


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

7 SEP 11 10 57

SENATE

RECEIVED BY: 

S. No. 1546

Introduced by Senator JUAN MIGUEL F. ZUBIRI

EXPLANATORY NOTE

The use of pesticides, insecticides, and other agricultural chemicals in our farms has proved not only to be hazardous to health but counter-productive in the long run. Chemical-intensive farming alters soil composition and increases its acidity thus resulting in low fat yields, pollution, and environmental destruction.

This bill seeks to check the ill effects of chemical farming through the promotion of "bio-organic farming", an agricultural production system that relies on biological means of conditioning and enriching the soil, and controlling pests, such as but not limited to the use of beneficial organisms, the utilization of plant and animal wastes through composting, crop rotation, intercropping, multiple cropping, and the adoption of integrated pest management (IPM) or pesticide-free community ecology approaches to pest management; and which minimizes the use of chemical or inorganic farm inputs, pesticides, weedicides, and feed additives. It also covers areas, such as but not limited to, soil fertility management, varietal breeding and selection and other cultural practices that enhance the productivity without destroying the soil and harming farmers, consumers, and the environment.

This bill also provides for the creation of a Bio-Organic Farming Commission. This Commission is envisioned to propagate bio-organic cultivation and production methods among the farmers and encourage research and development in these fields of agricultural production. Corollary, it is intended to aid in solving problems related to industrial waste and community garbage disposal.

Immediate approval of this bill is earnestly sought.




JUAN MIGUEL F. ZUBIRI

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AN ACT
PROVIDING FOR THE PROMOTION OF BIO-ORGANIC FARMING IN THE
PHILIPPINES, AND FOR OTHER PURPOSES

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

1 SECTION 1. *Title.* – This Act shall be known as the “Bio-organic Farming Act of
2 2007.”

3 SECTION 2. *Declaration of Policy.* - It is hereby declared the policy of the State
4 to promote, propagate and assist the practice of bio-organic farming in the Philippines
5 that will cumulatively condition and enrich the fertility of the soil, increase farm yields,
6 reduce pollution and destruction of the environment, prevent the depletion of natural
7 resources, and save on imported farm inputs. Towards this end, a comprehensive
8 program for the production and distribution of bio-organic fertilizers, pesticides and other
9 farm inputs, together with a nationwide educational and promotional campaign for their
10 use and manufacture, shall be undertaken. The State will recognize and support the
11 central role of the people at the grassroots in this program.

12 SECTION 3. *Bio-organic Farming.* - As used in this Act, the term "bio-organic
13 farming" means an agricultural production system which primarily relies on biological
14 means of conditioning and enriching the soil, and controlling pests, such as but not
15 limited to the use of beneficial organisms, the utilization of plant and animal wastes
16 through composting, crop rotation, intercropping, multiple cropping, and the adoption of
17 integrated pest management (IPM) or pesticide-free community ecology approaches to
18 pest management; and which minimizes the use of chemical or inorganic farm inputs,
19 pesticides, weedicides, and feed additives. It also covers areas, such as but not limited
20 to, soil fertility management, varietal breeding and selection and other cultural practices
21 that enhance the productivity without destroying the soil and harming farmers,
22 consumers, and the environment.

1 SECTION 4. *Program.* - There is thereby established a comprehensive bio-
2 organic farming program through the propagation of bio-organic cultivation and
3 production methods which have already been developed, continuing research and
4 upgrading thereof, the education of more and more farmers thereon, the extension of
5 assistance to individuals and groups who are practicing and promoting these methods
6 as well as those who are willing to do so, other pertinent activities, and documentation
7 and evaluation of the program. The Department of Agriculture (DA) shall take the lead
8 role, supported by all service agencies in their respective areas of concern.

9 SECTION 5. *Bio-Organic Farming Commission.* - To carry out the policy and the
10 program provided in this Act, there is hereby created a Bio-Organic Farming
11 Commission (BOFC). The BOFC shall have a juridical personality and shall consist of a
12 Board of Commissioners (hereinafter referred to as the Board) which shall provide the
13 direction and general guidelines for the program, with an Executive Directorate which
14 shall implement the program in its various aspects in accordance with the direction and
15 guidelines of the Board. The various government departments and agencies and the
16 officials thereof named in this Act, in collaboration with private individuals and groups
17 also herein named, are hereby directed to align and intensify their activities with the
18 program of the BOFC.

19 The BOFC shall ensure the full participation of people's organizations (POs),
20 non-government organizations (NGOs), and the general public through mechanisms,
21 such as but not limited to, public hearings, meetings, and joint projects.

22 SECTION 6. *The Board.* - Aside from providing the direction and general
23 guidelines for the program, the Board shall supervise its implementation and shall
24 exercise all the powers not otherwise conferred on other bodies and individuals under
25 this Act. The Board shall decide issues which cannot be resolved at the lower levels of
26 the BOFC. It shall represent and shall be the spokesman, through the Chairman, of the
27 BOFC.

28 SECTION 7. *Composition of the Board.* - The Board shall consist of:

- 29 a) The Secretary of Agriculture, or his representative, Chairman;
- 30 b) The Secretaries (or their representatives) of the Departments of Science and
31 Technology, Environment and Natural Resources, Education, Culture and
32 Sports, and Interior and Local Government;
- 33 c) A representative each from the small farmers; NGOs involved in sustainable
34 agriculture for at least three (3) years; agricultural colleges and universities;
35 and private sector or agri-business firms; as members.

1 The representatives of small farmers and NGOs, and of agricultural colleges and
2 universities, shall be chosen by the Secretaries of Agriculture and Science and
3 Technology, respectively, from among nominees submitted to the agency concerned by
4 their respective national organizations. They shall be conversant with bio-organic
5 farming and committed to the policies and programs provided under this Act.

6 SECTION 8. *Organization of the Board.* - Within sixty (60) working days from the
7 effectivity of this Act, the national organizations of small farmers, of NGOs and of
8 agricultural colleges and universities shall submit their respective nominees to the
9 Secretary of Agriculture and the Secretary of Science and Technology, as the case may
10 be, who shall evaluate the qualifications of the nominees and appoint the most qualified
11 members of the Board.

12 The Chairman shall call the members of the Board, or a majority thereof if not all
13 have been designated, to a meeting to organize themselves and prescribe its rules and
14 procedures for the attainment of the objectives of this Act. A majority of all the members
15 of the Board shall constitute a quorum.

16 The Board shall also determine its budget, including travel expenses, allowances
17 and *per diems* of its non-government members when attending official Board meetings
18 or attending to matters assigned to them, and costs of office space, equipment and
19 supplies.

20 The Board may appoint full-time assistants, secretaries, and other employees.

21 SECTION 9. *Executive Directorate.* - The Executive Directorate, hereinafter
22 referred to as the Directorate, shall be headed by a full-time Executive Director and an
23 Assistant Executive Director who shall be appointed by the President not later than
24 thirty (30) working days after the Board's organizational meeting. The Executive Director
25 shall orchestrate the multi-agency-based program implementing activities, in
26 accordance with the direction and guidelines of the Board. In case the Executive
27 Director is incapacitated, or is absent in such a way that he cannot perform his duties or
28 some of them, the Assistant Executive Director shall perform such duties and exercise
29 the corresponding authority. The former may assign some of his tasks to the latter.

30 The Executive Director and the Assistant Executive Director shall be assisted by
31 the members of the Directorate, who shall be composed of the following public officials
32 and representatives of private groups, and who are hereby directed to extend full
33 support and cooperation:

- 34 a) The Director, Bureau of Soils and Water Management, DA;
- 35 b) The Director, Bureau of Plant and Industry, DA;

- 1 c) The Director, Institute of Bio-technology and Micro-biology, UPLB;
- 2 d) The Director, Agricultural Training Institute, DA;
- 3 e) The Director, Bureau of Agricultural Research, DA;
- 4 f) The Executive Director, Fertilizer and Pesticide Authority (FPA);
- 5 g) A representative, to be designated by the Secretary of the Department of
6 Science and Technology;
- 7 h) A representative, to be designated by the Secretary of the Department of
8 Environment and Natural Resources (DENR);
- 9 i) A representative, to be designated by the Secretary of the Department of Interior
10 and Local Government (DILG);
- 11 j) The Executive Director, Philippine Council for Agriculture, Forestry and Natural
12 Resources Research and Development (PCARRD);
- 13 k) A representative of the Organic Fertilizer Manufacturers Association
14 (OERMANA);
- 15 l) A representative of the Sustainable Agriculture Coalition (SAC);
- 16 m) *Two (2) representatives of state and private agricultural colleges and universities,*
17 *to be chosen from among the nominees of national organizations of said colleges*
18 *and universities; and*
- 19 n) Two (2) representatives of small farmers, to be chosen by the Secretary of
20 Agriculture among the nominees of national organizations of small farmers.

21 All the members and representatives in the Executive Directorate shall be
22 conversant with bio-organic farming and committed to the policies and program
23 provided under this Act.

24 The Executive Director is hereby empowered to call upon any government
25 agency for assistance in the performance of his tasks. He shall initiate the proper
26 criminal and/or administrative action under the Penal Provisions (Section 15) of this Act.

27 The Department of Agriculture and the Department of Science and Technology
28 shall jointly provide an office and staff for the Directorate.

29 The salary and allowances of the Executive Director and the members and staff
30 of the Directorate shall be in accordance with the Revised Compensation and Position
31 Classification System.

32 **SECTION 10. *Apportionment of Tasks.*** - The Executive Director shall apportion

1 and coordinate the tasks embraced by the program provided in this Act among the
2 various members of the Directorate according to their field(s) of specialization. Such
3 tasks shall include, but not limited to, research, education, extension, training of
4 farmers, training of trainers including the giving or acquisition of scholarships and
5 observation grants here and abroad, pesticide-free IPM, small-scale and commercial
6 production of organic farm inputs, and accreditation system to ensure their quality, and
7 sustained promotional campaigns. The members of the Directorate shall at all times
8 observe cooperation with one another, complement and/or supplement each other's
9 tasks, and involve their offices and/or organizations in the accomplishment of such
10 tasks.

11 SECTION 11. *Work Plan.* - Within sixty (60) working days after assuming office
12 and after the first organizational meeting of the Directorate, the Executive Director shall
13 submit for consideration by the Executive Directorate, which shall in turn submit with its
14 recommendations to the Board for final approval, the following:

- 15 a) A report on the setting up and organization of the Directorate and staff;
- 16 b) A scheme of *distribution and complementation of functions among the members*
17 *of the Directorate;*
- 18 c) A plan of bringing the program down to the grassroots, utilizing available
19 personnel and facilities on the local level and those of local government units;
- 20 d) A pattern of cooperation and mutual assistance with local government units, POs
21 and NGOs, which will maximize people empowerment and participatory
22 approaches to program formulation, implementation and monitoring; and
- 23 e) A schedule of short-term, medium-term, and long-term targets.

24 SECTION 12. *Bio-Organic Farming and Protection of the Environment.* - The
25 BOFC shall constantly devise and implement ways and means not only of producing
26 bio-organic fertilizers and other farm inputs and needs on and off the farm but also of
27 helping to alleviate the problems of industrial waste and community garbage disposal
28 through appropriate methods of sorting, collecting and composting.

29 The Executive Director shall conduct continuing studies, with consultations
30 among the people and officials involved as well as POs and NGOs, in order to advise
31 local governments, from the barangay to the provincial level, on the collection and
32 disposal of garbage and waste in such a way as to provide raw materials for the
33 production of organic fertilizer and other farm inputs.

34 SECTION 13. *Incentives.* - The government shall extend incentives for the
35 manufacture and propagation of bio-organic farm inputs by maximizing their use in all

1 government and government-supported agricultural production, research and
2 demonstration programs. The DA, DOST, DILG, DTI, Land Bank, and other government
3 lending and non-lending institutions shall also assist organic input producers through
4 the provision of adequate financial, technical, marketing, and other services and
5 resources.

6 SECTION 14. *Local Executive Committees.* - Every provincial governor shall, in
7 so far as practicable, form a provincial counterpart of the Executive Directorate, to be
8 called the provincial executive committee, and which shall operate within his province in
9 coordination and mutual assistance with the national executive directorate, pursuant to
10 the provisions in this Act.

11 The governor shall see to it that the municipal mayors and barangay chairmen
12 will do the same within the area of their respective jurisdictions.

13 SECTION 15. *Appropriations.* - The amount necessary to carry out the provisions
14 of this Act shall be included in the General Appropriations Act of the year following its
15 enactment into law and thereafter.

16 At least seventy-five percent (75%) of the BOFC's budget shall be allowed for
17 holistic and integrated scientific research, information, education, establishing bio-
18 organic farm models in every legislative district, and training of farmers and
19 demonstrations on the farm level, including the provision of full-time bio-farming
20 extension workers who will work with farmers' associations and cooperatives, POs,
21 NGOs, barangay assemblies, rural communities and other groups. The BOFC is hereby
22 empowered to solicit and accept assistance from individuals and entities here and
23 abroad, and to utilize these funds and resources for purposes of this Act subject to the
24 usual budget, accounting and auditing rules and regulations.

25 SECTION 16. *Penal Provisions.* - Any person who willfully and deliberately
26 obstructs the development or propagation of bio-organic farming, or the manufacture or
27 propagation, sale or use of bio-organic agricultural inputs, any person in the government
28 service who willfully and deliberately refuses without just cause to extend the support
29 and assistance required under Section 8 of this Act shall, upon conviction, be punished
30 by imprisonment of not less than one (1) year nor more than six (6) years, or a fine of
31 not less than Fifty thousand pesos (P50,000.00) or both, at the discretion of the court.

32 If the offender is a corporation of juridical entity, the official who ordered or
33 allowed the commission of the offense shall be punished with the same penalty.

34 If the offender is in the government service, he shall, in addition, be dismissed
35 from office.

1 SECTION 17. *Separability Clause.* - If any provision of this Act is declared invalid
2 or unconstitutional, the other provision not affected thereby shall remain in full force and
3 effect.

4 SECTION 18. *Repealing Clause.* - All laws, decrees, orders, rules and
5 regulations, and issuances or parts thereof inconsistent with this Act are hereby
6 repealed or amended accordingly.

7 SECTION 19. *Effectivity.* - This Act shall take effect immediately following its
8 publication in at least two (2) newspapers of general circulation or in the Official
9 Gazette, whichever comes first.

10 Approved,