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

RECEIVED BY: 

SENATE

P.S. Resolution No. 231

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Introduced by Senator Cynthia A. Villar

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A RESOLUTION

**DIRECTING THE SENATE COMMITTEES ON AGRICULTURE AND FOOD TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE FAILURE OF THE BUREAU OF CUSTOMS TO COMEUP WITH THE IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 10845 OR THE ACT DECLARING LARGE SCALE AGRICULTURAL SMUGGLING AS ECONOMIC SABOTAGE THAT THREATENS THE VIABILITY OF THE LOCAL FARMERS PARTICULARLY RICE AND SUGAR PRODUCERS AND DIMINISHES GOVERNMENT REVENUE COLLECTION EFFORTS**

**Whereas**, Republic Act 10845 or the Act declaring large-scale agricultural smuggling as economic sabotage was signed into law on May 23, 2016.

**Whereas**, under the law, the crime of large scale-scale agricultural smuggling, involving sugar, corn, pork, poultry, garlic, onion, carrots, fish, and cruciferous vegetables, in its raw state, or which have undergone the simple processes of preparation or preservation for the market, with a minimum amount of ONE MILLION PESOS, or rice, with a minimum amount of TEN MILLION PESOS, as valued by the Bureau of Customs.

**Whereas**, Section 6 of the law states that the Implementing Rules and Regulations shall be drafted by the Bureau of Customs in consultation with concerned agencies, shall promulgate the implementing rules and regulations of this Act within thirty (30) days upon its effectivity.

**Whereas**, Section 10 of the law states that it shall take effect after fifteen (15) days following its publication in the Official Gazette or in two (2) newspapers of general circulation.

**Whereas**, the Bureau of Customs has been more than five (5) months non-compliant and is way beyond the mandated time frame given to them. There has been no case of economic sabotage on agricultural smuggling has been filed to date.

**Whereas**, the smuggling of agricultural products has not stopped nor has diminished in terms of quantity and impact to the farming sector.

**Whereas**, the Samahang Industriya ng Agrikultura (SINAG), which is an organization of thirty three (33) farmers and irrigators associations and the Sugar Anti-Smuggling Organization (Saso) of the Sugar Alliance of the Philippines (SAP) both expressed concern over the continuous smuggling of agricultural products that has been happening in the country. (1)

**Whereas**, in May 25, 2015, there were 88 40-foot containers at the Manila International Container Port containing red onions with consignees Sanfred Trading and Great Light Trading, when the import permit issued was for garlic and ginger. (2), (3)

**Whereas**, on October 25, 2016, The Bureau of Customs confiscated around P20 million worth of smuggled rice from China at the Port of Manila. The shipment, originally declared as leatherette, arrived in the Philippines on August 20, 2016. The consignee was identified as RPR International Trading. The BOC has suspended its accreditation as an importer. The rice shipment was loaded in 12 40-footer shipping containers. (4) (5)

**Whereas**, three motor vessels loaded with more than 2,000 sacks of smuggled sugar with an estimated value of P5.6 million were seized off a coastal village in Zamboanga City on August 17, 2016, Wednesday night on board M/V Rufina, M/V Siti Aini and M/V Rayhana according to Chief Inspector Elmer Solon, Station 4 commander. Solon said the vessels reportedly came from Jolo town in Sulu. (6)

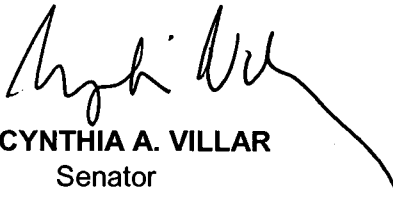
**Whereas**, some P10 million worth of smuggled sugar from China were seized by the Bureau of Customs Intelligence Group (BOC) at the Port of Manila (POM) on Monday, August 22, 2016. The confiscated goods, found in nine forty footer (9x40") containers, have an estimated value of P10 million and owned by the consignee Lucky Sapphire Trading. It was found out that the shipment from China actually contains refined sugar from Malaysia and misdeclared as "steel tube scaffolding. The consignee was found to have paid only P535, 330.00 for the said shipment. (7),(8)

**Whereas**, the Bureau of Customs must be a partner of the State in the protection of the local industries and the farmers from unscrupulous traders and importers.

**Whereas**, smuggling also exposes the country to unsafe and high risk agriculture and food products as it do not pass quarantine and food safety inspection.

**Wherefore**, be it hereby resolved by the Philippine Senate to direct the proper Senate Committee to conduct inquiry in aid of legislation on the failure of the Bureau of Customs to come up with the implementing rules and regulations for RA 10845.

*Adopted,*

  
CYNTHIA A. VILLAR  
Senator

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