



HOUSE OF REPRESENTATIVES

H. No. 7066

BY REPRESENTATIVES VIOLAGO, CODILLA, RODRIGUEZ, ALCALA, VILLAROSA,
CHATTO, ALMARIO, SANTIAGO (N.), MITRA, ALVAREZ (A.), MARAÑON,
ESTRELLA (R.), YU, PIÑOL, CARI, REMULLA, BONOAN-DAVID, GO,
GONZALES (N.) AND DE GUZMAN, PER COMMITTEE REPORT NO. 2523

AN ACT PROVIDING FOR THE PROMOTION OF ORGANIC
AGRICULTURE IN THE PHILIPPINES AND FOR OTHER
PURPOSES

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Organic
2 Agriculture Act of 2009”.

3 SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the
4 State to promote, propagate and support organic agriculture in the Philippines
5 that will cumulatively condition and enrich the fertility of the soil, increase
6 farm yields, reduce pollution and destruction of the environment, prevent the
7 depletion of natural resources and save on imported farm inputs. Moreover,
8 the State recognizes and supports the central role of the people at the

1 grassroots in the promotion of organic agriculture. Towards this end, a
2 comprehensive program for the production, processing and distribution or
3 marketing of organic agricultural produce and farm inputs such as fertilizers,
4 pesticides and other farm inputs, together with a nationwide educational and
5 promotional campaign for their use and manufacture, shall be developed and
6 undertaken.

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

9 (a) *Organic* refers to the particular farming and processing systems,
10 described in the standards and not in the classical chemical sense. The term
11 “organic” is synonymous in other languages to “biological” or “ecological”.
12 It is also a labeling term that denotes products considered organic based on
13 *Philippine organic standards.*

14 (b) *Organic agriculture*, as defined by the International Federation of
15 Organic Agriculture Movements (IFOAM), “includes all agricultural systems
16 that promote the environmentally, socially and economically sound production
17 of foods and fibers. These systems take local soil fertility as a key to
18 successful production. By respecting the natural capacity of plants, animals
19 and the landscape, it aims to optimize quality in all aspects of agriculture and
20 the environment. Organic agriculture dramatically reduces external inputs by
21 refraining from the use of chemosynthetic fertilizers, pesticides and
22 pharmaceuticals; instead, it allows the powerful laws of nature to increase both
23 agricultural yields and disease resistance”. Organic agriculture also refers to
24 *organic farming.*

1 (c) *Commercialization* refers to a process of introducing a new
2 agricultural and fishery technology either as product, process or service that
3 has undergone the intensive innovative activities of assessment, promotion and
4 transfer for economic benefits.

5 SEC. 4. *National Organic Agriculture Program.* – The National
6 Organic Agricultural Board (NOAB) created herein shall, in consultation with
7 relevant agencies and stakeholders, develop and implement a comprehensive
8 organic agricultural program for the promotion and commercial propagation of
9 organic cultivation, production and processing methods. It shall encompass,
10 among others, continuing research and upgrading of organic agriculture
11 production and processing methods, capacity building of farmers, and
12 extension of assistance to individuals and groups who are practicing and
13 promoting these methods, and documentation and evaluation of the program.

14 SEC. 5. *National Organic Agricultural Board (NOAB).* – To carry out
15 the policy and the program provided in this Act, there is hereby created a
16 National Organic Agricultural Board (NOAB) which shall be the policy-
17 making body and shall provide direction and general guidelines for the
18 implementation of the National Organic Agriculture Program. The NOAB
19 shall be attached to the Department of Agriculture (DA).

20 The NOAB shall ensure the full participation of people’s organizations
21 (POs), nongovernment organizations (NGOs) and the general public through
22 coordination and consultative mechanisms such as, but not limited to, public
23 hearings, meetings and joint projects.

24 SEC. 6. *Composition of the NOAB.* – The NOAB shall consist of:

25 (a) The Secretary of Agriculture or his/her duly authorized permanent
26 representative, as Chairperson;

27 (b) The Secretary of the Interior and Local Government or his/her duly
28 authorized permanent representative, as Vice Chairperson;

1 (c) The Secretary of Science and Technology or his/her duly
2 authorized permanent representative, as member;

3 (d) The Secretary of Environment and Natural Resources or his/her
4 duly authorized permanent representative, as member;

5 (e) The Secretary of Education or his/her duly authorized permanent
6 representative, as member;

7 (f) The Secretary of Agrarian Reform or his/her duly authorized
8 permanent representative, as member;

9 (g) The Secretary of Trade and Industry or his/her duly authorized
10 permanent representative, as member;

11 (h) The Secretary of Health or his/her duly authorized permanent
12 representative, as member; and

13 (i) A representative each from the small farmers; NGOs involved in
14 sustainable agriculture for at least three (3) years; agricultural colleges and
15 universities; and private sector or agri-business firms, as members.

16 The designated aforementioned representatives of the various
17 departments shall be occupying positions not lower than a bureau director level
18 and shall be on a coterminous basis.

19 The representatives of small farmers and NGOs, and of agricultural
20 colleges and universities, shall be chosen by the Secretaries of Agriculture and
21 Science and Technology, respectively, from among nominees submitted to the
22 agency concerned by their respective national organizations. These
23 representatives must be conversant in organic agriculture and committed to the
24 policies and programs provided under this Act.

25 The existing National Organic Agriculture Board created pursuant to
26 Executive Order No. 481 shall continue to function until the new NOAB
27 created herein has been constituted pursuant to Section 8 hereof.

1 SEC. 7. *Powers and Functions of the NOAB.* – The NOAB shall have
2 the following powers and functions:

3 (a) Formulate policies, plans, programs and projects to develop and
4 promote organic agriculture;

5 (b) Oversee the successful implementation of the National Organic
6 Agriculture Program;

7 (c) Identify sources of financing to expand organic agriculture;

8 (d) Monitor and evaluate the performance of programs for appropriate
9 incentives;

10 (e) Undertake measures for the international recognition of local
11 certification of organic products;

12 (f) Call upon any government agency to carry out and implement
13 programs and projects identified by the NOAB;

14 (g) Call upon private sectors, POs and NGOs, and the academe to
15 provide advice on matters pertaining to organic agriculture and conduct of
16 capability-building initiatives to farmers, producers, extension workers,
17 consumers and other stakeholders in the agriculture sector in coordination with
18 the Agricultural Training Institute;

19 (h) Submit annual and other periodic reports to both Houses of
20 Congress;

21 (i) Promulgate such rules and regulations and exercise such other
22 powers and functions as may be necessary to carry out effectively the purpose
23 and objectives of this Act; and

24 (j) Perform such other functions as may be necessary for its effective
25 operations and for the continued enhancement, growth or development of
26 organic agriculture.

1 SEC. 8. *Organization of the NOAB.* – Within sixty (60) working days
2 from the effectivity of this Act, the national organizations of small farmers, of
3 NGOs and of agricultural colleges and universities shall submit their respective
4 nominees to the Secretary of Agriculture and the Secretary of Science and
5 Technology, as the case may be, who shall evaluate the qualifications of the
6 nominees and appoint the most qualified members to the NOAB.

7 The Chairperson shall call the members of the NOAB, or a majority
8 thereof if not all have been designated, to a meeting to organize themselves and
9 prescribe its rules and procedures for the attainment of the objectives of this
10 Act. A majority of all the members of the NOAB shall constitute a quorum.

11 The NOAB shall also determine its budget, including travel expenses,
12 allowances and *per diems* of its nongovernment members when attending
13 official NOAB meetings or attending to matters assigned to them, subject to
14 accounting and auditing rules and regulations.

15 SEC. 9. *The Bureau of Agriculture and Fisheries Product Standards*
16 *(BAFPS) of the DA.* – The BAFPS of the DA shall serve as the technical and
17 administrative secretariat to the NOAB with the member agencies providing
18 additional staff support as the need arises.

19 SEC. 10. *Work Plan.* – In line with the National Organic Agriculture
20 Program, the BAFPS shall submit to the Board for approval, the following:

21 (a) A plan of bringing the program down to the grassroots, utilizing
22 available personnel and facilities at the local level and those of local
23 government units (LGUs);

24 (b) A pattern of cooperation and mutual assistance with LGUs, POs
25 and NGOs, which will maximize people empowerment and participatory
26 approaches to program formulation, implementation and monitoring; and

1 (c) A schedule of short-term, medium-term and long-term targets on
2 research and development, marketing, trade promotion/initiatives and capacity
3 building, among others.

4 SEC. 11. *Organic Agriculture and Protection of the Environment.* –

5 The NOAB shall constantly devise and implement ways and means not only of
6 producing organic fertilizers and other farm inputs and needs on and off the
7 farm but also of helping to alleviate the problems of industrial waste and
8 community garbage disposal through appropriate methods of sorting,
9 collecting and composting. The BAFPS shall conduct continuing studies, with
10 consultations among the people and officials involved as well as POs and
11 NGOs, in order to advise local governments, from the barangay to the
12 provincial level, on the collection and disposal of garbage and waste in such a
13 way as to provide raw materials for the production of organic fertilizer and
14 other farm inputs.

15 SEC. 12. *Incentives.* – The government shall extend incentives for the

16 production and propagation of organic farm inputs by maximizing their use in
17 all government and government-supported agricultural production, research
18 and demonstration programs. Incentives shall also be provided to farmers
19 whose farms have been duly certified as compliant to the Philippine National
20 Standard (PNS). Further, the DA may give cash reward in recognition of the
21 best organic farm in the country. The DA, the Department of Agrarian Reform
22 (DAR), the Department of Science and Technology (DOST), the Department
23 of the Interior and Local Government (DILG), the Department of Trade and
24 Industry (DTI), the Department of Education (DepED), the Department of
25 Finance (DOF), the Land Bank of the Philippines (LBP) and other government
26 lending and non-lending institutions shall also assist organic input producers

1 and organic farmers through the provision of adequate financial, technical,
2 marketing and other services and resources. These include, but shall not be
3 limited to, the following:

4 (a) Exemption from the payment of duties on the importation of
5 agricultural equipment, machinery and implements as provided for under
6 Republic Act No. 9281, which amends Republic Act No. 8435 or the
7 Agriculture and Fisheries Modernization Act (AFMA);

8 (b) Identification by LGUs of local taxes that may be offered as
9 incentives to organic input production and utilization;

10 (c) Provision of preferential rates and Special Window to organic input
11 producers and users by the LBP;

12 (d) Tax incentives, including tax holiday, in accordance with the
13 provisions of Executive Order No. 226 or the Omnibus Investment Code; and

14 (e) Subsidies for certification fees and other support services to
15 facilitate organic certification.

16 SEC. 13. *Local Executive Committees.* – Every provincial governor
17 shall, insofar as practicable, form a provincial technical committee, and which
18 shall, in coordination with and assistance of the BAFPS, implement activities
19 in line with the National Organic Agriculture Program within each province.

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

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

25 SEC. 14. *Availability of Trading Post for Organic Inputs.* – Local
26 chief executives shall establish at least one (1) trading post for organic inputs
27 for every LGU in their area of jurisdiction.

1 SEC. 15. *Research, Development and Extension.* – The DA,
2 the DOST, state colleges and universities and other appropriate agencies such
3 as, but not limited to, scientific/professional organizations and research
4 institutions, including private organizations, shall develop, enhance, support
5 and consolidate activities and related technologies for the formulation and
6 implementation of unified and integrated organic agriculture research,
7 development and extension programs for national and field levels. These
8 programs shall include:

9 (a) Research, development and commercialization of appropriate
10 innovative and viable organic agricultural technologies;

11 (b) Nationwide promotion of developed and commercially viable
12 biodegradable farm waste and by-products through various extension strategies
13 to accelerate the production, use and distribution of organic fertilizers; and

14 (c) Conduct research for market development, policy formulation,
15 regulation and certification of organic products.

16 SEC. 16. *Organic Agriculture in the Formal and Non-formal Sectors.*
17 – The national government, through the DepED and in coordination with
18 concerned government agencies, NGOs and private institutions, shall
19 strengthen the integration of organic agriculture concerns in school curricula at
20 all levels.

21 SEC. 17. *Appropriations.* – The Secretary of Agriculture shall allocate
22 from the existing budget for the promotion of organic farming the fund for the
23 operation of the NOAB and the implementation of the National Organic
24 Agriculture Program. Thereafter, the amount necessary for the continued
25 operation of the NOAB and the implementation of the Program shall be
26 included in the annual General Appropriations Act.

1 At least seventy-five percent (75%) of the budget of the National
2 Organic Agriculture Program shall be allowed for holistic and integrated
3 scientific research, information and education, establishing organic farm
4 models in every legislative district, and training of farmers and demonstrations
5 at the farm level, including the provision of full-time organic farming extension
6 workers who will work with farmers' associations and cooperatives, POs,
7 NGOs, barangay assemblies, rural communities and other groups. The NOAB
8 is hereby empowered to solicit and accept assistance from individuals and
9 entities here and abroad, and to utilize these funds and resources for purposes
10 of this Act, subject to the usual budget, accounting and auditing rules and
11 regulations.

12 SEC. 18. *Penal Provisions.* – Any person who willfully and
13 deliberately:

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

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

18 (c) mislabels or claims that the product is organic when it is not in
19 accordance with the existing standards for Philippine organic agriculture

20 shall, upon conviction, be punished by imprisonment of not less than
21 one (1) year nor more than six (6) years, or a fine of not less than Fifty
22 thousand pesos (P50,000.00), or both, at the discretion of the court. If the
23 offender is a corporation or a juridical entity, the official who ordered or
24 allowed the commission of the offense shall be punished with the same penalty.
25 If the offender is in the government service, he/she shall, in addition to the
26 abovementioned penalty, be suspended from office for a period of six (6)
27 months.

1 SEC. 19. *Implementing Rules and Regulations.* – The NOAB shall
2 promulgate the implementing rules and regulations of this Act within sixty (60)
3 days after its effectivity.

4 SEC. 20. *Annual Report.* – The NOAB shall submit an annual report
5 to both Houses of Congress on the accomplishment of the Program. A review
6 on the viability of the National Organic Agriculture Program shall be
7 conducted by the concerned agencies after five (5) years of its implementation.

8 SEC. 21. *Congressional Oversight Committee.* – The Congressional
9 Oversight Committee on Agriculture and Fisheries Modernization (COCAFAM)
10 shall be the congressional oversight committee for purposes of this Act. The
11 COCAFAM shall perform the following functions:

- 12 (a) Monitor and ensure the proper implementation of this Act;
13 (b) Review the performance of the NOAB; and
14 (c) Review the proper implementation of the programs on organic
15 agriculture and the use of its fund.

16 SEC. 22. *Separability Clause.* – If any provision of this Act is
17 declared invalid or unconstitutional, the other provisions not affected thereby
18 shall remain in full force and effect.

19 SEC. 23. *Repealing Clause.* – All laws, decrees, orders, rules and
20 regulations and issuances or parts thereof inconsistent with this Act are hereby
21 repealed or amended accordingly.

22 SEC. 24. *Effectivity Clause.* – This Act shall take effect fifteen (15)
23 days after its publication in the *Official Gazette* or in any newspaper of general
24 circulation

Approved,