AN ACT AMENDING REPUBLIC ACT NO. 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 of Republic Act No. 10068, otherwise known as “An Act Providing for the Development and Promotion of Organic Agriculture in the Philippines and for Other Purposes,” 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 agriculture 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[,] SHALL BE ESTABLISHED.

LIKEWISE, A NATIONWIDE EDUCATIONAL AND AWARENESS CAMPAIGN AMONG CONSUMERS ON THE BENEFITS OF CONSUMING ORGANIC PRODUCTS TO BOOST LOCAL PRODUCTION OF ORGANIC FOOD AND NON-FOOD PRODUCTS, as well as adoption of organic agricultural system as a viable alternative shall be undertaken.

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SEC. 2. Section 3 of Republic Act No. 10068 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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(h) Certification is the procedure by which [official certification bodies] A GOVERNMENT AGENCY OR AN ORGANIC CERTIFYING BODY (OCB) [or officially recognized certification bodies] provides written or equivalent assurance that [foods or food control systems] CORE PARTICIPATORY GUARANTEE SYSTEM (PGS) GROUPS conform to [requirements] ORGANIC AGRICULTURE STANDARDS AS PROVIDED IN THIS ACT.
(i) *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.

(O) INSPECTION AND CERTIFICATION REFERS TO THE PROCESS OF ESTABLISHING WHETHER A FARM IS COMPLIANT WITH ORGANIC AGRICULTURE STANDARDS.

(P) ORGANIC BIO-CONTROL AGENTS REFER TO ORGANISMS AND THEIR ASSOCIATED METABOLITES AS WELL AS NATURALLY OCCURRING SUBSTANCES THAT CONTROL PESTS AND DISEASES. THESE ARE CLASSIFIED AS BOTANICALS, MACROBIALS, MICROBIALS, AND SEMIOCHEMICALS.

(Q) ORGANIC CERTIFYING BODY (OCB) REFERS TO A LEGAL ENTITY 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 CERTIFIED BY 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 ACCREDITATION AS AN ORGANIC CERTIFYING BODY.

A NATIONAL ORGANIZATION OF LOCAL GOVERNMENT UNITS (LGUS), ACTUALLY ENGAGED IN AND CERTIFIED 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 REFER TO ALL THE PRODUCTS WITHIN THE SCOPE OF THE PHILIPPINE NATIONAL STANDARD, I.E. ORGANIC FERTILIZERS, COMPOST/SOIL CONDITIONER, MICROBIAL INOCULANTS, AND ORGANIC PLANT SUPPLEMENTS THAT ARE ADDED TO THE SOIL TO IMPROVE ITS PHYSICAL PROPERTIES.

(S) PARTICIPATORY GUARANTEE SYSTEM (PGS) REFERS TO A LOCALLY-FOCUSED QUALITY ASSURANCE SYSTEM WHICH IS DEVELOPED AND PRACTICED BY PEOPLE ACTUALLY ENGAGED IN ORGANIC AGRICULTURE. IT IS BUILT ON A FOUNDATION OF TRUST, SOCIAL NETWORK AND KNOWLEDGE EXCHANGE. IT IS USED TO CERTIFY PRODUCERS AND FARMERS AS ACTUAL AND ACTIVE PRACTITIONERS OF ORGANIC AGRICULTURE.

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

(U) CORE PGS GROUP REFERS TO THE BASIC GROUPING UNIT IN THE PGS. IT IS FURTHER DEFINED IN SEC. 8, PAR. D1 OF THIS ACT.

(V) PARTICIPATORY ORGANIC CERTIFICATE REFERS TO A DOCUMENTARY PROOF THAT A CORE PGS GROUP IS COMPLIANT WITH THE REQUIREMENTS, STANDARDS AND NORMS OF ORGANIC FARMING/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 BAFS.
(W) SMALL FARMER/FISHERFOLK REFER TO THOSE UTILIZING NOT MORE THAN FIVE (5) HECTARES OF LAND AS AGRICULTURAL CROP (INCLUDING RICE AND CORN) AND AQUACULTURE PRODUCERS AND AS POULTRY/LIVESTOCK RAISERS WITH 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

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

SEC. 3. Section 4 of Republic Act No. 10068 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; 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.”

SEC. 4. Section 7 is hereby amended, to read as follows:

"SEC. 7. Composition of the NOAB. - The NOAB shall consist of THE FOLLOWING MEMBERS:

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[(d)] (d) The Secretary of Environment and Natural Resources, or his duly authorized permanent representative;

[(e)] (d) The Secretary of Education, or his duly authorized permanent representative;

[(f)] (e) The Secretary of Agrarian Reform, or his duly authorized permanent representative;

[(g)] (f) The Secretary of Trade and Industry, or his duly authorized permanent representative;

[(h)] (g) The Secretary of Health, or his duly authorized permanent representative;

[(i)] (h) Three (3) representatives from the small farmers; [and]

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

(j) ONE (1) REPRESENTATIVE FROM THE NATIONAL PGS, TO BE CHOSEN FROM AMONG AND BY THEMSELVES; AND

(k) ONE (1) REPRESENTATIVE FROM A NATIONAL ORGANIZATION OF
LOCAL GOVERNMENT UNITS (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 to the agency concerned by their respective
national organizations. These representatives must REPRESENT THEIR
RESPECTIVE ORGANIZATIONS AT LEAST FROM THE PROVINCIAL
LEVEL, ACTUALLY AND ACTIVELY PRACTICING, PROMOTING ORGANIC
AND OTHER SUSTAINABLE AGRICULTURE PRACTICES, be 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 CROPS AND LIVESTOCK SECTORS, WHICH WILL
HAVE TWO (2) SEATS AND ONE (1) SEAT RESPECTIVELY.

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SEC. 5. Section 8 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 ONCE EVERY QUARTER AFTER ITS CONSTITUTION.
SEC. 6. Section 10 of Republic Act No. 10068 is hereby repealed and a new Section 10 is hereby inserted, to read as follows:

"SEC. 10. BUREAU OF AGRICULTURE AND FISHERIES STANDARDS (BAFS).—THE BAFS OF THE DEPARTMENT OF AGRICULTURE (DA) SHALL STRENGTHEN AND EMPOWER THE ESTABLISHED FUNCTIONAL DIVISION FOR ORGANIC AGRICULTURE TO PERFORM AS THE TECHNICAL AND ADMINISTRATIVE SECRETARIAT OF THE NATIONAL ORGANIC AGRICULTURE BOARD (NOAB). 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. ISSUE CERTIFICATION TO PGS CORE GROUPS;

4. ISSUE ACCREDITATION TO ORGANIC CERTIFYING BODIES (OCBS);

5. ISSUE REGISTRATION OF ORGANIC INPUTS SUCH AS ORGANIC SOIL AMENDMENTS AND ORGANIC BIO-CONTROL AGENTS;

6. RULE ON THE APPEAL OF FARM/FARMOWNER/CORE PGS GROUPS ON DECISIONS MADE BY MUNICIPAL/CITY PGS GROUPS ON INVESTIGATION AND CERTIFICATION ISSUES; AND

7. PERFORM SUCH OTHER FUNCTIONS, DUTIES AND RESPONSIBILITIES AS MAY BE NECESSARY TO IMPLEMENT THIS ACT."
SEC. 7. Section 11 of Republic Act No. 10068 is hereby repealed and a new Section 11 is hereby inserted, to read as follows:


SEC. 8. A new provision is hereby inserted after Section 11 of Republic Act No. 10068, to read as follows:

"SEC. 12. PARTICIPATORY GUARANTEE SYSTEMS (PGS).-

A. BASIC PRINCIPLES. THE PGS SHALL BE THE 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. THE PARTICIPATORY ORGANIC CERTIFICATION FROM ORGANIC CERTIFYING BODIES, ORGANIZED IN ACCORDANCE WITH THIS ACT, SHALL BE PROMOTTED 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:

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

2. GRASSROOTS ORGANIZATION: THE PARTICIPATORY
   CERTIFICATION SHOULD BE PERCEIVED AS A RESULT OF A
   SOCIAL DYNAMIC, BASED ON THE ACTIVE PARTICIPATION
   OF ALL STAKEHOLDERS;

3. EXISTENCE OF PRINCIPLES AND VALUES THAT ENHANCE
   THE LIVELIHOODS AND WELL-BEING OF FARMING FAMILIES
   AND PROMOTE ORGANIC AGRICULTURE;

4. DOCUMENTED MANAGEMENT SYSTEMS AND PROCEDURES;

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

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

7. EXISTENCE OF A BOTTOM-LINE DOCUMENT, SUCH AS A
   FARMER’S PLEDGE, THAT SHALL STATE HIS/HER
   AGREEMENT TO THE ESTABLISHED NORMS;

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

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

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

A NATIONAL ORGANIZATION OF LOCAL GOVERNMENT UNITS (LGUS) ACTUALLY ENGAGED IN ORGANIC AGRICULTURE REGISTERED AND/OR ACCREDITED BY A NATIONAL GOVERNMENT AGENCY EMPOWERED TO REGISTER AND ACCREDIT AN ORGANIZATION SHALL ALSO ACQUIRE LEGAL PERSONALITY FOR PURPOSES OF RECOGNITION BY BAFS.

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

C. CERTIFICATION. THE BAFS SHALL PROVIDE THE GUIDELINES FOR THE CERTIFICATION OF FARMS, PURSUANT TO THE PROVISIONS OF THIS ACT. A FARM/FARMOWNER WANTING FOR CERTIFICATION AS AN ORGANIC AGRICULTURE PRACTITIONER SHALL APPLY FOR SAID CERTIFICATION WITH A CORE PGS GROUP THE FARM/FARMOWNER Chooses TO BE A MEMBER OF, OR WITH AN ACCREDITED ORGANIC CERTIFYING BODY IN THE SAME MUNICIPALITY/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/FARMOWNER IS A MEMBER AND WITHDRAWAL OF MEMBERSHIP IN SAID CORE PGS GROUP SHALL MEAN FORFEITURE OF THE PRIVILEGE FOR THE FARM/FARMOWNER TO USE THE CORE PGS GROUP CERTIFICATE.
D. **ACCREDITATION.** The BAFS shall provide the guidelines for accreditation. A registered core PGS group shall apply for accreditation with the BAFS. A core PGS group shall be accorded accreditation by the BAFS only if it has at least five (5) members, coming from different farms in the municipality/city actually practicing organic agriculture.

The BAFS shall issue its decision on the application for accreditation by a core PGS group or any qualified entity applying for recognition within fifteen working (15) days from the submission of the complete requirements for application for recognition, and failure to render decision within such period shall be understood as an approval of the application for recognition of the PGS/OCB. The BAFS shall not charge any recognition or application fees.

D. **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 all 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. MAKE SURE FARM PRACTICES ARE COMPLIANT;

iii. MAKE A PLEDGE THAT THEY UNDERSTAND AND ADHERE TO THE ORGANIC STANDARDS;


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/PROVINCIAL PGS MEETINGS AND SHARE INFORMATION;

viii. TAKE ACTIONS ON DEFAULTS/NON-COMPLIANCE AS PER SANCTION GUIDELINES TO BE PROVIDED BY THE BAFPS, ORGANIC CERTIFYING BODIES AND MUNICIPAL/CITY PGS GROUPS; AND

ix. ASSIST DEFAULTING AND NON-COMPLIANT MEMBERS TO REGAIN CERTIFICATION STATUS.

2. MUNICIPAL/CITY PGS GROUP. THE MUNICIPAL/CITY PGS GROUP SHALL BE COMPOSED OF THE FOLLOWING: 1) ONE (1) REPRESENTATIVE FOR EACH CORE PGS GROUP IN THE MUNICIPALITY/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/CITY BEFORE A MUNICIPAL/CITY PGS
GROUP SHALL BE ESTABLISHED.

THE MUNICIPAL/CITY PGS GROUP SHALL CONDUCT ITS
BUSINESS AND AFFAIRS BASED ON MAJORITY DECISION OF MEMBERS
PRESENT, AFTER HAVING SECURED A QUORUM.

THE MUNICIPAL/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 COMPLIANT 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/CITY PGS
GROUP MAY BE BROUGHT TO THE BAFS ON APPEAL. THE
BAFS HAS THIRTY (30) DAYS FROM FILING TO RULE ON
THE APPEAL, AND FAILURE TO RULE SHALL MEAN
REVERSAL OF THE APPEALED DECISION.
The inaction or indecision of the municipal/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, AND THE LATTER HAS THE SAME PERIOD AND PROCEDURE MENTIONED IN THE PRECEDING PARAGRAPH TO ACT UPON THE APPEAL;

iv. MAINTAIN A REGISTRY OF CORE PGS GROUPS OPERATING WITHIN ITS AREA OF JURISDICTION, WHICH SHALL BE FORWARD TO THE BAFS ON YEAR-END FOR THE LATTER'S NATIONAL DATA BASE;

v. 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/MARK TO COMPLIANT SMALL FARMER/FISHERFOLK AND/OR THEIR FARM/ASSOCIATION/COOPERATIVE; AND

vi. SUBMIT REGULARLY TO THE BAFS A LIST OF CERTIFIED SMALL FARMER/FISHERFOLK AND/OR THEIR FARM/ASSOCIATION/COOPERATIVES.

IN THE MEANTIME THAT A CORE PGS GROUP OR A MUNICIPAL/CITY PGS, WHICHEVER IS THE CASE, 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.

2. **PROVINCIAL AND NATIONAL PGS GROUP.** IT SHALL BE THE OPTION OF THE PGS GROUPS TO FORM THEIR AGGREGATION 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.


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

E. 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 COMPLIANCE AT LEAST ONCE A YEAR.

F. INCENTIVES. ANY SMALL FARMER/FISHERFOLK OR THEIR FARMS/ASSOCIATIONS/COOPERATIVES ENGAGED IN ORGANIC AGRICULTURE OR ANY ORGANIC INPUT PRODUCER, CERTIFIED BY A RECOGNIZED PGS GROUP OR ORGANIC CERTIFYING BODY TO BE COMPLIANT FOR A PERIOD OF 5 YEARS, WITHOUT ANY OFFENSE OR INFRACTION, SHALL BE ELIGIBLE FOR A FULL GOVERNMENT SUBSIDY OF THE COST FOR AN INTERNATIONAL CERTIFICATION ACCREDITATION. FURTHER, SO LONG AS THE SAME ENTITIES MAINTAIN THEIR STATUS OF COMPLIANCE, THEY SHALL BE INVITED AND GIVEN, FOR FREE, PRIME LOCATION IN ANY GOVERNMENT AGENCY-INITIATED OR SPONSORED TRADE AND BUSINESS
MARKETING GATHERING OF FILIPINO PRODUCTS, FOR THE PURPOSE
OF DISPLAYING AND SELLING THEIR OWN ORGANIC PRODUCTS.

SEC. 9. Sections 12 and 13 of Republic Act No. 10068 are hereby
renumbered accordingly.

SEC. 10. Section 14 of Republic Act No. 10068 is hereby amended and
renumbered, to read as follows:

"SEC. 15. Local Executive [Committees] CONCERNS. - Every
provincial governor shall, insofar as practicable XXX

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

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SEC. 11. Section 16 of Republic Act No. 10068 is hereby repealed and
a new section is inserted, to read as follows:

"SEC. 17. REGISTRATION OF ORGANIC PRODUCE AND INPUTS
AND ORGANIC PROCESSED FOOD.- THE BAFS OF THE DA SHALL BE
RESPONSIBLE FOR THE REGISTRATION OF ORGANIC INPUTS SUCH AS
ORGANIC SOIL AMENDMENTS AND ORGANIC BIO-CONTROL AGENTS.
The BUREAU OF PLANT INDUSTRY (BPI) OF THE DA SHALL BE
RESPONSIBLE FOR THE REGISTRATION OF ORGANIC SEEDS,
PLANTING MATERIALS, AND CROPS.

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.”

SEC. 12. 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 accreditation number issued by the BAFPS. [Only third
party certification is allowed to be labeled as organically produced.] THE
ORGANIC LABEL/MARK SHALL ALSO INCLUDE THE TRADE NAME, AS
DEFINED BY PERTINENT DOMESTIC PROPERTY RIGHTS LAWS, AND
THE ADDRESS OF ORIGIN OF THE PRODUCE.

PRODUCTS WHICH ARE CERTIFIED AND GUARANTEED BY
THIRD-PARTY ORGANIC PRODUCTION SYSTEMS, INCLUDING THOSE
WITH CERTIFICATION FROM THE PGS, SHALL BE ALLOWED TO BE
LABELLED AND SOLD AS ORGANIC.”
SEC. 13. Section 18 of Republic Act No. 10068 is hereby renumbered accordingly.

SEC. 14. 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 NOAP OF THE DA, IN COLLABORATION WITH OTHER RELEVANT AGENCIES, SHALL DEVELOP AND IMPLEMENT MARKET DEVELOPMENT AND TRADE PROMOTION PROGRAMS FOR ORGANIC AGRICULTURE, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

1. DEVELOPMENT OF MARKETING AGENDA FOR ORGANIC AGRICULTURE
2. ESTABLISHMENT, ENSURING SUSTAINABILITY AND MONITORING OF ORGANIC TRADING POSTS AND STALL/OUTLETS, PROVIDED THAT THESE TRADING POSTS AND STALLS/OUTLETS ARE STRATEGICALLY LOCATED IN AN AREA SUCH AS IN THE PUBLIC MARKET AND IN OTHER CENTERS OF TRADING AND LOCAL BUSINESS ACTIVITIES;
3. DEVELOPMENT OF MARKET INFORMATION SYSTEM;
4. PROMOTION OF ORGANIC FOOD, NON-FOOD AND INPUT PRODUCTS; AND
5. FACILITATION OF MARKET MATCHING ACTIVITIES."

SEC. 15. Sections 20 to 25 of Republic Act No. 10068 are hereby renumbered accordingly.

SEC. 16. Section 26 is hereby amended and renumbered, to read as follows:
"SEC. [26] 27. Penal Provisions AND OTHER PENALTIES. – Any person who willfully and deliberately:

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(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/ORGANIC CERTIFYING BODY FOUND TO HAVE ISSUED A CERTIFICATION TO A FARM OR PRODUCER ESTABLISHED 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 ACCREDITATION."

SEC. 17. Sections 27 to 32 are hereby renumbered accordingly.

SEC. 18. Implementing Rules and Regulations (IRR). – The NOAB shall adopt rules and regulations to implement the provisions of this Act within ninety (90) days from the effectivity of this Act and submit the same to the COCAFM for review and approval. In the drafting of the IRR, the Department of Finance shall be consulted in connection with the tax incentives provided under Section 24 of Republic Act No. 10068.
SEC. 19. Separability Clause. If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

SEC. 20. 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.

SEC. 21. 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.

Approved,