORGANIC AGRICULTURE; DOCUMENTED MANAGEMENT SYSTEMS AND PROCEDURES;

iv. PROVISION OF MECHANISMS TO VERIFY FARMER’S COMPLIANCE TO ESTABLISHED NORMS;

v. PROVISION OF MECHANISMS FOR SUPPORTING FARMERS TO PRODUCE ORGANIC PRODUCTS AND BE
CERTIFIED AS ORGANIC FARMERS, WHICH SHALL INCLUDE THE SERVICES OF FIELD ADVISORS, NEWSLETTERS, FARM VISITS, WEB SITES, AMONG OTHERS;

vi. EXISTENCE OF A BOTTOM-LINE DOCUMENT, SUCH AS A FARMER'S PLEDGE, THAT SHALL CONFIRM THE FARMER'S AGREEMENT TO THE ESTABLISHED NORMS;

vii. INTRODUCTION OR USE OF SEALS OR LABELS PROVIDING EVIDENCE OF ORGANIC STATUS; AND

viii. EXISTENCE OF A CLEAR AND PREVIOUSLY DEFINED SET OF RECOMMENDATIONS AND MEASURES AGAINST FARMERS WHO FAIL TO COMPLY WITH STANDARDS.

B. LEGAL PERSONALITY. THERE SHALL BE A CORE PGS GROUP AS THE BASIC UNIT IN THE PGS. THE CORE PGS GROUP SHALL BE REGISTERED WITH THE MUNICIPALITY OR CITY IN WHICH IT OPERATES. IT SHALL SECURE A MAYOR'S PERMIT FROM THE SAID MUNICIPALITY OR CITY, THE POSSESSION OF WHICH SHALL SUFFICE AS PROOF OF REGISTRATION AND THE GRANT OF LEGAL PERSONALITY FOR WHATEVER TRANSACTION IT MAY ENTER INTO.

A NATIONAL ORGANIZATION OF LOCAL GOVERNMENT UNITS (LGUS) ACTUALLY ENGAGED IN ORGANIC AGRICULTURE AND REGISTERED OR ACCREDITED BY A NATIONAL GOVERNMENT AGENCY EMPOWERED TO DO SO, SHALL ALSO ACQUIRE LEGAL PERSONALITY FOR THE PURPOSES OF OFFICIAL ACCREDITATION BY BAFS.

ANY OTHER ORGANIC CERTIFYING BODY SHALL SECURE A MAYOR'S PERMIT FROM THE MUNICIPALITY OR CITY WHERE IT INTENDS TO OPERATE, THE POSSESSION OF
WHICH SHALL SUFFICE TO GRANT IT LEGAL PERSONALITY
FOR PURPOSES OF RECOGNITION BY BAFS.

C. CERTIFICATION. THE BAWS SHALL PROVIDE THE
GUIDELINES FOR THE CERTIFICATION OF FARMS,
PURSUANT TO THE PROVISIONS OF THIS ACT. A FARM OR
FARMOWNER APPLYING FOR CERTIFICATION AS AN
ORGANIC AGRICULTURE PRACTITIONER SHALL APPLY
WITHIN THE SAME MUNICIPALITY OR CITY. THE DECISION
OF THE CORE PGS GROUP OR OF THE ORGANIC
CERTIFYING BODY ON SAID APPLICATION FOR
CERTIFICATION SHALL BE SUBJECT TO APPEAL: PROVIDED,
THAT SUCH CERTIFICATION SHALL BE ISSUED IN THE
NAME OF THE CORE PGS GROUP OF WHICH THE FARM OR
FARMOWNER IS A MEMBER. FURTHER, WITHDRAWAL OF
MEMBERSHIP IN SAID CORE PGS GROUP SHALL RESULT IN
THE FORFEITURE OF THE PRIVILEGE THE FARM OR
FARMOWNER TO USE THE CORE PGS GROUP CERTIFICATE:
PROVIDED FURTHER, THAT ONLY MINIMAL FEES SHALL BE
COLLECTED FOR THE APPLICATION FOR CERTIFICATION.

D. OFFICIAL ACCREDITATION. THE BAWS SHALL PROVIDE THE
GUIDELINES FOR OFFICIAL ACCREDITATION. A
REGISTERED CORE PGS GROUP SHALL APPLY FOR
OFFICIAL ACCREDITATION WITH THE BAWS. A CORE PGS
GROUP SHALL BE ACCORDED OFFICIAL ACCREDITATION
BY THE BAWS ONLY IF IT HAS AT LEAST FIVE (5) MEMBERS,
WHO SHALL COME FROM DIFFERENT FARMS IN THE
MUNICIPALITY OR CITY THAT ARE ACTUALLY
PRACTICING ORGANIC AGRICULTURE.

THE BAWS SHALL ISSUE ITS DECISION ON THE
APPLICATION FOR OFFICIAL ACCREDITATION BY A CORE
PGS GROUP OR ANY QUALIFIED ENTITY APPLYING FOR
ACCREDITATION WITHIN SIXTY WORKING (60) DAYS FROM
THE SUBMISSION OF THE COMPLETE REQUIREMENTS, AND
FAILURE TO RENDER DECISION WITHIN SUCH PERIOD
SHALL BE UNDERSTOOD AS AN APPROVAL OF THE
APPLICATION FOR OFFICIAL ACCREDITATION OF THE
PGS/OCB. THE BAFS SHALL NOT CHARGE ANY OFFICIAL
ACCREDITATION OR APPLICATION FEES.

E. ORGANIZATIONAL LEVELS.

1. THE CORE PGS GROUP. EVERY PGS GROUP SHOULD HAVE AT
LEAST FIVE (5) MEMBERS, COMPOSED OF FARMERS FROM A
COMBINATION OF BOTH THE CROPS AND LIVESTOCK
SECTORS. IT MAY ADD TO ITS MEMBERSHIP FARMERS FROM
OTHER SECTORS IN AGRICULTURE, NON-GOVERNMENT
ORGANIZATIONS, PEOPLE’S ORGANIZATIONS, BUYERS OF
ORGANIC AGRICULTURE PRODUCTS, SUPPLIERS OF ORGANIC
INPUTS, AMONG OTHERS, WHO LIVE IN THE SAME
MUNICIPALITY OR CITY, AND REGULARLY INTERACT WITH
EACH OTHER.

EACH CORE PGS GROUP WILL HAVE THE FOLLOWING
DUTIES AND RESPONSIBILITIES:

i. DEVELOP AN UNDERSTANDING OF THE ORGANIC
STANDARDS;

ii. ENSURE THAT FARM PRACTICES ARE COMPLIANT
WITH THE PHILIPPINE NATIONAL STANDARDS
FOR ORGANIC AGRICULTURE;

iii. UNDERTAKE BY WRITTEN STATEMENT THAT
THEY UNDERSTAND AND ADHERE TO THE
ORGANIC STANDARDS;

iv. CONDUCT INSPECTION AND CERTIFICATION
ACTIVITIES OF MEMBER FARMS IN THE
MUNICIPALITY/CITY. AT LEAST A MAJORITY OF
THE MEMBERS OF THE PGS CORE GROUP WHO
JOINED IN THE ACTUAL INSPECTION AND
CERTIFICATION ACTIVITY SHOULD SIGN ON THE
TRUTHFULNESS OF THE FINDINGS OF THE
INSPECTION AND CERTIFICATION ACTIVITY;
v. RECOMMEND WHICH FARMS WILL BE CERTIFIED;
vi. INITIATE KEY FIELD TRAININGS FOR FARMER-
MEMBERS AND RESIDENTS IN THEIR LOCALITY TO
PROMOTE ORGANIC AGRICULTURE;
 vii. ATTEND MUNICIPAL AND PROVINCIAL PGS
MEETINGS AND SHARE INFORMATION WITH
OTHER PARTICIPANTS;
viii. TAKE ACTIONS ON DELISTING AND NON-
COMPLIANCE AS PER SANCTION GUIDELINES TO
BE PROVIDED BY THE BAFS, ORGANIC
CERTIFYING BODIES AND MUNICIPAL OR CITY
PGS GROUPS; AND
ix. ASSIST DELISTED AND NON-COMPLIANT MEMBERS
TO REGAIN ACTIVE CERTIFICATION STATUS.

2. MUNICIPAL/CITY PGS GROUP. THE MUNICIPAL OR CITY PGS
GROUP SHALL BE COMPOSED OF THE FOLLOWING: 1) ONE (1)
REPRESENTATIVE FOR EACH CORE PGS GROUP IN THE
MUNICIPALITY OR CITY, AND 2) ONE (1) REPRESENTATIVE
FROM A REGIONAL AGRICULTURAL STATE UNIVERSITY OR
COLLEGE (SUC) OR LOCAL PRIVATE AGRICULTURAL
EDUCATIONAL INSTITUTION: PROVIDED, THAT, THERE
SHOULD BE AT LEAST TWO (2) CORE PGS GROUPS IN THE
MUNICIPALITY OR CITY BEFORE A MUNICIPAL OR CITY PGS
GROUP SHALL BE ESTABLISHED.

THE MUNICIPAL OR CITY PGS GROUP SHALL CONDUCT
ITS BUSINESS AND AFFAIRS BASED ON THE DECISION OF THE
MAJORITY OF MEMBERS PRESENT IN A MEETING, THERE
BEING A QUORUM.

THE MUNICIPAL OR CITY PGS GROUP SHALL HAVE THE
FOLLOWING POWERS, DUTIES AND RESPONSIBILITIES:

i. TOGETHER WITH THE BAFS, DEVELOP OR UPDATE
AND IMPLEMENT THE PARTICIPATORY
GUARANTEE SYSTEM, AS PROVIDED IN THIS ACT;

ii. ENSURE THAT FARMER MEMBERS CONTINUE TO
COMPLY WITH ALL REQUIREMENTS OF THE
APPLICABLE PHILIPPINE NATIONAL STANDARDS
(PNS) ON ORGANIC AGRICULTURE AND RELEVANT
REGULATORY REQUIREMENTS;

iii. HEAR AND DECIDE ON APPEALS OF THE FARMER
MEMBERS ON THE FINDINGS OF THE
INVESTIGATION AND CERTIFICATION OF
ORGANIC CERTIFYING BODIES. AN ADVERSE
DECISION OF THE MUNICIPAL OR CITY PGS
GROUP MAY BE BROUGHT TO THE BAFS ON
APPEAL. THE BAFS SHALL RULE ON THE APPEAL
WITHIN THIRTY (30) DAYS FROM THE FILING
THEREOF. FAILURE TO RULE ON SUCH APPEAL
SHALL BE CONSIDERED AS A REVERSAL OF THE
APPEALED DECISION.

iv. THE INACTION OR INDECISION OF THE
MUNICIPAL OR CITY PGS GROUP ON AN APPEAL
FROM THE DECISION OF THE ORGANIC
CERTIFYING BODY, AFTER FIFTEEN (15) DAYS
FROM THE FILING OF THE APPEAL, SHALL BE
CONSIDERED THE UPHOLDING OF THE APPEALED
DECISION. THE FARMER COMPLAINANT MAY THEN HAVE THE OPTION TO FILE AN APPEAL WITH THE BAFS. THE BAFS SHALL RULE ON THE APPEAL WITHIN THIRTY (30) DAYS FROM THE FILING THEREOF. FAILURE TO RULE ON SUCH APPEAL SHALL BE CONSIDERED AS A REVERSAL OF THE APPEALED DECISION;

v. MAINTAIN A REGISTRY OF CORE PGS GROUPS OPERATING WITHIN ITS AREA OF JURISDICTION, WHICH SHALL BE FORWARDED TO THE BAFS AT THE END OF EACH YEAR AND ENTERED INTO THE LATTER'S NATIONAL DATABASE;

vi. TOGETHER WITH THE ORGANIC CERTIFYING BODY INVOLVED IN THE INSPECTION AND CERTIFICATION ACTIVITY, AND IN COORDINATION WITH THE BAFS, ISSUE PARTICIPATORY ORGANIC CERTIFICATE AND THE "PGS GUARANTEED ORGANIC" LABEL OR MARK TO COMPLIANT SMALL FARMERS AND FISHERFOLK AND THEIR FARMS, ASSOCIATIONS, OR COOPERATIVE (FAC); AND

vii. SUBMIT REGULARLY TO THE BAFS A LIST OF CERTIFIED SMALL FARMERS, FISHERFOLK AND THEIR FARMS, ASSOCIATIONS AND COOPERATIVES (FAC).

IN THE MEANTIME THAT A CORE PGS GROUP OR A MUNICIPAL/CITY PGS HAS YET TO BE ESTABLISHED, THE BAFS, IN COORDINATION WITH THE LOCAL GOVERNMENT UNIT CONCERNED, SHALL ASSUME THE POWERS, DUTIES AND RESPONSIBILITIES OF THESE GROUPS.
3. **PROVINCIAL AND NATIONAL PGS GROUP.** IT SHALL BE THE
OPTION OF THE PGS GROUPS TO FORM AGGREGATIONS AT
THE PROVINCIAL AND NATIONAL LEVELS. THEY SHALL
RECEIVE THE FINANCIAL AND TECHNICAL ASSISTANCE,
SUPPORT AND GUIDANCE OF THE DEPARTMENTS IN THE NOAB
AND THE DA-BAFS IN THIS REGARD.

THE PROVINCIAL GOVERNMENTS ARE ENJOINED TO
ENCOURAGE AND SUPPORT THE FORMATION AND ACTIVITIES
OF PGS GROUPS, PURSUANT TO THE DEPARTMENT OF THE
INTERIOR AND LOCAL GOVERNMENT (DILG) MEMORANDUM
CIRCULAR NO. 2019-70.

**F. PROMOTION.** THE NOAB SHALL ACTIVELY PROMOTE AND
SEARCH FOR ASSOCIATIONS OR GROUPS THAT HAVE BEEN
PRACTICING ORGANIC AGRICULTURE FOR OFFICIAL
ACCREDITATION AS PGS COMPLIANT IN ACCORDANCE WITH
THIS ACT. THE NOAB SHALL ENSURE THAT EACH PROVINCE IN
THE COUNTRY HAS A PGS. EVERY PGS SHALL CONDUCT
TRAININGS AND PROMOTE ORGANIC AGRICULTURE.

**G. TRAINING AND INSPECTION.** THE AGRICULTURE TRAINING
INSTITUTE (ATI) SHALL CONDUCT TRAININGS FOR PGS
GROUPS AND THE BAFS SHALL CONDUCT RANDOM
INSPECTIONS TO ENSURE THAT PGS GROUPS ARE ALL
COMPLIANT WITH THE PHILIPPINE NATIONAL STANDARDS ON
ORGANIC AGRICULTURE. THE BAFS SHALL KEEP A RECORD
OF COMPLIANT PGS GROUPS IN THE COUNTRY AND SHALL
PUBLISH A LIST OF SUCH COMPLIANT PGS GROUPS AT LEAST
ONCE A YEAR.

**H. INCENTIVES.** SMALL FARMERS OR FISHERFOLKS, OR THEIR
FARMS, ASSOCIATIONS, COOPERATIVES ENGAGED IN
ORGANIC AGRICULTURE, OR ANY ORGANIC INPUT PRODUCER, CERTIFIED BY AN OFFICIALLY ACCREDITED PGS GROUP OR ORGANIC CERTIFYING BODY 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 OF INTERNATIONAL CERTIFICATION ACCREDITATION. FURTHER, SO LONG AS THE SAME ENTITIES MAINTAIN THEIR COMPLIANT STATUS, THEY SHALL BE INVITED TO GOVERNMENT AGENCY-INITIATED OR SPONSORED TRADE AND BUSINESS MARKETING GATHERINGS, AND GIVEN, FOR FREE, PRIME LOCATION THEREAT, FOR THE PURPOSE OF DISPLAYING AND SELLING THEIR OWN ORGANIC PRODUCTS."

Section 8. Section 11 of Republic Act No. 10068 is hereby repealed and a new Section 12 is hereby inserted, to read as follows:

"[SEC. 11. Functions, Duties and Responsibilities of the BAFPS — The BAFPS, in addition to its existing functions and responsibilities shall perform the following functions, duties and responsibilities for purposes of this Act:

(a) Implement organic agriculture programs and projects approved by the NOAB;

(b) Update the NOAB on the status of the programs, projects and activities undertaken for the development and promotion of organic agriculture;

(c) Create effective networking with the various stakeholders involved in organic production; and

(d) Perform such other functions, duties and responsibilities as may be necessary to implement this Act and as directed by the NOAB.]

EMPOWERED IN TERMS OF ESTABLISHING A FUNCTIONAL OFFICE TO SERVE AS THE NATIONAL PROGRAM COORDINATING OFFICE OF THE NATIONAL ORGANIC AGRICULTURE PROGRAM."

Section 9. Section 16 of Republic Act No. 10068 is hereby repealed and a new section is inserted, to read as follows:

"[SEC. 16. 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 the director by guidance may determine to be appropriate. Such registration shall contain the following information:

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

(b) The primary purpose and business activity of each organic food or input establishment, including the dates of operation if the organic food establishment is seasonal;

(c) A list of the organic food or input produced and corresponding brand names;

(d) For organic food establishment, the name, address and contact information of the organic food certifying body that certified the organic products sold by the company;

(e) An assurance that the registrant will notify the director of any change in the products, function or legal status of the domestic food establishment (including cessation of business activities) not later than thirty (30) days after such change; and

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

SEC. 17. REGISTRATION OF ORGANIC PRODUCE AND INPUTS AND ORGANIC PROCESSED FOOD. THE BAFS SHALL BE RESPONSIBLE FOR THE REGISTRATION OF CERTIFIED ORGANIC AGRICULTURE, FISHERY AND INPUT PRODUCTS, AND REGISTRY OF ORGANIC PRODUCERS.
FURTHER, THE BUREAU OF ANIMAL INDUSTRY (BAI) OF
THE DA SHALL BE RESPONSIBLE FOR THE REGISTRATION OF
ORGANIC BEES, LIVESTOCK AND POULTRY AND ITS FEEDS.

THE BUREAU OF FISHERIES AND AQUATIC RESOURCES
(BFAR) OF THE DA SHALL BE RESPONSIBLE FOR THE
REGISTRATION OF ORGANIC FISHERIES AND AQUACULTURE
RESOURCES AND ORGANIC AQUACULTURE FEEDS.

THE BAFS, BPI, BAI, AND BFAR OF THE DA SHALL COME
UP WITH A SINGLE UNIFIED SET OF RULES AND REGULATIONS
FOR THE REGISTRATION OF ORGANIC PRODUCE AND INPUTS.

THE FOOD AND DRUG ADMINISTRATION (FDA) OF THE
DOH SHALL BE RESPONSIBLE FOR THE PRODUCT
REGISTRATION OF ORGANIC PROCESSED FOOD. IT SHALL
FORMULATE ITS RULES AND REGULATIONS FOR THE
REGISTRATION OF ORGANIC PRE-PACKAGED AND PROCESSED
FOOD."

Section 10. Section 17 of Republic Act No. 10068 is hereby amended and
renumbered, to read as follows:

produce shall contain the name, logo or seal of the organic certifying body and
the OFFICIAL accreditation number issued by the [BAFPS] BAFS. [Only
third-party certification is allowed to be labeled as organically produced.]
THE ORGANIC LABEL OR MARK SHALL ALSO INCLUDE THE
TRADE NAME, AS DEFINED BY PERTINENT DOMESTIC
PROPERTY RIGHTS LAWS, AND THE ADDRESS OF ORIGIN OF
THE PRODUCE.

PRODUCTS FROM CERTIFIED THIRD-PARTY ORGANIC
PRODUCTION SYSTEMS, INCLUDING THOSE WITH
CERTIFICATION FROM THE OCB AND PGS, SHALL BE
ALLOWED TO BE LABELLED AND SOLD AS ORGANIC."

Section 11. Section 14 of Republic Act No. 10068 is hereby amended and renumbered, to read as follows:

"SEC. 14. Local Executive Committees. Every provincial governor shall, insofar as practicable, form a provincial technical committee, and which shall, in coordination with and assistance of the BAFS (BAFPS)/DA-Regional Field Units (RFUs) implement activities in line with the National Organic Agricultural Program within each province.

Every municipal mayor shall likewise, insofar as practicable, form a municipal technical committee for purposes of implementing activities in line with the National Organic Agricultural Program within each municipality.

A local government unit that intends to shift its area of responsibility to organic agriculture must ensure that local industries have been adequately informed and consulted and that a viable plan to ensure supply for vulnerable industries is in place.

THE MUNICIPALITIES AND CITIES ARE HEREBY ENJOINED TO ENACT ORDINANCES THAT SHALL PROTECT ORGANIC FARMING ZONES AND ORGANIC FARMING PRACTICES.

The governors shall monitor implementation of and compliance with this Act within their respective jurisdictions."

Section 12. Section 19 of Republic Act No. 10068 is hereby repealed and a new section is inserted, to read as follows:

"SEC. 20. MARKET DEVELOPMENT AND TRADE PROMOTION."
THE NOAB OF THE DA, IN COLLABORATION WITH OTHER
RELEVANT AGENCIES, SHALL DEVELOP AND IMPLEMENT
MARKET DEVELOPMENT AND TRADE PROMOTION PROGRAMS
FOR ORGANIC AGRICULTURE.”

Section 13. Section 26 is hereby amended and renumbered, to read as follows:

“SEC. [26] 27. Penal Provision AND OTHER PENALTIES. Any
person who willfully and deliberately:

XXX

(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 imprisonment of not less than one (1) month
nor more than six (6) months, or a fine of not more than Fifty thousand pesos
(P50,000.00), 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 shall, in addition, be dismissed from
office: PROVIDED, THAT ANY PGS GROUP OR ORGANIC
CERTIFYING BODY FOUND TO HAVE ISSUED A CERTIFICATION
TO A FARM OR PRODUCER WHO IS FOUND TO BE NOT
COMPLIANT WITH ANY OF THE PHILIPPINE NATIONAL
STANDARDS ON ORGANIC AGRICULTURE OR WITH THE
PROVISIONS OF THIS ACT, SHALL BE PENALIZED BY THE BAFS
AS FOLLOWS:

1. FIRST OFFENSE. WRITTEN WARNING.
2. SECOND OFFENSE. SUSPENSION OF OFFICIAL
ACREDITATION.”

Section 14. Succeeding sections are hereby renumbered accordingly.

Section 15. IMPLEMENTING RULES AND REGULATIONS. THE
NOAB SHALL ADOPT RULES AND REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS ACT WITHIN SIXTY (60) DAYS FROM THE EFFECTIVITY OF THIS ACT.

Section 16. Separability Clause. If any provisions of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

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

Section 18. Effectivity: This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation or in the Official Gazette, whichever comes first.

Approved.
FACT SHEET

HOUSE BILL NO. 6878
(In substitution to House Bills Numbered 869, 1290, 2656, 3599, 4483, 5641 & 5864)

AN ACT
STRENGTHENING THE IMPLEMENTATION OF THE NATIONAL ORGANIC AGRICULTURE PROGRAM, AMENDING FOR THE PURPOSE REPUBLIC ACT 10068 OR THE ORGANIC AGRICULTURE ACT OF 2010


Committee Referral: COMMITTEE ON AGRICULTURE AND FOOD

Committee Chairperson: REPRESENTATIVE WILFRIDO MARK M. ENVERGA

OBJECTIVE:

- Promotes the development of organic farming and other sustainable agricultural practices to attain food sufficiency

KEY PROVISIONS:

- Encourages the promotion and establishment of facilities and processing plants to accelerate production and commercialization of bio-control agents, organic soil amendments and other appropriate farm inputs;

- Reorganizes the National Organic Agriculture Board (NOAB) to include only those who are actually and actively engaged in organic farming and other sustainable practices;

- Strengthens and empowers the established functional division for organic agriculture to act as the technical and administrative secretariat of the NOAB;

- Institutionalizes the Participatory Guarantee System (PGS) to ensure swift certification of producers and farmers actually practicing organic agriculture. The PGS is a mechanism by which small farmers/fisherfolk, their farms/associations/cooperatives and their products shall be certified as engaged in organic agriculture and as producers of organic agriculture products. This system is built on a foundation of trust, social networks, and knowledge exchange; and

- Mandates the conduct of a nationwide educational and awareness campaign among consumers on the benefits of consuming organic products;